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Introduction

The Division of Charter School Administration staff of the Texas Education Agency (TEA) looks forward to continuing to work with Texas open-enrollment charter schools to help create an innovative, effective charter system.

Our hope is that the Charter School Handbook will be a valuable resource for both new and existing charter schools. When you are not able to find the answers to your questions, please contact your regional education service center (ESC) representative or our staff.

The handbook itself is a shell document comprised of introductory pages for each of the subjects in the table of contents. The expectation is that schools will fill in the areas behind each of the introductory pages with the most recent versions of relevant documents. Many of these documents are discussed in the introductory pages, and in most cases the websites are given. Always check the TEA website (<http://www.tea.state.tx.us>) or division webpages for the most recent versions of publications. The TEA website is full of important information and can be a very useful tool, so please become familiar with it and refer to it frequently. The webpage for the Division of Charter School Administration is kept current. Access it at <http://www.tea.state.tx.us/charter/>.

It might be helpful to sign up to receive e-mail notification of agency news via the many division (including the Division of Charter School Administration) listservs. To do so, go to <http://www.tea.state.tx.us/list/>.

Our mission is to help charter schools and TEA work together to create effective schools. Please help our division learn more about your needs by letting us know how to improve the handbook.

Division of Charter School Administration Staff

Some primary duties are indicated in the following chart, but please contact any staff member with questions.

Division of Charter School Administration
 Phone (512) 463-9575
 Fax (512) 463-9732
<http://www.tea.state.tx.us/charter/>

Mary Perry Division Director Mary.Perry@tea.state.tx.us	
Arnolito Alaniz Assistant Director Arnolito.Alaniz@tea.state.tx.us	
Monica Sena-Martinez Amendments, Charter School Orientation, SBOE Items Monica.Sena-Martinez@tea.state.tx.us	Valerie Anderson AskTED, SBOE Minutes, Human Resources Coordinator Valerie.Anderson@tea.state.tx.us
Virginia Rodriguez Charter School Handbook Virginia.Rodriguez@tea.state.tx.us	Melissa Giesberg Program Evaluations, Data and Statistical Analysis Melissa.Giesberg@tea.state.tx.us
Sharon Parker Charter Application Support, Record Retention Sharon.Parker@tea.state.tx.us	Judy Lanahan Public Information Requests Judy.Lanahan@tea.state.tx.us
Anne Hemenway Charter Schools Tracking System, Website Anne.Hemenway@tea.state.tx.us	Rick Salvo Charter Application, Charter Renewals, Student Records Rick.Salvo@tea.state.tx.us
Kathryn Jones Complaints, Governance Reporting Forms, Charter Renewals, Board Training Kathryn.Jones@tea.state.tx.us	Paul King Public Information Requests Paul.King@tea.state.tx.us

Getting Started: Becoming an Operational Charter School

Before the County-District Number is Assigned

After a charter school is approved by the State Board of Education (SBOE), there are still a few steps that must be taken to complete the process of making the charter school operational. As described in further detail in this section, three things need to occur before the Texas Education Agency (TEA) can issue a county-district number to approved charter schools:

1. Contingencies must be approved by TEA internal reviewers;
2. The *General Application of Assurances for Federal Programs Administered by the U.S. Department of Education* must be signed and returned; and
3. Contracts must be signed and returned to the agency.

Resolving Contingencies

During the latter stages of the application process, TEA internal reviewers, primarily from the divisions of Charter Schools, Financial Audits, and Legal Services, examine eligible applications. The reviewers determine issues that must be addressed before the application is considered acceptable for contract. Applicants receive a list of these “contingencies” after the interview with the SBOE. Charters may be awarded before contingencies are removed. However, neither contracts with the SBOE, nor county-district numbers will be issued before contingencies are removed. Please note that items that are reviewed by internal reviewers and reported as contingencies are also considered by the board when approving the application. An application of good quality would have few contingencies.

Generally, documentation is required to address contingencies. For specific questions regarding contingencies and required documentation, contact the following individuals:

Charter Schools	Rick Salvo	(512) 463-9575
Financial Audits	Fred Tracy	(512) 463-9095
Legal Services	Karen L. Johnson	(512) 463-9720

Reviewers notify the charter school office when contingencies are cleared.

Submitting the General Application of Assurances for Federal Programs

TEA is required to have on file the *General Application of Assurances for Federal Programs Administered by the US Department of Education* for any school receiving federal funds. Federal funds, such as start-up grant funds, cannot be released to schools that do not have this form on file with TEA. The charter school office sends the form to charter holders after contingencies are cleared. An original signature is required; therefore, faxed copies **are not** accepted. The form should be returned via U.S. mail.

Signing the Contract

Two copies of the contract are mailed to charter holders after contingencies are cleared. Both copies should be signed and returned by mail to the TEA charter school office. After the chairman of the SBOE signs the documents, the agency keeps one copy, and the other copy is sent to the charter holder. A sample contract is available in the most recent version of the charter application at <http://www.tea.state.tx.us/charter/>.

Securing County-District and County-District-Campus Numbers

After the contract is signed by the authorized charter holder and the chair of the SBOE, TEA assigns the school a county-district number. The county-district number is a unique six-digit number assigned to public school districts and charter schools in Texas. The first three digits of the county-district number indicate the county in which the district or charter school is located. An approved charter school becomes an official Texas public charter school after a county-district number is issued. The county-district number is the primary school identifier used by most divisions in the agency.

The county-district-campus number is a nine-digit number made up of the county-district number and an appended three-digit campus number. The campus number identifies a campus within a school district or a charter. Most charter schools open with one campus and will therefore be issued one three-digit campus number.

After the County-District Number: Preliminary Funding Issues

Most Texas open-enrollment charter schools are operated by non-profit corporations, so some of this section refers specifically to steps taken by those entities.

By the time a charter holder has been given a county-district number, it has already completed some of the steps necessary to establish funding through the state.

1. The charter holder has obtained from the Texas Secretary of State a corporate charter number designating the charter holder as a non-profit corporation doing business in the state of Texas before being granted a charter.* The Texas Secretary of State's office can be reached at (512) 463-5701 or accessed online at <http://www.sos.state.tx.us>.

For the information of readers who are not already charter holders, the Secretary of State's Office publishes the *Filing Guide for Business Organizations & Nonprofit Associations*, which offers guidelines for registering business entities, administrative rules, and sample formats. The guide is available at <http://www.sos.state.tx.us/corp/forms/filingguide/index.shtml>.

2. The Internal Revenue Service (IRS) has (1) assigned the corporation an Employer Identification Number (EIN) and (2) has then concluded that the corporation qualifies as a non-profit 501(c)(3) corporation. The EIN is also known as the Federal Employer's Identification (FEI).

For the information of readers who are not already charter holders, these processes are discussed briefly here. The IRS requires the use of form SS-4 (available at <http://www.irs.gov/pub/irs-pdf/fss4.pdf>) to apply for an EIN. Instructions for filling out the form are available at <http://www.irs.gov/pub/irs-pdf/iss4.pdf>. After filling out the SS-4 form, the person authorized to sign the form may request an EIN by calling the Business & Specialty Tax Line at (800) 829-4933. The hours of operation are 7:00 a.m. to 10:00 p.m. local time, Monday through Friday. An assistor takes the information, assigns the EIN, and provides the number to an authorized individual over the telephone.

After being assigned the EIN, the applicant must use form 1023 (available at <http://www.irs.gov/pub/irs-pdf/f1023.pdf>) to apply for 501(c)(3) status with the IRS. The IRS can be contacted at (800) 829-1040, and the website is <http://www.irs.gov>.

3. The *General Application of Assurances for Federal Programs Administered by the U.S. Department of Education* has been signed and returned to TEA. Staff in the Division of Charter School Administration would have mailed the form to newly granted charter schools.

*If a name other than that stated in the articles of incorporation of the non-profit corporation charter holder will be used to transact business or receive state and federal funding, an Assumed Name Certificate (Form 503) must be filed with the Texas Secretary of State and with the county clerk in the county where the registered office of the non-profit corporation is located. This form will indicate that the charter holder is “doing business as” the school.

There are a few steps still to be taken before a charter school can be funded. Schools should complete them in the order they appear below.

Applying for a Letter of Exemption from State Taxes from the Comptroller

To receive a Letter of Exemption from the Comptroller of Public Accounts, an organization must submit to the comptroller a written statement setting out in detail the nature of activities to be conducted, a copy of the articles of incorporation, a copy of any application trust agreement or a copy of its constitution, and a copy of any letter granting exemption from the IRS.

A charter school needs to complete a copy of the Educational Application (AP-207) and send in the information under either Item 10 (apply for an exemption on the basis of a federal exemption) or Item 11 (apply for exemption as an educational organization). A copy of the application with instructions can be found at <http://window.state.tx.us/taxinfo/exempt/index.html>.

If the charter school is not incorporated, then their governing documents must state that they are “non profit.” If a charter school has federal exemption (Item 10), the exemption will be for franchise (if incorporated) and sales tax on their purchases.

If education information is sent in under Item 11 and is granted the exemption as educational, they will get franchise (if incorporated) sales, and the state portion of the hotel occupancy tax.

The comptroller may require an organization to furnish additional information, including documentation showing all services performed by the organization and all income, assets, and liabilities of the organization. Send this material to the following address:

Comptroller of Public Accounts
Attn: Exempt Organizations
P.O. Box 13528
Austin, Texas 78711-3528
(800) 252-5555

After reviewing the material that has been submitted by the organization, the comptroller will send written notice of the organization’s tax-exempt status.

Establishing Bank Processes

A charter school must enter into a depository contract (not to be confused with the Vendor Direct Deposit Authorization) with a bank using the business name as approved by the Texas Secretary of State and using the EIN (also known as the FEI) assigned by the IRS. Some banks have a depository contract and some do not. In cases where a sample is needed, one is available from the Association of Charter Educators (ACE). Contact ACE at (214) 914-9664. The bank must fit the definition in Section 45.201 of the Texas Education Code. TEA will deposit funds into the account of the charter holder. A copy of the depository contract between the bank and the charter holder must be filed with the Division of Financial Audits at TEA when it is established and once a year thereafter. The form should be sent to the following address:

Texas Education Agency
Division of Financial Audits
Attn: Dana Cisneros
1701 North Congress Avenue
Austin, Texas 78701-1494

Completing the Vendor Direct Deposit Authorization

The charter holder must submit to TEA the Vendor Direct Deposit Authorization form (not to be confused with the depository contract). A copy of the **form** and **specific instructions for charter schools** are available at <http://www.tea.state.tx.us/school.finance/audit/directdeposit.html>. The form can be completed on the computer and then printed for the signatures.

The TEA Financial Audits will deliver the copy of the form with the original signatures to the TEA Accounting. Accounting will coordinate with the Division of Charter School Administration to set up the new direct deposit account. Once the account is approved, direct deposit becomes effective 14 calendar-days later. During this period, the State Comptroller will confirm that the routing transit and account numbers are correct for the school. You **will** receive state warrants (checks) during that period of time. Those will be **sent via regular mail** to the **mailing address** shown on the submitted form.

Operating the School

Amendments to the Charter

Contact: Monica Sena-Martinez
Monica.Sena-Martinez@tea.state.tx.us

Division of Charter School Administration
Phone (512) 463-9575
Fax (512) 463-9732
<http://www.tea.state.tx.us/charter/>

Charter schools must be operated in accordance with the charter application approved by the State Board of Education. If changes to the charter are desired, the governing body of the charter holder (charter holder board) may request that the charter be amended by the commissioner of education at the Texas Education Agency (TEA).

The commissioner considers many issues when taking action on amendments, including standardized testing performance, school financial management, and history of compliance with selected reporting requirements.

February 1 is the deadline for receipt by the Division of Charter School Administration of any request to expand grade levels, increase maximum enrollment, add a site, or expand the geographic boundary for the coming school year.

Amendment requests must be made in or attached to a written board resolution adopted by the charter holder board and signed by all board members voting in favor of it. Amendments cannot be processed without a valid board resolution with original signatures. The board resolution should be adopted and signed at the same meeting in which the board votes on the amendment issue. All amendment requests should include the text and page number, or a photocopy, of the charter language to be changed, and the text proposed as the new charter language, with changes marked. In addition, requests for the following types of amendments must submit the documents indicated here:

1. A charter school requesting to **add grade levels** must submit an education plan for each proposed new grade level. Without the education plan, the amendment request will not be sent forward for consideration by the commissioner. In addition, this type of amendment request requires that the school submit evidence that impact statements have been mailed to all districts and charter schools within the geographic boundary. Copies of return receipts are acceptable evidence of such mailing. The Statement of Impact form and a sample letter are available at <http://www.tea.state.tx.us/charter/forms/impactstate.doc>.
2. A charter school requesting to **increase maximum enrollment** must include a special board resolution that includes a statement that the board has considered a business plan containing the elements listed below before voting to request the amendment to increase the maximum enrollment. Without an assurance that such a business plan has been reviewed by the governing body of the charter holder, the amendment request will not be sent forward for consideration by the commissioner. If requested by TEA, the business plan should be submitted to the agency within 10 business days. In addition, this type of amendment request requires that the school submit evidence that impact statements have been mailed to all districts and charter schools within the geographic boundary. Copies of return receipts are acceptable evidence of such

mailing. The Statement of Impact form and a sample letter are available at <http://www.tea.state.tx.us/charter/forms/impactstate.doc>.

The business plan should include:

- a statement discussing the need for an increase in the maximum enrollment;
 - a statement discussing the current and projected financial condition of the charter holder and/or the charter school;
 - an unaudited statement of financial position for the current fiscal year;
 - an unaudited statement of activities for the current fiscal year;
 - an unaudited statement of cash flows for the current fiscal year;
 - a pro forma budget that includes the costs of operating the charter school, including the implementation of the expansion amendment;
 - a statement or schedule that identifies the assumptions used to calculate the charter school's estimated Foundation School Program revenues;
 - a statement discussing the use of debt instruments to finance part or all of the charter school's incremental costs;
 - a statement discussing the incremental cost of acquiring additional facilities, furniture, and equipment to accommodate the anticipated increase in student enrollment; and
 - a statement discussing the incremental cost of additional onsite personnel and identifying the additional number of full-time equivalents that will be employed.
3. A charter school requesting to **add a site** must comply with all state and local laws and ordinances applicable to the occupation and use of the facilities it occupies, including any special standards applicable to the instruction of public school students. A charter school must submit a certificate of occupancy or equivalent certificate appropriate for the proposed use of the facility. If the specific location is not identified at the time of the amendment request, the charter school must submit this information prior to serving students at that site. In addition, this type of amendment requires that the school submit evidence that impact statements have been mailed to all districts and charter schools within the geographic boundary. Copies of return receipts are acceptable evidence of such mailing. The Statement of Impact form and a sample letter are available at <http://www.tea.state.tx.us/charter/forms/impactstate.doc>.
 4. A charter school requesting to **expand the geographic boundary** must submit evidence that impact statements have been mailed to all districts and charter schools within the proposed geographic boundary. Copies of return receipts are acceptable evidence of such mailing. The Statement of Impact form and a sample letter are available at <http://www.tea.state.tx.us/charter/forms/impactstate.doc>.
 5. A charter school requesting to **change or enter into a contractual agreement with a management company** is required to submit a copy of the management company contract for commissioner approval prior to obtaining services via the contract.

To submit an amendment request, please complete the Charter Amendment Request form (available at <http://www.tea.state.tx.us/charter/forms/amendmentform.pdf>) and fax the form, a valid board resolution, and required documents to the Division of Charter School Administration at (512) 463-9732. Additionally, the request with original signatures should be mailed to the Division of Charter School Administration, Texas Education Agency, 1701 N. Congress Avenue, Austin, Texas 78701-1494.

Bilingual Education/English as a Second Language (BE/ESL)

Contact: Georgina Gonzalez
Georgina.Gonzalez@tea.state.tx.us

Division of Curriculum – Bilingual Education
Phone (512) 463-9581
<http://www.tea.state.tx.us/curriculum/biling/>

Under Texas Education Code (TEC) Chapter 29, Subchapter B and 19 TAC §§ 89.1201-1265, districts and charter schools must identify Limited English Proficient (LEP) students based on state criteria. Districts and charter schools must provide an appropriate Bilingual Education (BE) or English as a Second Language (ESL) program conducted by teachers certified for such courses. Districts and charter schools receive a bilingual allocation for providing such instruction to be used for program and student evaluation, materials, salary supplements, etc. *See* TEC § 42.153. Up to 15 percent of the allotment may be used for indirect costs (transportation, administration, etc.).

Teachers of BE/ESL must be certified in those fields, regardless of the qualification requirements of other teachers at a charter school.

A list of frequently asked BE/ESL questions is available at
<http://www.tea.state.tx.us/curriculum/bilingualfaq.html>.

Additional BE/ESL presentations are available at
<http://www.tea.state.tx.us/curriculum/biling/bipresentations.html>.

Career and Technical Education (CTE)

Contact: Karen Batchelor
Karen.Batchelor@tea.state.tx.us

Division of Curriculum
Phone (512) 463-9581
<http://www.tea.state.tx.us/cte/index.html>

Many schools offer courses in career and technical education to help students prepare for college and career in high wage, high skill, high demand jobs whether or not they choose to continue their education after high school.

Included under the umbrella of career and technical education are 16 career clusters:

- Agriculture, Food & Natural Resources
- Architecture & Construction
- Arts, A/V Technology & Communication
- Business, Management & Administration
- Education & Training
- Finance
- Government & Public Administration
- Health Science
- Hospitality & Tourism
- Human Services
- Information Technology
- Law, Public Safety, Corrections & Security
- Manufacturing
- Marketing, Sales & Services
- Science, Technology, Engineering & Mathematics
- Transportation, Distribution & Logistics

Curriculum

Contact: Monica Martinez
Monica.Martinez@tea.state.tx.us

Division of Curriculum
Phone (512) 463-9581

Charter schools are subject to the curriculum requirements that districts must follow. They must provide the required curriculum of Texas Education Code (TEC), §28.002 and 19 TAC Chapter 74, Subchapter A. *See* TEC §12.111(1). They must implement reading diagnosis and accelerated reading instruction programs required by section 28.006. *See* TEC §12.104(b)(2)(C). And, they must adhere to the graduation standards of section 28.025 and 19 TAC Chapter 74, Subchapters B, C, and D. *See* TEC § 12.104(b)(2)(E).

Texas Curriculum Requirements: 19 TAC Chapter 74 Handbook, a document published by the Division of Curriculum, is available at <http://www.tea.state.tx.us/curriculum/Chap74.htm>. Go to <http://www.tea.state.tx.us/curriculum/SBSGradRequirements0708.pdf> for graduation requirements. The handbook is written for school districts, so there are some pieces that do not necessarily apply to open-enrollment charter schools. See the citations in the preceding paragraph for direction.

Texas Essential Knowledge and Skills (TEKS)

The Texas Essential Knowledge and Skills (TEKS) are the basis of the curriculum taught in Texas public schools. Districts and charters are responsible for teaching the TEKS for each subject of the curricula. *See* TEC § 28.002; 19 TAC Chp. 110-128. *See* the *Texas Curriculum Requirements: 19 TAC Chapter 74 Handbook* at <http://www.tea.state.tx.us/curriculum/Chap74.htm> for thorough discussion of the TEKS. Go to <http://www.tea.state.tx.us/curriculum/SBSGradRequirements0708.pdf> for graduation requirements.

Download the TEKS for all courses at all grade levels at: <http://www.tea.state.tx.us/teks>.

Prekindergarten Curriculum Guidelines

The state does not require a specific curriculum for prekindergarten classes. However, the Division of Curriculum has created a useful set of guidelines for a prekindergarten curriculum. Texas Education Code § 29.153 contains statutory requirements concerning prekindergarten.

Download the Prekindergarten Curriculum Guidelines at <http://www.tea.state.tx.us/curriculum/early/prekguide.html>.

Dyslexia

State Dyslexia Hotline 1-800-232-3030

State Dyslexia Consultant~Offices at Region 10 ESC

Brenda Taylor at Brenda.Taylor@region10.org

Gina Mitchell at Gina.Mitchell@region10.org

Contacts: Kerry Ballast

Kerry.Ballast@tea.state.tx.us

Sarah Crippen

Sarah.Crippen@tea.state.tx.us

Division of Curriculum

Phone (512) 463-9581

Districts and charters must have procedures for identifying students with dyslexia or related disorders and providing appropriate educational services. *See* TEC § 38.003; 19 TAC § 74.28.

The State Dyslexia Consultant and Region 10 Education Service Center (ESC) Dyslexia Consultant assist districts, charter schools, universities, parents, and others with questions concerning dyslexia and related disorders, as well as the state requirements for dyslexia programs. Contact the state consultant or Region 10 consultant using the information at the top of the page.

In addition to the services provided by staff at Region 10, each regional education service center has a dyslexia contact. View the directory for contact information for each ESC at <http://www.tea.state.tx.us/curriculum/elar/dyslexiacontacts.html>. These contacts are familiar with regional resources and professional development opportunities and have expertise on state law and rules pertaining to dyslexia and related reading difficulties.

The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders~Revised 2007 contains state law, rule and procedures that Texas public and charter schools must follow when providing dyslexia services to students. Additional information is included addressing state dyslexia law and its relationship to the federal laws: 34 C.F.R. Part 104, which implements Section 504 of the Rehabilitation Act of 1973; and the Individuals with Disabilities Education Act (IDEA).

The Dyslexia Handbook~Revised 2007 is available in both English and Spanish and may be viewed or downloaded from <http://www.tea.state.tx.us/curriculum/elar/index.html>.

Education Service Centers (ESCs)

There are 20 regional ESCs in Texas. ESCs provide technical support and professional development training for public schools. A few areas for which ESCs provide assistance are: fiscal affairs; instruction and technology; staff and human resources development; special education; PEIMS reporting; and TAKS materials. ESC information can be found via the TEA website (<http://www.tea.state.tx.us/ESC>).

ESC Charter Schools Contacts

Education Service Center	Charter Schools Contacts	Telephone	E-mail Address
Region 1	Ruth Solis	(956) 984-6164	rsolis@esc1.net
Region 2	Dan Baen	(361) 561-8415	dan.baen@esc2.us
Region 2	Andi Kuyatt	(361) 561-8516	andi.kuyatt@esc2.us
Region 2	Barbara Tumlinson	(361) 561-8506	barbara.tumlinson@esc2.us
Region 3	Carolyn Kasprzyk	(361) 573-0731 ext 232	ckasprzyk@esc3.net
Region 4	Sheldon Barr	(713) 744-6874	sbarr@esc4.net
Region 4	Jean Heiskell	(713) 744-6503	jheiskell@esc4.net
Region 4	Sherri McCord	(713) 744-6596	smccord@esc4.net
Region 5	Danny Lovett	(409) 951-1839	dlovett@esc5.net
Region 6	Dale Dixon	(936) 435-8204	ddixon@esc6.net
Region 6	Mark Kroschel	(936) 435-8300	mkroschel@esc6.net
Region 7	Diana McBurnett	(903) 988-6909	dmcburnett@esc7.net
Region 8	Beverly Hargrave	(903) 572-8551 ext 2713	bhargrave@reg8.net
Region 9	Vicki Holland	(940) 322-6928	vicki.holland@esc9.net
Region 10	Lorna Bonner	(972) 348-1324	lorna.bonner@region10.org
Region 10	Karen Slaughter	(972) 348-1690	karen.slaughter@region10.org
Region 10	Rickey Williams	(972) 348-1038	rickey.williams@region10.org
Region 11	Clyde Steelman	(817) 740-3630	csteelman@esc11.net
Region 12	Mickey Edwards	(254) 297-1169	medwards@esc12.net
Region 13	Craig Henderson	(512) 919-5390	craig.henderson@esc13.txed.net
Region 13	Linda McDaniel	(512) 919-5225	linda.mcdaniel@esc13.txed.net
Region 14	Dub Preston	(325) 675-8617	dprestn@esc14.net
Region 15	Larry Taylor	(325) 658-6571	larry.taylor@netxv.net
Region 16	Crystal Dockery	(806) 677-5149	crystal.dockery@esc16.net
Region 17	Holly Lee	(806) 281-5859	hlee@esc17.net
Region 18	Michael Desparrois	(432) 567-3277	mdesparrois@esc18.net
Region 18	Blake Hightower	(432) 567-3268	bhightower@esc18.net
Region 19	Karen Blaine	(915) 780-5024	kblaine@esc19.net
Region 20	Susan Gonzales	(210) 370-5468	susan.gonzales@esc20.net

Employer – Selected Charter Holder Employer Responsibilities

Many charter holders find it helpful to be advised by an attorney when addressing employment issues. Two (of many possible) documents might also be helpful. Neither should replace a lawyer's advice.

General Employment Issues

Contact:

Texas Workforce Commission
Employers' Hotline (800) 832-9394
Employees' Hotline (800) 832-2829
<http://www.twc.state.tx.us>

The following two documents are helpful to Texas employers and employees. The first, *Especially for Texas Employers*, addresses dozens of workplace issues, including writing an employee handbook and is available at <http://www.twc.state.tx.us/news/efte/tocmain.html>. The other document, *General Coverage Information and Employer Rights and Responsibilities* is available at the Texas Department of Insurance, Division of Workers' Compensation website at <http://www.tdi.state.tx.us/wc/indexwc.html>.

Teacher Retirement System of Texas (TRS)

Contact: Bob Hoffman
Bob.Hoffman@trs.state.tx.us

Teacher Retirement System of Texas (TRS)
Phone (512) 542-6417 or 1 (800) 433-5734 ext 6417
<http://www.trs.state.tx.us/>

Members call 1 (800) 223-8778
TRS *InfoLine* 1 (888) 877-0123
Reporting Officials call 1 (800) 433-5734
Benefit Accounting call (512) 542-6400

A charter school employee who qualifies for membership in the TRS must be covered under the system to the same extent a qualified district employee is covered. Qualified employees are those who are employed by the charter holder who work half time or more. If a bus driver is employed by the charter holder, he or she is qualified for membership by driving one route a day.

For each charter school employee covered under the system, the school is responsible for making any contribution that otherwise would be the legal responsibility of a district, and the state is responsible for making contributions to the same extent it would be legally responsible if the employee were a district employee. *See* TEC § 12.1057.

The TRS website, <http://www.trs.state.tx.us>, offers access to many TRS resources.

TRS-ActiveCare (Health Coverage)

Contact: Maggie Schmitt
Maggie.Schmitt@trs.state.tx.us

Teacher Retirement System of Texas
Phone (512) 542-6446

House Bill 3343, 77th Texas Legislature, 2001, established a statewide health care benefits program for employees of school districts, charter schools, regional education service centers, and other educational districts where employees are members of TRS. It became effective September 1, 2002, and is administered by TRS.

The bill provides that a charter school is eligible to participate in the program if the school agrees to the open records requirements regarding the program and to an audit of its accounts relating to the program. If an established charter school wishes to be considered for participation, it should send a written request to the following address:

Teacher Retirement System of Texas-ActiveCare
Attn: Bob Jordan
1000 Red River
Austin, Texas 78701

Requests will be considered on a case-by-case basis. The criteria and requirements for participation in TRS-ActiveCare by charter schools are found in §41.30(f), Texas Administrative Code.

Information about the program is available from the TRS website, <http://www.trs.state.tx.us>, or directly at <http://www.trs.state.tx.us/TRS-ActiveCare/index.htm>.

Equal Educational Opportunity (EEO) Compliance Student Transfers

Contact: Pamela Williams
Pamela.Williams@tea.state.tx.us

Program Monitoring and Interventions
Phone (512) 463-9519
eeo@tea.state.tx.us
<http://www.tea.state.tx.us/pmi/eeo>

A 1971 federal court order, Civil Action 5281, charges the Texas Education Agency to review, approve, and monitor all student transfers between school districts. The Student Transfer System (STS) tracks students in Texas who transfer into a school district or charter school other than their home school. Authorized staff members (STS Users) in school districts and charter schools can enter data and update transfer information in the STS.

All students who enroll in a charter school are considered transfer students. A transfer student is defined as a student that resides in one district but attends school elsewhere. Charter schools draw their student enrollment from within the independent school districts where the students reside. Students who choose to attend charter schools transfer from the district in which they reside to the charter school. It is the district in which the student resides, not the charter school, which generates the tax money for that student's education. Charter schools will access the automated Student Transfer System (STS) to submit student transfer information for determining compliance/noncompliance on an individual student basis. Charter schools that are residential or correctional facilities must access the system and report the reason for exemption from reporting transfers. Failure to report will result in noncompliance with Civil Action 5281. The TEA may also withhold state funding (ADA) from charter schools that fail to comply with these reporting requirements.

New charters or STS Users must complete a TEASE Application to apply for access to the Student Transfer System (STS). The application can be accessed at:
<http://www.tea.state.tx.us/forms/tease/sts.htm>.

Other useful information, such as the Exemption Hardship Codes and Frequently Asked Questions, are also available on the EEO webpage at www.tea.state.tx.us/pmi/eeo.

Extracurricular Activities

Contact: Mike Peebles
Mike.Peebles@tea.state.tx.us

Division of Education Services
Phone (512) 463-5917

Most extracurricular activities are governed by the rules of the University Interscholastic League (UIL). UIL sponsors athletic, academic, and music competitions for students, beginning in the seventh grade. Charter schools that choose to participate in UIL activities must comply with UIL rules.

Charter schools are not subject to TEC Chapter 33, Subchapter D (Extracurricular Activities) in its entirety but must comply with Section 33.081 (the “no pass, no play” rule) and with the rules in 19 TAC, Chapter 76 that limit participation in and practice for extracurricular activities. *See* TEC § 12.104(b)(2)(I).

Various TEA staff members, as appropriate, provide direction and interpretation of commissioner of education rules and state law related to non-UIL extracurricular activities. Mike Peebles of the Division of Education Services serves as the liaison for non-UIL extracurricular activities at the Agency. Terry Phillips is the TEA staff member to call at (512) 463-9354 if you have questions about FFA, 4-H, and FHA. For questions about cheerleading and drill teams, contact the UIL at (512) 471-5883 and ask for Bonnie Northcutt, Mark Cousins, or Richard Floyd.

For information specifically on UIL-sponsored extracurricular activities, including the *Constitution and Contest Rules* (which outlines the plans for each competitive activity and includes a calendar and sanctions for rules violations) and the *TEA-UIL Side-by-Side* (which addresses a number of questions and answers regarding extracurricular activities), go to the UIL website at <http://www.uil.utexas.edu/academics>. For the *TEA-UIL Side-by-Side Manual Information 2007-08*, go to <http://www.uil.utexas.edu>.

Financial Accountability

Contacts: Fred Tracy
Fred.Tracy@tea.state.tx.us

Dorinda Wheelless
Dori.Wheelless@tea.state.tx.us

Division of Financial Audits
Phone (512) 463-9095

Your school's financial records must be kept in good order and must be reported in accordance with generally accepted accounting principles (GAAP). The annual audits must include the performance of certain audit procedures for the purpose of reviewing the accuracy of the fiscal information provided by the nonprofit charter school through the Public Education Information Management System (PEIMS).

In addition, charter schools and districts report financial data (actual audited financial data from the previous year) during the second (Midyear) PEIMS submission period each year. Therefore, software used to gather and report financial data must be compatible with PEIMS data standards.

All financial accounting software programs must be capable of meeting the requirements discussed in the *Financial Accountability System Resource Guide* and the *Special Supplement to Financial Accounting and Reporting*.

School financial staff must become familiar with these documents as soon as possible. View them at <http://www.tea.state.tx.us/school.finance/index.html#audit>.

In addition, the Student Attendance Handbook provides districts and charter schools with Foundation School Program (FSP) eligibility requirements of all students and the minimum requirements of all student attendance accounting systems. The Student Attendance Accounting Handbook should be downloaded as soon as possible. It is available at <http://www.tea.state.tx.us/school.finance/handbook/index.html>.

Food Services – Child Nutrition Programs

Contact:

(888) TEX-KIDS

<http://www.squaremeals.org>

The National School Lunch and School Breakfast Programs are federal programs administered for Texas schools by the Texas Department of Agriculture (TDA). *See* 42 U.S.C. §§ 1751-1773; 7 C.F.R. pts. 210-220. Districts and charter schools participating in the program must follow all guidelines in the Administrator's Reference Manual.

Districts and charter schools must participate in the breakfast program if at least 10 percent of the children in a school are eligible for free or reduced-price meals. *See* TEC § 33.901.

The square meals website has application packets to sign up for the programs, if necessary.

Gifted and Talented Education

Contact: Kelly Callaway
Kelly.Callaway@tea.state.tx.us

Advanced Academics/Gifted Education
Phone (512) 463-9581

Development of a Gifted and Talented Education (G/T) program is optional for charter schools. If a charter school wishes to have a G/T program, its charter should so provide, or it should seek a charter amendment from the commissioner. If a charter school receives state funding for a G/T program, it must comply with all state rules and regulations applicable to the provision of services to G/T students.

The TEA G/T webpage (<http://www.tea.state.tx.us/gted/GifTal.html>) contains many helpful links and documents with important information about Texas gifted education. One of the most useful is *The Texas State Plan for the Education of Gifted/Talented Students*, available at <http://www.tea.state.tx.us/gted/GTStatePlanEnglishAug05.pdf>.

Graduation Requirements

Contact:

All Division of Curriculum staff

Phone (512) 463-9581

<http://www.tea.state.tx.us/curriculum/index.html>

Charter schools must follow the same graduation requirement guidelines as school districts do. TEC § 28.025 and 19 TAC Chapter 74, Subchapters B-F define the requirements for graduation under the minimum, recommended, and advanced high school programs. Subchapter B includes requirements for the academic achievement records (transcript). Subchapter F outlines graduation requirements for students who enter Grade 9 in school year 2007-08 or later. Subchapter E outlines requirements for students who entered Grade 9 in 2004-05, 2005-06 or 2006-07. Subchapter D outlines requirements for students who entered Grade 9 in 2001-02, 2002-03, or 2003-04.

The document titled *Texas Curriculum Requirements: 19 TAC Chapter 74 Handbook*, available at <http://www.tea.state.tx.us/curriculum/Chap74.htm>, includes some of the Texas State Graduation Requirements. Additionally, go to <http://www.tea.state.tx.us/curriculum/SBSGradRequirements0708.pdf> for graduation requirements.

Grants – Discretionary and Formula

Contacts:

Division of Discretionary Grants
Phone (512) 463-9269
<http://www.tea.state.tx.us/opge>

Division of Formula Funding
Phone (512) 463-8525
formulafunds@tea.state.tx.us
<http://www.tea.state.tx.us/opge/formfund>

Discretionary Grants

Start-Up Grant

The first grant for which most charter schools are eligible to receive is the federal Title V, Part B, Public Charter Schools start-up grant. Start-up funding is available for up to three years for new charters. Schools may use the funds for up to 18 months for program planning and design and up to two years for program implementation. However, the total grant period cannot exceed three years. Contingent upon the availability of funds, charter schools are generally awarded up to \$450,000 over the three years they are eligible for federal start up funds.

Formula Grants

Special Education – The Standard Application System (SAS) for Special Education Programs

Applications for federal special education IDEA funds should be applied for via the Web Standard Application System (SAS) for the Special Education Programs. Access the application at http://barton.tea.state.tx.us/websas/Pg_Admin_Pub_Login.asp. For training and technical assistance regarding special education funding information, please contact your regional education service center special education funding staff.

Federal Formula “Title” Programs

The No Child Left Behind (NCLB) Program Coordination Division administers several federal programs authorized under the Elementary and Secondary Education Act, as well as the Education Flexibility Partnership Program (Ed-Flex). For program guidance, including information on the purpose and use of the Federal “Title” program funds, contact the NCLB Program Coordination Division at (512) 463-9374 or link to their webpage at <http://www.tea.state.tx.us/nclb>.

The Division of Formula Funding determines the eligibility and planning amounts of the federal programs administered by the NCLB Program Coordination Division. This determination is based on the charter school’s annual submission of actual enrollment data as reported on the *SC5010 NCLB Data Request Form for Federal Funding* which is available in **eGrants**.

In fact, the complete application process, beginning with eligibility and funding determination, is available only in eGrants. **eGrants** is a comprehensive web portal which provides online submission, tracking, review and processing of various reporting requirements and grant applications. To access eGrants, the charter school must logon through TEA SE (Texas Education Agency Secure Environment) by linking to the following web-address: <https://seguin.tea.state.tx.us/apps/logon.asp>.

A TEA SE username and password for each individual who will be entering and/or certifying data is necessary.

For applicants and individual external users that have yet to request a TEA SE username/password, link to the following web address to request access: http://www.tea.state.tx.us/forms/tease/egrants_ext.htm.

Expenditure Report for Federal Grant Funds

Expenditure Reports are also accessed through the TEA SE (Texas Education Agency Secure Environment) logon. Once logged on, access the Grants Expenditure Reports option to report periodic and final expenditures. For questions about a username or password, please contact the TEA Security section at (512) 475-3426. For any questions or problems using the Expenditure Reporting System, please call the phone number on the Notice of Grant Award (NOGA) Agreement.

State Formula Programs

The Division of Formula Funding also determines the eligibility and planning amounts for various state formula grants such as the Accelerated Reading Initiative/Accelerated Math Initiative (ARI/AMI), the Optional Extended Year Program (OEYP), and Life Skills Program for Student Parents. For more information, please visit the TEA Grants Opportunities Page.

TEA Grant Opportunities Page

This site combines the listing of all grant opportunities onto one website for the purpose of providing convenient and focused access to all TEA grant information. This site is now the central resource for all State and Federal grant opportunities administered by TEA. The site contains links to all available TEA grants (paper and eGrants) as well as grant management and administrative guidance. (This site incorporates the information formerly available on the Division of Discretionary Grants, Division of Formula Funding, Funding Opportunities and Grants Management and eGrants websites.)

The TEA Grant Opportunities page is located at the following address: <http://burleson.tea.state.tx.us/GrantOpportunities/forms>. This site will link to all grant information, including due dates for grant applications and reports pertaining to each grant program. For grantees familiar with our existing system, “Go To” links at the top of the page will drop down to boxes which were previously on separate pages: the eGrants Toolbox, the Formula Funding Toolbox, and the Discretionary Grants Toolbox. These toolboxes provide the same useful links, including TEA SE access to the eGrants and Expenditure Reporting systems.

Public Education Information Management System (PEIMS)

Contacts:

PEIMS Questions Phone (512) 463-9229

EDIT+ Questions Phone (512) 936-2622

<http://www.tea.state.tx.us/peims>

Most of the data TEA requests from school districts and charter schools are gathered using the Public Education Information Management System (PEIMS). PEIMS data are used for the Academic Excellence Indicator System (AEIS), Foundation School Program (FSP), statistical purposes, federal reporting, legislative requests, and audit purposes. Through PEIMS, schools report data including student demographic and academic performance, student attendance, personnel information, financial data, and organizational information.

PEIMS is classified into two broad categories.

- A. Data collected through the PEIMS electronic collection method, including the following elements:
 1. A standard set of definitions, codes, formats, procedures and dates for the collection of data (data standards);
 2. Standard edit procedures;
 3. An established database design; and
 4. A production system for formatting and loading data into TEA's enterprise database.
- B. Any other collections, calculations, and analyses of data used for evaluating, monitoring, or auditing public education (such as state assessment, federal funding, and FSP data).

PEIMS data are reported by all school districts and charter schools (in accordance with Texas Education Code [TEC] §42.006) at the district level using vendor software of the school's choice. (TEA does not provide PEIMS software to school districts or charter schools, and it is the responsibility of each charter holder to purchase and correctly use appropriate software. It is the district's responsibility to assure that the software can report PEIMS data properly.) Establishing a solid relationship with the software vendor and the regional Education Service Center (ESC) PEIMS Coordinator is vital. Schools rely on the ESC PEIMS Coordinator for PEIMS/EDIT+ training and PEIMS data reporting. It is crucial that schools have a well-trained, competent staff member to manage PEIMS reporting.

PEIMS data are submitted throughout the school year in four submissions:

1. Fall Submission
Current year budget financial data, staff data (demographic, responsibility, permit, payroll), and student data (demographic, enrollment, school leaver)
2. Midyear Submission
Prior year actual financial data
3. Summer Submission
Student data (demographic, attendance, course completion, discipline)
4. Extended Year Submission
Extended School Year Services and Optional Extended Year Program (only submit this data if the school offers these programs).

A calendar of PEIMS submission dates is available from the PEIMS webpage at <http://www.tea.state.tx.us/peims> .

The PEIMS submission process follows these steps:

1. Districts enter/update data using their respective software systems.
2. District software extracts data from master files into the PEIMS, 80-byte, ASCII format specified in the PEIMS Data Standards.
3. Extracted PEIMS data are uploaded and validated on the TEA EDIT+ (see the **EDIT+** section below) file server using the secure file transfer capabilities of the Internet.
4. EDIT+ generates error-listing reports on any errors and warnings detected. An error may be classified as warning, special warning and fatal. Districts correct data within their respective software systems and the information is uploaded again starting with Step #2. This process continues until no fatal error exists in the submitted data file.
5. When the district is satisfied with the results of their data validation and no fatal errors exist, the district data is flagged and accepted as correct by the district and the ESC personnel are notified.
6. ESC personnel review reports to verify the completeness of each district's data within their region. Errors found by the ESC during the review process are corrected by school districts in a timely manner.
7. When the ESC is satisfied with the results of the data review, the district data are flagged as complete by the Region.
8. Upon being flagged complete by the region, PEIMS data are automatically transferred from the TEA EDIT+ server to the TEA mainframe and turnaround quality reports are created and returned to the districts.
9. The Superintendent Approval Form is electronically signed by the superintendent as part of the online submission process. The collection process is not considered complete until the Superintendent Approval Form is completed.

The Division of Financial Audits of TEA inspects certain segments of PEIMS data. Many data are examined at the agency, but site visits are also common. The superintendent is held accountable for a school district or charter school's PEIMS data.

The [PEIMS Data Standards](#) provide instructions regarding the submission of PEIMS data from school districts and charter schools to TEA. The Student Attendance Accounting Handbook provides districts and charter schools with Foundation School Program (FSP) eligibility requirements of all students and the minimum requirements of all student attendance accounting systems.

The [PEIMS Data Standards](#) and the Student Attendance Accounting Handbook are available at <http://www.tea.state.tx.us/peims/standards/index.html> and <http://www.tea.state.tx.us/school.finance/handbook/index.html>, respectively. You should download, read, save, and refer to these documents often.

EDIT+

EDIT+ (Internet-based editing and data submission) allows schools to access the TEA PEIMS editor via the Internet and edit data before electronically transmitting it to the ESC. EDIT+ enables schools to run reports on data before submission. To complete the **TEA Secure Environment (TEASE) Request for Access PEIMS EDIT+, PID, PET, and SAF** form, go to <http://www.tea.state.tx.us/peims/editplus>. Since the approval is a paper process, **please allow ample turnaround time.**

Person Identification Database (PID)

The Person Identification Database is used by the Texas Education Agency to manage and store identifying information on individuals who are reported to TEA through PEIMS. The PID system includes records for students and staff. The purpose of the PID system is to ensure that each time data are collected for the same individual, certain pieces of basic identifying information match.

Because PID errors continue to plague efforts to link data across two or more data submissions, TEA has implemented a policy requiring that student PEIMS data meet a certain standard of accuracy. Failure to meet the PID accuracy standard will result in sanctions being imposed on the school until the error rate is reduced to a point below the standard. For more information on the accuracy standard and sanctions, go to <http://www.tea.state.tx.us/peims>.

EDIT+ provides authorized users with the ability to search the PID for student and staff demographic information. EDIT+ users validate the student and staff data contained in the source PEIMS file against the PID. Verification reports generated by EDIT+ are used when correcting the data.

To request access to PID information, the TEA Secure Environment (TEASE) Request for Access PEIMS EDIT+, PID, PET, and SAF **must be completed** by using the link <http://www.tea.state.tx.us/peims/editplus>. **Please allow ample turnaround time.**

PET

PET is an extension of PID designed to track student enrollment. The PET extension is designed to:

1. provide an up-to-date record of Texas school districts of enrollment for Texas public school students in grades PK-12;
2. improve leaver reporting by eliminating the reporting of district-to-district moves on leaver records;
3. allow districts to find students who have left and enrolled at other districts in the Texas public school system; and
4. allow districts to identify the previous Texas districts of enrollment for students newly enrolling in their districts.

The PET consists of a state enrollment tracking table that is an extension of the existing, familiar PID tables in EDIT+. The data submission process is modeled on PEIMS data submissions. Participation in PET is required as part of PEIMS data submissions.

The effectiveness of PET depends on the active participation of all school districts and charters. PET submissions were required more or less weekly, except in weeks with PEIMS data submissions, throughout the school year.

School district PET file submissions are recorded. Education Service Center (ESC) PEIMS coordinators and TEA PEIMS Division staff can view reports of submissions by districts.

- The first submission for the year is due no later than week two of the instructional year.
- Thereafter, PET submissions are required each week that a school district is in session during the district instructional year.
- A final submission is required with all enrollments and withdrawals for the instructional year included.

- Weekly PET submissions or on-line activity occur between 8:00 am Monday and 10:00 pm Friday.
- A “missing submission” is defined as no PET batch submission and no on-line PET activity for one week.
- Missing submissions are monitored systematically between mid-August and November and between January and May.
- Submissions in December and between June and mid-August depend on local calendars and are monitored as needed.

Attachment B. PET Data Submission Indicators and Actions	
Batch Submissions	
Indicator	Action
Two missing ¹ consecutive submissions during the instructional year	<ul style="list-style-type: none"> • PEIMS Division monitors next submission
Three missing consecutive submissions during the instructional year	<ul style="list-style-type: none"> • PEIMS Division contacts the school district PEIMS Coordinator in writing • Director of PEIMS Division notified • Technical assistance provided
Four missing consecutive submissions during the instructional year	<ul style="list-style-type: none"> • Director of PEIMS Division notifies the superintendent in writing • District is identified as PET delinquent • (Option) Self-evaluation required • (Option) Data Quality monitoring program notified
Mid-year and year-end summary	<ul style="list-style-type: none"> • PEIMS Division develops list of districts with no submissions

On-line Entries	
Indicator	Action
	<ul style="list-style-type: none"> • ESC PEIMS Coordinators monitor periodically
Enrollments not entered in timely manner	<ul style="list-style-type: none"> • ESC PEIMS Coordinator notifies Director of PEIMS Division • Technical assistance provided
Mid-year and year-end summary	<ul style="list-style-type: none"> • PEIMS Division develops list of districts with no entries

¹A “missing submission” is defined as no PET batch submission or no on-line PET activity for one week (between 8:00 am Monday and 10:00 pm Friday) during an instructional year. PET submissions are required each week of a school district instructional year, with the exception of the first submission of the year. The first submission for the year is due no later than week two of the instructional year. Missing submissions are monitored systematically between mid-August and November and between January and May. Submissions in December and between June and mid-August depend on local calendars and are monitored as needed.

Ratings – State and Federal Accountability Systems

Contact:

Division of Performance Reporting
Phone (512) 463-9704
performance.reporting@tea.state.tx.us
<http://www.tea.state.tx.us/perfreport>
<http://www.tea.state.tx.us/aea>

State Accountability System

In 1993, the Texas Legislature enacted the statutes that mandated the creation of the Texas public school accountability system to rate school districts and campuses based on student performance. Texas Education Agency staff, educators and school board members, business and community representatives, professional organizations, and legislative representatives across the state collaborated on the system design.

With the implementation of the new Texas Assessment of Knowledge and Skills (TAKS) came a new accountability ratings system that includes both standard and alternative education accountability (AEA) procedures.

The agency releases preliminary accountability ratings by August 1. Charters and the campuses they operate are assigned accountability ratings, even in the first year of operation.

State accountability ratings may be accessed at <http://www.tea.state.tx.us/perfreport/account>.

Each year TEA releases the state accountability manual. The manual is generally released in May and addresses the school year that is just ending. In order to understand the accountability rating procedures that apply to your school in detail, it is necessary to have the appropriate manual as a reference. The appropriate manual can be found online at the link above by clicking on the specific year for which the accountability ratings are needed.

Federal Accountability System

Accountability provisions under the *No Child Left Behind Act of 2001* (NCLB) evaluate annually all districts and campuses for Adequate Yearly Progress (AYP).

The agency releases preliminary AYP status in August.

AYP status can be found on the web at <http://www.tea.state.tx.us/ayp>.

Each year TEA releases the AYP Guide. The guide is generally released in late May or early June and addresses the school year that is just ending. In order to understand the AYP procedures that apply to your school, it is necessary to have the appropriate guide as a reference. The guide can be found online at the link above.

Special Education

Contact: Jonel Peralta
Jonel.Peralta@tea.state.tx.us

Division of IDEA Coordination
Phone (512) 463-9414
<http://www.tea.state.tx.us/special.ed>

Charter schools must serve special education students just as they would be served in a school district (34 CFR 300.28). While charter schools generally are not required to hire certified teachers unless otherwise stated in the charter application, this does not apply to special education teachers. All special education and related service personnel must be certified, endorsed, or licensed in the area or areas of assignment. This is true, regardless of the qualification requirements for other personnel at the charter school (34 CFR 300.18; 19 TAC 89.1131). It is imperative that you employ knowledgeable staff members to implement the special education program.

The Texas Education Agency's Division of IDEA Coordination, in coordination with other divisions, is responsible for assuring that the requirements of Public Law No: 108-446, the Individuals with Disabilities Education Improvement Act (IDEA), the Texas Administrative Code (TAC), and the Texas Education Code (TEC) are implemented so that all eligible students with disabilities receive a free appropriate public education (FAPE). This assurance is achieved in collaboration with the 20 regional education service centers that provide technical assistance support to the school districts and charter schools that provide direct services to eligible students with disabilities. To further assure that appropriate services for students with disabilities are provided, division staff members are involved in a number of statewide initiatives and coordinate implementation activities with other state agencies. *See* TEC § 29.010.

The regional education service centers (ESCs) have designated staff members to help charter schools and districts with special education issues. Go to <http://www.tea.state.tx.us/special.ed/escinfo/contact.html> to find the ESC special education director for your region.

Go to <http://www.tea.state.tx.us/special.ed> for helpful information on special education. The following two documents are particularly helpful:

- *Special Education Rules & Regulations* (Texas Side-by-Side), available at <http://www.tea.state.tx.us/special.ed/rules/sbs.html>; and
- A publication on Section 504 of the Rehabilitation Act of 1973, available at <http://www.tea.state.tx.us/special.ed/sec504>.

State Funding

Contact: Nora Rainey
Nora.Rainey@tea.state.tx.us

Division of State Funding
Phone (512) 463-9238
<http://www.school.finance/index.html>

The Student Attendance Accounting Handbook provides districts and charter schools with Foundation School Program (FSP) eligibility requirements for all students and the minimum requirements for all student attendance accounting systems. The Student Attendance Accounting Handbook should be downloaded as soon as possible. It is available at <http://www.tea.state.tx.us/school.finance/handbook/index.html>.

The primary source of funding for charter schools comes from the Foundation School Program (FSP) and is based on the number and types of students attending school (what the agency calls Average Daily Attendance [ADA]). The weighted ADA (WADA) is ADA plus adjustments for students participating in special education, career and technical education, bilingual/ESL education, state compensatory education, and/or gifted and talented education programs. Schools that choose to provide transportation to students receive additional state funds. Charter schools are not entitled to participate in the instructional facilities allotment or the existing debt allotment. *See* TEC § 46.036.

Charter schools do not have taxing authority and, accordingly, generate no property taxes. The following paragraphs address the methods of state funding for charter schools.

For school year 2007-2008, funding to charter schools that were in operation prior to September 1, 2001, is based on 50% of the amount of state aid the sending district would have earned for each student (calculated using the sending district's Adjusted Allotment and Enrichment Tax Rate). If the sending district is one that does not receive FSP state aid, the state aid to the charter school may be based on the sending district's average maintenance and operations tax collections per ADA if this method is more beneficial to the charter school. The additional 50% of state funding for a charter school in operation prior to September 1, 2001, is based on the state average formula which uses a state average adjusted allotment, state average enrichment tax rates, and a state average additional state aid for tax reduction (ASATR) per WADA. The name of this funding formula is the Resident District dependent formula.

The funding system for charter schools is different for schools beginning operations after September 1, 2001. *See* TEC § 12.106. The State Average formula is based solely on the state-wide average funding per weighted student, calculated using the state average adjusted allotment, state average enrichment tax rates, and a state average additional state aid for tax reduction (ASATR) per WADA. The name of this funding formula is the State Average formula.

For schools in operation prior to September 1, 2001, the State Average funding system will be phased in over 10 years beginning in 2003-2004, and during the phase-in period the schools will receive a portion of their funding under the Resident District formula.

The *Estimated State Aid Entitlement Templates, Estimate of State Aid Reports, Payment Ledgers, TEA Payment Reports, FSP Payment System Instructions* and other information related to charter school state funding are available at <http://www.tea.state.tx.us/school.finance/charter>.

Teacher Qualifications

Contacts: Scott Lewis
Scott.Lewis@tea.state.tx.us

Division of No Child Left Behind Program Coordination
Phone (512) 463-9374
Fax (512) 305-9447

List of TEA staff contacts by region available at
<http://www.tea.state.tx.us/nclb/contacts.html>

List of Education Service Center NCLB contacts by region available at
<http://www.tea.state.tx.us/nclb/PDF/RegionContactsWebList.pdf>

The No Child Left Behind Act of 2001 (NCLB), signed by the President on January 8, 2002, is the reauthorization of the Elementary and Secondary Education Act (ESEA). A significant change made by NCLB was the inclusion of a federal definition of “highly qualified teacher.” All open-enrollment charter school teachers must hold at least a bachelor’s degree and must demonstrate competency in the core academic areas in which they teach in order to meet the definition of a highly qualified teacher. Special education charter school teachers must also have appropriate special education teacher certification to be considered highly qualified.

Please access the No Child Left Behind Highly Qualified Guidance Document, a publication of TEA, at <http://www.tea.state.tx.us/nclb/hqteachers.html>. Note that the Guidance Document discusses the qualifications of charter school teachers specifically in question 12.

The federal Department of Education also maintains a webpage on NCLB. Access it at <http://www.ed.gov/nclb/landing.jhtml>.

Testing – Student Assessment

Contact:

Student Assessment Division
Phone (512) 463-9536
Fax (512) 463-9302
studenta@tea.state.tx.us
<http://www.tea.state.tx.us/student.assessment>

The Student Assessment Division manages and oversees the development, administration, scoring, and analysis of the statewide assessment program. For the 2007-2008 school year, the statewide assessment program includes the Texas Assessment of Knowledge and Skills (TAKS), TAKS (Accommodated), TAKS-Modified (TAKS-M), TAKS-Alternate (TAKS-Alt), the Texas English Language Proficiency Assessment System (TELPAS), and the Texas Assessment of Academic Skills (TAAS). The TAKS exit level retests and the TELPAS reading test at grades 2-12 are available in both paper and online formats during 2008.

TAKS/TAAS

Texas Assessment of Knowledge and Skills (TAKS)

The Texas Assessment of Knowledge and Skills (TAKS) measures the statewide curriculum in reading at grades 3-9; in writing at grades 4 and 7; in English Language Arts (ELA) at grades 10 and 11 (exit level); in mathematics at grades 3-11; in science at grades 5, 8, 10, and 11; and social studies at grades 8, 10, and 11. The Spanish TAKS is administered at grades 3 through 6. Satisfactory performance on the TAKS at grade 11 is prerequisite to a high school diploma.

The TAKS, first implemented in the 2002-2003 school year, was developed to reflect sound instructional practice and accurately measure student learning. The expectation is that every teacher will see the connection between what is tested on this state assessment and what students should know and be able to do to be successful academically.

In order to provide schools with an understanding of this testing program and its connection to the TEKS and to classroom teaching, the Texas Education Agency (TEA) has developed information booklets. All booklets include the following information:

- direction in reading the TEKS
- an overview of the subject within the context of TAKS
- the objectives and TEKS student expectations that will be included on TAKS
- the reasons each objective and its TEKS student expectations are critical to student learning and success
- additional information about each objective that will help educators understand how it might be assessed on TAKS
- sample items, reading/writing selections, and/or prompts that show some of the ways objectives might be assessed

To download these booklets, go to

<http://www.tea.state.tx.us/student.assessment/taks/booklets/index.html>.

Texas Assessment of Academic Skills (TAAS)

TAAS will remain the graduation requirement for students who were enrolled in grade 9 or a higher grade on January 1, 2001. Districts will continue administering the exit level TAAS to eligible enrolled students and to out-of-school examinees (individuals who have not met minimum expectations on the exit level TAAS test but who have completed all other graduation requirements and are not currently enrolled in high school). There will be no changes to the administration procedures of the exit level TAAS test.

ASSESSMENT OF STUDENTS SERVED BY SPECIAL EDUCATION

Testing decisions for students receiving special education services are made by each student's admission, review, and dismissal (ARD) committee. Complete information regarding the role of the ARD committee in the assessment program is in the manual titled *ARD Committee Decision-Making Process for the Texas Assessment Program*, which is available online at <http://www.tea.state.tx.us/student.assessment>.

Students served by special education for whom the ARD committee determines TAKS is not appropriate may be assessed with the following tests:

TAKS (Accommodated)

TAKS includes an accommodated form called TAKS (Accommodated) for students served by special education who meet the eligibility requirements for specific accommodations. For further information regarding eligibility for TAKS (Accommodated) forms, please see the revised ARD manual referenced above. TAKS (Accommodated) will be available in all TAKS tested grades and subjects. Retest opportunities for exit level assessments will be offered beginning in July 2008.

TAKS-Modified (TAKS-M)

TAKS-M, an option for students receiving special education services and for whom TAKS, even with allowable accommodations, is not an appropriate assessment, is available in all grades and subject where TAKS is administered, except Spanish. It contains the same content as TAKS, but has increased accessibility for students with disabilities through the use of content and formatting modifications. It is based on the grade level TEKS curriculum, but the assessment itself is simplified. General information regarding its format and modifications can be found at <http://www.tea.state.tx.us/student.assessment/resources/taksm/index.html>. TAKS-M is an alternate assessment based on modified academic achievement standards designed to meet the requirements of No Child Left Behind for those subjects and grade levels that are currently assessed with TAKS. TAKS-M is intended for a small number of students served by special education who meet participations criteria (2% counted toward Adequate Yearly Progress [AYP]).

TAKS-Alternate (TAKS-Alt)

TAKS-Alt is an online observation/documentation assessment designed for students with significant cognitive disabilities to meet the federal requirements mandated under the No Child Left Behind Act. According to federal regulations, all students will be assessed on grade-level curriculum, which includes those students receiving special education services. Students with significant cognitive disabilities may be assessed with alternate academic achievement standards using an assessment that is linked to the grade-level curriculum through prerequisite skills. In 2007-2008, TAKS-Alt will be available in all of the same grades and subjects as TAKS. For more information about TAKS-Alt, go to <http://www.tea.state.tx.us/student.assessment/resources/taksalt/index.html>.

ASSESSMENT OF ENGLISH LANGUAGE LEARNERS (ELLs)

The role of the language proficiency assessment committee (LPAC) in the assessment program for limited English proficient (LEP) students is covered in the TEA publication titled *LPAC Decision-Making Process for the Texas Assessment Program*, which is available online at <http://www.tea.state.tx.us/student.assessment/>. This publication is updated in December of each year.

Texas English Language Proficiency Assessment System (TELPAS)

In response to federal testing requirements of the *No Child Left Behind Act of 2001 (NCLB)*, the TEA has developed the Texas English Language Proficiency Assessment System (TELPAS). This system has two components: a reading test (formerly known as the Reading Proficiency Tests in English or RPTE) and holistically rated assessments of listening, speaking, reading (for K-1 students), and writing (formerly known as the Texas Observation Protocols or TOP). Both components are designed to assess the progress LEP students make in learning the English language. These tests are administered to all eligible LEP students, including those who do not participate in a bilingual or English as a Second Language (ESL) program because of a parental denial.

The TELPAS reading tests have been administered to LEP students in grades 3–12 since the 1999–2000 school year. A second edition of the assessment (which was field-tested as the Reading Proficiency Tests in English II or RPTE II) adds a grade 2 assessment and will be implemented in spring 2008. The TELPAS reading tests will be administered as a paper assessment and online in spring 2008; however, it is anticipated that they will be administered exclusively online beginning in spring 2009.

TOP rater training includes a qualifying component to ensure that raters are adequately prepared to rate students.

For more information on TELPAS, go to <http://www.tea.state.tx.us/student.assessment/admin/rpte/index.html>.

Linguistically Accommodated Testing (LAT)

Recent immigrant students who qualify for a LEP exemption from testing are administered the TAKS reading, mathematics, or science tests with certain linguistic accommodations that help them better understand the language used on the tests. More information on LAT testing can be found in the *2008 District and Campus Coordinator Manual*, which will be shipped to districts in December 2007.

STUDENT SUCCESS INITIATIVE (SSI)

In 1999, the Texas Legislature enacted the Student Success Initiative (SSI), which requires students to pass selected TAKS tests in order to be eligible for promotion to the next grade. Students in grade 3 are required to pass the TAKS reading assessment to advance to grade 4, while students in grades 5 and 8 must pass the TAKS reading and mathematics assessments to advance to grades 6 and 9, respectively. Students in these grades have up to three opportunities to pass the required TAKS tests. For more information regarding the Student Success Initiative, see Chapter 101, Subchapter BB, of the Texas Administrative Code.

Detailed information regarding SSI requirements is available in the *2007–2008 Grade Placement Committee Manual*. The manual and more information about SSI can be found online at <http://www.tea.state.tx.us/student.assessment/resources/ssi/index.html>.

TEST SECURITY AND CONFIDENTIAL INTEGRITY

As defined by the Texas Education Code (TEC), Chapter 39, Subchapter B, the Texas Assessment of Knowledge and Skills (TAKS), the TAKS (Accommodated), the TAKS–Modified (TAKS–M), and the Texas English Language Proficiency Assessment System (TELPAS) are secure testing programs. In addition, any field tests for the TAKS, TAKS–M, and TELPAS programs are also secure. According to 19 TAC §101.61 (see Appendix C), all test materials must be handled in strict accordance with the instructions contained in the coordinator and test administrator manuals. Each person with access to test materials must maintain and preserve the security and confidential integrity of all tests. Unlike the other paper and online assessments, TAKS–Alternate (TAKS–Alt) online assessment materials are not considered secure. However, student information used or obtained during TAKS–Alt administrations is confidential. Each person with access to student information should maintain and preserve the confidential integrity of this information.

Test Security

Test security involves accounting for all secure materials before, during, and after each test administration. All test booklets are assigned to each campus by a unique security number printed on the cover of every document. Only authorized personnel may have access to any secure test materials, and all secure items must be kept in locked storage (for example, in a locked closet) when not in use. When testing has concluded, all secure materials assigned to individual campuses must be returned to the district testing coordinator, who then ships them to the testing contractor. Districts are required to implement any controls necessary to ensure accurate and reliable tracking of all secure items.

Confidential Integrity

Confidential integrity involves protecting the contents of all test booklets, completed answer documents, LAT linguistic simplification guides, and ancillary materials such as specific Braille instructions. Maintaining confidential integrity requires compliance with all of (but not limited to) the following guidelines:

- All testing personnel must be trained and sign an oath before handling secure test materials.
- All tests must be administered in strict accordance with the instructions contained in the test administrator manuals.
- No person may view or discuss the contents of the test booklets or answer documents before, during, or after a test administration unless specifically instructed to do so by the procedures outlined in the test administrator manuals. **All test content is considered secure until the tests are released to the public.** No person providing an oral administration of a test may write notes, calculations, or any other marks in a test booklet or in any other location. Test administrators conducting an oral administration must be aware that they are viewing secure content and that responding to test items or recording the information they see is strictly prohibited.
- Secure test materials, including test booklets and LAT linguistic simplification guides, may not be duplicated without prior approval from TEA.

- District personnel **MAY** retain a copy of each student’s composition and/or open-ended responses for the following TAKS and TAKS (Accommodated) administrations in March:
 - grade 4 writing (English and Spanish)
 - grade 7 writing
 - grade 9 reading
 - the primary administration of grade 10 English language arts (ELA)
 - exit level ELA

Districts must submit the original answer documents for scoring but may duplicate the compositions and open-ended responses from the lined pages of the answer documents. Duplicated responses must not be reviewed, distributed, or discussed until the date specified for each administration on the Calendar of Events.

Districts may **NOT** make copies of any other writing, reading, or English language arts tests or field tests.

- Each subject area in a test booklet is sealed. This seal may be broken during the respective subject-area test session only by persons authorized by the instructions contained in the administration materials.
- No person may view, reveal, or discuss the contents of a secure assessment instrument or answer verbally or nonverbally any question that relates to the contents of a test before, during, or after a test administration unless specifically authorized to do so by the procedures outlined in the test administration materials.
- No person may review or discuss student responses during or after a test administration unless specifically authorized to do so by the procedures outlined in the test administrator materials.
- No person may change any response or instruct a student to do so.

Beginning in spring 2008, districts will be required to implement seating charts for use during all administrations. Seating charts will be maintained at the local level. Sample seating charts can be found in the *Test Security Supplement*, although districts are encouraged to develop charts that work best for their particular circumstances.

Each person participating in the testing program is directly responsible for reporting immediately to the district coordinator any violation or suspected violation of test security or confidential integrity. The district coordinator is directly responsible for reporting immediately to the TEA all violations or suspected violations within his or her district. Failure to report to the appropriate authority that an individual has engaged in conduct that violates the security or confidential integrity of a test violates 19 TAC §101.65(d)(7) and could result in sanctions.

More information on how to ensure proper testing procedures can be found in the *District and Campus Coordinator Manual* for the testing program and in the *Test Security Supplement*.

USEFUL RESOURCES

For more information and other documents related to student assessment, go to <http://www.tea.state.tx.us/student.assessment>.

District and Campus Coordinator Manual

Grade Placement Committee Manual

LPAC Decision-Making Process for the Texas Assessment Program Procedural Manual

TELPAS District and Campus Coordinator Manual

TOP Rater Manual Grades K-12

ARD Committee Decision-Making Process for the Texas Assessment Program Reference Manual

Test Security Supplement

Instructional Materials and Educational Technology

Contact: Dianne Ripley
Dianne.Ripley@tea.state.tx.us

Instructional Materials and Educational Technology Division
Phone (512) 463-9601
<http://www.tea.state.tx.us/imet>

Under Article VII, §3 of the Texas Constitution and TEC §31.001, textbooks adopted for use in the public schools are provided without cost. The SBOE adopts textbooks for each subject in the foundation and enrichment curriculum based on an adoption cycle. Each year, districts and charter schools notify TEA of the instructional materials selected for the next school year. According to Texas Administrative Code §66.104, Selection of Instructional Materials by School District, “(h) Only instructional materials ratified by the board of trustees or governing body shall be furnished by the state for use in any school district or open-enrollment charter school. Selections certified to the TEA shall be final and, therefore, shall not be subject to reconsideration during the original contract period or readoption contract periods covering the instructional materials selected.” School district and charter schools place requisitions for instructional materials based on actual student enrollments.

Transportation

Contact:

Division of State Funding - School Transportation Unit

Phone (512) 463-9238

Fax (512) 936-2313

<http://www.tea.state.tx.us/school.finance/transportation/index.html>

School districts and charter schools are only legally required to provide transportation to certain designated students with special needs (*see, e.g.,* TEC § 28.0211[j]). However, the Texas Education Code (*see* TEC § 34.007) authorizes school districts and charter schools to establish and operate (or alternatively contract with a mass transit authority or commercial transportation company in accordance with the provisions of TEC Chapter 34) to provide an economical public school transportation system for regular (non-disabled) students, and they are entitled to receive an allotment of state Foundation School Program (FSP) funds for providing eligible route services (*see* TEC § 42.155).

Charter schools must submit an application to be eligible to receiving transportation funding. The application and documents related to provision of school transportation are available on the TEA website at <http://www.tea.state.tx.us/school.finance/transportation/index.html>. Applications from schools not previously approved must arrive at TEA School Transportation no later than July 15 in order to be considered for the upcoming school year. Following approval to receive funding, annual reporting is required after the completion of each school year. Reports must be filed via the web-based, on-line TEASE-FSP payment system which requires authorized access (*see* application and login information at the above URL address under FSP Payment System).

Selected Laws and Rules

Contacts: Karen L. Johnson
Karen.Johnson@tea.state.tx.us

Jim Thompson
Jim.Thompson@tea.state.tx.us

Division of Legal Services
Phone (512) 463-9720

The documents discussed here should not be considered a substitute for legal counsel. Charter holders and individuals operating charter schools should be familiar with the laws and rules that apply to charter schools.

Charter schools must be operated in accordance with Texas law. Most of the state laws that affect charter schools are found in the Texas Education Code (TEC), but some are found in other areas of state statute. The *Texas School Law Bulletin*, which makes available in one document all laws relevant to the operation of schools, is compiled after each legislative session and distributed to school districts and charter schools. One copy is sent free to each school, but additional copies may be purchased from TEA's Publications Distributions and Sales Office. Contact the office at (512) 463-9744.

Charter schools are also subject to portions of the Texas Administrative Code (TAC). The rules adopted by the State Board of Education (SBOE) and the commissioner of education are part of a larger body of state agency rules that are collected and published by the Office of the Secretary of State as the TAC. SBOE and commissioner's rules are codified in Title 19, Part II, of the TAC. The SBOE and the commissioner of education may adopt new rules or amendments to existing rules. While Title 19 TAC, Chapter 100 is the primary source of rules applying to open-enrollment charter schools, other chapters of Title 19 TAC address some charter school issues.

The Texas Education Code can be accessed through both the TEA website and the Texas Legislature Online, at <http://www.capitol.state.tx.us>. The portion of the Texas Administrative Code that addresses education can be accessed via the TEA website at <http://www.tea.state.tx.us/rules/home/>.

Schools should download the following documents:

- 19 TAC, Chapter 100
<http://www.tea.state.tx.us/rules/tac/chapter100/index.html>
- Texas Education Code, Chapter 12
<http://www.capitol.state.tx.us/statutes/edtoc.html>
- Open Meetings Act and Public Information Act
<http://www.oag.state.tx.us/opinopen/opengovt.shtml#govlaws>
- Guidance on Federal Programs
http://www.uscharterschools.org/pub/uscs_docs/index.htm

Several important non-regulatory guidance documents are included here. Included among the many topics are the admissions lottery, private school conversion, civil rights, charter school access to federal funds, and the national school lunch program.

Resources for Charter Schools and New Charter Applicants

Texas is divided regionally into 20 Education Service Centers (ESC).

www.tea.state.tx.us/ESC

They are the first point of contact as each has a designated charter school contact.

The Resource Center for Charter Schools is a non profit organization located in Corpus Christi. They typically host an annual conference, send out the Friday Faxes, and offer general support for charter schools. Although not associated with TEA, many people involved with charter schools find this organization to be a valuable resource. Visit the Resource Center for Charter Schools at

www.charterstexas.org

U.S. Department of Education

www.ed.gov/index.jsp

U.S. Department of Education – Charter Schools

www.uscharterschools.org/pub/uscs_docs/index.htm

The Texas Education Agency (TEA)

www.tea.state.tx.us

The Division of Charter School Administration at TEA

www.tea.state.tx.us/charter

The Charter School Handbook

www.tea.state.tx.us/charter/handbook/handbook.doc

Request for application and other resources

www.tea.state.tx.us/charter/rfas/rfascharter.html

Texas Essential Knowledge and Skills (TEKS)

www.tea.state.tx.us/teks

Texas State Graduation Requirements

For students entering grade 9 in 2004-2005 and thereafter until 2007-2008

www.tea.state.tx.us/curriculum/SBSGradRequirements0405.pdf

For students entering grade 9 in 2007-2008 and thereafter

www.tea.state.tx.us/curriculum/SBSGradRequirements0708.pdf

School Finance information

www.tea.state.tx.us/school.finance

Student Attendance Accounting Handbook

www.tea.state.tx.us/school.finance/handbook/index.html

Equal Education Opportunity

www.tea.state.tx.us/pmi/eo

Texas Legislature Online
www.capitol.state.tx.us

2006 Open Meetings Handbook is available at
www.oag.state.tx.us/AG_Publications/pdfs/openmeeting_hb2006.pdf

Attorney General's Answers to FAQs:
www.oag.state.tx.us/opinopen/og_faqs.shtml#oma

Office of the Attorney General
Open Government Information
www.oag.state.tx.us/opinopen/opengovt.shtml#govlaws

Association of Charter Educators (ACE)
www.aceoftexas.org

Texas Center for Educational Research
www.tcer.org

All State Agencies
www.tsl.state.tx.us/trail/agencies.html

Texas Open-Enrollment Charter School Handbook

List of Selected Sources for Dates and Deadlines

TEA Division of Financial Audits

Various Documents

<http://www.tea.state.tx.us/school.finance/index.html#audit>

TEA Student Assessment Division

Testing Calendar

<http://www.tea.state.tx.us/student.assessment/admin/calendar/index.html>

TEA Information Planning Division

PEIMS Data Collection Schedule

<http://www.tea.state.tx.us/peims/index.html>

TEA Division of IDEA Coordination

(Includes Special Education Programs, Special Education Complaints, and Deaf Services)

<http://www.tea.state.tx.us/special.ed>

TEA Division of Charter School Administration

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

Charter School Resource Center of Texas

Friday Fax

Events

<http://www.charterstexas.org>

Your regional education service center (ESC)

<http://www.tea.state.tx.us/ESC>

TEA Textbook Administration Division

Various documents

<http://www.tea.state.tx.us/textbooks>