



NATIONAL
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RESOURCE CENTER

High-Quality Charter Authorizing Policy Profiles: Texas

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Texas: Overview of State Law and Snapshot of Quality Authorizing Practices

Introduction and Methodology

The National Charter School Resource Center (NCSRC) created the [Policy Framework for High-Quality Charter Authorizing Practices \(Framework\)](#) as a tool for assessing a State policy environment’s support for high-quality authorizing practices. The Framework is based on a review of high-quality authorizing practices referenced in the Every Student Succeeds Act (ESSA) and literature by the National Association of Charter School Authorizers (NACSA) and the National Alliance of Public Charter Schools (Alliance).ⁱ NCSRC staff used this review to identify common themes or categories of policies that are essential to State support for high-quality authorizing and incorporated them into the Framework.

NCSRC then created High-Quality Charter Authorizing Policy Profiles (State Authorizing Profiles) that describe states’ authorizing policy contexts based on the Framework. As of winter 2020, NCSRC staff created 19 profiles for the States that were awarded Charter School Programs (CSP) State Entities grants between FY2017 and FY2019, including:

- Alabama
- Arizona
- Arkansas
- Colorado
- Delaware
- Idaho
- Indiana
- Maryland
- Michigan
- Minnesota
- Mississippi
- New Mexico
- New York
- North Carolina
- Oklahoma
- Rhode Island
- Texas
- Washington
- Wisconsin

CSP State Entity (SE) Grants provide funding for State entities to support eligible applicants in planning and preparation for the opening of new charter schools and the replication and expansion of high-quality charter schools. Grant funds must also be used by the State entity to provide technical assistance to eligible applicants and to improve the quality of authorizing.

More State Authorizing Profiles may be added in the future. In addition, NCSRC may publish updated versions of State Authorizing Profiles to reflect changes in State policy.

The State Authorizing Profiles are intended to be used by state policymakers and practitioners to learn about their own authorizing policy environments and those of their peers. They may also be useful to charter school support organizations and charter management organizations that are looking to learn about different states’ policy contexts.

Each State profile includes a (i) Framework Snapshot, which is an assessment of a State’s authorizing practices using the Framework described in the first paragraph above and (ii) a more detailed description of the state context for each practice. The basis for the State Profiles was a review of the charter law and significant State policies for applicable states. Significant

state policies included those issued by the state education agency and/or state board of education. NCSRC used this review to identify whether the authorizing practices specified in the Framework were present in state law or policy. That is, boxes that were checked in the Framework Snapshot indicated that particular aspects of an authorizing practice(s) were included in state law or policy.

The State Authorizing Profiles provide a foundation for understanding authorizing practices in the State. The profiles are not an exhaustive review of the State’s authorizing policies and practices; it is intended to describe the key elements of the State’s policy context for supporting high-quality authorizing practices. Therefore, it is possible that certain State policies are not reflected in the profiles, and that individual authorizers within a state are implementing other practices as well. In addition, the review does not assess the quality of implementation of the policies; it is possible that state policy or statute articulates a quality practice that authorizers do not implement with fidelity.

Finally, state policy is one strategy for advancing high-quality authorizing practices and is the strategy we are focusing on in these profiles. However, there are other strategies and sources of support, including technical assistance and resources provided by state, regional, and local charter support associations. While this report does not address those other strategies, it provides a narrative of the policy context in which authorizers operate. We articulate this context to support authorizers and authorizer support organizations in understanding how to implement quality authorizing practices in their States.

Overview of State Law

The Texas State Legislature passed the State’s first charter school law in 1995, which specified that the purpose of charter schools is to “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; and, encourage different and innovative learning methods.”ⁱⁱ

The first iteration of the law provided for three types of charter schools: (i) home-rule district charter schools; (ii) campus and campus program charter schools (or “district-authorized charter schools”), and (iii) open-enrollment charter schools (or “state-authorized charter schools”).ⁱⁱⁱ The original law permitted local districts’ boards of trustees to authorize district-authorized schools; and the State Board of Education (SBOE) to authorize open-enrollment charter schools.^{iv} At present, there are no home-rule district charter school districts in the Texas.^v

In 2001, the legislature amended the State’s charter school law to allow for university charter schools (another type of open-enrollment, “state-authorized” charter school).^{vi} A few years later in 2009, the legislature added provisions to give the SBOE “the ability to authorize open-enrollment charter schools” to community and junior colleges.^{vii} After Senate Bill 2 was enacted in 2013, the ability to authorize state-authorized charter schools shifted from the SBOE to the commissioner of the Texas Education Agency (TEA);^{viii} and currently, the commissioner works with the SBOE to approve and monitor state-authorized charter schools.^{ix} Current law also permits the state to authorize “mission-specific charter schools” for applicants that aim to serve student populations consisting of either (i) adjudicated youth,^x or (ii) 18 to 50 year olds.^{xi}

State Authorizing Profile: Texas

Framework Snapshot¹

Authorization

- Does not cap charter school growth
- Provides for more than one authorizing pathway

Application includes the following:

- Specific application criteria
- Timelines
- Evaluation review process
- Process for denied applications

Performance-based contract includes and provides for the following:

- Separate post-application agreement
- Rights and responsibilities of authorizer and school
- Academic, financial, and operational performance expectations for schools
- Initial term of not more than five years
- Fiscal, legal, and programmatic autonomy for schools
- Independent charter school governing boards

Performance Monitoring

- Provides for annual authorizer evaluation of schools based on the performance goals and expectations set forth in performance-based contract
- Establishes a comprehensive accountability/monitoring system that includes performance expectations and compliance requirements
- Minimizes schools' administrative and reporting burden
- Articulates authorizer action for schools that fail to meet performance expectations (e.g., probation, sanction, or turnaround)

Renewal/Revocation

- Establishes a clear renewal process and decision-making criteria
- Requires that decisions to renew/revoke be based on student academic achievement
- Requires clear school closure procedures (e.g., parent notification, student enrollment, student record transfer, and disposition of assets)

Authorizer Accountability

- Provides for a registration process for eligible authorizing entities
- Requires the State entity to review authorizers' performance
- Requires authorizers to adhere to standards for high-quality authorizing

Authorizer Leadership, Student Access, and Student Services

- Requires a mission or strategic vision for authorizing
- Promotes quality authorizing by requiring technical assistance or professional development for authorizers and/or charter school applicants
- Ensures equitable access to all students
- Requires appropriate services for educationally disadvantaged students (e.g., students with special needs, English learners, students in foster care, or unaccompanied homeless youth)

Authorizer Funding

- Provides a mechanism for guaranteed access to authorizer funding
- Includes a process for holding authorizers accountable for how funding is used

Source(s): Texas Education Code (TEC), Chapter 12; Texas Administrative Code (TAC), Chapter 12 Charter Schools, Subchapter AA. Commissioner's Rules Concerning Open-Enrollment Charter Schools, Division 1. General Provisions.

¹ As noted in the Introduction and Methodology section, boxes checked in the framework snapshot indicate that aspects of an authorizing practice(s) were included in State law or policy. If individual authorizers create and follow a certain policy that is not in State statute or policy, then the box will not be checked for the entire State.

Authorization

- Does not cap charter school growth
- Provides for more than one authorizing pathway

Does not cap charter school growth

While Texas statute limits growth for some types of charter schools, it does not cap growth for other types. Under State law, district-authorized charters may not “collectively enroll more than 15 percent of the district’s enrollment during the preceding school year, with some exceptions.”^{xii} There is also a cap for open-enrollment charter schools at 305 that began in 2019.^{xiii} There is no limit, however, for open-enrollment charter schools that primarily serve students with disabilities,^{xiv} and “a charter granted ... for a dropout recovery school is not considered for purposes of the limit on the number of charters for open-enrollment charter schools.”^{xv} Lastly, there is no cap for the number of junior college or university charters.^{xvi}

Provides for more than one authorizing pathway

Texas statute provides for two types of authorizers—the board of trustees for local school districts or the State commissioner of education.

Application includes the following:

- Specific application criteria
- Timelines
- Evaluation review process
- Process for denied applications

Specific application criteria

Texas law requires that local district authorizers adopt a charter policy for the schools they authorize, and this policy must specify the criteria for charter school applications.^{xvii} The TEA also provides a model charter school policy and charter school application as resources for local districts interested in authorizing charter schools, though these districts are not legally required to use them.^{xviii}

For State-authorized open-enrollment charter schools, the law specifies that the “commissioner may adopt a separate application form for applicants seeking a charter to operate a public senior college[,] university charter school[,] or a public junior college charter school, which need not be similar to the application form adopted under that subsection for other charter applicants.”^{xix} The commissioner may also “approve or amend this separate application form without regard to the selection cycle referenced in that subsection.”^{xx} In addition to the model application discussed above, the TEA also provides an application for State-authorized schools, which specifies application timelines, the review process, and the rubrics used for evaluating applications for these types of schools.^{xxi} There are additional details regarding applications for State-authorized charter schools in the Texas Administrative Code (TAC).

Timelines

Each local school district develops its own policy for the schools it authorizes, and though some may include timelines, they are not legally required. For State-authorized charter schools, the

TAC requires the commissioner to “notify the SBOE of each charter the commissioner proposes to grant ... [and further States that] a charter proposed by the commissioner will be granted on the 90th day after the date on which the SBOE receives the notice from the commissioner unless the SBOE votes against the charter ... or the commissioner withdraws the proposal.”^{xxii} State law further specifies that by rule, “the commissioner shall allow a charter holder to provide written notice of the establishment of a new open-enrollment charter school ... up to 18 months before the date on which the campus is anticipated to open.”^{xxiii}

Evaluation review process

Texas statute requires that local school districts adopt a charter policy for charter schools they authorize, and that this policy specifies the charter application review process.^{xxiv} The law does not provide further requirements for the evaluation review process for district-authorized charter schools.

For open-enrollment charter schools, the law specifies that “after thoroughly investigating and evaluating an applicant, the commissioner, in coordination with a member of the [SBOE] designated for the purpose by the chair of the board, may grant a charter for an open-enrollment charter school only to an applicant that meets any financial, governing, educational, and operational standards adopted by the commissioner.”^{xxv} The law further states that “the commissioner shall approve or deny an application based on: documented evidence gathered through the application review process; merit; and other criteria,” including: criteria related to capability of carrying out the responsibilities as provided in the charter; and the likelihood of operating a high-quality charter, including previous experience operating a public school(s).^{xxvi} In evaluating applications from a public senior college or university or junior college, “the commissioner shall consider: the locations of existing open-enrollment charter schools, as appropriate, to avoid duplication of services in the area in which the applicant proposes to operate the school; and the need of the community in the area in which the applicant proposes to operate the school....”^{xxvii}

Process for denied applications

Texas statute does not require that all authorizers publicly state the reasons for denying charter applications. The law requires that district-authorized charter applications be denied through a public vote of the board of trustees or a governing body,^{xxviii} but the law neither requires that the district authorizer provide the reasons for denying the application, nor provides an option for appeal.

Conversely, the law affords denied open-enrollment applicants the opportunity to reapply,^{xxix} and the TEA maintains a dashboard that highlights the strengths and weaknesses of each State-authorized charter applicant.^{xxx}

Performance-based contract includes and provides for the following:

- Separate post-application agreement
- Rights and responsibilities of authorizer and school
- Academic, financial, and operational performance expectations for schools
- Initial term of not more than five years
- Fiscal, legal, and programmatic autonomy for schools
- Independent charter school governing boards

Separate post-application agreement

While Texas statute requires a separate written charter agreement, the elements vary by charter school type. For district-authorized charters, the law specifies that “the board of trustees of the school district that granted the charter shall enter into a performance contract with the principal or equivalent chief operating officer of the campus or program”^{xxxix} and that charters for district-authorized schools “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 or program for which the charter is granted.”^{xxxix} The law also specifies that contracts for open-enrollment charter schools “shall be in the form of a written contract signed by the commissioner and the chief operating officer of the school,”^{xxxix} and that this requirement applies to college/university and junior college charter schools as well.^{xxxix}

Rights and responsibilities of authorizer and school

Texas law requires that the board of trustees of the school district that granted the charter “enter into a performance contract with the principal or equivalent chief operating officer of the campus or program [and further, that] the performance contract specify [the] enhanced authority granted to the principal or equivalent officer in order to achieve the academic goals that must be met by campus or program students.”^{xxxix} For State-authorized schools, the law requires that the contract “include a description of the governing structure of the program,” and also “specify the powers or duties of the governing body of the school that the governing body may delegate to an officer.”^{xxxix}

Academic, financial, and operational performance expectations for schools

Under State law, the contract for district-authorized charter schools must,

- (i) describe [the] educational program to be offered,
- (ii) [specify that the] continuation for the charter is contingent on satisfactory student performance [and] compliance with other applicable accountability provisions, and
- (iii) describe the manner in which an annual audit of financial and programmatic operations ... is to be conducted, including [how the school] will provide [the] information necessary ... to participate ... in the Public Education Information Management System [PEIMS].^{xxxix}

Relatedly, Texas law also requires that the charter for State-authorized schools “specify the academic, operational, and financial performance expectations [upon which the school] will be evaluated, [and that these expectations] include applicable elements of the performance frameworks adopted under [TEC] § 12.1181.”^{xxxix} Similar to the requirements for district-authorized charter schools specified above, the charter for State-authorized schools must also “describe the manner in which an annual audit of the financial and programmatic operations of the program is to be conducted, including the manner in which [it] will provide [the] information necessary for the school district in which the program is located ... in the PEIMS.”^{xxxix}

Initial term of not more than five years

Texas statute specifies an initial term of 10 years for district-authorized charter schools.^{xl} The law mandates an initial term of five years for State-authorized charter schools.^{xli}

Fiscal, legal, and programmatic autonomy for schools

Pursuant to State law, the local school districts that authorize charter schools retain control over financial and legal matters; however, the extent to which district-authorized schools retain programmatic autonomy depends on their performance contracts.^{xlii} In an effort to support autonomy for district-authorized charter schools, the TEA provides a model charter application, in which it recommends addressing how the school’s “support systems will operate with autonomy while also remaining congruent with general district policies.”^{xliii}

Open-enrollment charter schools, on the other hand, have fiscal, legal, and programmatic autonomy.^{xliv} Under State law, these charter schools “are governed [pursuant to] the school’s governing structure, and [also] retain authority to operate under the charter.”^{xlv} In addition, the law specifies that “charter holders for open-enrollment charter school[s] are entitled to funds that are available to school districts from the agency or the commissioner in the form of grants or other discretionary funding.”^{xlvi} The TAC also defines key roles for open-enrollment charter school staff members’ that also support these autonomies—i.e., Chief Executive Authorizer, Campus Administrative Officer, Central Administrative Officer, and Business Manager.^{xlvii}

Independent charter school governing boards

District-authorized charter schools are not operated by independent school governing boards. Texas statute establishes various requirements for the boards of trustees for district-authorized charter schools, such as the board composition, roles and responsibilities, and administrative procedures.^{xlviii} Additional requirements include, for example, require that these boards,

- (iv) “ensure that a district improvement plan and improvement plans for each campus are developed, reviewed, and revised annually for the purpose of improving the performance of all students,” and
- (v) “adopt a policy to establish a district- and campus-level planning and decision-making process that will involve the professional staff of the district, parents, and community members in establishing and reviewing the district’s and campuses’ educational plans, goals, [and] performance objectives ...”^{xlix}

For open-enrollment charter schools, the law requires that the charter include a description of the governing structure of the program and “specify the powers or duties of the governing body of the school that the governing body may delegate to an officer” and the TAC specifies the powers governing board cannot delegate.¹

Performance Monitoring

- ☒ Provides for annual authorizer evaluation of schools based on the performance goals and expectations set forth in performance-based contract
- ☒ Establishes a comprehensive accountability/monitoring system that includes performance expectations and compliance requirements
- ☒ Minimizes schools’ administrative and reporting burden
- ☒ Articulates authorizer action for schools that fail to meet performance expectations (e.g., probation, sanction, or turnaround)

Provides for annual authorizer evaluation of schools based on the performance goals and expectations set forth in performance-based contract

The TEA policy provides that at the end of each school year, districts and open-enrollment charter schools assign overall and domain-specific letter grade ratings of A–F for each campus, according to performance outcomes, as outlined in the approved local accountability plan.^{li} Under the local accountability process, a district or school must obtain approval of a local accountability plan submitted by the district or school to the agency.^{lii} State statute requires that all charter schools undergo an annual audit of financial and programmatic operations and that all schools are subject to accountability provisions.^{liii} In addition, the TAC also states that the performance of State-authorized charter schools “will be measured annually against a set of criteria set forth in the Charter School Performance Frameworks (CSPF) Manual established under Texas Education Code (TEC), § 12.1181.”^{liv}

Establishes a comprehensive accountability/monitoring system that includes performance expectations and compliance requirements

As mentioned in the prior section, State statute requires that all charter schools undergo an annual audit of financial and programmatic operations, and State policy requires schools to annually submit their performance as outlined in their local accountability plans. In addition, the accountability and statewide assessment system that applies to traditional public schools, applies to charter schools as well. The State’s “Charter School Performance Framework is aligned with the Texas A–F accountability framework, the Charter FIRST financial accountability rating system, and best practices that have been identified by the National Association of Charter School Authorizers.”^{lv}

Minimizes schools’ administrative and reporting burden

Texas statute requires that the commissioner “adopt a policy that limits written reports and other paperwork that a principal or classroom teacher may be required by the agency to complete.”^{lvi} This policy has led to the creation of a data governance board that reviews new data collection requests.

Articulates authorizer action for schools that fail to meet performance expectations (e.g., probation, sanction, or turnaround)

State law authorizes the commissioner to take action for a district or open-enrollment charter school when “a comprehensive change in an academically unacceptable campus ... produces significant and sustainable gains in achievement within two years,” and that in such instances, the commissioner is required to “notify the school district or open-enrollment charter school in writing of a sanction imposed.”^{lvii}

Additionally, the law indicates that the board of trustees for a district-authorized charter school “may place on probation or revoke a charter ... if the board determines the campus or program (i) committed a material violation of the charter, including by failure to comply with the duty to discharge or refuse to hire certain employees or applicants for employment ... ; (ii) failed to satisfy generally accepted accounting standards of fiscal management; or (iii) failed to comply with this subchapter, another law, or a State agency rule.”^{lviii}

For State-authorized charter schools, the TAC requires the commissioner to “temporarily withhold State funds, suspend the authority of an open-enrollment charter school to operate, impose any sanction under [the TEC] and/or take any other reasonable action ... if the commissioner determines that a charter holder: (i) committed a material violation of the school’s charter; (ii) failed to satisfy generally accepted accounting standards of fiscal management; or, (ii) failed to comply with this subchapter or another applicable rule or law.”^{lix}

Renewal/Revocation

- Establishes a clear renewal process and decision-making criteria
- Requires that decisions to renew/revoke be based on student academic achievement
- Requires clear school closure procedures (e.g., parent notification, student enrollment, student record transfer, and disposition of assets)

Establishes a clear renewal process and decision-making criteria

State law does not provide explicit guidelines for district-authorized charter schools.

For State-authorized, open-enrollment charter schools, the law requires that (i) the commissioner “develop and by rule adopt a procedure for renewal, denial of renewal, or expiration of a charter for an open-enrollment charter school at the end of the term of the charter, and that the procedure include consideration of the performance;”^{lx} (ii) the charter holder submit a petition for renewal;^{lxi} and (iii) the contract include “the standards for evaluation of a school operating under the charter for purposes of charter renewal, denial of renewal, expiration, revocation.”^{lxii}

Requires that decisions to renew/revoke be based on student academic achievement

Texas statute requires that all charters be renewed or revoked based on student achievement.^{lxiii} For district-authorized schools, the law specifies that the charter for “each campus or campus program charter” require that “the continuation of the charter is contingent on satisfactory student performance under Subchapter B, Chapter 39, satisfactory financial performance under Subchapter D, Chapter 39, and compliance with other applicable accountability provisions under Chapters 39 and 39A.”^{lxiv} For State-authorized schools, the law requires that the charter for open-enrollments specify “any basis ... on which the charter may be revoked, renewal of the charter may be denied, or the charter may be allowed to expire.”^{lxv}

Requires clear school closure procedures (e.g., parent notification, student enrollment, student record transfer, and disposition of assets)

Texas statute does not require clear school closure procedures for district-authorized charter schools.

For State-authorized charter schools, the TAC indicates that “upon closure of a charter, the charter holder governing board must at their expense conduct a final audit [and that] the commissioner will assign a conservator to oversee the winding down of charter operations, protection of school assets, and recovery of any overallocation of State funds.” In addition, “revocation, surrender, or closure of a charter does not terminate the authority of the commissioner over the charter holder to ensure compliance of this section or applicable laws.”^{lxvi}

The law also provides specifications regarding the disposition of property purchased with State funds for open-enrollment charter schools.^{lxvii}

Authorizer Accountability

- Provides for a registration process for eligible authorizing entities
- Requires the State entity to review authorizers' performance
- Requires authorizers to adhere to standards for high-quality authorizing

Provides for a registration process for eligible authorizing entities

Texas statute does not require a registration process for eligible authorizing entities.

Requires the State entity to review authorizers' performance

State law requires the commissioner to “select a center for education research to prepare an annual report on the performance” of the different types of charter schools—both district- and State-authorized—and “compare their performance to each other and to traditional public schools using achievement indicators and attrition rates.”^{lxviii} Texas statute also requires that this report include “an analysis of whether the performance of matched traditional campuses would likely improve if there were consolidation of school districts within the county in which the campuses are located.”^{lxix}

Requires authorizers to adhere to standards for high-quality authorizing

Texas statute does not require that authorizers use nationally recognized standards to improve authorizer oversight and management.

Authorizer Leadership, Student Access, and Student Services

- Requires a mission or strategic vision for authorizing
- Promotes quality authorizing by requiring technical assistance or professional development for authorizers and/or charter school applicants
- Ensures equitable access to all students
- Requires appropriate services for educationally disadvantaged students (e.g., students with special needs, English learners, students in foster care, or unaccompanied homeless youth)

Requires a mission or strategic vision for authorizing

Texas law does not require charter authorizers to establish a mission or strategic vision. However, the TEA website states that its “vision is to cultivate innovative, high-quality learning opportunities for Texas students” and further that the agency is “driven to empower the charter community through leadership, guidance, and support.”^{lxx}

Promotes quality authorizing by requiring technical assistance or professional development for authorizers and/or charter school applicants

For district-authorized charter schools, State law specifies that the SBOE “shall provide a training course for independent school district trustees to be offered by the regional education service centers, [and further, that] a trustee must complete any training required” by the SBOE. Training topics include “evaluating student academic performance” and “identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of

children.”^{lxxi} Texas statute also requires the commissioner to “adopt rules prescribing training for members of governing bodies and officers of open-enrollment charter schools” and that these rules indicate that training “be provided concerning: basic school law, including school finance; health and safety issues [and] accountability requirements related to the use of public funds.”^{lxxii}

Ensures equitable access to all students

Texas statute generally “prohibit[s] discrimination in admission on the basis of national origin, ethnicity, race, religion, or disability”^{lxxiii} for all public schools in the State. For district-authorized schools, the law indicates that “eligibility criteria for admission of students ... must give priority on the basis of geographic and residency considerations, [and that] after priority is given on those bases, secondary consideration may be given to a student’s age, grade level, or academic credentials in general or in a specific area.” The law also states that district-authorized charter schools “may require an applicant to submit an application.”^{lxxiv}

Requires appropriate services for educationally disadvantaged students (e.g., students with special needs, English learners, students in foster care, or unaccompanied homeless youth)

State law statute indicates that “the agency shall develop, and modify as necessary, a statewide design, consistent with federal law, for the delivery of services to children with disabilities in this state that includes rules for the administration and funding of the special education program so that a free appropriate public education is available to all of those children between the ages of three and 21.”^{lxxv} Moreover, statute notes that “it is the policy of the State that every student in the State who has a primary language other than English and who is identified as an English learner shall be provided a full opportunity to participate in a bilingual education or English as a second language (ESL),” and further that to ensure equal educational opportunity, “each school district shall identify English learners based on criteria established by the State [and] provide bilingual education and ESL programs.”^{lxxvi}

Authorizer Funding

- Provides a mechanism for guaranteed access to authorizer funding
- Includes a process for holding authorizers accountable for how funding is used

Provides a mechanism for guaranteed access to authorizer funding

As per State law, the TEA funds district- and State-authorized charter schools. Specifically, Texas law indicates that “the provision of public education is a State responsibility and that a thorough and efficient system be provided and substantially financed through State revenue sources.”^{lxxvii} In addition, the law specifies that, “the public school finance system ... shall adhere to a standard of neutrality that provides for substantially equal access to similar revenue per student ... considering all State and local tax revenues of districts after acknowledging all legitimate student and district cost differences.”^{lxxviii}

Includes a process for holding authorizers accountable for how funding is used

The law requires each school district to prepare and distribute an annual financial management report and that includes, in part, a description of the district’s financial management

performance based on a comparison, provided by the agency, of the district's performance on the indicators adopted under [TEC §] 39.082(b).^{lxxix}

Endnotes

ⁱ Language in ESSA Framework Details section below was taken directly and adapted from Title IV, Part C of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA), §§ 4301 to 4311 (20 U.S.C. §§ 7221 to 7221j)—<https://oese.ed.gov/offices/office-of-discretionary-grants-support-services/charter-school-programs/state-entities/funding-and-legislation/>; Language in the NACSA: Framework Details section below were taken directly or adapted from the following resources: National Association of Charter School Authorizers: Quality Authorizing Practices; Reinvigorating the Pipeline; Authorizer Accountability Model Language; Higher Education Institution Authorizers; Leadership, Commitment, Judgment: Elements of Successful Charter School Authorizing; Findings from the Quality Practice Project; Principles and Standards for Quality Charter School Authorizing; Putting an End to Authorizer Shipping; Language in the Alliance: Framework Details section below were taken directly or adapted from the following resources: National Alliance for Public Charter Schools: 2019 State Charter Law Ranking—<https://www.publiccharters.org/ranking-state-public-charter-school-laws-2019>; 2016 Model Charter School Law—<https://www.publiccharters.org/sites/default/files/migrated/wp-content/uploads/2016/10/2016ModelCharterSchoolLaw.pdf>

ⁱⁱ Texas Education Code (TEC) § 12.001.

ⁱⁱⁱ Texas Center for Educational Research, *Texas Charter Schools 2006-07 Evaluation* (May 2008). Retrieved from <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwim3JTE57PrAhVzl3IEH-RljD6UQFjAKegQIAhAB&url=https%3A%2F%2Ftea.texas.gov%2FWorkArea%2Flinkit.aspx%3FLinkIdentifier%3Did%26ItemID%3D2147490225&usg=AOvVaw2-C3j5eNbxoJdXzNdsEok9>.

^{iv} The law states that an “independent school district” is governed by a board of trustees who, as a body corporate, shall: oversee the management of the district; and ensure that the superintendent implements and monitors plans, procedures, programs, and systems to achieve appropriate, clearly defined, and desired results in the major areas of district operations.” TEC § 11.011.

^v Texas Education Agency, *Charter Schools—History of Charter Schools*. Retrieved from <https://tea.texas.gov/texas-schools/charter-schools/charter-schools-history-of-charter-schools>

^{vi} Texas Center for Educational Research (May 2008). *Texas Charter Schools 2006-07 Evaluation*. Retrieved from <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwim3JTE57PrAhVzl3IEH-RljD6UQFjAKegQIAhAB&url=https%3A%2F%2Ftea.texas.gov%2FWorkArea%2Flinkit.aspx%3FLinkIdentifier%3Did%26ItemID%3D2147490225&usg=AOvVaw2-C3j5eNbxoJdXzNdsEok9>. See also TEC § 12.002.

^{vii} Stacey, E., *Texas Expands Charter Authorization Options*, The Heartland Institute (September 2009). Retrieved from <https://www.heartland.org/news-opinion/news/texas-expands-charter-authorization-options?source=policy-bot>. See also TEC § 12.152.

^{viii} Texas Senate Bill No. 2 (Effective 2013). Retrieved from <https://capitol.texas.gov/tlodocs/83R/billtext/html/SB00002F.htm>

^{ix} TEC § 12.101.

^x Texas Human Resources Code, Chapter 221.

^{xi} TEC § 29.259.

^{xii} TEC § 12.0522(b).

^{xiii} Texas Administrative Code (TAC) § 12.101(b-2).

^{xiv} TEC § 12.1014.

^{xv} TEC § 12.101(b)(7).

^{xvi} TEC § 12.156(b).

^{xvii} TEC § 12.058.

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xx TAC § 100.1004(1).

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xxii TEC § 12.101(b-0).

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xxv TEC § 12.101(b).

xxvi TAC §100.1002(i).

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xxviii TEC § 12.052.

xxix TAC § 100.1002(v).

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xxxi TEC § 12.0531.

xxxii TEC § 12.060.

xxxiii TEC § 12.112.

xxxiv TEC § 12.156(a).

xxxv TEC § 12.0522

xxxvi TEC § 12.111(a)(7).

xxxvii TEC § 12.059.

xxxviii TEC § 12.111(a)(3).

xxxix TEC § 12.111(a)(11).

xl TEC § 12.0531.

xli TAC § 100.1002(p).

xlii TEC § 12.054.

xliii Texas Education Agency website, Charter Schools—Campus Schools, Campus Charter Application. Retrieved from <https://tea.texas.gov/texas-schools/texas-schools-charter-schools/charter-schools-campus-charters>

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xlv TEC § 12.102.

xlvi TEC § 12.106.

xlvii TAC § 100.1001.

xlviii TEC § 11.051.

xlvi *Id.*

¹ TEC § 12.1110 and TAC § 100.1033(b)(14)(C).

^{li} Texas Education Agency website, Local Accountability System General Description. Retrieved from <https://tea.texas.gov/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=51539632251>

- lii TEC § 39.0544(b).
- liii TEC § 12.111.
- liv TAC § 100.1010.
- lv Texas Education Agency website, Charter School Performance Framework, 2019 Manual. Retrieved from <https://tea.texas.gov/sites/default/files/2019%20CSPF%20Manual.pdf>
- lvi TEC § 7.060.
- lvii TEC § 97.1061.
- lviii TEC § 12.063.
- lix TAC § 100.1023; TEC § 12.1162.
- lx TEC § 12.1141.
- lxi *Id.*
- lxii TEC § 12.111(4).
- lxiii TEC §§ 12.059(2); 12.111(2) and (4).
- lxiv TEC § 12.059.
- lxv TEC § 12.111(a)(4).
- lxvi TAC § 100.1052.
- lxvii TEC § 12.1281.
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