



TEXAS EDUCATION AGENCY

AUTHORIZER HANDBOOK



A Playbook for District Charter School Authorizers



The Texas Education Agency is the state agency that oversees primary and secondary public education. It is headed by the commissioner of education. The Texas Education Agency improves outcomes for all public school students in the state by providing leadership, guidance, and support to school systems.

tea.texas.gov



National Association of Charter School Authorizers is an independent voice for effective charter school policy and thoughtful charter authorizing practices that lead to great public schools.

qualitycharters.org

Contents

About the National Association of Charter School Authorizers	4
About this Suite of Resources	4
INTRODUCTION	6
What Are Authorizers and Why Do They Matter?	6
Core Authorizing Principles	7
SECTION ONE Planning	8
Authorizing Mission	8
Authorizing Policies	10
Community Engagement	11
SECTION TWO Application Process and Decision Making	12
Quality Seats Analysis and Cultivating a Pipeline	13
Call for Quality Schools	14
Application Evaluation	16
Evidence-Based Recommendation	22
Board Decision	22
SECTION THREE Pre-Opening	23
Charter Contract (Form)	23
Campus Evaluation Framework	27
Pre-Opening	30
SECTION FOUR Monitoring	33
Setting Requirements for Data Collection and Analysis	33
Annual Reporting	34
School Site Visits	36
Intervention and Probation	39
SECTION FIVE Renewal and Revocation Decisions	43
Renewal	44
Non-renewal	46
Revocation	46
School Closure	47
CONCLUSION	48

ABOUT NACSA

The National Association of Charter School Authorizers (NACSA) is an independent voice for effective charter school policy and thoughtful charter authorizing practices that lead to more great public schools. NACSA's research, policy, and consultation work advances excellence and accountability in the sector. With authorizers and other partners, NACSA has built the gold standard for authorizing. Through smart charter school growth, these authorizers give hundreds of thousands of children an opportunity for a better education each year.

NACSA first established [*Principles & Standards for Quality Charter School Authorizing*](#)¹ in 2004 and updated the guidelines as recently as 2018. The *Principles & Standards* reflects lessons learned by experienced authorizers and NACSA regularly updates the document to reflect current best practices. This foundational resource guides authorizing principles and practices across the country, including in Texas, and informs the contents of this handbook.



The [Authorizer Handbook](#), [Quality Authorizing Self-Assessment](#), [Campus Evaluation Framework](#), and [Campus Evaluation Report](#) are all available on the [Texas Partnerships website](#).

ABOUT THIS SUITE OF RESOURCES

TEA has worked with NACSA to produce this suite of charter school authorizing resources. These resources, which include reference materials, templates, and exemplars, are intended to serve as guidance for Texas independent school district boards seeking to authorize and oversee charter schools under Texas Education Code, Chapter 12, Subchapter C. The suite of resources includes:

- **Authorizer Handbook:** a reference document that provides an overview of best practices throughout the authorizing life cycle and includes several templates and exemplars throughout
- **Quality Authorizing Self-Assessment:** a reference document that offers a checklist of critical authorizing responsibilities outlined in the Authorizer Handbook
- **Campus Evaluation Framework:** a reference document and template that outlines a set of rigorous contractual expectations charter schools must meet in the areas of academic, financial, and organizational performance
- **Campus Evaluation Report:** an adaptable template and dataset aligned to the Campus Evaluation Framework that generates school-level reports authorizers can use to inform schools and school communities of campus performance
- **Texas Authorizer Online Training:** a series of online learning modules designed in partnership with TEA that allow districts to deepen their level of knowledge and understanding of authorizing best practices, hear and learn from local and national models, and access core resources and tools. District authorizers can access these resources any time through AuthoRISE² at members.qualitycharters.org.

These resources are general guidelines that attempt to meet all applicable state and federal statutory requirements, as well as those for Texas Partnership (SB 1882) benefits.

¹ NACSA's *Principles & Standards for Quality Charter School Authorizing* provide essential guidance for the unique professional practice of authorizers and their daily balancing act of honoring the autonomy of charter schools while holding them accountable for high achievement, effective management, and serving all students well.

² Login credentials are required to access NACSA's learning modules. To request access, visit: docs.google.com/forms/d/e/1FAIpQLSd8gjlGKaR80rGCJv_eymZg4cJcFdeCJM88svFSdUXg2Xc1DQ/viewform

PURPOSE OF THIS RESOURCE

This Authorizer Handbook is intended to serve, above all, as a playbook offering practical guidance to help district board members and the district staff involved in day-to-day authorizing (“authorizing staff”) carry out their work in alignment with national best practices. The guidance and accompanying attachments are designed to be adapted to fit the local context of each district. District authorizers are encouraged to use these resources in conjunction with the TEA Quality Authorizing Self-Assessment and the Campus Evaluation Framework. Like the Self-Assessment, this Handbook will cover the five phases of quality authorizing pictured in Exhibit 1.

While there are several types of charter schools in Texas, this Authorizer Handbook is designed primarily for Texas districts that authorize Subchapter C charter schools consistent with Texas Education Code, Chapter 12, and legislative and regulatory requirements for Texas Partnership (SB 1882) benefits.

This Authorizer Handbook is also intended to support districts pursuing the System of Great Schools (SGS) strategy to design and implement a continuous improvement process that includes an annual portfolio planning process, manages and evaluates school performance, takes strategic action to expand great options for families, empowers families by increasing their access to those great options, and creates new organizational structures to ensure school actions are sustainable, strategic, and successful. (See Exhibit 2.)

TEA launched the SGS Network to support districts interested in pursuing this strategy to develop a locally designed system-level innovation and problem-solving approach, including launching offices of innovation and charter school authorizing, to achieve contextualized “North Star” goals such as:

Increasing the # and % of students in top-rated schools and reducing the # and % of students in low-rated schools.

Exhibit 1. Five Phases of Quality Authorizing

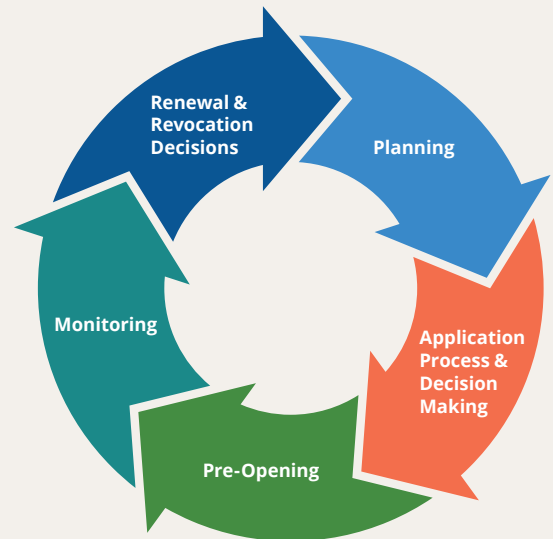


Exhibit 2. System of Great Schools strategy



For more information on the System of Great Schools, visit: systemofgreatschools.org





INTRODUCTION

WHAT ARE AUTHORIZERS AND WHY DO THEY MATTER?

Charter school authorizers are the entities that decide who can start a new charter school, set academic and operational expectations, and oversee school performance. They also decide whether a charter school should remain open or close at the end of its contract. As such, authorizers are pivotal in ensuring students receive a high-quality education.

Quality authorizers ensure each school has freedom and flexibility to innovate and meet student needs, while also making sure the school is succeeding and open to all. The extent to which authorizers fulfill their responsibilities—approving new schools, monitoring performance, and closing failing schools—determines the overall quality of schools in a community and increases the number of high-quality, best-fit options for students and families.

Good authorizers make it their mission to give more students access to a quality education. They expand choices for parents by opening and growing more great schools. They focus on what a charter school achieves, not how it does the work. They set clear expectations on the front end and use strong accountability on the back end. If a school is not serving students and taxpayers, a good authorizer closes that school and works to ensure students can smoothly transition into better options.

Importantly, strong authorizers exercise professional judgment in high-stakes decision making, such as determining which schools open, grow, or close. Further, while authorizers implement protocols, templates, and tools to ensure consistency and transparency, they also understand that these instruments serve to assist, not dictate, their decision-making.

By implementing national best practices in charter school authorizing, Texas district authorizers can:

- Improve the quality of schools in the district;
- Expand options for students;
- Provide a path to innovation for teachers and leaders; and
- Meet the unique needs of the district.

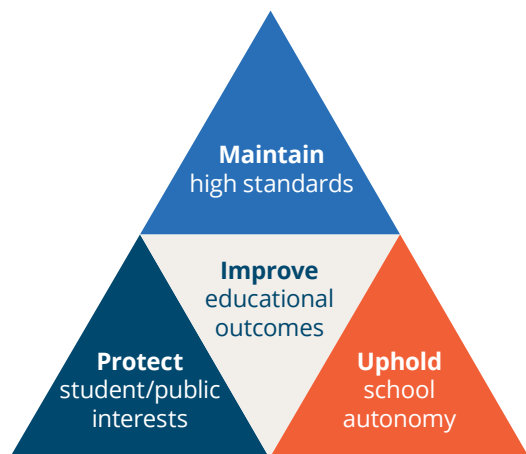


Visit [AuthoRISE](#) to view the **Overview of Authorizing in Texas** learning module.



CORE AUTHORIZING PRINCIPLES

Three fundamental principles lie at the heart of authorizing. These principles form the basis of NACSA's *Principles and Standards*, and constitute the foundation that guides authorizers' practices day-to-day, from establishing a chartering office through all major stages of chartering responsibility. High-performing authorizers habitually return to these principles to ensure they are implementing effective authorizing practices. NACSA's Core Authorizing Principles, outlined below, have been adapted to applicable state and federal statutory requirements, and should guide the work of Texas district authorizers.



Maintaining High Standards

It is essential that district authorizers establish, maintain, and enforce high performance standards for all schools in their portfolios. This includes holding schools accountable not only for the academic performance of all students—the primary measure of quality—but also for financial and organizational performance.

Upholding School Autonomy

A fundamental aspect of charter school authorizing is granting charter schools greater autonomy in exchange for greater accountability. Autonomy is the

essential distinction in the district's involvement with schools it operates as compared to the charter schools it authorizes. Whereas district boards govern district-run schools, it relinquishes this duty to the nonprofit governing boards of the charter schools in its portfolio.

The district must respect and preserve the core autonomies crucial to charter school success, including honoring the charter school governing board's independence from the district, as well as preserving autonomies related to educational programming, budgeting, and personnel decision-making to the extent permitted by law.

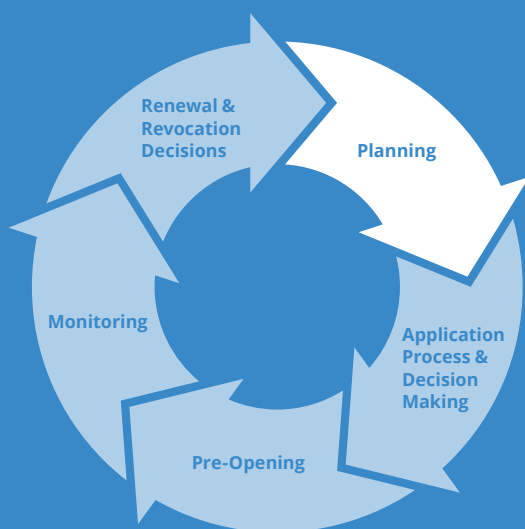
In exchange for these autonomies, the district assumes responsibility for holding charter schools accountable for outcomes rather than inputs and processes. Further, the district minimizes, within state and federal law, administrative and compliance burdens on the charter schools it oversees.

Protecting Student and Public Interests

The overall well-being and interests of students must be the fundamental principle informing all district board actions and decisions. To protect student and public interests, the district board holds its charter schools accountable for public education obligations, including equal access, fair treatment in admissions and disciplinary actions, and appropriate services for all students in accordance with law. Likewise, the district board holds its charter schools accountable for sound public governance, fiduciary responsibilities, and operational transparency. Additionally, authorizing staff supports parents' and students' ability to make informed choices about educational options by providing clear, accurate, and timely information regarding the performance of the charter schools it oversees.



SECTION 1 PLANNING



A quality authorizer engages in chartering as a means to foster excellent schools that meet identified needs, clearly prioritizes a commitment to excellence in education and in authorizing practices, and creates organizational structures and commits human and financial resources necessary to conduct its authorizing duties effectively and efficiently.

NACSA's Principles & Standards for Quality Charter School Authorizing

AUTHORIZING MISSION

Charter school authorizing is a powerful strategy for making great public schools and educational opportunities available to all students. Done well, charter school authorizing increases student achievement throughout the district by expanding the supply of quality public schools that satisfy unmet needs in the community.

In its role as a charter school authorizer, the district board should have explicit authorizing mission and vision statements to provide clear guidance and purpose to all district stakeholders. These authorizing mission and vision statements are distinct from and aligned to both the district's overarching mission and vision and its strategic plan. Additionally, the mission and vision should align with purposes of Texas' charter school law as set forth in TEC §12.001.

Statutory Purposes of Texas Charter Schools

- Improve student learning
- Increase the choice of learning opportunities within the public school system
- Create professional opportunities that will attract new teachers to the public school system
- Establish a new form of accountability for public schools
- Encourage different and innovative learning methods

Whereas a strong mission statement defines the district's objectives and its approach to reach those objectives, the vision statement describes the desired future position of the district. By creating these roadmaps for success within the district, all stakeholders, both internal staff and the public, will have a clear picture of the school system and how the community will benefit from school choice.



VISION

- Looks forward
- Creates a mental image of a future ideal state
- Is inspirational or aspirational
- If you are achieving your vision, it's time for a new vision
- Typically stated not as an action but as an end state



MISSION

- Describes organization's core, unique purpose
- Why your organization exists
- Whom it serves
- How it serves them
- Summarizes the present plan to realize the vision
- Typically stated as an action

The following are examples of vision statements and accompanying mission statements from authorizers around the country:

Hawaii State Public Charter School Commission



Vision: To authorize, actualize, and amplify a portfolio of high-quality community-based schools throughout the State that are meeting the needs of families and communities.

Mission: To authorize high-quality public charter schools throughout the State.

Chicago Public Schools



Vision: A diverse educational landscape of quality schools that meets the needs of all children.

Mission: To provide students with access to high-quality and innovative education through incubation of quality schools, accountability, and high-quality oversight.

School District of Philadelphia



Vision: All students have equitable access to a system of high-quality public schools that challenge them academically, support their well-being, and prepare them for success.

Mission: The Charter Schools Office fosters high-quality educational opportunities, fair and equitable treatment, and improved outcomes for students and families in Philadelphia through rigorous charter school evaluations, effective oversight, and meaningful supports.

The Texas Partnership (SB 1882) Benefits Application explicitly asks districts to “describe the mission and vision of the district’s efforts to authorize new charter campuses and programs.” Further, it asks applicants to “explain how work to authorize new charter campuses will focus on” achieving the purposes of Texas charter school statute outlined previously. The district board and authorizing staff should engage in explicit discussion about the district’s authorizing mission and vision and take formal board action to approve these statements.

To meet its vision and mission, district authorizers create an authorizing office, referred to as an Office of Innovation by TEA’s SGS Network. While authorizing offices may vary in structure across districts, they are typically headed by a Chief Innovation Officer (CIO) and include staff equipped to carry out day-to-day authorizing responsibilities. Districts should establish this office as early as possible but no later than eight months before releasing a Call for Quality Schools (CQS).



For more information on how to apply for Texas Partnership Benefits, visit the Texas Partnerships website at txpartnerships.org/benefit-approval-process.

AUTHORIZING POLICIES

Charter school authorizing policies inform district actions. They create a framework within which a superintendent and district staff carry out their duties. As such, a district’s charter school policies provide the guidelines that help ensure equity, consistency, and transparency in key practices as they relate to charter schools.

Texas education code §12.058 outlines that “each school district shall adopt a campus charter [...] policy.” It further outlines that the policy must specify:

- The process to be followed for approval of a campus charter;
- The statutory requirements with which a campus charter must comply; and



A quality authorizer implements **policies, processes, and practices** that streamline and systematize its work toward stated goals and executes its duties efficiently while minimizing administrative burdens on schools.

NACSA's Principles & Standards for Quality Charter School Authorizing

- The items that must be included in a charter application.

In addition, districts’ charter school authorizing policies outline:

- A process for issuing charters, including a Call for Quality Schools, eligibility criteria, and the process for evaluating applicants;
- Mandatory terms of the charter performance contract, including an overview of metrics used to evaluate academic, financial, and operational performance standards;
- A standard process for conducting charter school oversight and evaluation, including intervention and probation;
- Autonomies granted to charter schools; and
- High-stakes decision-making processes, including renewal, non-renewal, and revocation.

The district board should consider including within its charter school policies NACSA’s *Principles & Standards*. Grounded in research on national best practices, the *Principles & Standards* provide a basis for charter school authorizing policies. Refer to the model charter school authorizing policies, which serve as a model for districts authorizing Subchapter C charter schools consistent with legislative and regulatory requirements for Texas Partnership (SB 1882) benefits and is also aligned to NACSA’s *Principles & Standards*.



TEA has created **model charter school authorizing policies**, which can be found at txpartnerships.org/tools.

COMMUNITY ENGAGEMENT

Community engagement plays a vital role in fostering public support for any district innovation, including innovation schools, parental choice, and charter schools. Districts new to charter school authorizing may experience resistance from the community, especially when families and school staff feel uncertain about the future of their school. Authorizing staff must therefore be strategic in their approach to educating the community on the benefits and importance of charter schools.

The district board must also be committed to listening to and understanding the needs of the community. This requires diverse community members working together toward a common goal of developing and supporting more great schools in a community. When district authorizers clearly outline shared values, address questions, and foster partnerships, communities become more invested in working alongside school and district leaders to take the necessary, and sometimes difficult, steps to increase the number of high-quality schools in their community.

Engaging and communicating with the families and communities served by the school district is essential to high-quality authorizing. The district must be strategic in how it keeps stakeholders aware of information related to charter schools that affect their communities. Hence, it is critical that districts are clear and transparent in their authorizing practice and proactively communicate at each step of the authorizing process.

District authorizers must not only establish practices for communicating to the community but also for listening and gathering feedback from the community. High-quality authorizers make deliberate efforts to understand the needs of their community and incorporate that feedback into future planning.

Examples of effective community engagement strategies include:

- Convening advisory councils
- Utilizing online feedback surveys
- Establishing authentic relationships with community organizations and businesses
- Including community members on application review teams
- Communicating through social media presence
- Holding information sessions (for community; for applicants)
- Leveraging pre-existing meetings (book clubs, community meetings, etc.)
- Hosting open houses at existing schools
- Holding public hearings to solicit input on new applications and renewals
- Offering in-person and virtual Q&A sessions
- Creating a virtual thought exchange website for community input and discussion
- Offering school transition support and counseling for students and families

District authorizers are encouraged to adopt and implement a communications plan that supports its authorizing work. TEA is supporting districts in creating these plans. An effective communications plan includes:

- Clearly established vision, mission, and values that drive the work;
- A calendar of communications with a focus on good news;
- Identification of the target audience and effective modes of communicating with that audience; and
- Methods for building structures within the authorizing office that foster sustainable engagement.



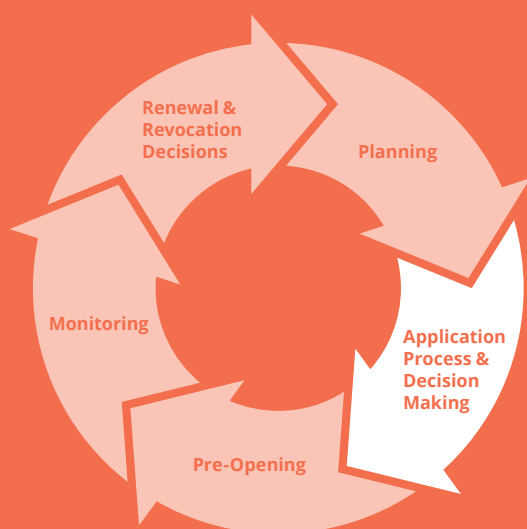
Visit [AuthoRISE](#) to view the Community Engagement learning module.





SECTION 2

APPLICATION PROCESS AND DECISION MAKING



A quality authorizer implements a **comprehensive application process** that includes clear application questions and guidance; follows fair, transparent procedures and rigorous criteria; and grants charters only to applicants who demonstrate strong capacity to establish and operate a quality charter school.

NACSA's Principles & Standards for Quality Charter School Authorizing

Authorizers are responsible for deciding whether a proposed charter school should open, enroll students, and receive millions of dollars in public funding. A high-quality charter application review process is an essential step in ensuring that only charter schools that are likely to succeed—academically, financially, and organizationally—are authorized to operate and permitted to serve children. As such, conducting a rigorous and comprehensive application and decision-making process, also referred to as the Call for Quality Schools (CQS) by TEA's SGS Network, is a key responsibility for Texas district charter school authorizers.



Visit [AuthoRISE](#) to view the **New Charter School Applications** learning module.



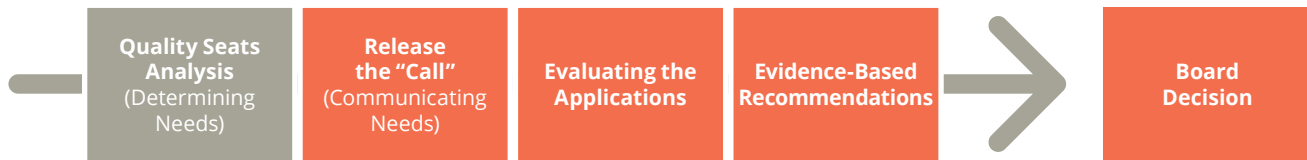
The CQS, which is preceded by a Quality Seats Analysis (QSA), encompasses the process by which a district authorizer communicates its needs for operators, evaluates applications submitted by potential operators, develops evidence-based recommendations for approval or denial, and takes board action on those recommendations.



To learn more about the **SGS Network**, including conducting a Quality Seats Analysis and issuing a Call for Quality Schools, visit the [SGS website](#).



CALL FOR QUALITY SCHOOLS



The CQS is a core strategy that helps school districts create high-quality, best-fit school options for their students and families. The CQS is accompanied by other core strategies, including the QSA, Increasing Access to Options, and Development of Organizational Structures, that allows for the execution of the other strategies.

It is essential that through the CQS strategy, the district implements fair, transparent, quality-focused procedures to ensure all stakeholders, prospective applicants, members of the public, parents, and policymakers are informed about the application process, understand its procedures and requirements, and are encouraged to offer input and feedback.

A quality application process is open, well-publicized, transparent, and organized around clear, realistic timelines. Authorizers provide applicants and the public detailed information about the application process, including timelines, evaluation criteria, previously submitted and reviewed applications, decision rationale and feedback with prior applicants, and recordings of board meetings and application hearings. Districts are encouraged to post these materials on their websites, providing sufficient time for stakeholders to utilize the information.

QUALITY SEATS ANALYSIS AND CULTIVATING A PIPELINE

School districts across Texas are committed to providing students and families with diverse and quality educational options that meet their varied needs. Districts initiate this by conducting an annual Quality Seats Analysis (QSA) to identify district and community needs beginning approximately four to six months before release of the CQS.

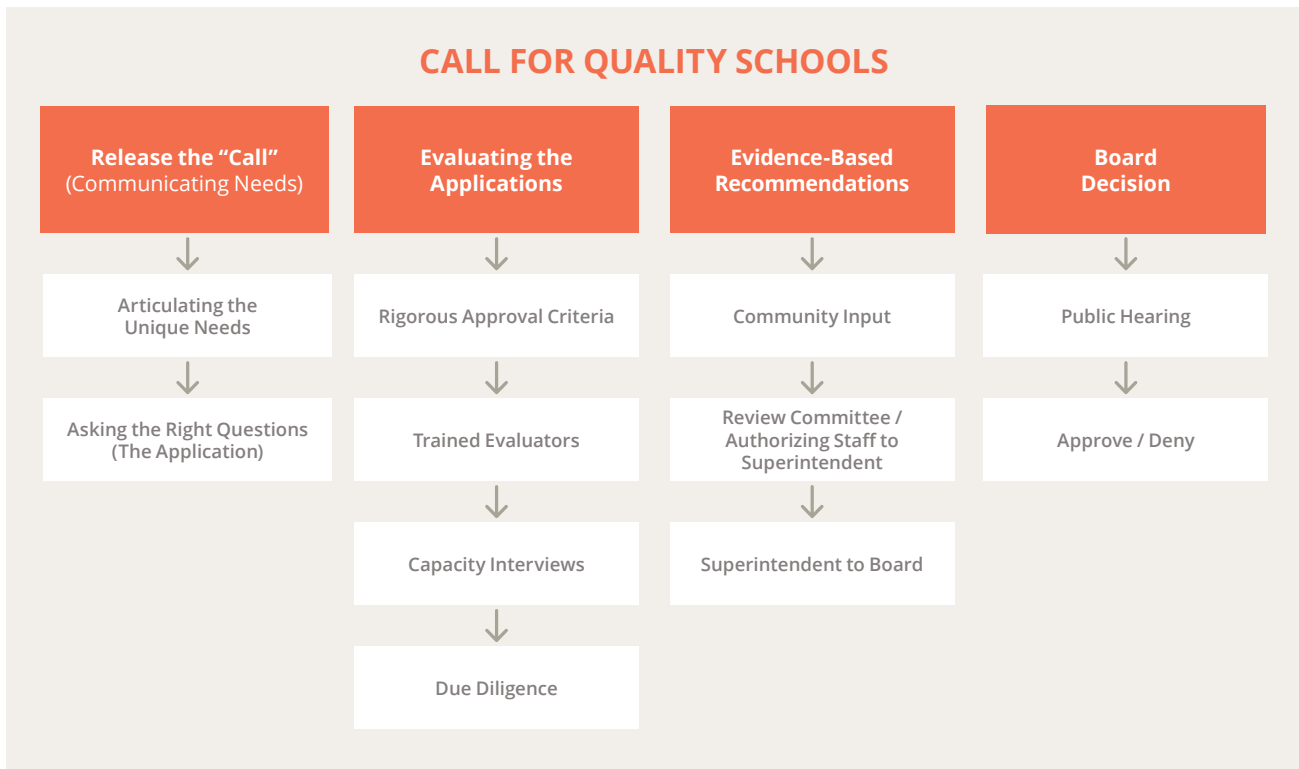
Through a QSA, the district reviews and analyzes performance for all existing campuses and plans strategic school actions according to district needs. Using state report card data and other information gathered through the Campus Evaluation Framework, the district ranks currently operating schools, identifies neighborhoods most in need of improved high-quality options, and tracks the number of schools and students in each performance tier. Coupled with the feedback received from the community regarding the needs and interests of the neighborhood, this data provides the district with actionable information on the types and number of schools needed in the district.

Since communities only have access to the charter schools that authorizers approve, Texas district authorizers have a tremendous obligation to identify and approve a variety of high-quality school models and operators who are prepared to meet the district's needs. To cultivate this pipeline of high-quality schools, the district board implements a long-term talent strategy that results in an applicant pool of internal leaders and external operators with the capacity to lead school actions. Authorizers must be ready and able to evaluate a wide range of proposals while maintaining high standards aligned with the authorizing mission and vision.



Learn more about cultivating a high-quality pipeline of charter schools at qualitycharters.org/research/pipeline.



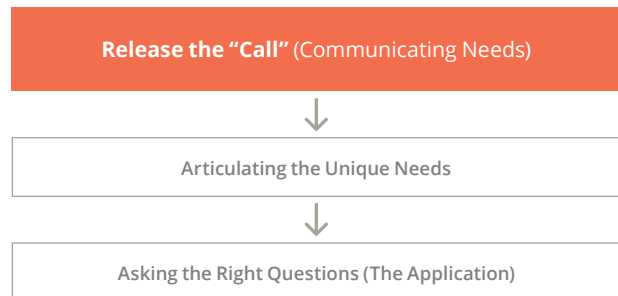


Once the district has sufficient understanding of the schools its community needs based on the QSA, the district begins its CQS process, which starts with a rigorous new charter application. This application establishes a baseline regarding the type of information potential operators must provide to demonstrate their ability to open and operate a quality charter school.

District authorizers are encouraged to review the TEA model application and customize it to reflect the priorities and needs specific to the district as determined through the QSA. Each district should make updates to its application annually to ensure it reflects changes in best practices and the district's evolving needs.



TEA has developed a **model charter school application** aligned to state law and national best practices. To view the application, visit the Texas Partnerships website at txpartnerships.org/tools.



Articulating the Unique Needs

After the district has determined its needs through a QSA and community engagement, it must communicate those needs to potential operators through the "Call." In crafting the Call, the district first determines what makes its Call unique.

Questions to consider include:

- What unique skills or beliefs must an operator possess to meet the district's needs?
- What unique program or models is the district seeking?
- What unique context must the operator be able to address?



- Is there any specific experience an operator must already have to be eligible?
- Are there any unique competencies or capacities the operator should exhibit?
- How can internal or external operators effectively partner with the district to fill needs?

The Call is the way the district communicates annually (or as needed) to potential operators what is unique about the district and this opportunity to serve its students. The district should post the Call to its website and share with stakeholders, partners, and communities to get the broadest reach possible.

The Call clearly outlines at a minimum:

- The application process, including the timeline, submission requirements, application content and format, and process and criteria for evaluation of proposals;
- The district's priorities, including the grade levels and type(s) of program(s) the district is seeking, e.g., Montessori, alternative education program, STEM, etc.;

- Comprehensive application questions to elicit the information needed for rigorous evaluation of applicants' plans and capacities.

Asking the Right Questions in the Application and the Interview

High-quality authorizers use a comprehensive application to elicit information that helps them determine whether a potential operator has the skills, knowledge, expertise, capacity, and plan to operate a great school that meets the district's needs. Even if an authorizer has cultivated relationships with potential school operators, including principals or teachers from schools in the district or experienced operators in other districts, the authorizer must ensure that the operator demonstrates a comprehensive understanding and capacity to serve students in the district.

A comprehensive application includes questions designed to gather information on the potential school in, at a minimum, the following areas:

- Mission and Vision
- Educational Need and Anticipated Student Population
- Student Recruitment and Enrollment
- Educational Program, including:
 - Overarching School Model
 - Curriculum and Instructional Design
 - Plans to Monitor Effectiveness of Instruction
 - High School Graduation Requirements (for high schools only)
 - Service to Special Populations (e.g., students with special needs and English learners)
 - School Culture and Discipline
 - Assessment and Evaluation
- Governance, Operational Plan, and Capacity
 - Organizational Structure
 - Governing Board
 - Application Team Capacity
 - Plans to Evaluate Instructional Leadership
 - Staffing and Management
 - Professional Development
 - Facilities

- Financial Plan
 - Financial Management Plan
 - Operational Budget

Additionally, experienced operators must provide information on:

- Track record in serving populations similar to the population the applicant intends to serve
 - Evidence of academic success
 - Evidence of successful school operations
 - Evidence of financial health
- A management agreement if the operator is an Education Service Provider (ESP)

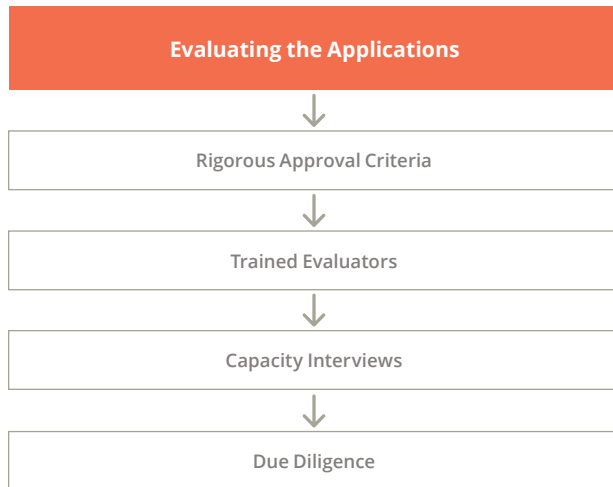
While applications will require narrative responses to many of the questions on topics outlined above, applicants will also provide attachments that provide further evidence of their readiness to operate a high-quality charter school. Attachments include, at a minimum:

- Graduation standards (high school only)
- Enrollment policy
- Discipline policy
- Organizational charts
- Board documents, including bylaws and articles of incorporation
- Board member information form
- Leadership team qualifications and/or role description
- School leader's qualifications and/or role description
- Financial plan workbook
- Financial plan narrative

The TEA model application includes all of the above and provides a useful starting point for all Texas district authorizers. Each district should review this application, consider what questions need to be revised or added, and determine what additional questions need to be included based on the unique needs of the district as determined through QSA and community engagement. Authorizers should then make necessary adjustments and include the application in the CQS that is published annually. Key areas for additional questioning or evidence based on the district's QSA could include but not be limited to:

- The applicant's interest in meeting the district's identified need as outlined in the CQS;
- Evidence of parent and community involvement and interest in the development of the proposed school, as well as how the applicant will engage parents and community in an ongoing manner;
- Evidence of community support, such as letters of support, memoranda of understanding, and/or contracts from community partners;
- Description of innovative or specialized approaches aligned to the district's needs if such information is not likely to be elicited through other questions on the educational program;
- Any unique operations requirements, including transportation, food service, health services and/or safety and security, if the operator will be responsible for these and if such information is not likely to be elicited through other questions in the operations section of the application.

Some authorizers require applicants to submit a Notice of Intent (NOI) 30 – 120 days prior to the full application deadline. The NOI generally asks for minimal information and helps the district to assess eligibility of a potential applicant, as well as the number of full applicants that may need to be reviewed so the authorizer can prepare.



APPLICATION EVALUATION

A comprehensive review of each application is critical to upholding the principles of high-quality authorizing: maintain high standards, protect student and public interests, and uphold school autonomy.

Rigorous Approval Criteria

An authorizer must have rigorous approval criteria so that only charter schools that are likely to succeed—academically, financially, and organizationally—are authorized to operate and permitted to serve children. The following criteria serve to establish consistency across evaluations; set clear, high

standards for school approval; and require all applicants to present:

- A clear and compelling mission
- A strong educational program
- A solid financial plan
- Effective governance and management structures and systems
- Founding team members demonstrating diverse and necessary capabilities
- Clear evidence of the applicant’s capacity to execute its plan successfully

TEA has created a model application evaluation form directly aligned to the TEA model application. Districts should review this form and customize it to meet the priorities and needs specific to the district, ensuring



To accompany the TEA model charter school application, TEA created a **model evaluation form** to be used to evaluate proposals received by the districts. To view this form, visit the Texas Partnerships website at txpartnerships.org/tools.

Rating	Characteristics
Meets the Standard	The response reflects a thorough understanding of key issues. It addresses the topic with specific and accurate information that shows thorough preparation; presents a clear, realistic picture of how the school expects to operate; and inspires confidence in the applicant’s capacity to carry out the plan effectively.
Partially Meets the Standard	The response meets the criteria in some respects but lacks detail and/or requires additional information in one or more areas.
Does not Meet the Standard	The response is wholly undeveloped or significantly incomplete; demonstrates lack of preparation; is unsuited to the mission of the authorizer; or otherwise raises substantial concerns about the viability of the plan or the applicant’s ability to carry it out.

alignment the district’s published application. This rubric helps determine which elements of the proposal meet the quality standard and which do not. Districts must also publish the evaluation form as part of the CQS so that potential operators are clear on how their applications will be evaluated.

The evaluation form outlines the characteristics of a strong response in each of the application areas. Further, the form provides application reviewers an opportunity for an initial rating after review of the written application materials and an updated rating after the capacity interview, which will be discussed further below.

Each area receives a rating of “Meets the Standard,” “Partially Meets the Standard,” or “Does Not the Meet Standard” as defined below:

District Needs

The applicant must clearly respond to the needs identified by the district in its QSA and outlined in the CQS.

 District Needs: Critical Questions

Has an applicant proposed a school that meets the district’s needs in terms of grade configuration, educational model, location, or other criteria?
Does the operator have the necessary experience and capacity to deliver the program consistent with the district’s needs?
Does the application include evidence of parent and community support?
Does the operator demonstrate an understanding of the district’s unique local context?

Trained Evaluators

To ensure rigorous decision-making, high-quality authorizers employ highly competent review committees, typically of three to five individuals, including internal staff and external reviewers. Each reviewer conducts a comprehensive evaluation of each applicant’s proposal through thorough review of the written application, in-depth applicant interviews for qualified applicants, and additional due diligence.



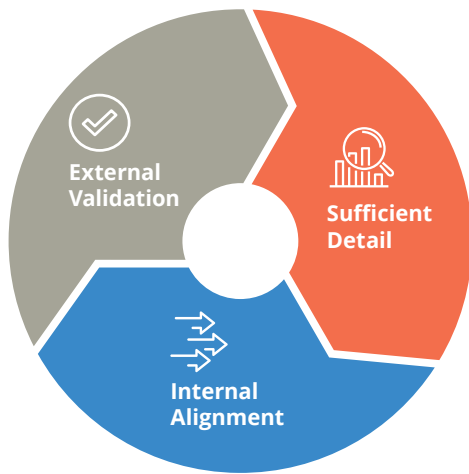
Engaging district colleagues outside the Office of Innovation in the application review process can also help to broaden district staff’s understanding of and commitment to authorizing.

Review committees should possess both knowledge of charter schooling and expertise in specialized areas such as instruction, finance, governance, and operations. Well-qualified external evaluators bolster the integrity of the application process. Reviewers can come from a variety of backgrounds. Collectively, a review committee must know what it takes to launch and sustain high-performing schools and have a strong interest in safeguarding student and public interests.

All reviewers must be free of conflicts of interest, both real and perceived, in order to fairly evaluate the merits of each application. They should also be neutral to governance models and educational models unless particular models were highlighted in the CQS.

High-quality authorizers assemble review committees with the following experience and/or expertise:

- Experience with a specific school design or model (mission, educational philosophy, key design elements) as determined by the applications received and district need
- Community connections (recruitment and enrollment, culture and climate)
- Instructional leadership or curriculum (professional development, evaluation systems for staff/faculty, curricular alignment to learning standards and proposed pedagogical methodology, special populations)
- Governance (oversight, stakeholder voice, policy development, compliance)

Exhibit 3. Universal “Look-Fors”

- Finance (facilities, revenue and expenditures, contracts, transportation, fundraising)

Internal staff could include individuals in the Office of Innovation, as well as others in the district who bring needed expertise.

Districts can release a Request for Qualifications to identify potential external reviewers, connect with colleagues in other districts around the state, or solicit participation via authorizing networks such as NACSA.

Once evaluators have been identified, high-quality authorizers provide training to review committees to ensure reviewers have a shared understanding of the characteristics of the ratings, universal “look-fors,” “red flags,” and indicators of quality for the various sections.

All applications must include **sufficient detail**. Operators who can only provide broad generalities about the education program, service to students with special needs, curriculum, professional development, or approach to financial management are not yet ready to serve students. Applicants must provide a level of detail that demonstrates a thorough understanding of the topic in question and the requirements of running a high-quality charter school.

Reviewers look for **internal alignment** throughout the application. For example: Does the financial plan align to the educational plan? Does the staffing plan

presented in the narrative align to the educational program and the narrative provided in the budget? If the educational program includes after-school programs, are these included in the financial plan?

A quality application includes evidence of **external validation**. This may be in the form of research citations, data, or external examples. Although anecdotal data may provide useful information, applicants must be prepared to demonstrate empirical evidence of the proposed program’s effectiveness.

Due Diligence

Strong authorizing in Texas supports great schools that seek to serve more students. Decisions to allow a school to replicate or expand should not, however, be made without requisite due diligence focusing, in particular, on an applicant’s prior track record of performance and current or future capacity to serve more students well.

Due diligence is the process of verifying information provided by charter applicants and collecting and evaluating additional information to determine the applicant group’s capacity to run a quality school in the district of application. Due diligence is especially important when the applicant operates schools outside of Texas. District authorizers must be prepared to analyze the applicant’s performance in the different context and apply that to their current needs.



Conducting due diligence is necessary to verify the accuracy of information provided by applicants and to assess any other significant information, from various reliable sources, that may affect the authorizer’s decision-making. When conducting due diligence, districts include an analysis of:



ACADEMIC PERFORMANCE

Overall assessment performance
Subgroup performance
State accountability rating
College and career readiness



ORGANIZATIONAL PERFORMANCE

Governance structure
Management agreement
Growth strategy
Past or pending litigation
Related entities



FINANCIAL PERFORMANCE

Audited financial statements
Budget review
School-level financial health
Operator-level financial health

NACSA's [research](#) on authorizers with strong school portfolios identified a number of principles and actions high-quality authorizers take when considering school applications from experienced operators:

- Authorizer’s criteria and standards for school operator past performance is exceptionally clear. Experienced operators know if they are eligible given their history of performance.
- The experienced operator’s application is not automatically approved, even for schools that meet past performance criteria and standards. The review for experienced operators is different (highly streamlined) but never automatic and never without a thorough review.
- Decisions for experienced operators are based on several factors (e.g., capacity to replicate, potential location) but are most heavily weighted on past academic, financial, and organizational performance.
- Authorizers provide incentives for experienced operators (e.g., reducing per-student oversight fee and expedited application process, charter amendment process rather than new or expedited application process, access to facilities).

In addition to evaluating an operator’s record of academic, financial, and organizational performance, Texas district authorizers must thoroughly evaluate the operator’s capacity for successful and sustainable growth. Experienced operators must provide clear evidence of their capacity to operate new schools successfully—academically, financially, and operationally—while maintaining quality in existing schools. They must also demonstrate the ability to manage both the scale and pace of growth proposed.

District authorizers should consider an applicant’s:

- Evidence of successful expansion or replication experience;
- Evidence that the leadership team and school governing board are equipped to address the challenges of replication; and
- Viable talent pipeline to attract, develop, and retain strong leaders and teachers.

Quality authorizers approve existing operators for replication only after thorough evaluation of the applicant’s capacity for growth.

Exhibit 4. Sample 90-Minute Interview

Capacity Interviews

There is often no better method for getting information about the capacity of an applicant group to execute on its plans for students and families than through the capacity interview. When done effectively, capacity interviews allow potential school operators to demonstrate their ability to run a successful school, not just their ability to craft an application that checks all the boxes. The capacity interview allows an authorizer to get important questions answered after reviewing the application and to identify strong applicants even if their written application is not worded eloquently.

Application review committees should conduct interviews with all qualified applicants in accordance with national best practices and applicable state law. Typically, qualified applicants include any applicant who has submitted all required materials and a proposal that responds to the district's identified needs. Incomplete, plagiarized, or applications completely lacking in merit do not warrant a face-to-face interview.



NACSA has created a **suite of resources** for conducting effective capacity interviews.



The capacity interview team typically consists of three to four people, usually members of the application review committee, including internal staff and external reviewers with sufficient expertise to question the applicants regarding all major areas of the application and critically assess the responses. Critical applicant group participants include the proposed school board members and school leader.



Visit **AuthoRISE** to view the **Capacity Interviews** learning module.



When drafting questions to ask during the interview, include both stock questions and tailored questions. Stock questions can address common issues such as requests for external validation for programmatic decisions or practices, or evidence of the applicants' success in previous ventures. Customized questions follow up on specific concerns or inconsistencies within the application and probe on the applicants' abilities to execute on their plans. Ensure a variety of questions types, including both closed- and open-ended questions and scenarios.

Additionally, consider implementing a performance task that tests the collective skills of the applicant group using scenarios that present realistic challenges associated with operating a charter school. For example, the capacity interview team may present a scenario in which the proposed school board must identify how it will address assessment results that are lower than expected for the second consecutive year. Performance tasks provide the capacity interview team with valuable insight into the problem-solving skills and dynamics of the applicant team.

Following the performance task, the capacity interview team allows the applicant group to ask any questions and then provides the applicant group with the next steps of the application process before wrapping up the interview. Exhibit 4 shows a potential layout for a 90-minute interview.



For authorizers who choose not to include a performance task, consider allocating more time for questions and discussion.

After gathering all the necessary and available information, members of the review committee incorporate findings from the capacity interview into their overall evaluation and recommendation for the governing board. The Texas Model Evaluation Form gives evaluators the opportunity to provide a rating based on the written application alone, as well as after the capacity interview.

EVIDENCE-BASED RECOMMENDATION

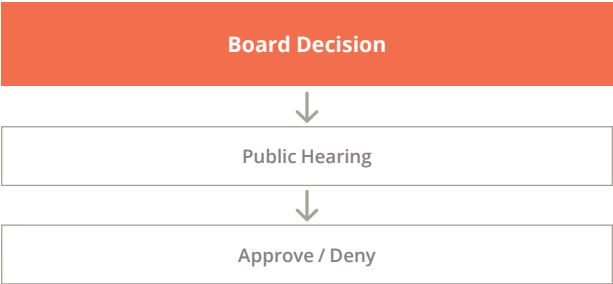


The review committee considers the data collected from the application and during the interview and composes a written comprehensive evaluation of the application to provide clarity to the applicant group and other key stakeholders about the applicant’s strengths and deficiencies. This evaluation also informs the evidentiary basis for the overall recommendation for approval or denial of the application. The review committee submits its recommendation to the CIO or head of the authorizing office who will then submit a recommendation, informed by the review committee’s recommendation, to the district superintendent.

The school governing board may conduct a public hearing to allow applicants to present their application and school plans to the district board and for community input on the proposed partnership prior to formal consideration.

The Superintendent then reviews the recommendation from the CIO, considers information from the public hearing, and submits a formal recommendation for approval or denial of each application to the district board.

BOARD DECISION



The district board will conduct a public hearing to allow applicant groups to present their applications and school plans. This interaction provides an opportunity for the district board to ask the applicant group additional questions, and ensures community stakeholders can voice their concerns, opinions, and questions regarding the proposed new school.

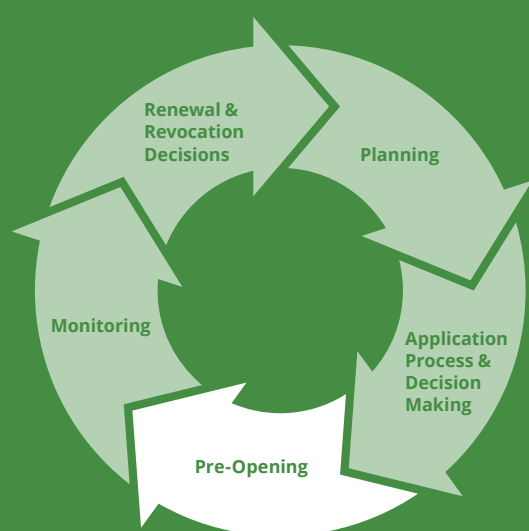
Finally, the district board will consider all evidence gathered from the application, including the CIO’s recommendation and information gathered during the public hearing. The district board will take a formal vote to approve or deny each application in a public meeting. This decision should be final no later than 12 months before a proposed school’s planned opening.

In the event that the district board denies an application for a new charter school, it is a best practice nationally and as outlined in SGS guidance for the authorizing staff to produce a memorandum to applicants that provides a public record of why an applicant was denied. This memorandum should provide enough detail such that the applicant can address its shortcomings when reapplying in a later cycle.

Denying an application is not a negative outcome for the authorizer and it does not mean an applicant will never operate a school in the district. If the authorizer has executed a transparent, rigorous CQS with supported, evidence-based decision-making, an application denial demonstrates a district’s commitment to quality and signals to operators that they need to be fully prepared to operate a school in the district, even at the application stage.



SECTION 3 PRE-OPENING



A quality authorizer executes contracts with charter schools that articulate the rights and responsibilities of each party regarding school autonomy, funding, administration and oversight, outcomes, measures for evaluating success or failure, performance consequences, and other material terms.

NACSA's Principles & Standards for Quality Charter School Authorizing

Gaining approval to operate a charter school is an extremely difficult and rigorous process. Still, it is even more difficult to execute a high-quality education program: hiring, developing, and evaluating staff; developing and revising curriculum; serving all students regardless of their unique needs; recruiting and enrolling students; providing a safe and joyful learning environment; setting and managing school budgets; providing quality governance and oversight. The list goes on.

Therefore, while a quality authorizer must implement a rigorous approval process for new schools, there is much to do before a school can begin serving students. The district board's approval of a charter application is an initial step, separate and distinct from the district board's approval of the required charter contract and the school's right to open. Districts should thoroughly develop and document their pre-opening process for all campuses, regardless of governance type.

CHARTER CONTRACT (FORM)

The contract is the formal written document that memorializes the agreements and expectations of the charter. TEC §12.060 outlines that "a charter shall be in the form and substance of a written contract signed by the president of the board of trustees granting the charter and the chief operating officer of the campus [...] for which the charter is granted."



Visit [AuthoRISE](#) to view the **Autonomy and Accountability** learning module.



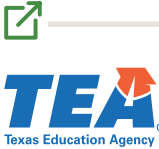
Best practices dictate that the local governing board be the party that holds the charter, with legal authority and accountability for the school’s performance and operations; therefore, the president of that board should also sign the contract.

A comprehensive charter contract is both a guide and a tool whereby a quality authorizer:

- 1. **Maintains high standards;**
- 2. **Manages charter school performance by setting expectations; and**
- 3. **Holds schools accountable for results.**

The district board must execute a separate charter contract with each charter school it authorizes. A strong contract defines the roles, powers, and duties of the school. The charter contract is an essential document, separate from the charter application, that establishes the legally binding terms under which the school will operate and be evaluated during the charter term and at renewal.

The contract negotiations between a charter school and its authorizer commence immediately after a charter school application has been approved. A charter school cannot begin operation without an executed contract.



TEA
Texas Education Agency

TEA has developed a model charter contract aligned to state law including SB 1882 requirements. To view the contract, visit the Texas Partnerships website at txpartnerships.org/tools.

Essential Content of Charter Contract

Each charter contract must articulate the rights and responsibilities of each party during the term of the charter and will set forth the performance standards and expectations that the charter school will be accountable for achieving. TEC §12.059 outlines required elements of the contract. The following list is more comprehensive and consistent with high-quality authorizing practices. At a minimum, each charter contract should:

- | |
|---|
| 1. Establish the material terms of the charter school’s operation; |
| 2. Satisfy the requirements of the law governing Subchapter C charters; |
| 3. State the term of the charter for a period no less than three (3) years or more than ten (10) years; |
| 4. Set forth the rights and responsibilities of the local governing body and the district board; |
| 5. Describe the local governing structure of the charter school, including specifying the local governing board’s independence and autonomy from the district, and the local governing board’s legal authority and accountability for the charter schools and operations; |
| 6. Broadly state the autonomies to which charter schools are entitled based on statute, waiver, and district board policy, including those related to educational program, governance and management, operations, and finance, and broadly exempting the campus or program charter from the instructional and academic rules and policies of the district board, in accordance with TEC§12.051, TEC§12.052, and TEC§12.054; |
| 7. State pre-opening requirements and conditions for new charter schools; |

8. Set forth the statutory, regulatory, and procedural terms and conditions for the charter school's operation, including but not limited to:

- Providing for all legal reporting requirements;
- Requiring a minimum of 75,600 operational minutes per year; and
- Providing for the administration of state-mandated assessments per the state testing calendar;

9. Describe the material terms of the education program to be offered;

10. Provide for academic, financial, and organizational accountability under Chapter 39 and other applicable provisions of Chapter 39, including TEC §39.107 (campus interventions and sanctions);

11. Include an admissions policy that prohibits discrimination based on national origin, ethnicity, race, gender, religion, or disability; and in accordance with TEC §12.065, gives priority based on geographical and residency considerations, then, if there is still available space, considers age or grade level;³

12. State the district board's performance standards, criteria, and conditions for renewal, probation and other interventions, revocation, and non-renewal, while establishing the consequences for meeting or not meeting standards or conditions;

13. Establish timeframes and general methodology for the district board's periodic review of the charter and renewal decision-making;

14. Require the district board to review and evaluate, at least annually, the charter school's performance in meeting the academic, financial, organizational, and governance standards established in the contract;



The charter contract must be signed by the president of the district Board and the president of the charter school board as well as the principal or chief operating officer of the school.

15. Require the charter school to submit an annual independent audit of financial and programmatic operations in accordance with TEC §§12.059 and 44.008;

16. State the responsibility and commitment of the charter school to adhere to essential public education obligations, especially concerning admissions and enrollment, students with disabilities and English learners, and discipline and expulsion;

17. Specify any additional health and safety procedures or requirements in addition to those required under TEC Chapter 38;

18. Describe the charter renewal process, including procedures for non-renewal;

19. Provide reasons for revocation of the charter in addition to those specified in TEC §12.063;

20. State the responsibilities of the charter school and the district board in the event of school closure; and

21. Require the charter school to submit annual proof of adequate records management and retention.

³ TEC §12.0522(d) stipulates that Subchapter D applies to a campus granted a district charter under this section, and the campus is considered an open-enrollment charter school.

Fee-based Services

The district board should ensure that any fee-based services provided by the district are set forth in a services contract that is separate from the charter contract and ensure that the purchase of such services is not and never will be a condition of charter approval, continuation, revision, or renewal. Requirements for Texas Partnership (SB 1882) benefits state that the contract must include “service-level agreements that list the resources and services the [operating partner] intends to purchase from the district.”

Parties, Material Terms, and Revisions

The district board executes a charter contract with the principal or equivalent chief operating officer of the approved campus charter and the school governing board. The key to determining what is in a contract is a question of materiality, a definition grounded in legal practice rather than in policy. Something is material if it is relevant and significant to the outcome. In the chartering context, the district board must define the material terms of the charter contract as those that would be relevant and significant to a renewal decision.

Material provisions of the contract fall into several broad categories:

- **Recitals:** affirming the legal authority of the authorizer and charter school to enter into a contract and the circumstances under which the contract is being entered.
- **Establishment of the School:** articulating the conditions of the school's existence such as legal status and requirements of the governing body.
- **Operation of the School:** setting forth key operational terms, ranging from the school's mission and student enrollment to the educational program, school calendar, and student discipline.
- **School Financial Matters:** defining the key funding processes and provisions, and the financial responsibilities of each party.

- **Personnel:** describing the status and requirements of the school's employees.
- **Charter Term, Renewal, and Revocation:** stating the length of the charter term and conditions for renewal and revocation.
- **Operation of the Contract:** describing how the contract will be upheld and enforced, addressing procedures ranging from contract amendment to dispute resolution.
- **Authorizer Policies:** presenting, often through exhibits, the authorizer's policies, practices, and expectations for the charter school from pre-opening through the renewal decision. This section includes the authorizer's evaluation framework and clear, measurable performance standards and expectations for the charter school.

The district board should make best efforts to ensure mutual understanding and acceptance of the terms of the charter contract by the charter school's governing body and principal or equivalent chief officer before contract approval.

Over the course of the charter term, many schools may desire to change their originally authorized programming. The district board should allow and require charter contract revisions for occasional material changes to a charter school's plans subject to the approval of both parties but should not require revising the charter contract for non-material modifications to a charter school's plans.

- **Material charter revisions** are those that would result in a significant change to the school's educational philosophy, mission, or vision; governance or leadership structure; or curriculum model or school design changes that are inconsistent with those approved in the current charter. Material charter revisions also include the hiring or termination of a management company or education partner organization; change in school name; a change in location, if such a change is significant; the maximum authorized enrollment; and/or grade levels served.

- **Non-material changes** are generally less weighty and do not require a contract revision. These include but are not limited to changes to the school's calendar or schedule; the addition of extracurricular activities; and updates to the school's bylaws, code of conduct, and/or policies and procedures.

The district board should adopt a procedure for reviewing and, if accepted, adopting material revisions to a charter contract. Such revisions must be in accordance with TEC §12.062.

Negotiation Process

As a matter of practice, many of the terms and provisions in a charter contract will be consistent or similar for all schools that an authorizer oversees. Building upon a common template such as the Model Partnership Performance Contract, the district board engages in a fair and transparent negotiation process of appropriate length and depth with each approved charter school and its counsel regarding the terms of the charter contract. In considering items raised in negotiations, the district board should adhere wherever possible to its contract template and insist on the inclusion of all terms that are material to contract renewal.

Additionally, there may be specific terms that the authorizer negotiates with a given charter school due to that school's unique design or circumstance. For example, a high school serving over-aged and under-credited students will have different expected outcomes from an elementary school and must be evaluated accordingly. In order to systematize practices, authorizers typically develop a contract template that contains the "boilerplate" language applicable to any school they authorize, while negotiating any school-specific terms with individual schools. Districts are encouraged to make that boilerplate contract available to potential operators prior to or at the time of their application.

CAMPUS EVALUATION FRAMEWORK

The district board should adopt a Campus Evaluation Framework (CEF) that outlines a set of performance standards that clearly articulate quantifiable, rigorous, and attainable expectations that the charter school will be held accountable for within each of the three areas of performance: academic, financial, and organizational. These areas correspond directly with the three components of a strong charter school application, the three key areas of responsibility outlined in strong state charter laws and strong charter school contracts, and the three areas on which a charter school's performance is evaluated.



TEA has developed a **model CEF** in the areas of academic, financial, and organizational performance. To access this resource and for a deeper dive into its purpose and use, visit the [Texas Partnerships website](#).

The CEF forms the foundation for the contractual performance standards that Texas district authorizers include in the contract of each charter school. The TEA model CEF outlines indicators, measures, and metrics to which schools will be held accountable, and provides guidance for setting targets that authorizers can use to determine if a school's performance warrants a rating of Falls Far Below Standard, Does Not Meet Standard, Meets Standard, or Exceeds Standard. The CEF can also meet requirements for Texas Partnership (SB 1882) benefits for school academic and financial performance goals, and it includes some elements consistent with TEA's [Effective Schools Framework](#).

The CEF is integral to the charter school and authorizing life cycle, and is used as outlined on the following page, consistent with other sections of this handbook.

Use of the Campus Evaluation Framework



When developing high-quality performance standards, authorizers should:

- Establish the performance expectations under which charter schools will be evaluated, using objective and verifiable measures of student achievement as a primary measure of school quality;
- Define clear, measurable, and attainable academic, financial, organizational performance standards and outcomes;
- Include expectations for appropriate access, education, support services, and outcomes for students with disabilities;
- Define the sources of academic, financial, operational, and governance data that will form the evidence base for ongoing and renewal evaluation; and
- Include clear, measurable performance standards to judge the effectiveness of alternative education campuses, if applicable, requiring and appropriately weighting rigorous mission-specific performance measures and metrics that credibly demonstrate each school's success in fulfilling its mission and serving its special population.

The district board executes contracts with its charter schools aligned to the metrics in the CEF. While the Board may engage in contract negotiations with the charter school governing boards regarding the addition of mission-specific measures, the district board should not alter the metrics for each school. Holding all schools to a minimum performance standard allows for accurate portfolio analyses and ensures consistency in holding all schools to high expectations.

These performance standards include the following:

1. **Academic Performance.** The academic performance standards shall include:
 - **Texas A - F Accountability System** as the primary indicator
 - **Mission-specific Goals** negotiated with the school and tailored to the school's mission
 - **Texas A - F Accountability System Focus Area(s):** Because the letter grade produced by the Texas A - F System reflects school performance across a wide range of measures and metrics, authorizers may elect to "pull out" specific measures, metrics, and targets to hold charter schools accountable for focus areas of performance. Measures include:
 - **Student Achievement:** evaluates performance across all subjects for all students, on both general and alternate assessments, College, Career, and Military Readiness (CCMR) indicators, and graduation rates
 - **School Progress:** evaluates school outcomes in two areas: the number of students who grew at least one year academically (or are on track) as measured by STAAR results and the achievement of all students relative to districts or campuses with similar economically disadvantaged percentages
 - **Closing the Gaps:** uses disaggregated data to demonstrate differentials among racial/ethnic groups, socioeconomic backgrounds, and other factors⁴
2. **Financial Performance.** The financial performance standards include, at a minimum, indicators, measures, and metrics that assess the school's near-term financial health, including:
 - **Current Assets-to-Liabilities Ratio:** measures a school's ability to pay its obligations over the next 12 months
 - **Unrestricted Days Cash:** indicates how many days a school can pay its expenses without inflow of additional cash

⁴ tea.texas.gov/texas-schools/accountability/academic-accountability/performance-reporting/2020-accountability-rating-system

- **Enrollment Variance:** measures whether a school is meeting its enrollment projections and depicts actual versus projected enrollment
- **Debt Default:** indicates whether a school is meeting its debt obligations or covenant

The performance standards also include indicators, measures, and metrics that assess the school's long-term financial health, including:

- **Total Margin and Aggregated Three-Year Total Margin:** measures whether the school is operating at a surplus (more total revenues than expenses) or at a deficit (more total expenses than revenues) in a given time period
- **Debt-to-Asset Ratio:** measures the extent to which the school relies on borrowed funds to finance its operations
- **Cash Flow:** indicates the trend in the school's cash balance over a period of time
- **Debt Service Coverage Ratio:** indicates a school's ability to cover its debt obligations in the current year

3. Organizational Performance. The organizational performance standards include, at a minimum, indicators, measures, and metrics that allows the authorizer to evaluate the school's operational and governance performance and compliance, including:

- **Education Program:** evaluates the school's adherence to the material terms of its proposed education program, captures certain aspects of an education program that are required by law, and assesses the extent to which the school implements its educational program with fidelity, including examination of the effectiveness of instruction and assessment, the charter school board's commitment to student achievement, community involvement, and school culture
- **Financial Management and Oversight:** sets expectations for the school's management and oversight of its finances, without regard to financial performance. Audit results and audit findings are critical sources of evidence for this indicator

- **Governance and Reporting:** sets forth expectations for the school governing board's compliance with governance-related laws and the board's own bylaws and policies
- **Students and Employees:** measures charter school compliance with a variety of laws related to students and employees, including the rights of students and employees, as well as operational requirements such as teacher licensing and background checks
- **School Environment:** addresses the additional school community compliance requirements imposed on charter schools, such as those protecting health and safety of students and those protecting student and staff privacy and data
- **School Culture:** evaluates the systems and structures that are in place to support students inside and outside the classroom, both academically and behaviorally, including services to support the whole child. Additionally, this area addresses family and community involvement that supports school culture and a quality education for all students

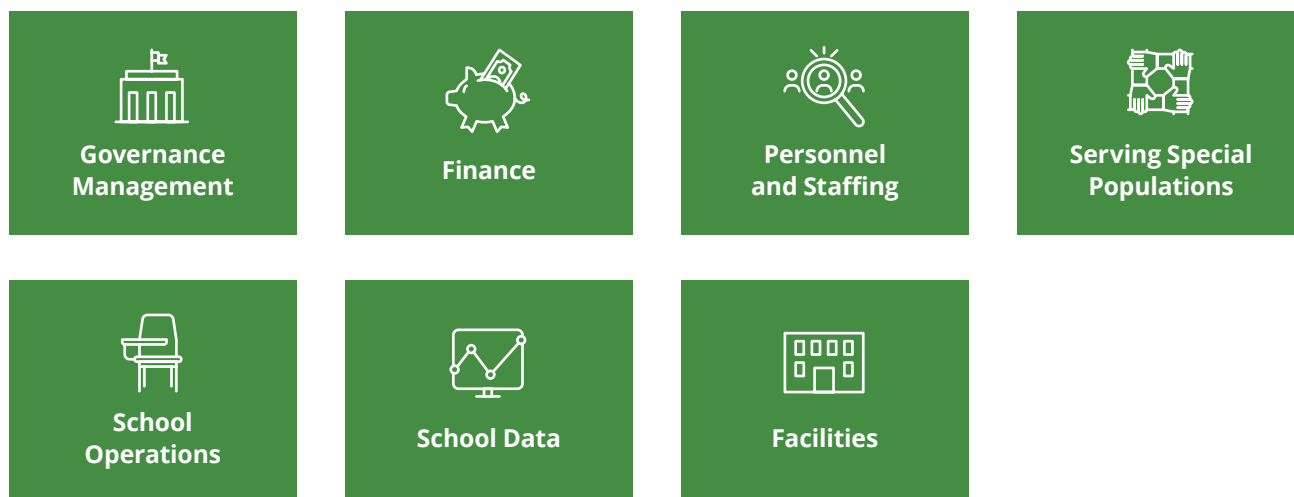
PRE-OPENING

District authorizers should proactively monitor activity at all schools during the time between when new charters are awarded and when schools open. An authorizer's obligation to protect student and public interests requires it to make the determination if a school has completed the necessary preparations and satisfied pre-opening requirements before the school is allowed to open for instruction.

What Are Pre-Opening Requirements?

Pre-opening requirements are a set of actions that a school must complete prior to opening its doors and serving students. Schools must provide evidence of systems and processes in place or to be put in place regarding:

- **Governance management:** school board of directors selected; school board has met all compliance obligations; protocols for securing

Exhibit 5. Pre-Opening Requirements

student and personnel records are implemented; classroom environment is suitable for learning;

- **Finance:** annual budget has been approved by school board and submitted to district; annual cash flow projection submitted; payroll system established; independent certified public accountant retained;
- **Personnel and staffing:** employee benefits paperwork submitted; school personnel are qualified to work (e.g., background checks, certifications); teacher evaluation system selected; employee handbook implemented;
- **Serving special populations:** written documentation of anticipated students with special needs submitted; response to intervention strategy adopted; Child Find plan in accordance with IDEA adopted; plan for identifying, serving, and assessing English learners adopted;

- **School operations:** initial requirements for federal funding compliance completed; transportation service provider selected, if applicable; school calendar established; food service processes established; enrollment procedures established; student discipline policies developed; safety plans for life safety procedures developed;
- **School data:** education information system (EIS) updated with all required information; appropriate management oversight of student information in place; and
- **Facilities:** facility secured; instructional materials and classroom supplies distributed; space safe and secure; each room equipped with emergency exit plans; adequate signage for the school in place; fire marshal inspections completed; fire extinguishers recently inspected.

The process for ensuring charter schools meet pre-opening requirements consists of a combination of paper screening of documents and a visit to the school. The on-site visit continues to build the collaborative relationship between the authorizer and the new school staff, and provides an opportunity to see firsthand the school's readiness to serve students.



Visit [AuthoRISE](#) to view the **Ensuring Access for All** learning module.



Quality authorizers formally adopt pre-opening requirements and share them with schools. The district should review and customize this resource to meet its needs. It is organized into seven categories with each category including specific requirements to be met prior to the charter school's opening day.

If the charter school does not complete the necessary pre-opening requirements, the authorizer determines the enrollment is too low for the school to be financially viable, or the adults in the building and/or the physical structure are not ready to receive students for instruction, **the authorizer must not provide the school with final authorization to open.** A delay in opening must be in effect until the authorizer can confirm that the school has satisfied all necessary pre-opening requirements and all necessary documents are on file. These critical tasks help ensure that a charter school is ready to open and well-positioned for success.



NACSA has developed a **pre-opening checklist**. To access this resource, visit **AuthoRISE**.



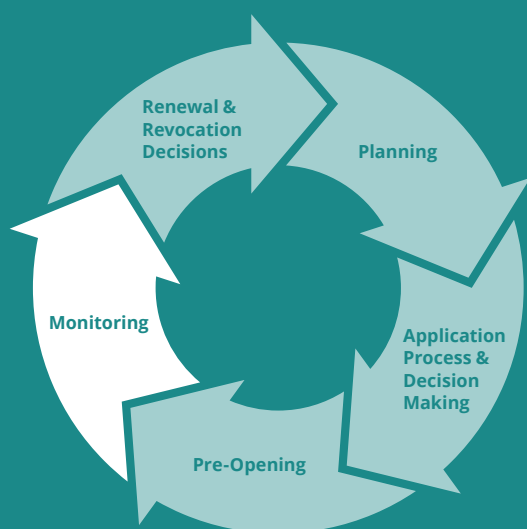
How Should Authorizers Monitor Completion?

Authorizer engagement with schools during the pre-opening process is instrumental to school success. Authorizers with strong portfolios of schools often provide guidance to schools on areas requiring change, collaborate with school support organizations, provide explicit informational and step-by-step resources for schools, and advocate on behalf of schools when necessary. Authorizers use the pre-opening process to build relationships, set expectations, and ensure the school is ready to open for students effectively. Often, an authorizer is much more hands-on at this pre-opening phase than it is after the school becomes operational.

It is critical that the authorizer determine whether a school is prepared to open as early as possible in the process to provide the school and authorizer sufficient time to notify enrolling students if a delayed opening is likely. Regular contact with charter school operators can also inform authorizers about the progress each charter school is making toward completing the pre-opening requirements. Quality authorizers provide written documentation to schools that have met all pre-opening requirements and refrain from allowing schools to open without that documentation.



SECTION 4 MONITORING



A quality authorizer conducts school oversight that competently evaluates performance and monitors charter school fulfillment of legal obligations; ensures charter schools' legally entitled autonomy; protects students' rights; informs intervention (including probation), revocation and renewal decisions; and reports publicly on individual and collective performance of the charter schools it oversees.

NACSA's Principles & Standards for Quality Charter School Authorizing

The authorizing board must implement a comprehensive performance accountability and compliance monitoring system that is defined by the charter contract and provides the district board with the information necessary to make rigorous, evidence-based decisions regarding charter renewal, revocation, and probation or other interventions. An effective and comprehensive monitoring system is based on and aligned with the academic, financial, and organizational standards set forth in the charter contract and the Campus Evaluation Framework.

SETTING REQUIREMENTS FOR DATA COLLECTION AND ANALYSIS

The first step to implementing clear and transparent oversight and monitoring practices is to define and communicate to schools the process, methods, and timing of gathering and reporting school performance and compliance data. District charter school authorizers can strengthen their ability to provide rigorous and consistent oversight and evaluation, minimize burdens on schools, and increase the likelihood that schools will meet their obligations by developing, publicizing, and following a fixed, streamlined, and well-thought-out reporting timeline. The reporting timeline outlines the process, methods, and timing for required submissions.



Visit [AuthoRISE](#) to view the **Ongoing Evaluation** learning module.



The following list, though not exhaustive, includes some documents school leaders must know when and how to submit:

- Employee information and background check records
- Special population student count and records verification
- Annual financial audit
- Student enrollment updates
- Annual assessment documentation
- Approved annual budget
- End-of-year student information

When developing a reporting timeline, quality authorizers:

- Only require and track submissions that are contractually required and make sure that all required submissions are included in their reporting timeline;
- Make clear to schools exactly when required information is due and in what format so that there are no surprises;
- Consolidate submissions and reporting deadlines whenever possible and coordinate collection efforts with other agencies; and
- Require each charter campus to submit data documentation individually, even if a single governing board operates multiple schools.

ANNUAL REPORTING

To ensure charter school operators are continually aware of their schools' performance and compliance, as well as areas of strength and areas needing improvement, district charter school authorizers should provide an annual report to each school. The district board should evaluate each charter school annually on its progress toward meeting the



standards stated in the charter contract and targets outlined in the CEF. Quality authorizers produce a comprehensive annual performance report for each charter school in the portfolio, even if a single governing board operates multiple charter schools. It is essential that each charter campus is held independently accountable for its performance, which could lead to renewal contracts of varying lengths, charter school closure, or revocation.

An effective annual report presents clear, accurate performance data for all the charter schools per the performance standards established in applicable law and the charter contract. Such a report is an essential authorizing practice for effective oversight, communication with schools, and public accountability and transparency.

The annual report should consist of four main sections—a school overview section followed by the sections outlined in the CEF:

- **School Overview:** Since it is part of a charter school's public performance record, an annual report begins with general information about the school, such as its mission, contact information, student enrollment, and student demographics.
- **Academic Performance:** This section includes measures required by law and the charter contract such as state ratings, academic



NACSA has developed guidance outlining a **typical data collection and reporting timeline**. To access this resource, visit [AuthoRISE](#).





TEA has developed a **Campus Evaluation Report** that districts can use to develop annual report cards for each authorized school. It is available at txpartnerships.org/tools.

achievement and/or growth, and graduation rate. Data on student outcomes should be disaggregated across standard state and federal categories to the extent possible.

- **Financial Performance:** This section provides data on the school's financial health, stability, and viability, including measures that focus on near-term financial performance, long-term sustainability, and historic trends (for schools operating more than one year).
- **Organizational Performance:** This section assesses the school's fulfillment of its legal obligations, governing board fiduciary duties and public stewardship, and general compliance requirements established in law and the charter contract.

Follow these steps when creating an annual report:

1. Identify the performance expectations and measures that will form the basis of the renewal decision for each charter school.

These are already established in state law, the charter contract, and/or related accountability documents (e.g., Campus Evaluation Framework).

2. Collect needed information and data.

Compile, summarize, and assess key data. Some data, such as state assessment results, will come from the state; other information, such as financial or compliance data, will be summarized from data collected from the school.

3. Organize the information and data into four content areas:

School Overview, Academic Performance, Financial Performance, and Organizational Performance.

4. Explain the standards that apply to each measure and the rating system to assess school performance on each measure.

If the rating system is more detailed, the report can include an addendum or a link to more information.

5. Clearly report performance results for each measure.

This may mean summarizing information from topical reports (e.g., financial or compliance reports) that you have provided to a school throughout the year.

6. Highlight areas of strong performance and areas for improvement—without prescribing solutions.

Explain how or why the school is falling short (if it is not self-evident). Explain areas requiring improvement, so the school can take corrective action as needed, and stakeholders (including the public) can understand the authorizer's assessment. Leave the remedies and solutions to the school.

7. Summarize the school's ratings in key areas at the front of the report.

Include an at-a-glance summary at the front of the report, perhaps in a color-coded format.

8. Provide each school the opportunity to review and respond to its draft report.

To ensure accuracy, provide each school a one-month window to review a draft report and submit any factual corrections or supplemental evidence that may change a determination regarding the school's performance on a particular measure.

9. Publish the annual report online and make it available to the public.

Keep it simple; a basic annual report does not have to be beautifully designed, packaged, and published in print form.

SCHOOL SITE VISITS

As part of its ongoing oversight and evaluation of charter schools, a quality authorizer visits each school as appropriate and necessary for the purpose of collecting data or gathering qualitative information that cannot be obtained otherwise and in accordance with the charter contract, while ensuring that the frequency, purposes, and methods of such visits respect school autonomy and minimize operational interference. Site visits, in combination with regular compliance monitoring, can triangulate the information schools report annually, enabling sound, evidence-based decision-making at renewal time or in the event of critical underperformance or noncompliance.

Site visits should:

- Align with the authorizer's CEF;
- Occur in the first year of operation for all schools;
- Take place at least once every five years of operation, with the need for additional visits determined by context and district capacity; and
- Vary in length based on the school's size, point in charter life cycle, and/or record of academic, organizational, and financial performance.

Site visits should **not**:

- Result in prescriptive technical assistance or directives that may infringe upon schools' rightful autonomy. Because of this, site visits and the resulting written reports must remain objective evaluations. However, sharing site visit findings with transparency can prompt a school to improve its performance, as well as legitimize the closure of a failing school in the minds of school personnel and the community.

Site Visit Differentiation

It is generally unnecessary for a district charter school authorizer to visit all schools in its portfolio on an annual basis; on-site authorizer presence should only be as frequent as necessary for accountability monitoring. Specifically, the intensity (generally in terms of length and scope) of site visits should vary depending on the school's age, size, location, record

of organizational compliance, and performance on the state accountability system. Additionally, authorizers also differentiate site visits by the type of visit.

Scope of Site Visits

Site visits provide authorizers with a unique opportunity to gather qualitative information on school performance that complements a school's quantitative record of performance. This information provides context to a school's previous performance and, when done correctly, can flag schools that are not on track for academic success. As schools progress in age and demonstrate academic success over time, authorizers may decide to limit the scope of school visits, thereby preserving authorizer capacity and lessening disruption in the school day during visits.

To protect school autonomy and ensure transparency in expectations, quality authorizers align site visits with the CEF agreed upon during contract negotiations. In addition to identifying the extent to which schools are meeting quantitative goals, the TEA's CEF also provides a basis for the qualitative information authorizers should collect on site. Notably, elements of the organizational portion of TEA's Campus Evaluation Framework builds off TEA's Effective Schools Framework (ESF). The ESF identifies five levers contributing to a high-quality academic program. Within each lever is a set of essential actions that describe what effective schools do to support teaching and learning. Authorizers can use these essential actions to build site visit protocols, identifying where schools excel and fall short in implementing these actions. The levers and essential actions are on the following page.



For more information on
TEA's Effective Schools
Framework, visit texasesf.org



TEA Effective Schools Framework		
Lever	Description	Essential Actions
1 Strong School Leadership and Planning	Effective campus instructional leaders with clear roles and responsibilities develop, implement, and monitor focused improvement plans that address the causes of low performance.	- Develop campus instructional leaders (principal, assistant principal, counselors, teacher leaders) with clear roles and responsibilities - Develop focused plan and regularly monitor implementation and outcomes
2 Effective, Well-Supported Teachers	Campus leadership retains effective, well-supported teachers by strategically recruiting, selecting, assigning, and building the capacity of teachers so that all students have access to high-quality educators.	- Recruit, select, assign, induct, and retain a full staff of highly qualified educators - Build teacher capacity through observation and feedback cycles
3 Positive School Culture	Positive school culture requires compelling and aligned vision, mission, goals and values, explicit behavioral expectations and management systems, proactive and responsive student support services, and involved families and community.	- Develop and implement compelling and aligned vision, mission, goals, values focused on a safe environment and high expectations - Develop and implement explicit behavioral expectations and management systems for students and staff - Establish proactive and responsive student support services - Involve families and community
4 High-Quality Curriculum	All students have access to a TEKS-aligned, guaranteed, and viable curriculum, assessments, and resources to engage in learning at appropriate levels of rigor.	Align Curriculum and assessments aligned to TEKS with a year-long scope and sequence
5 Effective Instruction	All students have rigorous learning experiences because the school ensures objective-driven daily lessons, classroom routines, and formative assessments that yield the data necessary for teachers to reflect, adjust, and deliver instruction that meets the needs of each student.	- Develop objective-driven daily lesson plans with formative assessments - Implement effective classroom routines and instructional strategies - Implement data-driven instruction - Implement RTI for students with learning gaps

Pre-Opening Visits

The first monitoring visit schools receive occurs during the pre-opening phase. District charter school authorizers conduct a pre-opening site visit to determine a new charter's readiness to serve students and commence instruction. As discussed above, pre-opening visits occur prior to the school's initial launch but also at every new campus or in any instance of significant expansion of grade span or enrollment.

Compliance Visits

Compliance visits have a specific purpose: to determine whether a charter school is fulfilling its obligations under the law and under the terms of its contract. During such visits, the authorizer may want to see documents such as:

- Certificate of occupancy for the school's space
- Documentation of required fire drills
- Insurance coverage
- Teacher certifications
- Individual Education Programs (IEPs) on file for students with disabilities
- Minutes of governing board meetings
- Enrollment lottery documentation
- Student enrollment records

Due to their explicit and limited focus, compliance site visits can be conducted in a half-day or less. If problems are discovered in the course of a compliance site visit, a second visit may be needed to check that the identified issues have been corrected.

Monitoring Visits

Monitoring visits have a broader purpose than compliance visits: to gauge the overall progress a school is making toward the goals outlined in its charter. In most cases, district authorizers will already possess some quantitative data about that progress – test scores, attendance rates, and other annual outcomes. A monitoring visit can help explain the context behind that data and explore

the school's fidelity to its approved program or the material terms of the charter. During monitoring visits, authorizing staff typically interview school leaders and teachers, observe instruction across multiple classrooms, and gather qualitative information on the educational program. The Campus Evaluation Framework and charter contract serve as guides for these visits. Authorizing staff should develop a written school visit report documenting findings and provide this report to the school in a timely fashion.

The first monitoring visit occurs in the first year of the school's operation. During this visit, authorizing staff typically use an abbreviated site visit protocol, as the school may still be in the process of implementing many elements of the educational program. Still, this is an opportunity for school leaders to become familiar with site visit procedures and for the authorizing staff to continue to build a relationship with school leaders. Additionally, first-year site visits allow the authorizing staff to bring to school leaders' attention any immediate concerns before they become engrained. Following the first-year site visit, district authorizers can independently establish a cycle of monitoring visit activity based on the relative strengths and weaknesses of the schools in their portfolio, as well as abundance or lack of resources and staff capacity.

Even in an outcomes-oriented sector, routine monitoring is recommended for the following reasons:

- Every charter should include a variety of indicators marking progress over time. While quantitative data such as test results and attendance figures may suggest a positive trajectory, a well-structured visit can help explain areas in which the school is behind before the situation becomes irreversible.
- Some charter schools may get periodic, high-value feedback from a third party such as their management company, an accrediting body, or professional consultants. But especially for unaffiliated charters, a routine monitoring visit can generate plenty of useful food for thought about the school's strengths, weaknesses, and rate of progress.

Renewal Visits

Renewal visits are high-stakes events for schools and occur during each school's specific renewal cycle. For this reason, it is crucial that the goals of the visit align tightly with those of the charter contract itself. The visit should be preceded by careful review of available data covering the entire charter period. It is also important for schools to have clarity about the importance of the visit and, if corrective actions are required, about the timeline for improvements and their relation to the authorizer's renewal decision. Whereas monitoring visits focus on understanding the school's performance in a given moment in time during the charter term, the scope of renewal visits span the entire charter term and are therefore more resource intensive.

Site Visit Frequency

Authorizers should independently establish a cycle or frequency for both compliance and monitoring visits that befits the condition of each school. Authorizing staff should plan to conduct site visits for each school **at least** once every five years, with the need for additional visits determined by context and district capacity. Schools that have continuing issues will require closer monitoring, including annual or bi-annual site visits. It is rare that an authorizer will need to conduct multiple site visits for a single school within the same academic year. Conversely, consistently high-performing schools may only require an on-site visit every few years or at renewal. Additional visits are necessary as situations warrant. For instance, an authorizer who receives a troubling report about a school in chaos or hears from staff that there are violations of law must evaluate the situation firsthand.

The authorizer must focus its evaluation efforts on the performance standards set forth in the charter contract and present its analyses in a straightforward manner that clearly indicates whether a charter school is meeting the standards and criteria for renewal. Evaluation reports and presentations should be made available publicly and should not prescribe solutions to those areas not meeting standards and identified in need of improvement but instead indicate that these areas need addressing and leave it up to the school to determine how to address them.



INTERVENTION AND PROBATION

Authorizers have an obligation to the public to monitor charter schools' progress against established and agreed-upon expectations and, when necessary, communicate concerns and require corrections within the parameters of established autonomies, called an "intervention."

Authorizers should only initiate formal intervention for school deficiencies or violations that are considered material. According to NACSA's *Core Performance Framework and Guidance*, "As a legal term, something is 'material' if it is relevant and significant...the authorizer should consider whether the information would be relevant and significant to decisions about whether to renew, non-renew, or revoke a charter." For deficiencies or violations that the authorizer does not consider material (e.g., late submission of reports), the authorizer may provide the school an informal notification prior to, or instead of, initiating formal intervention. These are instances in which an authorizer's professional judgment and its relationships with schools are especially important.

The most common conditions that may constitute intervention include but are not limited to:

- Failure to meet academic performance expectations, as defined by the Campus Evaluation Framework;
- Failure to meet indicators of financial viability or sustainability;
- Violations of federal or state statutes and applicable board policy and/or breaches of contract;
- Issues pertaining to student safety, equity, or access;
- Adverse findings in routine oversight; or
- Material, substantiated complaints from parents or other stakeholders.

The district board should follow a clear, explicit intervention protocol similar to the one in the table below for monitoring schools as set forth in the charter contract and district board policy. If there is reason for concern regarding a charter school's performance or legal compliance, the district board should communicate with the school leadership and governing body, and monitor as needed to ensure the school remedies serious concerns in a timely manner. In cases in which formal intervention by the district board is warranted, it must be proportionate to the identified problem, adhere to provisions of the charter contract, and respect the autonomy of the charter school.

Authorizers should consider a school's context, additional quantitative and qualitative data, and other information, and ultimately use professional judgment in determining whether, or at what level, to initiate intervention.

The district board should communicate with charter schools as needed, including both the school principal or chief operating officer and charter school governing board, and provide timely notice, to the extent possible, of any material charter contract violations and performance deficiencies that may lead to formal intervention, including probation.

The following intervention protocol may assist in decision-making and is not an exhaustive list of either consequences or conditions that may trigger intervention. District charter school authorizers must consider a school's context, additional quantitative and qualitative data, and other information when determining the intensity of the intervention. The authorizer will ultimately use professional judgment in determining whether, and at what level, to initiate intervention. The authorizer reserves the right to forgo intervention or skip levels of intervention, including moving straight to revocation, as may be appropriate. Examples of situations in which the authorizer may proceed directly to revocation may include but not be limited to if a school is financially insolvent or poses a significant risk to the health or safety of its students.

Intervention Protocol		
Intervention Status	Conditions That May Trigger Status	Possible Consequences
LEVEL 1 Notice of Concern	▪ Indications of weak or declining performance identified through routine monitoring, site visits, or other means; ▪ Repeated failure to submit requirements on a timely basis.	▪ Written notification to school board detailing severity of concern, authorizer's requirements for resolution, timeline, and consequences if not satisfactorily remedied.
LEVEL 2 Notice of Breach	▪ Failure to satisfactorily remedy or make substantial progress toward remedying previously identified concern(s); ▪ Failure to meet multiple performance targets; ▪ An overall "Does Not Meet" rating on any performance framework; ▪ One or more indicator-level "Falls Far Below" ratings on any Performance Framework; ▪ Failure to comply with applicable law or breach of contract.	▪ Written notification to school board detailing severity of concern, authorizer's requirements for resolution, timeline, and consequences if not satisfactorily remedied; ▪ Specialized site visit, as necessary; ▪ Meeting with school board, as necessary; ▪ Remedial action plan developed by the school and approved by the authorizer, as necessary.
LEVEL 3 Notice of Probationary Status	▪ Any overall "Falls Far Below" rating on any performance framework; ▪ Continued failure to comply with applicable law or with the charter; ▪ Failure to meet or make sufficient progress toward meeting terms of remedial action plan, as relevant.	▪ Remedial action plan developed by the school and approved by the authorizer; ▪ Meeting with school board; ▪ Specialized site visit, as necessary; ▪ If needed, authorizer may appoint an agent to monitor implementation of remedial action plan.
LEVEL 4 Notice of Revocation Review	▪ Continued failure to comply with applicable law or with the charter contract; ▪ Failure to meet or make sufficient progress toward meeting terms of the remedial action plan, as relevant; ▪ Noncompliance with an applicable health or safety standard.	▪ Written notice stating intent to consider revocation; ▪ Meeting with school board; ▪ Remedial action plan developed by the school and approved by the authorizer; ▪ If needed, the authorizer may appoint an agent to monitor implementation of remedial action plan.
LEVEL 5 Notice of Revocation	▪ Extended pattern of failure to comply or to meet performance targets; ▪ Failure to satisfactorily address or make sufficient progress toward meeting terms of prior interventions; ▪ Applicable conditions for revocation set forth in charter school law.	▪ Revocation process must be conducted in accordance with state law and will include: – Written notice from authorizer stating reason for proposed revocation; – Specialized site visit, as necessary; – Decision to revoke by authorizer.

In responding to problems or deficiencies that call for formal intervention in charter schools, the district board should follow these general principles:

- Give schools clear, adequate, evidence-based, and timely notice of contract violations or performance deficiencies justifying formal intervention. The notice should identify in writing the concern(s) to be remedied and the timeframe for correction, and may include additional consequences if the concern(s) are not remedied within the stated timeline.
- Allow schools reasonable time and opportunity for remediation in non-emergency situations and to submit a corrective action plan, if required;
- When intervention is needed, engage in intervention strategies that clearly preserve school autonomy and responsibility (identifying what the school must remedy without prescribing solutions); and
- Articulate and enforce stated consequences for failing to meet performance expectations or compliance requirements.

Probation

Depending on the severity and recurrence of the concern or deficiency, the district board may place a school on probation, in accordance with the terms of the charter contract and TEC §§ 12.063 and 12.064. The district board may place a charter on probation if it determines that the school has:

- Persistently committed a material violation of the charter contract;
- Persistently failed to meet academic standards set forth in the charter contract;
- Persistently failed to satisfy generally accepted accounting standards of fiscal management; or
- Persistently failed to comply with any applicable laws or state agency rules.

The Superintendent or designated staff must investigate any indication or allegation that a charter school has committed violations that would warrant probation under TEC §§ 12.063 and 12.064.

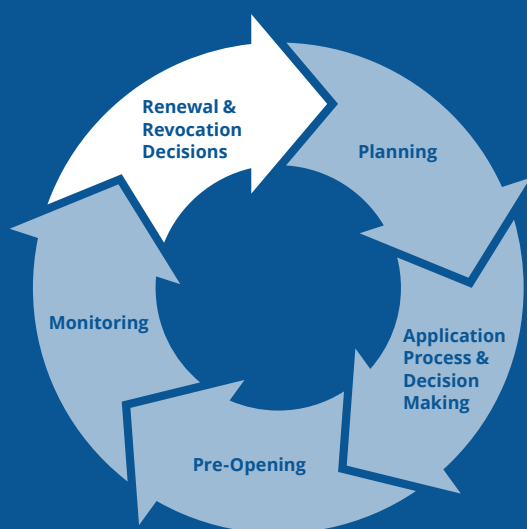
Procedure

In the event of any indication or allegation that a charter has committed a violation or underperformed to a degree that may warrant probation, the district board should take the following steps:

1. The Superintendent or designated staff will notify the school leadership in writing of the indication(s) or allegation(s), stating that the charter may be placed on probation and shall meet with the principal or equivalent chief operating officer and the president or chair of the governing board of the charter school to discuss the matter, providing the school leadership an opportunity to respond.
2. If the Superintendent or designated staff determines that a violation or mismanagement that may warrant probation has occurred, the principal or equivalent officer of the charter school shall respond to the matter at the next regularly scheduled district board meeting. The Superintendent shall ensure that the issue is on the agenda. The district board shall hear the presentation and, if warranted, take action to place the charter school on probation. In considering whether to place a charter school on probation, the district board shall schedule a public hearing to be held on the charter school campus, in accordance with TEC §12.064. The decision regarding whether to place a charter school on probation shall be based on the best interests of the students, the severity of the violation, and any previous violation committed by the school.
3. If a charter school is placed on probation, the charter school must take action to remedy the identified violation(s) or underperformance and report on the status of its corrective actions at the next regularly scheduled district board meeting.
4. The district shall monitor the school's corrective actions and re-evaluate the school's status on a timeline appropriate for the circumstances to determine whether and when the school may be removed from probation or whether charter revocation should or must be considered.

SECTION 5

RENEWAL & REVOCATION DECISIONS



A quality authorizer designs and implements a **transparent and rigorous process** that uses comprehensive academic, financial, and operational performance data to make merit-based renewal decisions, and revokes charters when necessary to protect student and public interests.

NACSA's Principles & Standards for Quality Charter School Authorizing

Upon the expiration of a charter contract between the district board and a charter school, the district board may renew the contract for up to an additional ten-year (10) term. In accordance with TEC §12.0531, the district board will renew a contract only if the district board finds that the school has substantially met the academic, financial, operational, and governance standards established in the charter contract and has substantially fulfilled its obligations in applicable law and the charter contract. The extent to which the school has demonstrated success will determine the length of its subsequent charter term.

The district board should base the charter contract renewal process and renewal decisions on the school's past performance, not promises of future success.

The district authorizer should conduct its review using a comprehensive body of objective evidence defined by the performance standards and provisions in the contract. Such evidence includes, at a minimum, all of the following:

- Multiple years and measures of performance against the performance standards and expectations established in the charter contract and applicable law;
- Financial audits;
- Performance and compliance reports, including site visit reports; and
- The school's performance on corrective action plans or other required interventions, if necessary.



Visit [AuthoRISE](#) to view the **Renewal Process** learning module.



To ensure renewal decisions are unambiguous, authorizers should have clear alignment of renewal documents, renewal criteria, renewal rubrics, renewal application ratings, performance frameworks, the charter contract, and recommendations. The charter school's cumulative record of performance should inform the district's annual Quality Seats Analysis.

RENEWAL

Quality authorizers have a publicized renewal application process that requires all charter schools to apply through a renewal application, similar to the process outlined in TEA's Model Renewal Application and Guidance resource. The requirements for renewal should be publicly available and include written guidance regarding the process, the content and format for renewal applications, criteria or standards used to evaluate the applicant, and a general timeline as outlined below. The more that an authorizer communicates with a school about its performance and the components of the renewal process before the final year of its charter term, the more predictable and less potentially contentious the process may be.

The renewal process is a multi-stage review of each school's performance:

1. During the **first stage** of the renewal process, the authorizer prepares a preliminary, school-specific Renewal Performance Report. The Renewal Performance Report constitutes the authorizer's record of the charter school's academic, financial, and organizational performance in relation to the criteria for renewal and the school's obligations as outlined in its charter contract. Schools will have an opportunity to comment on the Renewal Performance Report and to propose corrections or additional data to supplement the record. The purpose of this component of the process is to provide the school with the authorizer's evaluation of the school's performance relative to the performance expectations contained in its contract and its prospects for renewal so that there are no surprises as the process proceeds.
2. The **second stage** of the process requires the school to prepare and submit a Charter Renewal Application. The Charter Renewal Application provides each school an opportunity to summarize its performance over the course of its charter term ("Part I: Executive Summary"); discuss its past and current record of performance; and supplement, clarify, or correct information contained in the preliminary Renewal Performance Report ("Part II: Looking Back: The Record of Performance"). Although a school's past and current record of performance should always be the primary focus of the application, it also provides an opportunity to outline future plans, priorities, and potential modifications to its charter ("Part III: Looking Forward: Plans for the Next Charter Term").
3. The **third stage** involves gathering any necessary additional information and analyzing the school's application in order to determine whether the information presented changes the authorizer's initial view of the school's renewal prospects, as contained in the preliminary Renewal Performance Report. This includes information authorizing staff gather while conducting the site visit, communications with the school and school community, and other qualitative evidence. Once all information has been collected, analyzed, and synthesized, the authorizing staff will prepare the final performance report and present the Renewal Recommendation to the district board. Schools should receive their recommendation reports prior to the reports being made public. The district board will make the decision to renew or non-renew the school based on the report.



TEA has developed guidance for **developing a renewal application**. To access this resource, visit the Texas Partnerships website at txpartnerships.org/tools.

Authorizers should make renewal decisions in a public meeting and promptly notify each charter school of its renewal (or non-renewal) decision, including setting forth in writing the reasons for the decision.

When setting a timeline for renewal, it is critically important to plan the process to ensure that final

decisions are made in a timely manner so that schools and parents will know as early as possible whether each school will be open the following year and can find high-quality alternatives if the school will not open. The following table outlines the stages of a typical renewal process and accompanying timeline.

Renewal Process		
Renewal Stage	Purpose	Date
Authorizing staff release renewal application and decision criteria	Provide school leaders and the public with transparent expectations for renewal decision-making	12 – 18 months prior to end of contract
Authorizing staff conduct renewal orientation with school governing board and school leader of each school up for renewal	Explain the elements of the renewal process, set expectations regarding requirements and timeline, and discuss school's prospects for renewal considering the school's record of performance	12 – 18 months prior to end of contract
Authorizing staff provide preliminary renewal performance report to each school up for renewal	Establish a record based on the cumulative evidence of school performance in relation to expectations as set by the Performance Framework and included in the charter contract, and communicate that record to each school that is up for renewal	11 months prior to end of contract
School submits Renewal Application	Provide an opportunity for schools to formally request renewal; schools submit comments and factual corrections to the Renewal Performance Report; and present plans for a new charter term	Eight months prior to end of contract
Renewal recommendation and public hearing	Authorizing staff assemble the Renewal Recommendations and present to the schools and the district board for discussion and public comment	Six months prior to end of contract
Charter school renewal decisions	The district board makes charter decisions and communicates decisions to families and stakeholders	At least five months before end of current charter term AND before the end of the district's enrollment window
Contract negotiations	Establish the terms for the next charter contract	Prior to start of new contract



NON-RENEWAL

Prior to a non-renewal decision, the district board should have informed the school and its board of underperformance in advance of the end of the school's charter term. Through multiple feedback loops described in previous sections, including formal face-to-face meetings with the school leader and the school's board, the authorizer ensures the school is aware of performance that may lead to non-renewal, typically multiple years in advance of the school's renewal cycle.

The district board may choose not to renew a charter school contract for any of the following reasons:

- Persistent or significant failure to meet student performance standards and expectations stated in the contract;
- Persistent or significant failure to meet generally accepted accounting procedures for fiscal management or demonstrate financial sustainability;
- Persistent or significant violation of any provision of the contract or applicable state or federal law; or
- Other good cause.

The district board should base any decision not to renew a charter school contract on thorough analysis of a comprehensive body of objective evidence defined by the contract, as described above.

Notification Timeline

In the event of a decision not to renew a charter contract, the district board must notify the school of the proposed action in writing no later than the end of January in the year in which the district board intends to take action not to renew the contract. The notice should include the reasons for the proposed action in detail and the effective date of the non-renewal.

Parents and students shall have ample time and information to make informed choices for the coming school year when a school's contract is not renewed. Children attending a charter school whose contract has been revoked, not renewed, or that closes for any reason must be admitted to district schools if the children are entitled to attend under state law and admission deadlines must be waived for such students.

Any charter school whose contract is not renewed must close permanently at the end of the current school year or on a date specified in the notification of non-renewal.

REVOCATION

Revocation is the nullification of a charter contract. Unlike non-renewal, which occurs at the end of a school's charter term, the district can revoke a charter contract at any point during the term.

The district board may consider revoking a charter if it determines that the charter school:

- Has committed a material violation of the charter contract;
- Has failed to meet academic standards set forth in the charter contract;
- Has failed to satisfy generally accepted accounting standards of fiscal management; or
- Has failed to comply with any applicable laws or state agency rules.

The district board should revoke a charter if it finds clear evidence of a charter school's extreme underperformance or violation of law or the public trust that imperils students or public funds, including any of the following:

- Persistent and serious violation of applicable state or federal law;
- Persistent and serious violation of a provision of the charter contract;
- Persistent failure to meet generally accepted accounting standards for fiscal management;
- Persistent failure to improve student academic achievement for all student groups;
- Failure for three (3) consecutive years to meet the academic and/or financial accountability standards outlined in TEC Chapter 39, Subchapters C and D;
- Failure for three (3) consecutive years to meet the academic and/or financial performance standards established in the charter contract; or
- Multiple placements on probation within the charter term.

Procedure

In the event of any indication or allegation that a charter has committed a violation or underperformed to a degree that may warrant charter revocation, the Superintendent or designated District authorizing staff should take the following steps:

1. The Superintendent or designated staff will notify the school leadership in writing of the indication(s) or allegation(s), stating that the charter may be in jeopardy, and shall meet with the principal or equivalent chief operating officer and the president or chair of the governing board of the charter school to discuss the matter.
2. If the Superintendent or designated staff determines that a violation or mismanagement has occurred, the principal or equivalent officer of the charter school shall respond to the matter at the next regularly scheduled district board meeting. The Superintendent shall ensure that the

issue is on the agenda. The district board shall hear the presentation, and if the district board decides to consider revocation of the charter, it shall schedule a public hearing to be held on the campus where the program is located.

The district board's decision regarding whether to revoke a charter must be based on the best interests of the students, the severity of the violation, applicable law, and any previous violation committed by the school.

In the event of a health or safety concern, the district board reserves the right to immediately suspend school operations before revocation takes effect.

Notification Timeline

In the event of a decision to revoke a charter contract, the district board must notify the school of the proposed action immediately in writing. The notice should include the reasons for the proposed revocation in detail and the effective date of the revocation, which may be effective immediately in the event of a health or safety concern.

Any charter school whose contract is revoked must close permanently at the end of the current school year or on a date specified in the notification of revocation.

SCHOOL CLOSURE

District authorizers must have an active role when non-renewing a school. This can include trying to find a replacement operator and project managing (either directly or through other organizations) the process of ensuring students have access to another school. Districts should consider these school actions following the annual Quality Seats Analysis.

Quality authorizers develop a detailed school closure protocol before the non-renewal or revocation of any charter contract, such as NACSA's Sample Action Plan for Charter School Closure, to establish a clear sequence of action items and responsibilities for both the authorizer and school

staff along with a timeline for completing each item. At a minimum⁵, these should include:

- Establish transition team and assign roles
- Assign transition team action item responsibilities
- Send initial closure notification letter: Parents & School
- Create talking points for parents, faculty, community, and the press
- Create and distribute a press release
- Plan to continue current instruction
- Terminate summer instructional program
- Secure student records
- Secure financial records
- Create parent and faculty contact lists
- Establish use of reserve funds
- Maintain insurance coverage
- Notify agency, as applicable
- Notify union pursuant to any collective bargaining agreement
- Notify employees and benefit providers
- Notify management company/organization and terminate contract
- Notify creditors and debtors
- Plan for disposition of records
- Issue final report cards and student records
- Transfer student records and testing materials
- Plan for disposition of inventory and property
- Itemized Financials

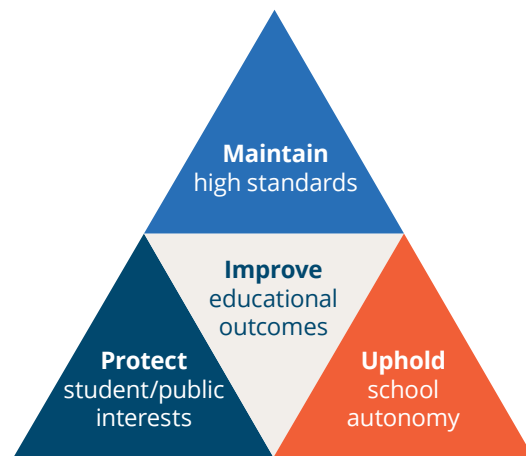


NACSA has developed a sample **Action Plan for Charter School Closure**. To access this resource, visit [AuthoRISE](#).



CONCLUSION

Charter authorizing is complex but rewarding work. By authorizing high-quality charter schools, district authorizers in Texas have the opportunity to meet the unique needs of their communities and improve educational outcomes for all students. To do so, district authorizers must create environments that allow charter schools to thrive. Establishing these environments entails maintaining high standards, upholding school autonomy, and protecting student and public interests. Adopting these principles leads to quality educational options.



This handbook and its accompanying resources are intended to provide district authorizers with an overview of best practices aligned with national standards for quality authorizing. District authorizers are encouraged to adopt these resources and tailor them to meet their local context. Using these resources in conjunction with the TEA Quality Authorizing Self-Assessment and the Campus Evaluation Framework will set district authorizers on a path to ensuring only high-quality schools operate in their communities.

⁵ NACSA recognizes that closure responsibilities and tasks will differ based on the type of charter. This list is most relevant to fully autonomous charter schools.

