

THE UNIVERSITY of TEXAS SYSTEM

Office of General Counsel

— WEBINAR SERIES —

University-Affiliated Charter Schools in Texas

Opportunities, Challenges and Legal Issues



Presenters

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- President of the SW Association of Science Teacher Educators

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- Juris doctorate from Harvard Law School, MBA from University of Oxford, and BA in Sociology from University of Nebraska, Lincoln
- Former Inspector General for the Texas Education Agency and member of the Commissioner's Cabinet
- Former private sector attorney with the Dallas firms of McKool Smith and Bikel & Brewer.
- Veteran of the U.S. Air Force

University-Affiliated Charter Schools in Texas

● Webinar Overview

- A Brief History of Texas Charter Schools
- Types of Texas Charter Schools
- Applicable Laws and Rules
- Development of a University-Affiliated Charter School
 - Application Structure
 - Role of University Units When a Charter is Part of a University Ecosystem
 - Benefits of Developing a University Affiliated Charter School
- Challenges of Charter School Development
- Case Study: UT Tyler Innovation Academy

University-Affiliated Charter Schools in Texas

Definitions of Key Terms

● Charter School

- A school eligible to receive governmental funding, but that usually operates separately from a state independent school district

● Subchapter D

- Part of Section 12 of the Texas Education Code. Provides for the development of “open-enrollment” charters that meet certain eligibility, financial and operational criteria. Applicants include 501(c)(3) tax-exempt nonprofit organizations, governmental entities and institutions of higher education

● Subchapter E

- Part of Section 12 of the Texas Education Code. Provides for the development of charter schools subject to the oversight of universities and junior colleges

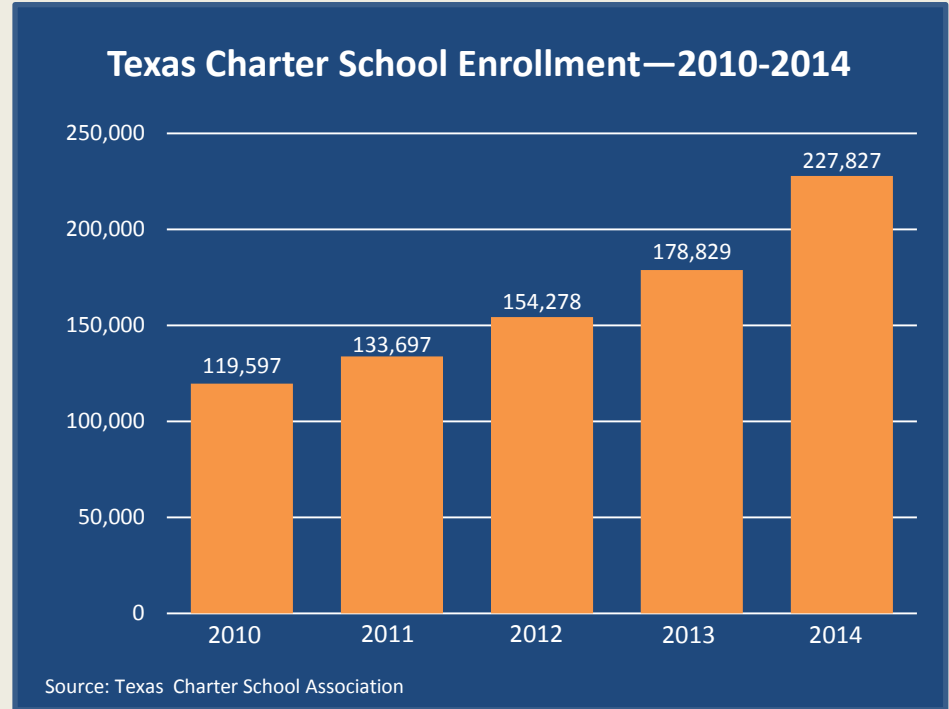
University-Affiliated Charter Schools in Texas

Quick Facts

- Charter schools are secular, tuition free public schools
- Stated Purposes from the Texas Education Code
 - Improve student learning
 - Increase the choice of learning opportunities within the public school system
 - Establish a new form of accountability for public schools
 - Create professional opportunities that would attract new teachers to the public school system
 - Encourage different and innovative learning methods

University-Affiliated Charter Schools in Texas

- Charters awarded: 189
- Campuses : 613
- Students: 227,827
- Students on wait-lists: 129,000



University-Affiliated Charter Schools in Texas

● Role of Charters in University P-16 Initiatives

- Assist with the development of quality college preparatory programs
- Give universities a pathway to aggressively ensure that those college preparatory programs – dual-credits, early college high schools, math and science academies prepare students for future challenges
- Create pathways for teachers-in-training to learn innovative techniques
- Provide quality educational alternatives for communities

University-Affiliated Charter Schools in Texas

Texas Charter School Classifications

Subchapter

B

Home-rule School District

None currently in
Texas

Subchapter

C

ISD Charters

Authorized
and overseen by
an ISD

Subchapter

D

Broadly Applicable Charter Rules

Covers most Texas
charter schools—
Authorized by
TEA Commissioner

Subchapter

E

University/ Junior College

Operated by
university or junior
college—Authorized
by TEA Commissioner

University-Affiliated Charter Schools in Texas

Statutory Requirements

Supervised by faculty with “substantial experience”

Subchapter D guidelines are applicable to Subchapter E schools

Subchapter

E

Financial operations supervised by University Business Office

Designed with specific measured goals stated in the charter

University-Affiliated Charter Schools in Texas

Statutory Requirements

Authorization goes through the TEA Commissioner without SBOE veto

Schools can be in any county as long as services are not duplicated and a need exists

Subchapter

E

Curriculum must include innovative teaching methods

Must be based on the need in the community

University-Affiliated Charter Schools in Texas

Current State of Play in Texas for University-Affiliated Charter Schools

● **Acceptable locations broadened in 2015**

- Revisions to the Texas Education Code changed the previous requirement that a university affiliated charter school be located in the county where the sponsoring university is located

● **TEA looks at university affiliated charter schools differently**

- Many university-affiliated charter schools are viewed as low financial risk
- The requirement that a university faculty member oversee the charter school lowers the risk of ineffective pedagogical techniques

University-Affiliated Charter Schools in Texas

Starting a University-Affiliated Charter School—Applicable Laws and Policies

● Additional Legal Considerations and Sources of Rule and Law

- Regents' Rule 40901
- Texas Statutes (Subchapter E, Subchapter D) and TEA interpretations
 - Heather Mauzé, Director, Charter Schools
 - Karen Johnson, TEA Office of Legal Counsel
- Local Policies (HOP, Charter School Policies and Handbooks)
- Education Laws and Regulations (Employment, FERPA)
- Conflicting Laws and Policies should be considered carefully (campus carry)

University-Affiliated Charter Schools in Texas

Regent's Rule

Rule 40901:Charter Schools

- Sec. 1 Conditions for Starting a Charter School
 - Upon a finding by the Chancellor, the Deputy Chancellor, and the Executive Vice Chancellor for Academic Affairs that a proposed application to operate a charter school as authorized by *Texas Education Code*, Chapter 12 meets requirements of State law and furthers the institutional mission, an institution may apply to the State Board of Education to operate a charter school. Charter school operations will adhere to all applicable provisions of State law including the Texas Public Information Act.
- Sec. 2 Oversight
 - The oversight and supervision of charter schools is delegated to the appropriate institutional president, with a report to the Board each year, detailing activities and performance of the charter school.
- Sec. 3 Advisory Council
 - A board or council may be appointed by the president to advise him or her on operation of the charter school. The board or council will comply with all provisions of the Texas Open Meetings Act applicable to the Board of Regents.

University-Affiliated Charter Schools in Texas

Unique Aspects of University-Affiliated Charters

Research Platform

Attract Professors to University

Attract Economic Development

Allows for Fidelity in a Model

Access to Clinical Placements

Recruitment

SCH Generation

ADA funds to Charter

University-Affiliated Charter Schools in Texas

Components of the Charter Application

General Application

1

Education

2

Financial

3



4

Governance

5

Operations

University-Affiliated Charter Schools in Texas

University Contribution

● How University Units Contribute to Charter School Operations

- Content Expertise—All Colleges
- Curriculum Oversight
 - President's Designee
 - STEM educator who supports innovative model
- Faculty Support
 - Faculty Advisor/Administrator who has experience in charter school administration
- School Board
- Steady supply of potential staff and teachers

University-Affiliated Charter Schools in Texas

University Contribution (cont.)

President

Program
Champion

Provost

Faculty buy-in,
University
Support

Advancement

Fundraising,
Community
Support

**Sponsored
Research**

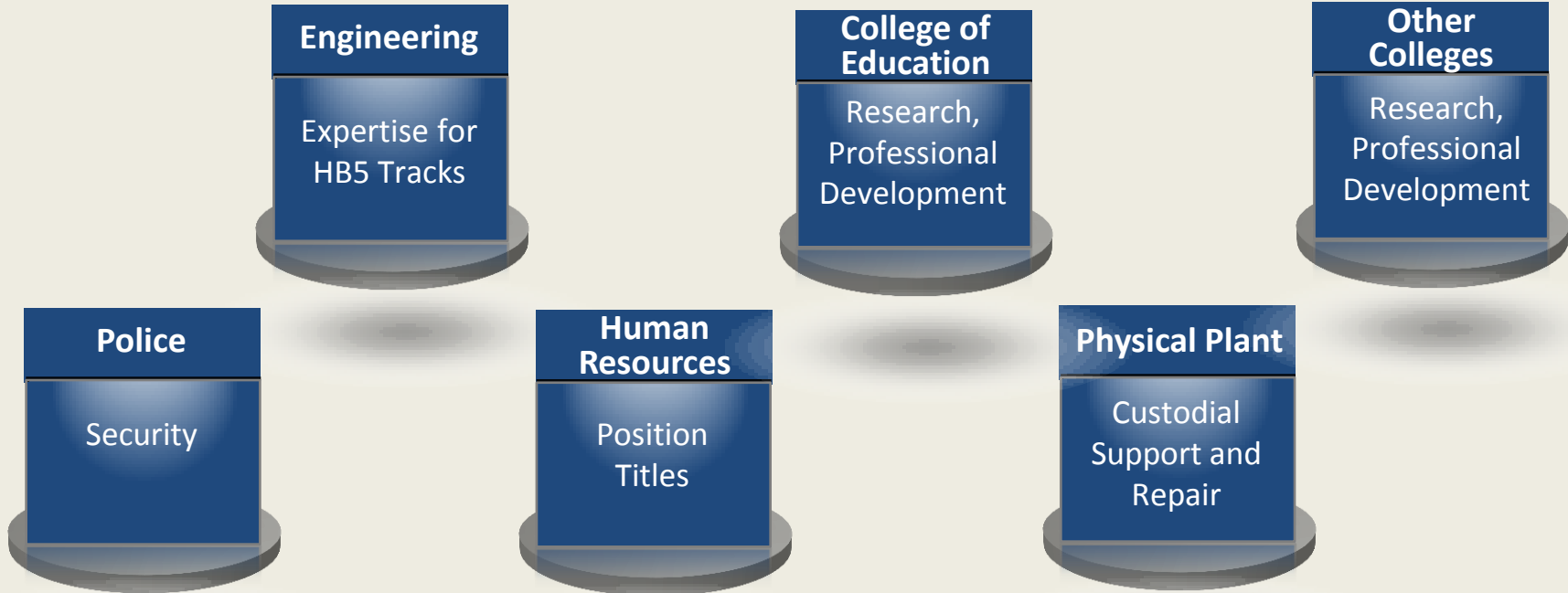
Oversight

**Business
Affairs**

Facilitate
dual-budget
process

University-Affiliated Charter Schools in Texas

University Contribution (cont.)



University-Affiliated Charter Schools in Texas

University Buy-in

- Should involve all Colleges
- HB5 Degree Paths
 - Engineering
 - Arts and Science
 - Business and Technology
 - Education and Psychology
 - Nursing and Health Sciences
 - Pharmacy

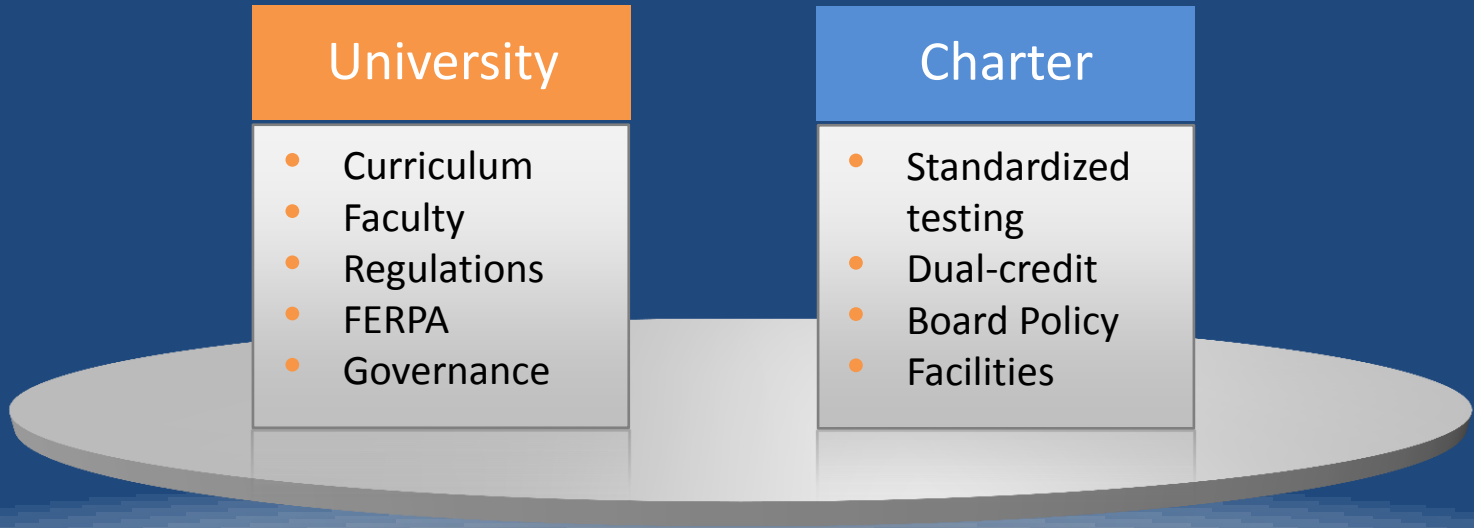
University-Affiliated Charter Schools in Texas

Role in the University

- Auxiliary
- Not Housed in a College
- Treat similar to a grant
 - UT Tyler & UTPB
- Non-College Administrative Unit
 - UT Austin

University-Affiliated Charter Schools in Texas

Conflicting Regulations



University-Affiliated Charter Schools in Texas

Practical Challenges

University Culture

- At-will employees
- Student/faculty contact
- Governance

Complaints & Privacy

- Parental complaints
- FERPA

Legal

- TEA Directives
- Local HOP
- System Directives
- Local Board

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● FERPA

- UTS 183 policy applies
- FERPA is different for k-12 than at university level
 - Parental right to educational records
 - Access of school officials with “genuine educational interest”
- Faculty members in charter schools should receive training
- Universities should develop separate policies and procedures for charter school records
- Questions on FERPA should be directed to the OGC

University-Affiliated Charter Schools in Texas

Administrative Challenges

Financial

- University resources
- State funds
- Conflicting software
- Dual systems

Local School Politics

- Local districts
- Local politics

Operational

- Advisory boards
- Facility use
- Asset issues

Curriculum

- Dual credit
- Role of administrators

University-Affiliated Charter Schools in Texas

Resources Available to Charter Schools

Auxiliary

Self-Supporting

Start-up Grant

\$800,000—Most
Charters Receive
Grant

ADA

\$5,200 per child

Additional

- Special ed
- Title I
- NCLB
- IDEA
- Allotment
- CTE



CASE STUDY: UT TYLER INNOVATION ACADEMY

University-Affiliated Charter Schools in Texas

UT Tyler Innovation Academy

Funding

- \$8,200 in annual funding per student
- Total enrollment: 600 students
- Total revenue
 - \$4.9 million

Issues Regarding Charter School Development

- **Administrative**
 - Financial
 - Policies and Procedures
 - Hiring
 - Instructional Model
 - Leadership Model
 - Facilities
 - School District Relations
 - Audits
 - FIRST Ratings
 - Academic Ratings
 - Research
- **STEM Blueprint**
- **Curriculum**
 - Dual Credit
- **Instruction**
 - Teaching Model
 - Connections to University
- **Assessment**
 - DMAC
 - CDA
 - Benchmark
- **Special Services**
- **Faculty Sharing**

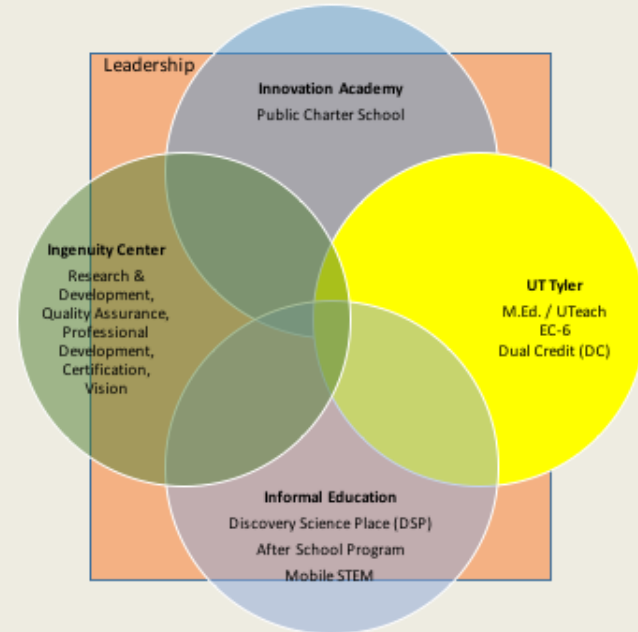
RESEARCH: Innovation Education Ecosystem

Education Research and Development Core Facilities

- The Education Research and Development laboratory consists of three charter laboratory schools and informal education venues.
- The Core Facility includes the Ingenuity Center, the Innovation Academy, and the Discovery Science Place, in collaboration with the College of Education and Psychology.
- The laboratory schools are utilized to study promising educational practices, field test of new curricula and learning technologies as well as educator preparation and professional development. In addition, access to informal education settings allow for the study of outside of school learning.
 - University Charter. Not a College of Education Charter.
 - University STEM Ready
 - P-16 is a University Initiative.
 - Recruitment
- Researchers from education, engineering, and psychology are currently using the facilities for research and development



STEM RUBRIC (Non-Negotiable)



STEM Blueprint (Non-Negotiable)

T-STEM ACADEMY DESIGN BLUEPRINT



EDUCATE TEXAS

a public-private initiative of Communities Foundation of Texas



The T-STEM Design Blueprint is a guide to build and sustain STEM schools that incorporates the seven benchmarks of:

1
Mission
Driven
Leadership

2
T-STEM
Culture

3
Student
Outreach,
Recruitment,
and Retention

4
Teacher
Selection,
Development and
Retention

5
Curriculum,
Instruction,
and
Assessment

6
Strategic
Alliances

7
Academy
Advancement and
Sustainability

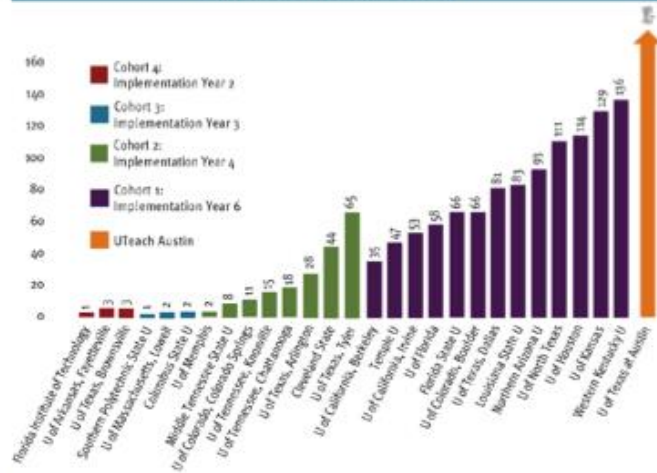


Universities Replicating UTeach Spring 2014 enrollment nationwide (6,704 students)



UTeach Institute

CUMULATIVE GRADUATES BY UTEACH PROGRAM THROUGH SPRING 2014



UTeach Institute

- Average STEM Teacher Production (4-8/8-12)
 - Pre UTeach
 - 11.2
 - UTeach Tyler
 - 20.3





- Largest University Charter System in Texas
 - 584 students and growing
 - 2015 STAAR and EOC Scores were well above State Average
 - Achievement Index
 - Reading 90%, Math 95%, Writing 80%, Social Studies 68%
 - Overall 85%
 - All 3 Campuses were designated as T-STEM Academies by TEA for 2015-16 Academic Year
 - Will serve grades 3-9 in 2015-16 (Adding a grade each year)

How did UTTIA compare to other area charters?

East Texas Charter Districts	Index 1 Achievement	Index 2 Student Growth	Index 3 Subpopulations	Index 4 College Ready	Distinctions
State Target	60	30	28	12	---
UT Tyler IA	85	42	43	38	6
Vista (Classical)	85	30	46	32	0
Cumberland Academy	71	36	29	26	0



How did the UTTIA compare to other districts in the area?

East Texas Districts	Index 1 Achievement	Index 2 Student Growth	Index 3 Subpopulations	Index 4 College Ready
UT Tyler IA	85	42	43	38***
Tyler	69	35	35	--
Whitehouse	87	38	43	--
Lindale	88	37	47	--
Palestine	69	35	36	--
Westwood	72	37	36	--
Longview	73	40	38	--
Pine Tree	72	34	36	--
Bullard	85	36	41	--
Chapel Hill	75	38	39	--
Kilgore	73	31	35	--

***UTTIA has no High School so Index 4 is not comparable

How did UTTIA compare to other STEM Schools?

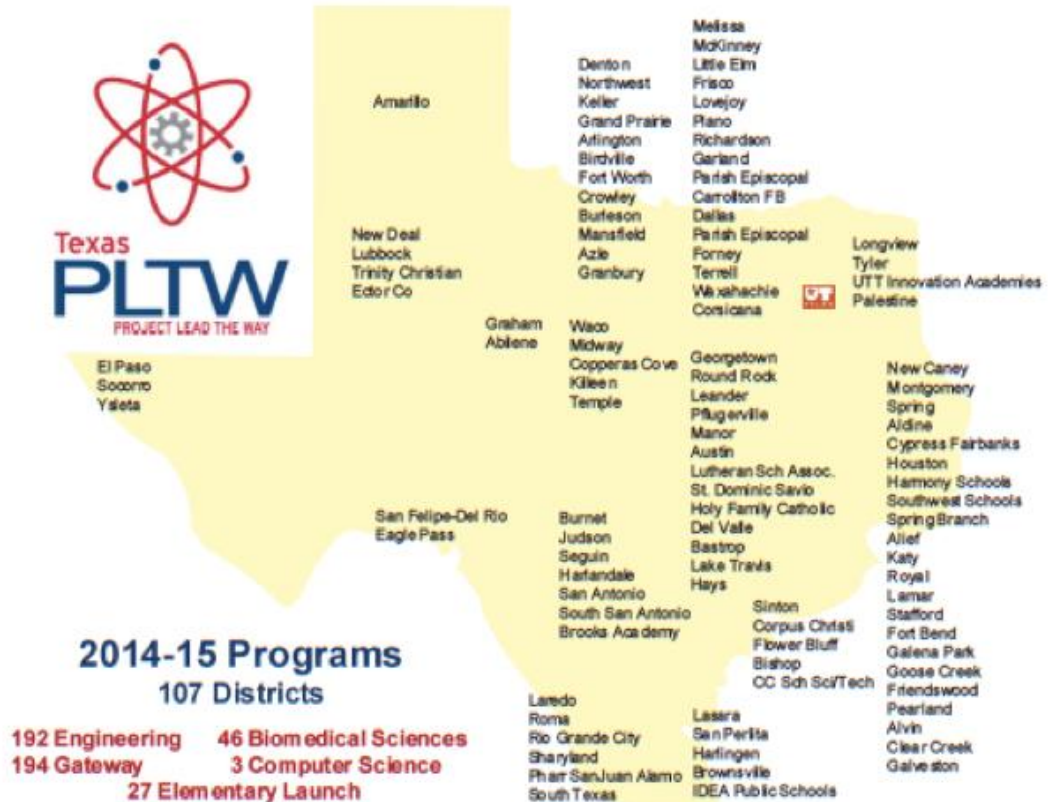
STEM Schools	Index 1 Achievement	Index 2 Student Growth	Index 3 Subpopulations	Index 4 College Ready	Distinctions
State Target	60	30	28	12	---
UTTIA Tyler	85	45	36	45	0
UTTIA Longview	87	52	53	44	4
UTTIA Palestine	83	40	40	39	2
Moore Middle School	82	41	42	49	6

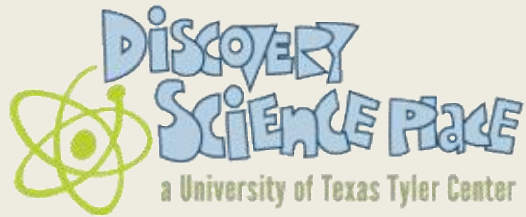
Note: Distinctions are based on a comparison group with similar demographics.

UT Tyler's Texas Project Lead the Way continues fast growth.

In 2014-15 UT Tyler added a new Computer Science Curriculum to meet the new Computer Science requirement in schools.

Also added an Elementary Curriculum (Launch) to better prepare and engage elementary age students in STEM.





- Discovery Science Place
 - Mobile STEM Lab
 - Science Safari
- Served over 100,000 patrons in 2014-15
- Renovated Exhibits and Annex
- UT Tyler Art Students Painted new Mural
- UT Tyler Engineers and Scientists are providing programming and assisting with exhibits
- Plans for internships and class projects in the areas of:
 - Marketing
 - Advertising
 - Retail
 - Engineering
- Catch the Science Safari at NASA JSC and Six Flags this Year



Resources

- Heather Mauze, Director, Charter Schools, Heather.Mauze@tea.texas.gov
- Karen Johnson, TEA Office of Legal Counsel, 512-463-7513
- Michael Donley, Chief Legal Officer, The University of Texas at Tyler, 903-566-7284
- Michael Odell, Vice President for Research and Technology Transfer, 903-566-7132

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● QUESTIONS?