

Texas Open-Enrollment Charter School Handbook

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Introduction

The Texas Open-Enrollment Charter School Handbook is designed to be a valuable resource for both new and existing charter schools. If you are unable to find the answers to your questions in this handbook, please contact your regional education service center (ESC) representative or staff in the Division of Charter School Administration.

The handbook itself is a shell document comprised of brief overviews and agency website links for each of the subjects in the Table of Contents. The expectation is that schools will use the links provided to access the most current agency documents. Always check the Texas Education Agency (TEA) website (<http://www.tea.state.tx.us>) or division webpages for the most recent versions of publications.

Another useful resource is the TEA website. It is important to become familiar with it and refer to it frequently. The webpage for the Division of Charter School Administration is updated frequently and can be accessed at <http://www.tea.state.tx.us/charters.aspx>.

Additional sources of information include the various agency listserv announcements. Many divisions (including the Division of Charter School Administration) send out important news and updates via listserv announcements. One of the most critical listservs to sign up for is the “To the Administrator Addressed.” To sign up for any of these email notifications, go to <http://www.tea.state.tx.us/list/>.

Staff in the Division of Charter School Administration look forward to continuing to work with Texas charter schools to help create and maintain an innovative, effective charter system.

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Division of Charter School Administration Staff

Primary duties are indicated in the following list, but please contact any staff member with questions.

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Getting Started: Becoming an Operational Charter School

Before Submitting an Application for Charter to the State Board of Education

Prior to submitting an application for charter to the State Board of Education (SBOE), a non-profit entity must do the following:

1. Obtain from the Texas Secretary of State a corporate charter number designating the charter holder as a non-profit corporation doing business in the state of Texas. If a name other than that stated in the articles of incorporation of the non-profit corporation that holds the charter will be used to transact business, an Assumed Name Certificate (Form 503) must be filed with the Texas Secretary of State and with the county clerk in the county where the registered office of the non-profit corporation is located. This form will indicate that the charter holder is doing business as the school. The Texas Secretary of State's office can be reached by phone at (512) 463-5701 or accessed online at <http://www.sos.state.tx.us>.
2. Obtain from the Internal Revenue Service (IRS) an Employer Identification Number (EIN) and a determination letter that states that the corporation qualifies as a non-profit 501(c)(3) corporation. The EIN is also known as the Federal Employer Identification Number (FEIN). The IRS can be contacted by phone at (800) 829-1040 or accessed online at <http://www.irs.gov>.

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

To receive a Letter of Exemption from State Taxes from the Comptroller of Public Accounts, an organization must submit to the comptroller a written statement setting out in detail the nature of activities to be conducted, a copy of the articles of incorporation, a copy of any application trust agreement or a copy of its constitution, and a copy of any letter granting exemption from the IRS. A copy of the application with instructions can be found at <http://window.state.tx.us/taxinfo/exempt/index.html>. Although this letter of exemption is not required as part of the application packet, a sponsoring entity may want to apply for this letter of exemption prior to submitting the application.

Completing an Application for Charter

Open-Enrollment Charters

The sponsoring entity must complete an application by meeting all of the requirements by the deadlines as outlined in the request for application (RFA) approved by the SBOE. A non-profit entity, a governmental entity, or a private college or university must complete a Subchapter D application. A Texas public college or university may complete either a Subchapter D or E application. More details about the differences between these two types of charters can be found in Texas Education Code (TEC) Chapter 12.

Typical TEC Chapter 12, Subchapter D, Open-Enrollment Charter Application Cycle

- Request for Application adopted by SBOE
<http://www.tea.state.tx.us/charterapplications.aspx> July
- Application announcement published in Texas Register Early August
- Applicants attend a required applicant conference October or December
- Applications submitted to TEA Late February
- TEA staff members check applications for completeness February-March
- Committee on School Initiatives reviews incomplete applications March or April

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- External panel reviews complete applications March-May
- TEA staff reviews applications that met minimum score May-August
- Committee on School Initiatives interviews eligible applicants August or September
- SBOE votes to award charters September
- TEA hosts Charter School Orientation
(Mandatory for newly awarded charters to attend one session)..... February and May
- Charter schools open..... Fall after awarded

TEC Chapter 12, Subchapter E Charter Applications for Colleges and Universities

- Request for Application adopted by SBOE
<http://www.tea.state.tx.us/charterapplications.aspx> July
- Applications submitted at any time

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Before the County-District Number is Assigned

After a charter school is approved by the State Board of Education (SBOE), there are still steps that must be taken to complete the process of making the charter school operational. The following must occur before the Texas Education Agency (TEA) can issue a county-district number to approved charter schools:

- Contingencies must be approved by TEA internal reviewers; and
- Contracts must be signed and returned to the agency.

Resolving Contingencies

During the latter stages of the application process TEA internal reviewers, primarily from the Divisions of Charter School Administration, Financial Audits, and Legal Services, examine eligible applications. The reviewers determine issues that must be addressed before the application is considered acceptable for contract. Applicants receive a list of these “contingencies” after their interviews with the SBOE. Charters may be awarded before contingencies are removed, but, neither contracts with the SBOE, nor county-district numbers are issued before contingencies are resolved.

Signing the Contract

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

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Securing County-District and County-District-Campus Numbers

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

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

Establishing Bank Processes

A charter school must enter into a depository contract (not to be confused with the Vendor Direct Deposit Authorization discussed below) with a bank using the business name as approved by the Texas Secretary of State and using the Employer Identification Number (EIN) (also known as the Federal Employer Identification (FEI) number) assigned by the Internal Revenue Service (IRS). Some banks have a depository contract and some do not. A bank is defined in §45.201 of the Texas Education Code (TEC), which can be accessed at <http://www.statutes.legis.state.tx.us/?link=ED>. TEA will only deposit funds into the account of the charter holder. A copy of the depository contract between the bank and the charter holder must be filed with the Division of Financial Audits at TEA when the contract is established, and its submission is an annual reporting requirement each year thereafter. Directions can be accessed at http://www.tea.state.tx.us/index2.aspx?id=2147484119&menu_id=645.

Completing the Vendor Direct Deposit Authorization

The charter holder must submit to TEA the Vendor Direct Deposit Authorization form (not to be confused with the depository contract, see above). A copy of the form and specific instructions for charter schools are available at http://www.tea.state.tx.us/index2.aspx?id=2147484119&menu_id=645.

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Operating the School

Accountability - Academic

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

State Accountability System

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

The agency annually releases preliminary accountability ratings by August 1. Charters and the campuses they operate are assigned accountability ratings.

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

Each year TEA releases the state accountability manual. The manual is generally released in May and addresses the school year that is just ending. The manual can be found online at <http://ritter.tea.state.tx.us/perfreport/account/>.

Federal Accountability System

Accountability provisions under the federal *No Child Left Behind Act of 2001* (NCLB) require an annual evaluation of all districts and campuses for Adequate Yearly Progress (AYP).

The agency releases preliminary AYP statuses in August, and posts them on the web at <http://ritter.tea.state.tx.us/ayp/index.html>.

Each year TEA releases the AYP Guide. The guide is generally released in late May or early June and addresses the school year that is just ending. The guide can be found online at <http://ritter.tea.state.tx.us/ayp/index.html>.

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Accountability - Financial

TEA Division of Financial Audits
Phone (512) 463-9095
schoolaudits@tea.state.tx.us
<http://www.tea.state.tx.us/index4.aspx?id=6491>

Financial Accountability

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

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

All financial accounting software programs must be capable of meeting the requirements discussed in the *Financial Accountability System Resource Guide* and the *Special Supplement to Financial Accounting and Reporting*. School financial staff must become familiar with these documents as soon as possible. They may be accessed at <http://www.tea.state.tx.us/index4.aspx?id=1222>.

In addition, the Student Attendance Accounting Handbook provides districts and charter schools with Foundation School Program (FSP) eligibility requirements for students and the minimum requirements of all student attendance accounting systems. The Student Attendance Accounting Handbook is available at http://www.tea.state.tx.us/index2.aspx?id=7739&menu_id=645&menu_id2=789.

School Financial Integrity Rating System of Texas (FIRST) for Charter Schools

The purpose of the financial accountability system is to ensure that open-enrollment charter schools will be held accountable for the quality of their financial management practices and achieve improved performance in the management of their financial resources. This purpose is stated in 19 Texas Administrative Code (TAC) §109.1001. The processes for determining the ratings may be found at <http://www.tea.state.tx.us/index4.aspx?id=6491>.

The results of the School FIRST for Charter Schools are used in the assignment of accreditation statuses. The final ratings are released in August and are posted at <http://www.tea.state.tx.us/index4.aspx?id=6491>.

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Accreditation

TEA Division of Program Monitoring and Intervention

Phone (512) 463-5226

pmidivision@tea.state.tx.us

<http://ritter.tea.state.tx.us/pmi/>

Accreditation Statuses

The assignment of accreditation statuses is required by Texas Education Code (TEC) Chapter 39 and authorized in 19 Texas Administrative Code (TAC), Chapter 97. 19 TAC Chapter 97, Subchapter EE defines the accreditation statuses of Accredited, Accredited-Warned, Accredited-Probation, and Not Accredited-Revoked. A pending designation may be given if the TEA does not yet have sufficient data on which to base an accreditation rating. In November 2008, the rules on accreditation status were made applicable to charter schools. Charter districts were assigned accreditation statuses for the first time in 2008-2009.

The data used to assign accreditation ratings include the academic accountability rating, the financial accountability rating, and compliance with various agency requirements. More details can be found at http://ritter.tea.state.tx.us/accredstatus/resources/AccreditationStatus_Matrix_10.pdf.

Accreditation statuses are released in early March and are posted on the web at <http://ritter.tea.state.tx.us/accredstatus/>.

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Amendments to the Charter

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

Charter schools must be operated in accordance with the charter application approved by the State Board of Education. If changes to the charter are desired, the governing body of the charter holder (charter holder board) may request that the charter be amended by the commissioner of education. For the commissioner's rules regarding charter amendments, please see <http://ritter.tea.state.tx.us/rules/tac/chapter100/ch100aa.html>

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

Charters are ineligible to request expansion until they are in their third year of operation.

The commissioner considers many issues when considering expansion amendment requests, including student performance on state assessments; charter financial management, including ratings on the Charter Financial Integrity Rating System of Texas (FIRST); charter accreditation statuses; and charter compliance with other state and federal programs. Additionally, during the expansion amendment process, the following divisions and program areas are consulted to determine if any potential problems or concerns exist with the charter holder or charter school: Performance Reporting, Charter School Administration, Child Nutrition, Financial Audits, Grants Administration, Legal Services, PEIMS Data Reporting, Program Monitoring and Interventions, IDEA Coordination, Student Assessment, Test Monitoring, Governance and General Inquiries, and Complaints.

A non-expansion amendment is a substantive amendment that can be submitted at any time. A non-expansion amendment changes the terms of an open-enrollment charter that relates to the following subjects: school name, charter holder name, charter holder governance, articles of incorporation, corporate bylaws, management company, admission policy, or the educational program of the school. A non-expansion amendment may also relate to grade levels, maximum enrollment, geographic boundaries, approved sites as long as the amendment does NOT involve expansion. For instance, if a charter holder board voted to return a site or to relocate (within the currently approved geographic boundaries), a non-expansion amendment would be needed.

A separate amendment request form for each specific type of amendment is available at <http://www.tea.state.tx.us/index2.aspx?id=3507>. A checklist included at the bottom of each form, clearly states which documents must be included with the submission and the proper order in which they must be submitted. Carefully and completely following these directions will help expedite the amendment process. Amendment requests with all the required documents may be faxed to the Division of Charter School Administration at (512) 463-9732.

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

TEA Division of Curriculum – Bilingual Education

Phone (512) 463-9581

curriculum@tea.state.tx.us

http://www.tea.state.tx.us/index2.aspx?id=4098&menu_id=720

Under TEC Chapter 29, Subchapter B and 19 Texas Administrative Code (TAC) §§89.1201-1265, districts and charter schools must identify Limited English Proficient (LEP) students based on state criteria. Districts and charter schools must provide an appropriate Bilingual Education (BE) program and/or an English as a Second Language (ESL) program conducted by teachers certified for such courses. For providing such instruction, districts and charter schools receive a bilingual allocation to be used for program and student evaluation, materials, and salary supplements. See TEC §42.153. Teachers of BE/ESL must be certified in those fields, regardless of the qualification requirements of other teachers at the charter school.

A list of helpful links and documents may be found at

http://www.tea.state.tx.us/index2.aspx?id=4098&menu_id=720.

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Career and Technical Education (CTE)

TEA Division of Curriculum

Phone (512) 463-9581

curriculum@tea.state.tx.us

<http://www.tea.state.tx.us/index2.aspx?id=4881>

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

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

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

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Curriculum

TEA Division of Curriculum
Phone (512) 463-9581
curriculum@tea.state.tx.us
<http://www.tea.state.tx.us/index2.aspx?id=2147486096>

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

Texas Essential Knowledge and Skills (TEKS)

The Texas Essential Knowledge and Skills (TEKS) are the basis of the curriculum taught in Texas public schools. Districts and charters are responsible for teaching the TEKS for each subject of the curricula. See TEC §28.002 and 19 TAC Chapters 110-128.

The TEKS for all courses at all grade levels may be accessed at <http://www.tea.state.tx.us/index2.aspx?id=6148>.

Prekindergarten Curriculum Guidelines

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

The Prekindergarten Curriculum Guidelines may be accessed at <http://www.tea.state.tx.us/index2.aspx?id=5743>.

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Dyslexia

TEA Division of Curriculum

Phone (512) 463-9581

<http://www.tea.state.tx.us/index2.aspx?id=2147486096>

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

The education service center (ESC) at Region 10 offers regional and state assistance to districts, charter schools, and parents in the area of dyslexia. The webpage for the Dyslexia Program may be accessed at <http://www.region10.org/dyslexia/>.

Each regional education service center (ESC) has a dyslexia contact. The directory for contact information for each ESC may be accessed at <http://www.tea.state.tx.us/index4.aspx?id=4434>. These contacts are familiar with regional resources and professional development opportunities and have expertise on state law and rules pertaining to dyslexia and related reading difficulties.

The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders~Revised 2007, Updated 2010 contains state law, rule and procedures that all Texas public schools must follow when providing dyslexia services to students. Additional information is included addressing state dyslexia law and its relationship to the federal laws, 34 Code of Federal Regulations (CFR) Part 104, which implements Section 504 of the Rehabilitation Act of 1973; and the Individuals with Disabilities Education Act (IDEA).

The Dyslexia Handbook~Revised 2007, Updated 2010 may be viewed at <http://www.region10.org/Dyslexia/Documents/DyslexiaHandbook12-08-10.pdf>.

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Education Service Centers (ESCs)

There are 20 regional ESCs in Texas. ESCs provide technical support and professional development training for public schools. A few areas in which the ESCs provide assistance are: fiscal affairs; instruction and technology; staff and human resources development; special education; Public Education Information Management System (PEIMS) reporting; and Texas Assessment of Knowledge and Skills (TAKS) materials. ESC information can be accessed on the TEA website at <http://www.tea.state.tx.us/ESC>. Each ESC has at least one consultant designated as a charter contact. The ESC designated charter school contact may be the first point of contact for charter schools.

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Employer – Selected Charter Holder Employer Responsibilities

Many charter holders find it helpful to consult an attorney when addressing employment issues.

The Texas Workforce Commission is a source for general employment issues.

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

The Texas Workforce Commission document, *Especially for Texas Employers*, addresses many workplace issues, including writing an employee handbook, and may be accessed at <http://www.twc.state.tx.us/news/eftc/tocmain.html>.

Teacher Retirement System of Texas (TRS) is a resource for teacher retirement issues.

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

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

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

Charter schools wishing to participate in the TRS-ActiveCare health coverage can access information about the program from the general TRS website, <http://www.trs.state.tx.us> or directly at <http://www.trs.state.tx.us/TRS-ActiveCare/index.htm>.

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Extracurricular Activities

TEA Division of Regional Services
Phone (512) 463-5917

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

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

Information on UIL-sponsored extracurricular activities, including the *Constitution and Contest Rules*, which outlines the plans for each competitive activity and includes a calendar and sanctions for rules violations, and the *TEA-UIL Side-by-Side*, which addresses a number of questions and answers regarding extracurricular activities, may be accessed from the UIL website at <http://www.uil.utexas.edu/academics>.

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Fingerprinting

Division of Investigations and Fingerprinting

(512) 936-8400

<http://www.tea.state.tx.us/index2.aspx?id=2147483982>

In 2007, the Texas Legislature passed a law requiring fingerprint-based criminal background reviews for certain school employees. Frequently asked questions about the process may be found at <http://www.tea.state.tx.us/index2.aspx?id=5613>.

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Food Services – Child Nutrition Programs

Texas Department of Agriculture
(888) TEX-KIDS
<http://www.squaremeals.org>

The National School Lunch and School Breakfast Programs are federal programs administered for Texas schools by the Texas Department of Agriculture. Districts and charter schools participating in a program must follow all program guidelines and must participate in the breakfast program if at least 10 percent of the children in a school are eligible for free or reduced-price meals. See TEC §33.901.

Policies, procedures, and applications for the National School Lunch and School Breakfast Programs can be accessed at <http://www.squaremeals.org>.

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Gifted and Talented Education

TEA Advanced Academics/Gifted Education
Phone (512) 463-9581
gted@tea.state.tx.us
<http://www.tea.state.tx.us/index2.aspx?id=6420>

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

The TEA G/T webpage (<http://www.tea.state.tx.us/index2.aspx?id=6420>) contains many helpful links and documents with important information about Texas gifted education.

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Graduation Requirements

TEA Division of Curriculum

Phone (512) 463-9581

<http://www.tea.state.tx.us/index2.aspx?id=2147486096>

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

Current information about changes to Texas high school graduation requirements may be accessed at <http://www.tea.state.tx.us/graduation.aspx>.

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Grants – Discretionary and Formula

TEA Division of Discretionary Grants
Phone (512) 463-9269
discretionarygrants@tea.state.tx.us

TEA Division of Formula Funding
Phone (512) 463-8525
formulafunds@tea.state.tx.us

Discretionary Grants

Start-Up Grant

The first grant for which most charter schools are eligible to apply once they have a county-district number is the federal Title V, Part B, Public Charter Schools Start-Up grant. Start-up funding is available for up to three years for new charters. Schools may use the funds for up to 18 months for program planning and design and up to 24 months for program implementation. However, the total grant period cannot exceed 36 months. Contingent upon the availability of funds, applications are accepted annually for the competitive grant, and if awarded the grant, charter schools generally receive up to \$450,000. The most current Public Charter Schools Start-Up grant application can be viewed at <http://burlson.tea.state.tx.us/GrantOpportunities/forms/GrantProgramSearch.aspx>.

Formula Grants

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

Applications for federal special education IDEA funds should be applied for via the Web Standard Application System (SAS) for the Special Education Programs. This application may be accessed at <http://burlson.tea.state.tx.us/GrantOpportunities/forms/GrantProgramSearch.aspx>. For training and technical assistance regarding special education funding information, regional education service center special education funding staff may be contacted.

Federal Formula “Title” Programs

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

The Division of Formula Funding determines the eligibility and planning amounts of the federal programs administered by the NCLB Program Coordination Division. This determination is based on the charter school’s annual submission of actual enrollment data as reported on the *SC5010 NCLB Data Request Form for Federal Funding* which is available in eGrants. The complete application process, beginning with eligibility and funding determination, is available only in eGrants. eGrants is a comprehensive web portal which provides online submission, tracking, review and processing of various reporting requirements and grant applications. To access eGrants, the charter school must logon through the Texas Education Agency Secure Environment (TEASE) by linking to the following web address: <https://seguin.tea.state.tx.us/apps/logon.asp>.

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A TEASE username and password for each individual who will be entering and/or certifying data is required. For applicants and individual external users who have yet to request a TEASE username/password, link to the following web address to request access:
http://www.tea.state.tx.us/forms/tease/egrants_ext.htm.

Expenditure Report for Federal Grant Funds

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

State Formula Programs

The Division of Formula Funding also determines the eligibility and planning amounts for various state formula grants. For more information, please visit the TEA Grants Opportunities Page.

TEA Grant Opportunities Page

This site combines the listing of all grant opportunities onto one website for the purpose of providing convenient and focused access to all TEA grant information. This site is now the central resource for all State and Federal grant opportunities administered by TEA. The site contains links to all available TEA grants (paper and eGrants) as well as grant management and administrative guidance.

The TEA Grant Opportunities page is located at the following address:

<http://burlison.tea.state.tx.us/GrantOpportunities/forms>. This site will link to all grant information, including due dates for grant applications and reports pertaining to each grant program.

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Instructional Materials and Educational Technology

TEA Division of Instructional Materials and Educational Technology

Phone (512) 463-9601

Textbooks@tea.state.tx.us

<http://www.tea.state.tx.us/index2.aspx?id=3373>

Textbooks adopted for use in the public schools are provided without cost. The State Board of Education (SBOE) adopts textbooks for each subject in the foundation and enrichment curriculum based on an adoption cycle. Each year, districts and charter schools notify TEA of the instructional materials selected for the next school year. School district and charter schools place requisitions for instructional materials based on actual student enrollments. For information on textbooks, see 19 TAC §66.104 at <http://ritter.tea.state.tx.us/rules/tac/chapter066/ch066c.html>.

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Public Education Information Management System (PEIMS)

TEA PEIMS Questions Phone (512) 463-9229

TEA EDIT+ Questions Phone (512) 936-2622

PEIMSCustomerSupport@tea.state.tx.us

<http://www.tea.state.tx.us/index4.aspx?id=3012>

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

PEIMS data are reported by all school districts and charter schools (in accordance with TEC §42.006) at the district level using vendor software of the school's choice. It is the responsibility of each charter holder to purchase and correctly use appropriate PEIMS software so that PEIMS data can be reported properly. Establishing a solid relationship with the software vendor and the regional Education Service Center (ESC) PEIMS Coordinator is vital. Schools rely on the ESC PEIMS Coordinator for PEIMS/EDIT+ training and PEIMS data reporting. It is crucial that schools have a competent and well-trained staff member to manage PEIMS reporting.

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

A calendar of PEIMS submission dates is available from the PEIMS webpage at

<http://www.tea.state.tx.us/index4.aspx?id=3012>.

The Division of Financial Audits of TEA inspects certain PEIMS data. The charter school superintendent and the charter holder board are held accountable for a charter school's PEIMS data.

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

The PEIMS Data Standards and the Student Attendance Accounting Handbook are available at

<http://www.tea.state.tx.us/index4.aspx?id=3014> and

http://www.tea.state.tx.us/index2.aspx?id=7739&menu_id=645&menu_id2=789, respectively.

EDIT+

EDIT+ (Internet-based editing and data submission) allows schools to access the TEA PEIMS editor via the Internet and edit data before electronically transmitting it to the ESC. EDIT+ enables schools to run reports on PEIMS data before submission. To complete the *TEA Secure Environment (TEASE) Request for Access PEIMS EDIT+, PID, PET, and SAF* form, go to

<http://www.tea.state.tx.us/index2.aspx?id=2684>.

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Person Identification Database (PID)

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

Because PID errors plague efforts to link data across two or more data submissions, TEA has implemented a policy requiring that student PEIMS data meet a certain standard of accuracy. Failure to meet the PID accuracy standard may result in sanctions being imposed on the school until the error rate is reduced to an acceptable level. For more information on the accuracy standard and sanctions, go to <http://www.tea.state.tx.us/index4.aspx?id=3012>.

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

PID Enrollment Tracking (PET)

PET is an extension of PID designed to track student enrollment. Appropriate use of PET allows districts to find students who have left and enrolled at other districts in the Texas public school system and allows districts to identify the previous Texas districts of enrollment for students newly enrolling in their districts.

The effectiveness of PET depends on the participation of all school districts and charters.

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Records

Charter school student records are considered government records, per Texas Education Code (TEC) §12.1052. They are considered to be permanent records in the Texas State Library and Archive Commission's (TSLAC) (<http://www.tsl.state.tx.us/>) retention schedule.

The TSLAC also has a number of forms available for download that will allow a charter to be in compliance with Title 6, Subtitle C, Local Government Code (Local Government Records Act). At a minimum, a charter should download and complete the following forms:

- Policy Model 4: Model Order or Ordinance for Small Local Governments;
- SLR 504: Designation of Local Government Records Management Officer (RMO) Form; and
- SLR 508: Declaration of Compliance with the Records Scheduling Requirement of the Local Government Records Act.

These forms can be downloaded at <http://www.tsl.state.tx.us/slr/recordspubs/forms/local.html>.

Texas Records Exchange (TREx)

TEA Texas Records Exchange

Phone (512) 463-7246

TREx@tea.state.tx.us

<http://www.tea.state.tx.us/index2.aspx?id=3190>

The Texas Records Exchange (TREx) system is designed to be used for the exchange of electronic student records as mandated by the 79th Legislature, 3rd Called Session, 2006 (House Bill 1). By using the TREx application, school registrars have the ability to electronically request and receive student records for students who have attended or will be attending Texas public schools. High school registrars and counselors using TREx also have the ability to electronically create and send official student transcripts to Texas public colleges and universities.

For more information, including training materials, go to <http://www.tea.state.tx.us/index2.aspx?id=3190>.

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Special Education

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

Charter schools must serve special education students just as they would be served in a traditional school district (34 CFR 300.28). All special education and related service personnel must be certified, endorsed, or licensed in the area or areas of assignment. This is true, regardless of the qualification requirements for other personnel at the charter school (34 CFR 300.18; 19 TAC 89.1131).

The Texas Education Agency's Division of IDEA Coordination, in coordination with other divisions, is responsible for assuring that the requirements of Public Law No: 108-446, the IDEA, the TEC, and the TAC are implemented so that all eligible students with disabilities receive a free appropriate public education (FAPE). This assurance is achieved in collaboration with staff at the 20 regional education service centers (ESCs) who provide technical assistance and support to the school districts and charter schools that provide direct services to eligible students with disabilities.

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

Other helpful information pertaining to special education can be accessed at <http://www.tea.state.tx.us/special.ed>.

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State Funding

TEA Division of State Funding

Phone (512) 463-9238

sfinance@tea.state.tx.us

http://www.tea.state.tx.us/index2.aspx?id=7574&menu_id=645

The Student Attendance Accounting Handbook provides districts and charter schools with Foundation School Program (FSP) eligibility requirements for all students and the minimum requirements for all student attendance accounting systems. The Student Attendance Accounting Handbook is available at http://www.tea.state.tx.us/index2.aspx?id=7739&menu_id=645&menu_id2=789.

The primary source of funding for charter schools comes from the FSP and is based on the number and types of students attending the school, which is referred to as Average Daily Attendance (ADA). The weighted ADA (WADA) is ADA plus adjustments for students participating in special education, career and technical education, bilingual/ESL education, state compensatory education, and/or gifted and talented education programs. Schools that choose to provide transportation to students may receive additional state funds. Although charter schools are not entitled to participate in the instructional facilities allotment or the existing debt allotment, they are allowed to participate in the new instructional facilities allotment (NIFA). Information is available at <http://www.tea.state.tx.us/index2.aspx?id=5524>.

Charter schools do not have taxing authority and, accordingly, generate no property taxes.

Information related to charter school state funding is available at http://www.tea.state.tx.us/index2.aspx?id=7574&menu_id=645.

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Teacher Qualifications

TEA Division of No Child Left Behind Program Coordination

Phone (512) 463-9374

Fax (512) 305-9447

nclb@tea.state.tx.us

http://www.tea.state.tx.us/index4.aspx?id=4261&menu_id=798

List of TEA NCLB staff contacts by region available at

http://www.tea.state.tx.us/index4.aspx?id=6198&menu_id=798

List of contacts for education service center (ESC) programs by region available at

<http://www.tea.state.tx.us/index2.aspx?id=4637#E>

The No Child Left Behind Act of 2001 (NCLB), the reauthorization of the Elementary and Secondary Education Act (ESEA), included a federal definition of a “highly qualified teacher.” All open-enrollment charter school teachers must hold at least a bachelor’s degree and must demonstrate competency in the core academic areas in which they teach in order to meet the definition of a highly qualified teacher. Special education and bilingual/ESL charter school teachers must also have appropriate teacher certifications in their fields of assignment to be considered highly qualified.

A TEA document titled Guidance for the Implementation of NCLB Highly Qualified Teacher Requirements may be accessed at http://www.tea.state.tx.us/index4.aspx?id=4650&menu_id=798, and the United States Department of Education also maintains a webpage on NCLB which can be accessed at <http://www.ed.gov/nclb/landing.jhtml>.

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Testing – Student Assessment

TEA Student Assessment Division

Phone (512) 463-9536

Fax (512) 463-9302

studenta@tea.state.tx.us

http://www.tea.state.tx.us/index3.aspx?id=3534&menu_id=793

The Student Assessment Division manages and oversees the development, administration, scoring and analysis of the statewide assessment program. All charter schools are evaluated at the district and campus levels through the statewide assessments. In the 2011–2012 school year, the State of Texas Assessments of Academic Readiness (STAAR™) will replace the Texas Assessment of Knowledge and Skills (TAKS), which is the criterion-referenced assessment program that has been in place since 2003. STAAR™ includes the 12 end-of-course (EOC) assessments mandated by SB 1031 in 2007 and the new grade 3–8 assessments mandated by HB 3 in 2009.

For more information and other documents related to student assessment, go to http://www.tea.state.tx.us/index3.aspx?id=3534&menu_id=793.

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Transportation

TEA Division of State Funding - School Transportation Unit

Phone (512) 463-9238

Fax (512) 936-2313

http://www.tea.state.tx.us/index2.aspx?id=2147484107&menu_id=645

Charter schools are legally required to provide transportation to certain designated students with special needs. However, if the charter school provides a transportation system for regular (non-disabled) students, it is entitled to receive an allotment of state Foundation School Program (FSP) funds for providing eligible route services. See TEC §42.155.

Charter schools must submit an application to be eligible to receive transportation funding. The application and documents related to the provision of school transportation are available on the TEA website at http://www.tea.state.tx.us/index2.aspx?id=2147484107&menu_id=645. Following approval to receive funding, the charter must fulfill required reporting obligations.

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Selected Laws and Rules

TEA Division of Legal Services
Phone (512) 463-9720
legalsrv@tea.state.tx.us

Charter holder board and staff members and must adhere to the laws and rules that apply to charter schools. Most of the state laws that affect charter schools are found in the Texas Education Code (TEC), but some are found in other areas of state statute. The *Texas School Law Bulletin*, which makes available in one document most laws relevant to the operation of schools, is compiled after each legislative session. A hard copy or CD can be ordered from the TEA. Access order information at <http://www.tea.state.tx.us/index4.aspx?id=2147487432>.

Charter schools are also subject to portions of the Texas Administrative Code (TAC). The rules adopted by the SBOE and the commissioner of education are part of a larger body of state agency rules that are collected and published by the Office of the Secretary of State as the TAC. SBOE and commissioner's rules are codified in Title 19, Part II, of the TAC. The SBOE and the commissioner of education may adopt new rules or amendments to existing rules. While Title 19 TAC, Chapter 100 is the primary source of rules applying to open-enrollment charter schools, other chapters of Title 19 TAC also address charter school issues. 19 TAC, Chapter 100 can be accessed at <http://ritter.tea.state.tx.us/rules/tac/chapter100/ch100aa.html>.

The TEC can be accessed at <http://www.statutes.legis.state.tx.us/?link=ED>, and the portion of the TAC that addresses education can be accessed via the TEA website at <http://www.tea.state.tx.us/index4.aspx?id=2296>. TEC Chapter 12 is specific to charter schools.

Selected Requirements Applicable to ISDs and Open-Enrollment Charter Schools Alike

- The Public Education Information Management System (PEIMS) to monitor compliance with TEC Chapter 12, Subchapter D to the extent required by the commissioner
- High school graduation requirements under TEC §28.025
- Special education under TEC Chapter 29, Subchapter A
- Bilingual /ESL under TEC Chapter 29, Subchapter B
- Prekindergarten programs under TEC Chapter 29, Subchapter E
- Texas Essential Knowledge and Skills (TEKS) under TEC Chapter 39
- Participation in the state assessment program under TEC Chapter 39
- Open government laws (TEC §12.1051)
 - Open meetings requirements
 - Open records requirements
 - Information on these open government requirements can be found on at https://www.oag.state.tx.us/open/og_resources.shtml.
- Health and safety under TEC Chapter 38

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Areas of Autonomy Afforded to Open-Enrollment Charter Schools

- Student/teacher ratio and class size
 - As outlined in the charter application which is part of the contract for charter; a charter must follow what was set forth in the application or have an approved amendment to the charter.
- Certification requirements
 - Teacher certification is not required unless stated in the charter application that certification is required
 - Must be highly qualified in core academic areas per NCLB
 - Degreed
 - Demonstrating subject matter competency
 - State requirement for charter school teachers is a high school diploma
 - Certification is required for special education and bilingual/ESL
 - No certification requirements for administrators other than the requirements outlined in charter application; school officer training is required
- Educator issues - TEC Chapter 21 does not apply to open-enrollment charters
- School calendar
- Admissions policies (must be officially documented in charter documents)
 - State law allows for lottery or first come, first served (TEC §12.117)
 - May provide for the exclusion of a student with a documented history of a criminal offense, a juvenile court adjudication, or discipline problems listed under TEC Chapter 37, Subchapter A (TEC §12.11(a)(6)(A))
 - May require audition for charter schools specializing in performing arts (TEC §12.1171)

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Resources for Charter Schools and New Charter Applicants

Texas is divided regionally into 20 regions, each serviced by an ESC. The ESC designated charter school contact should be the first point of contact for charter schools.

www.tea.state.tx.us/ESC

The Texas Education Agency (TEA)

www.tea.state.tx.us

The Division of Charter School Administration at TEA

www.tea.state.tx.us/charters.aspx

Glossary – Acronyms

<http://www.tea.state.tx.us/index2.aspx?id=3439>

The U.S. Department of Education

www.ed.gov/index.jsp

The Texas Essential Knowledge and Skills (TEKS)

www.tea.state.tx.us/index2.aspx?id=6148

Texas State Graduation Requirements

www.tea.state.tx.us/graduation.aspx

School Finance Information

www.tea.state.tx.us/index2.aspx?id=7721&menu_id=645

Student Attendance Accounting Handbook

www.tea.state.tx.us/index2.aspx?id=7739&menu_id=645&menu_id2=789

Equal Educational Opportunity

www.tea.state.tx.us/index2.aspx?id=6579

Texas Legislature Online

www.capitol.state.tx.us

Open Government Information

Open Meetings Handbook

www.oag.state.tx.us/open/og_resources.shtml#oma_hb

Attorney General's Answers to FAQs:

www.oag.state.tx.us/opinopen/og_faqs.shtml#oma

Open Government Resources

https://www.oag.state.tx.us/open/og_resources.shtml

Best Practices Clearinghouse

<http://www.teabpc.org/>

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List of Selected Sources for Dates and Deadlines

TEA Division of Financial Audits

<http://www.tea.state.tx.us/index4.aspx?id=3819>

TEA Student Assessment Division

Testing Calendar

<http://www.tea.state.tx.us/student.assessment/calendars/>

TEA Information Planning Division

PEIMS Data Collection Schedule

<http://www.tea.state.tx.us/index4.aspx?id=3012>

TEA Division of Charter School Administration

<http://www.tea.state.tx.us/charters.aspx>

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Acronyms

ADA.....	Average Daily Attendance
AEIS.....	Academic Excellence Indicator System
AYP	Adequate Yearly Progress
BE/ESL	Bilingual Education/English as a Second Language
CDCN	County-District-Campus Number
CDN.....	County-District Number
CFR.....	Code of Federal Regulations
CSP	Charter School Program
CTE.....	Career and Technical Education
EIN.....	Employer Identification Number
EOC	End of Course
ESC	Education Service Center
ESEA	Elementary and Secondary Education Act
FAPE.....	Free and Appropriate Public Education
FASRG.....	Financial Accountability System Resource Guide
FEIN.....	Federal Employer Identification Number
FIRST.....	Financial Integrity Rating System of Texas
FSP.....	Foundation School Program
G/T	Gifted and Talented
GAAP.....	Generally Accepted Accounting Principles
HB	House Bill
IDEA	Individuals with Disabilities Education Act
IRS	Internal Revenue Service
LEP	Limited English Proficient
NCLB.....	No Child Left Behind
NIFA	New Instructional Facilities Allotment
NOGA.....	Notice of Grant Award
OAG.....	Office of the Attorney General
PCS	Public Charter School
PEIMS.....	Public Education Information Management System
PET	PID Enrollment Tracking
PID.....	Person Identification Database
SAS	Standard Application System

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SB.....Senate Bill
SBOEState Board of Education
SOSSecretary of State
STAARState of Texas Assessments of Academic Readiness
TACTexas Administrative Code
TAKS.....Texas Assessment of Knowledge and Skills
TDATexas Department of Agriculture
TEA.....Texas Education Agency
TEASE.....Texas Education Agency Secure Environment
TEC.....Texas Education Code
TEKSTexas Essential Knowledge and Skills
TREx.....Texas Records Exchange
TRSTeacher Retirement System
TWC.....Texas Workforce Commission
UIL.....University Interscholastic League
WADAWeighted Average Daily Attendance