

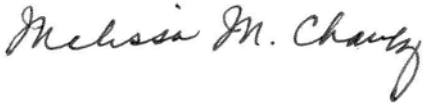
**Notice of a
Public Hearing on the 2019-2020
Texas Academic Performance Report
And a
Regular Meeting of the
University of Texas-University Charter School
Advisory Board**

Notice is hereby given that on the 20th day of January 2021, the Advisory Board of University of Texas-University Charter Schools (UT-UCS) will hold a regular board meeting followed by a Public Hearing at the University of Texas-University Charter Schools' Administration Office, 2200 E. 6th St., Austin, Texas 78702. The subjects to be discussed, considered, or upon which any formal action may be taken are as listed below. Please note that the sequence of items given in the posting is only approximate and that the order of individual items may be adjusted as necessary.

- I.** Call to Order and Establish Quorum
- II.** Welcome and Recognition of Special Guests
- III.** Citizen Comments
Individuals wishing to address the Advisory Board must sign up via email, between 10:30 and 11:15 AM, prior to the start of the meeting.
- IV.** Action Items for Consideration by Consent
 - a. Consider approval of Board Minutes for the Meeting held on October 7, 2020 **p. 3**
 - b. Consider approval of the Health and Safety Policies **p. 5**
 - c. Consider approval of the Special Education Policies **p. 19**
 - d. Consider approval of the 504 Policies **p. 158**
 - e. Consider approval of revision to the 2020-2021 Course Guide **p. 161**
- V.** Action Items
 - a. Consider approval of the Annual Financial Report for FY 2020 **p. 178**
 - b. Consider approval of a resolution for a waiver for Asynchronous Instructional Days on February 5, March 5, and April 22, 2021 **p. 228**
 - c. Consider approval of a resolution for a waiver for Remote Instructional Day on January 11, 2021 due to inclement weather **p. 229**
- VI.** Reports/Discussion Items
 - a. Superintendent's report on the Status of the District
 - b. Key Results
 - c. ESL Program Evaluation Report **p. 230**
 - d. Report on student enrollment, Average Daily Attendance (ADA) and Mobility Data **p. 235**
 - e. Monthly Financial Report **p. 237**
- VII.** Adjournment
- VIII.** Public Hearing on the Texas Academic Performance Report
 - a. 2019-2020 Texas Academic Performance Report
 - b. Public comments on the Report
 - c. Adjournment of Public Hearing

Public Comments (At each regular meeting, the Board will set aside no less than 5 minutes and no more than 20 minutes to afford the general public an opportunity to speak to the Board on any matter concerning the education of students and the business of the Board. If there are no public communications or comments, the board will proceed to other business. Please be advised that Board Meetings are meetings open to the public, not public meetings. The presiding officer reserves the right to set a time limit for public comments and other reasonable restrictions in accordance with applicable law.)

**To observe or make comment to the board meeting, call the Meet Me Conference number, 512-232-8670. When prompted, enter the Conference Access Code 6543210 followed by the # key.*



Melissa M. Chavez, Ph.D., Associate Vice President and Executive Director

**Those wishing to address the Advisory Board during Citizen Comments shall register between 10:30 and 11:15 AM in room 209, Human Resources.*

**University of Texas-University Charter School
Advisory Board
Austin, Texas
October 7, 2020**

Attendees

- Board Members:
 - Present: Jennifer Maedgen, Chair, Dr. Judith Loredo, Suzon Kemp, Dr. Eboni Calbow, Ms. Linda Addicks
 - Absent:, Mr. David Anderson, Dr. Jessica Toste
 - Non-voting board associates present: Dr. Melissa Chavez, Mr. Chris Hutto
 - Non-voting board associates absent: none
- Guests: none
- UT-UCS Staff: Mr. Bob Micks, Ms. Jenny Davis, Ms. Melissa Ruffin, Dr. Nicole Whetstone, Ms. Sharon Yarbrough, Deidre Garcia, Ms. Autumn Leal-Shopp

I. Call to Order and Establish Quorum

Dr. Maedgen called the meeting to order at 11:33 AM and noted that a quorum was present.

II. Welcome and Recognition of Special Guests

III. Citizen Comments *no comments were made.*

IV. Items for Consideration by Consent

- a. Consider approval of the Consent Agenda.

A motion that the Consent Agenda be approved was made by Dr. Loredo and seconded by Ms. Kemp.

For – 5 Opposed – 0 Abstain – 0 Absent – 2

V. Action Items

- a. Consider approval of the 2020-2021 District Improvement Plan

A motion that the resolution be approved was made by Dr. Loredo and seconded by Dr. Calbow.

For – 5 Opposed – 0 Abstain – 0 Absent – 2

- b. Consider approval of a resolution for a waiver for missed instructional school days for the Unlimited Visions Aftercare campus

A motion that the resolution be approved was made by Dr. Loredo and seconded by Ms. Kemp.

For – 5 Opposed – 0 Abstain – 0 Absent – 2

- c. Consider approval of the Asynchronous plan

A motion that the resolution be approved was made by Ms. Addicks and seconded by Dr. Loreda.

For – 5 Opposed – 0 Abstain – 0 Absent – 2

VI. Reports/Discussion Items

- a. Superintendent report on the Status of the District, Teacher Incentive Allotment process was made by Dr. Melissa Chavez.
- b. The school data report was made by Melissa Ruffin.
- c. Daily Attendance (ADA) and Mobility Data was made by Ms. Jenny Davis.
- d. Monthly Financial Review was made by Ms. Jenny Davis.
- e. The Development report was made by Ms. Sharon Yarbrough.

VII. Adjournment

A motion that the meeting be adjourned was made by Dr. Loreda and seconded by Dr. Calbow.

For – 5 Opposed – 0 Abstain – 0 Absent – 2

Dr. Maedgen adjourned the meeting at 12:35 PM.

Sec. 1. MULTIHAZARD EMERGENCY OPERATIONS PLAN

a) *General Plan Requirements*

The University of Texas-University Charter School shall adopt and implement a multihazard emergency operations plan (MEOP) for use in The University of Texas-University Charter School's facilities. The MEOP must address prevention, mitigation, preparedness, response, and recovery as defined by the Texas School Safety Center (TSSC) in conjunction with the governor's office of homeland security and the Commissioner of Education. The MEOP must provide for:

1. Training in responding to an emergency for The University of Texas-University Charter School employees, including substitute teachers;
2. Measures to ensure The University of Texas-University Charter School employees, including substitute teachers, have classroom access to a telephone, including a cellular telephone, or another electronic communication device allowing for immediate contact with emergency services or emergency services agencies, law enforcement agencies, health departments, and fire departments;
3. Measure to ensure The University of Texas-University Charter School's communications technology and infrastructure are adequate to allow for communication during an emergency;
4. Mandatory or required drills and exercises, including those required under Education Code 37.114, to prepare staff and students for responding to an emergency;
5. Measures to ensure coordination with the Department of State Health Services (DSSH) and local emergency management agencies, law enforcement, health departments, and fire department in the event of an emergency; and
6. The implementation of a safety and security audit as required by Education Code 37.108(b).

Education Code 37.108(a).

The MEOP shall also include:

1. A chain of command that designates the individual responsible for making final decisions during a disaster or emergency situation and identifies other individuals responsible for making those decisions if the designated person is unavailable;
2. Provisions that address physical and psychological safety for responding to a natural disaster, active shooter, and any other dangerous scenario identified by the Texas Education Agency (TEA) or TSSC;
3. Provisions for ensuring the safety of students in portable buildings;
4. Provisions for ensuring that students and The University of Texas-University Charter School personnel with disabilities are provided equal access to safety during a disaster or emergency situation;

5. Provisions for providing immediate notification to parents, guardians, and other persons standing in parental relation in circumstances involving a significant threat to the health or safety of students, including identification of the individual with responsibility for overseeing the notification;
6. Provisions for supporting the psychological safety of students, The University of Texas-University Charter School personnel, and the community during the response and recovery phase following a disaster or emergency situation that:
 - a. Are aligned with best practice-based programs and research-based practices recommended under Health & Safety Code 161.325;
 - b. Include strategies for ensuring any required professional development training for suicide prevention and grief-informed and trauma-informed care is provided to appropriate school personnel;
 - c. Include training on integrating psychological safety and suicide prevention strategies into the emergency operations plan, such as psychological first aid for schools training, from an approved list of recommended training established by the Commissioner and TSSC for (i) members of The University of Texas-University Charter School's school safety and security committee under Education Code 37.109; (ii) The University of Texas-University Charter School counselors and mental health professionals; and (iii) educators and other personnel as determined by The University of Texas-University Charter School;
 - d. Include strategies and procedures for integrating and supporting physical and psychological safety that align with the provisions described by in item (2) above; and
 - e. Implement trauma-informed policies;
7. A policy for providing a substitute teacher access to school campus buildings and materials necessary for the substitute teacher to carry out the duties of a The University of Texas-University Charter School employee during an emergency or a mandatory emergency drill;
8. The name of each individual on the school safety and security committee established under Education Code 37.109 and the date of each committee meeting during the preceding year;
9. Provisions for responding to a train derailment, but only if a school is located within 1,000 yards of a railroad track as measured from any point on The University of Texas-University Charter School's real property boundary line; and
10. Provisions for responding to an active shooter emergency.

The University of Texas-University Charter School may use any available community resources in developing the MEOP.

Education Code 37.108(d), (f)-(g).

b) MEOP Review

The University of Texas-University Charter School shall submit its MEOP to the TSSC upon request and as required with the TSSC review cycle developed under Education 37.2071(a).

i. Noncompliance Notification

The TSSC shall review the University of Texas-University Charter School MEOP and verify that the plan meets the requirements of Education Code 37.108 or provide the University of Texas-University Charter School with written notice describing the plan's deficiencies and stating that the deficiencies must be corrected and that University of Texas-University Charter School must resubmit the revised plan to the TSSC.

If University of Texas-University Charter School fails to submit its MEOP to the TSSC, the TSSC shall provide University of Texas-University Charter School with written notice stating that University of Texas-University Charter School has failed to submit a plan and must submit a plan for review and verification.

ii. Failure to Comply after Notice

If University of Texas-University Charter School has not corrected plan deficiencies or has failed to submit a plan three months after the date of initial notification from the TSSC, the TSSC shall provide written notice to University of Texas-University Charter School and the TEA that University of Texas-University Charter School has not complied with the requirements and must comply immediately.

If University of Texas-University Charter School has not corrected plan deficiencies or has failed to submit a plan six months after the date of initial notification, the TSSC shall provide written notice to University of Texas-University Charter School stating that University of Texas-University Charter School must hold a public hearing as outlined in Sec. 1-c below (Public Hearing due to Noncompliance), below.

c) ***Public Hearing due to Noncompliance***

If University of Texas-University Charter School receives notice of noncompliance for reasons identified under Education Code 37.207(e) or 37.2071(g), the Board shall hold a public hearing to notify the public of:

1. The University of Texas-University Charter School's failure to submit or correct deficiencies in a MEOP or report the results of a safety and security audit to the TSSC as required by law;
2. The dates during which The University of Texas-University Charter School has not been in compliance; and
3. The names of each Board member and the Superintendent serving in that capacity during the dates University of Texas-University Charter School was not in compliance. The University of Texas-University Charter School shall provide this information in writing to each person at the hearing.

The Board shall give members of the public a reasonable opportunity to appear before the Board and to speak on the issue of University of Texas-University Charter School's failure to submit or correct deficiencies in a MEOP. The University of Texas-University Charter School shall submit written confirmation to the TSSC that the public hearing was held.

Education Code 37.2071.

d) *Disclosure of MEOP Documents*

A document relating to the University of Texas-University Charter School MEOP is subject to disclosure if the disclosure allows a person to:

1. Verify that University of Texas-University Charter School has established a MEOP and determine the agencies involved in the development of the plan and the agencies coordinating with University of Texas-University Charter School to respond to an emergency, including the DSHS, local emergency services agencies, law enforcement agencies, health departments, and fire departments;
2. Verify that the MEOP was reviewed within the last 12 months and determine the specific review dates;
3. Verify that the MEOP addresses the phases of emergency management plans under Education Code 37.108(a);
4. Verify that University of Texas-University Charter School employees have been trained to respond to an emergency and determine the types of training, the number of employees trained, and the person conducting the training;
5. Verify that each campus has conducted mandatory emergency drills and exercises in accordance with the plan and determine the frequency of the drills;
6. To the extent required by law, verify that the MEOP has established a plan for responding to a train derailment;
7. Verify that University of Texas-University Charter School has completed a safety and security audit and determine the date the audit was conducted, the person conducting the audit, and the date the audit results were presented to the Board;
8. Verify that University of Texas-University Charter School has addressed any recommendations by the Board for improvement of the MEOP and determine University of Texas-University Charter School's progress within the last 12 months; and
9. To the extent required by law, verify that University of Texas-University Charter School has established a visitor policy and identify the provisions governing access to a school building or other school property.

Education Code 37.108(c-2).

e) *Superintendent Duties*

The Superintendent shall ensure updating of the MEOP and ongoing staff training.

Sec. 2. SAFETY AND SECURITY AUDIT

a) Audit Requirements

At least once every three years, University of Texas-University Charter School shall conduct a safety and security audit of University of Texas-University Charter School facilities. To the extent possible, University of Texas-University Charter School shall follow safety audit and security audit procedures developed by the TSSC or a person included in the TSSC's registry of persons providing school safety or security consulting services.

The safety and security audit must certify that University of Texas-University Charter School used funds provided through the school safety allotment only for purposes provided by Education Code 42.168.

The results of the safety and security audit shall be reported to the Board and, in the manner required by the TSSC, to the TSSC. The report provided to the TSSC must be signed by the Board and Superintendent.

Education Code 37.108(b), (b-1), (c).

b) Disclosure and Confidentiality

Except as provide under Education Code 37.108(c-2), any document or information collected, developed, or produced during a safety and security audit is not subject to disclosure under the Texas Public Information Act. *Education Code 37.108(c-1).*

Sec. 3. SAFETY AND SECURITY COMMITTEE

The University of Texas-University Charter School shall establish a school safety and security committee in accordance with guidelines established by the TSSC.

a) Committee Membership

The school safety and security committee, to the greatest extent practicable, must include:

1. One or more representatives of an office of emergency management of a county or city in which University of Texas-University Charter School is located;
2. One or more representatives of the local police department or sheriff's office;
3. One or more representatives of the charter school's police department, if applicable;
4. The Board president;
5. A member of the Board other than the Board president;
6. The Superintendent;

7. One or more designees of the Superintendent, one of whom must be a University of Texas-University Charter School classroom teacher; and
8. Two parents or guardians of students enrolled in University of Texas-University Charter School.

Education Code 37.109(a-1).

b) Committee Responsibilities

The school safety and security committee shall:

1. Participate on behalf of University of Texas-University Charter School in developing and implementing emergency plans consistent with the MEOP to ensure that the plans reflect specific campus, facility, or support services needs;
2. Periodically provide recommendations to the Board and school administrators regarding updating the MEOP in accordance with best practices identified by TEA, the TSSC, or a person included in the registry of persons established by the TSSC as providing school safety or security consulting services;
3. Provide University of Texas-University Charter School with any campus, facility, or support services information required in connection with a safety and security audit or other report required to be submitted to the TSSC;
4. Review each report required to be submitted by University of Texas-University Charter School to the TSSC to ensure that the report contains accurate and complete information regarding each campus, facility, or support service in accordance with criteria established by the TSSC; and
5. Consult with local law enforcement agencies on methods to increase law enforcement presence near school campuses.

Education Code 37.109(b).

c) Committee Meetings

The school safety and security committee shall meet at least once during each academic semester and at least once during the summer. The committee is subject to the Texas Open Meetings Act and may meet in executive session as provided by Chapter 551, Government Code. Notice of a committee meeting must be posted in the same manner as notice of a Board meeting. *Education Code 37.109(c)-(d).*

Sec. 4. NOTIFICATION REGARDING BOMB THREAT OR TERRORISTIC THREAT

Upon receiving a bomb threat or terroristic threat relating to a campus or other University of Texas-University Charter School facility at which students are present, University of Texas-University Charter School shall provide notification of the threat as soon as possible to the parent or guardian

of or other person standing in parental relation to each student who is assigned to the campus or who regularly uses the facility, as applicable. *Education Code 37.113.*

Sec. 5. TRAUMATIC INJURY RESPONSE PROTOCOL

The University of Texas-University Charter School shall develop and annually make available a protocol for employees and volunteers to follow in the event of a traumatic injuries.

a) *Protocol Requirements*

The protocol must:

1. Provide for University of Texas-University Charter School to maintain and make available to school employees and volunteers bleeding control stations for use in the event of a traumatic injury involving blood loss;
2. Ensure that bleeding control stations are stored in easily accessible areas of the campus that are selected by the school safety and security committee or the Board;
3. Require that a TEA-approved training on the use of a bleeding control station in the event of an injury to another person be provided to:
 - a. To the extent applicable, each charter school peace officer commissioned or school security personnel employed under Education Code 37.081 who provides security services at the campus;
 - b. Each school resource officer who provides law enforcement at the campus; and
 - c. All other University of Texas-University Charter School personnel who may be reasonably expected to use a bleeding control station; and
4. Require University of Texas-University Charter School to annually offer instruction on the use of a bleeding control station from a school resource officer or other appropriate school personnel who has received appropriate training to students enrolled in grade seven or higher.

b) *Bleeding Control Stations*

The school safety and security committee or the Board may select, as easily accessible areas of the campus at which bleeding control stations may be stored, areas of the campus where automated external defibrillators are stored.

A bleeding control station contain all of the following required supplies in quantities determined appropriate by the Superintendent:

1. Tourniquets approved for use in battlefield trauma care by the armed forces of the United States;
2. Chest seals;
3. Compression bandages;

4. Bleeding control bandages;
5. Space emergency blankets;
6. Latex-free gloves;
7. Markers;
8. Scissors; and
9. Instructional documents developed by the American College of Surgeons or the United States Department of Homeland Security detailing methods to prevent blood loss following a traumatic event.

Bleeding control stations may also include medical material or equipment that:

1. May be readily stored in a bleeding control station;
2. May be used to adequately treat an injury involving traumatic blood loss; and
3. Is approved by local law enforcement or emergency medical services personnel.

Education Code 38.027.

Sec. 6. AUTOMATED EXTERNAL DEFIBRILLATORS

a) Campus Availability

The University of Texas-University Charter School shall make available at each campus at least one automated external defibrillator (AED). A campus defibrillator must be readily available during any Universal Interscholastic League (UIL) competition held on the campus. In determining the location at which to store a campus defibrillator, the Principal shall consider the primary location on campus where students engage in UIL activities.

b) Practices

To the extent practicable, University of Texas-University Charter School, in cooperation with the UIL, shall make reasonable efforts to ensure that an AED is available at each UIL practice held at a University of Texas-University Charter School campus. If University of Texas-University Charter School is not able to make an AED available in such manner, University of Texas-University Charter School shall determine the extent to which an AED must be available at each UIL practice held at a campus; the determination must be based, in appropriate to any other appropriate considerations, on relevant medical information.

c) Competitions

The University of Texas-University Charter School, in cooperation with the UIL, shall determine the extent to which an AED must be available at each UIL competition held at a location other than a University of Texas-University Charter School campus. The determination must be based, in addition to any other appropriate considerations, on relevant medical information and whether

emergency services personnel are present at the UIL competition under a contract with University of Texas-University Charter School.

d) *Trained Staff*

The University of Texas-University Charter School shall ensure the presence at each location at which an AED is required at least one school employee trained in the proper use of the defibrillator at any time a substantial number of University of Texas-University Charter School students are present at the location.

e) *AED Maintenance*

The University of Texas-University Charter School shall ensure that AEDs are used and maintained in accordance with standards established under Chapter 779, Health & Safety Code.

Education Code 38.017.

Sec. 7. RESPONSE TO CARDIAC ARREST

The Superintendent or designee shall develop safety procedures for school employees or students to follow in responding to a medical emergency involving cardiac arrest, including the appropriate response time in administering cardiopulmonary resuscitation, using an AED, or calling a local emergency medical services provider. *Education Code 38.018.*

Sec. 1. THREAT ASSESSMENTS

a) *Definitions*

“Harmful, threatening, or violent behavior” includes behaviors, such as verbal threats, threats of self-harm, bullying, cyberbullying, fighting, the use or possession of a weapon, sexual assault, sexual harassment, dating violence, stalking, or assault, by a student that could result in:

1. Specific interventions, including mental health or behavioral supports;
2. In-school suspension;
3. Out-of-school suspension; or
4. The student’s expulsion.

“Team” means a threat assessment and safe and supportive school team established by the Board.

b) *Threat Assessment and Safe and Supportive School Team*

The Board shall establish a threat assessment and safe and supportive school team at each campus, and shall adopt policies and procedures for the teams. The team is responsible for developing and implementing the safe and supportive school program under Education Code 37.115(b). Policies and procedures concerning the team must:

1. Be consistent with the model policies and procedures developed by the Texas School Safety Center;
2. Require each team to complete training provided by the Texas School Safety Center or a regional education service center regarding evidence-based threat assessment programs; and
3. Require each team established under this section to report the information required under Education Code 37.115(k) regarding the team’s activities to the TEA.

c) *Team Membership*

The Superintendent shall ensure that the members appointed to each team have expertise in counseling, behavior management, mental health and substance use, classroom instruction, special education, school administration, school safety and security, emergency management, and law enforcement. A team may serve more than one campus, provided that each University of Texas-University Charter School campus is assigned a team.

d) *Team Responsibilities*

Each team shall:

1. Conduct a threat assessment that includes:

- a. Assessing and reporting individuals who make threats of violence or exhibit harmful, threatening, or violent behavior in accordance with the policies and procedures adopted under this policy; and
- b. Gathering and analyzing data to determine the level of risk and appropriate intervention, including:
 - i. Referring a student for mental health assessment; and
 - ii. Implementing an escalation procedure, if appropriate based on the team's assessment, in accordance with University of Texas-University Charter School policy;
2. Provide guidance to students and school employees on recognizing harmful, threatening, or violent behavior that may pose a threat to the community, school, or individual; and
3. Support University of Texas-University Charter School in implementing its multihazard emergency operations plan.

e) *Providing Mental Health Care Services*

A team may not a mental health care service to a student who is under 18 years of age unless the team obtains written consent from the parent of or person standing in parental relation to the student before providing the mental health care service. The consent must be submitted on a form developed by University of Texas-University Charter School that complies with all applicable state and federal law. The student's parent or person standing in parental relation to the student may give consent for a student to receive ongoing services or may limit consent to one or more services provided on a single occasion.

f) *Determination of Risk*

i. Risk of Violence to Self or Others

On determination that a student or other individual poses a serious risk of violence to self or others, a team shall immediately report the determination to the Superintendent. If the individual is a student, the Superintendent shall immediately attempt to inform the parent or person standing in parental relation to the student. This notice requirement does not prevent an employee from acting immediately to prevent an imminent threat or respond to an emergency.

ii. Risk of Suicide

A team identifying a student at risk of suicide shall act in accordance with University of Texas-University Charter School's suicide prevention program. If the student at risk of suicide also makes a threat of violence to others, the team shall conduct a threat assessment in addition to actions taken in accordance with University of Texas-University Charter School's suicide prevention program.

iii. *Risk of Possessing Tobacco, Drugs or Alcohol*

A team identifying a student using or possessing tobacco, drugs, or alcohol shall act in accordance with University of Texas-University Charter School's policies and procedures related to substance use prevention and intervention.

g) *Oversight Responsibility*

The Superintendent may establish a committee, or assign to an existing committee, the duty to oversee the operations of teams established for University of Texas-University Charter School. A committee with oversight responsibility must include members with expertise in human resources, education, special education, counseling, behavior management, school administration, mental health and substance abuse, school safety and security, emergency management, and law enforcement.

h) *Reports to TEA*

A team must report to TEA the following information regarding the team's activities and other information for each campus the team serves:

1. The occupation of each person appointed to the team;
2. The number of threats and a description of the type of the threats reported to the team;
3. The outcome of each assessment made by the team, including:
 - a. Any disciplinary action taken, including a change in school placement;
 - b. Any action taken by law enforcement; or
 - c. A referral to or change in counseling, mental health, special education, or other services;
4. The total number, disaggregated by student gender, race, and status as receiving special education services, being at risk of dropping out of school, being in foster care, experiencing homelessness, being a dependent of military personnel, being pregnant or a parent, having limited English proficiency, or being a migratory child, of, in connection with an assessment or reported threat by the team:
 - a. Citations issued for Class C misdemeanor offenses;
 - b. Arrests;
 - c. Incidents of uses of restraint;
 - d. Changes in school placement, including placement in a juvenile justice alternative education program or disciplinary alternative education program, if applicable;
 - e. Referrals to or changes in counseling, mental health, special education, or other services;
 - f. Placements in in-school suspension or out-of-school suspension and incidents of expulsion;
 - g. Unexcused absences of 15 or more days during the school year; and
 - h. Referrals to juvenile court for truancy; and

5. The number and percentage of school personnel trained in:
 - a. A best-practices program or research-based practice under Section 161.325, Health and Safety Code, including the number and percentage of school personnel trained in:
 - i. Suicide prevention; or
 - ii. Grief and trauma-informed practices;
 - b. Mental health or psychological first aid for schools;
 - c. Training relating to the safe and supportive school program established under Education Code 37.115(b); or
 - d. Any other program relating to safety identified by the Commissioner.

Education Code 37.115.

Sec. 2. TRAUMA-INFORMED CARE PLAN

a) *Plan Requirements*

The University of Texas-University Charter School shall adopt and implement a plan requiring the integration of trauma-informed practices in each school environment. The plan must address:

1. Using resources developed by TEA, methods for:
 - a. Increasing staff and parent awareness of trauma-informed care; and
 - b. Implementation of trauma-informed care practices and care by school staff; and
2. Available counseling options for students affected by trauma or grief.

b) *Training Requirements*

Methods for increasing awareness and implementation of trauma-informed care must be discussed in training provided:

1. Through a program selected from the list of recommended best practice-based programs and research-based practices established under Health & Safety Code 161.325;
2. As part of any new employee orientation for all new educators; and
3. To existing educators on a schedule adopted by the TEA at intervals necessary to keep educators informed of developments in the field.

The University of Texas-University Charter School shall keep records of each training conducted, to include the name of each staff member who participated in the training.

c) *Reports to TEA*

The University of Texas-University Charter School shall report annually to TEA the following information for the school as a whole and for each school campus:

1. The number of teachers, principals, and counselors employed by University of Texas-University Charter School who have completed the required training; and
2. The total number of teachers, principals, and counselors employed by University of Texas-University Charter School.

Education Code 38.036.

UNIVERSITY OF TEXAS CHARTER SCHOOL BOARD POLICY
MANUAL PG-6.1 POLICY GROUP 6 - SPECIAL EDUCATION
NONDISCRIMINATION

Sec. 1. NONDISCRIMINATION POLICY

No qualified student with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any service, program, or activity provided or offered by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** 42 U.S.C. 12132; 29 U.S.C. 794(a); 34 CFR 104.4(a).

Sec. 2. FREE APPROPRIATE PUBLIC EDUCATION

Eligible students with disabilities shall enjoy the right to a free appropriate public education ("FAPE"), which may include instruction in the regular classroom, instruction through special teaching, or instruction through approved contracts. Instruction shall be supplemented by the provision of related services when appropriate. Education Code 29.003(a).

FAPE means special education and related services that:

1. Have been provided at public expense, under public supervision and direction, and without charge;
2. Meet standards set out by Texas Education Agency ("TEA");
3. Include an appropriate preschool, elementary school, or secondary school education; and
4. Are provided in conformity with the student's individualized education program (IEP).

20 U.S.C. 1401(9); 34 CFR 300.13, 300.17, 300.36.

Sec. 3. LEAST RESTRICTIVE ENVIRONMENT

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall ensure that, to the maximum extent possible, children with disabilities shall be educated with children who are not disabled. Special classes, special schooling, or other removal of children with disabilities from the regular educational environment shall occur only when the nature or severity of the child's disability is such that education in regular classes with the use of supplementary aids and services cannot be satisfactorily achieved. 20 U.S.C. 1412(a)(5); 34 CFR 300.114(a)(2).

Sec. 4. DISCIPLINE

All disciplinary actions regarding students with disabilities shall be determined in accordance with applicable federal regulations, Education Code Chapter 37, and 19 Administrative Code 89.1053. 19 TAC 89.1050(g).

Sec. 5. INSTRUCTIONAL ARRANGEMENTS AND SETTINGS

Instructional arrangements and settings shall be based on the individual needs and IEPs of eligible students receiving special education services. Instructional arrangements and settings include:

1. Mainstream: services provided in the regular classroom in accordance with the student's IEP;
2. Homebound: services provided at home or hospital bedside;
3. Hospital class: services provided in a classroom, hospital facility, or residential care and treatment facility not operated by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**;
4. Speech therapy: speech therapy services provided, whether in a regular education classroom or other setting;
5. Resource room/services: services provided in a setting other than the regular classroom for less than 50% of the regular school day;
6. Self-contained (mild, moderate, or severe) regular campus: services provided to a student who is in a self-contained program for 50% or more of the regular school day on a regular school campus;
7. Off home campus: services provided in an interdistrict program, through **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** personnel in a non-**UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** facility, or at a **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** campus that provides only special education and related services.
8. Nonpublic day school: services provided through a contractual agreement with a nonpublic school;
9. Vocational adjustment class/program: services provided to a student who is placed on a job with regularly scheduled direct involvement by special education personnel in the implementation of the student's IEP;
10. Residential care and treatment facility (not **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** resident): services provided to students who reside in care and treatment facilities and whose parents do not reside within the boundaries of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**;
11. State supported living center: services provided to a student who resides at a state supported living center when the services are provided at the state supported living center location; or
12. Other program options, including contracts with other districts and programs approved by TEA.

19 TAC 89.63(c), (f).

Sec. 6. RELATED SERVICES

"Related services" means transportation, and such developmental, corrective, and other supportive services as may be required to assist a child with a disability to benefit from special education, including the early identification and assessment of disabling conditions in children.

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The term includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable a child with a disability to receive a FAPE as described in the child's IEP, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that medical services shall be for diagnostic and evaluation purposes only.

The term does not include a medical device that is surgically implanted, the optimization of the device's functioning, or the replacement of such device. 20 U.S.C. 1401(26); 34 CFR 300.34.

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POLICY GROUP 6 - SPECIAL EDUCATION
ADMINISTRATION

Sec. 1. APPLICABILITY OF TEXAS EDUCATION CODE

An open-enrollment charter school is subject to a prohibition, restriction, or requirement, as applicable, imposed by Title 2 (Public Education) of the Texas Education Code, or a rule adopted under Title 2 (Public Education) of the Texas Education Code relating to special education programs. (TEC §12.104(b)(2)(F))

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall comply with the requirements for monitoring compliance with federal and state laws relating to special education pursuant to Texas Education Code Section 29.010.

Sec. 2. ASSURANCE

Open-enrollment charter schools must submit a plan to the Texas Education Agency that provides assurances that the charter school has in effect policies, procedures and programs that are consistent with the State and Federal policies and procedures governing special education. (20 USC §1413(a); 34 CFR §§300.200-.201)

Sec. 3. PUBLIC EDUCATION INFORMATION MANAGEMENT SYSTEM (PEIMS)

“Most of the data TEA requests from school districts and charter schools are gathered using the Public Education Information Management System (“PEIMS”). PEIMS data are used for the Academic Excellence Indicator System (“AEIS”), Foundation School Program (“FSP”), statistical purposes, federal reporting, legislative requests, and audit purposes. Through PEIMS, schools report data including student demographic and academic performance, student attendance, personnel information, financial data, and organizational information.” *Texas Open-Enrollment Charter School Handbook* (TEA, Division of Charter School Administration, September 2011).

Sec. 4. APPLICABILITY OF TITLE RELATING TO THE PEIMS

An open-enrollment charter school is subject to a prohibition, restriction, or requirement, as applicable, imposed by Title 2 (Public Education) of the Texas Education Code, or a rule adopted under Title 2 (Public Education) of the Texas Education Code, relating to the PEIMS to the extent necessary to monitor compliance with Subchapter D (Open-Enrollment Charter School), Chapter 12, Texas Education Code. (TEC §12.104(b)(2)(A))

The Superintendent or designee shall prepare required PEIMS submissions in accordance with PEIMS Data Standards and Module 10 of the Financial Accountability System Resource Guide. The Superintendent or designee may collaborate with the regional education service center in preparing and timely submitting PEIMS reports.

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Sec. 5. CONTRACTS FOR SERVICES; RESIDENTIAL PLACEMENT

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may contract with a public or private facility, institution, or agency inside or outside of this State for the provision of services to students with disabilities. Each contract for residential placement must be approved by the Commissioner. The Commissioner may approve a residential placement contract only after at least a programmatic evaluation of personnel qualifications, adequacy of physical plant and equipment, and curriculum content. The Commissioner may approve either the whole or a part of a facility or program. (TEC §29.008(a))

When a student, including one for whom the State is managing conservator, is placed primarily for care or treatment reasons in a private residential facility that operates its own private education program, none of the costs may be paid from public education funds. If a residential placement primarily for care or treatment reasons involves a private residential facility in which the education program is provided by the open-enrollment charter school, the portion of the costs that includes appropriate education services, as determined by the admission, review, and dismissal (“ARD”) committee, shall be paid from State and Federal education funds. (TEC §29.008(c))

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** contracts for the provision of education services rather than providing the services, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall oversee the implementation of the student’s individualized education program (“IEP”) and shall annually reevaluate the appropriateness of the arrangement. An approved facility, institution, or agency with whom **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** contracts shall periodically report to **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** on the services the student has received or will receive in accordance with the contract as well as diagnostic or other evaluative information that **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** requires in order to fulfill its obligations under Subchapter A (Special Education), Chapter 29, Texas Education Code. (TEC §29.008(d))

Sec. 6. FACILITIES

Any construction of new facilities or alteration of existing facilities with authorized Individuals with Disabilities Education Act (“IDEA”) program funds must comply with the requirements of:

- Appendix A of Part 36 of Title 28, Code of Federal Regulations (commonly known as the *Americans with Disabilities Accessibility Guidelines for Buildings and Facilities*); and
- Appendix A of Subpart 101-19.6 of Title 41, Code of Federal Regulations (commonly known as the *Uniform Federal Accessibility Standards*).

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Sec. 7. ADMINISTRATION OF EQUIPMENT

The ARD committee must consider whether the student needs assistive technology devices (“ATDs”) as part of the student’s special education, related services, or supplementary aids and services. On a case-by-case basis, the use of school-purchased ATDs in the student’s home or in other settings is required if the student’s ARD committee determines that the student needs access to those devices in order to receive free appropriate public education. (34 CFR §§300.105; 300.324(a)(2)(v); 20 USC §1414(d)(3)(B)(v))

Assistive technology means any device or equipment used to improve or maintain the function capabilities of a student with a disability. Assistive technology does not include a medical device that is surgically implanted. (34 CFR §§300.5-300.6)

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may transfer an ATD in accordance to TEC, §30.0015. The transfer agreement must include the standards in TEC §30.0015, including the following:

- 1) The transferor and transferee must represent and agree that the terms of the transfer are based on the fair market value of the ATD, determined in accordance with generally accepted accounting principles.
- 2) The informed consent of the parent of the student with a disability, or the adult student, for whom the ATD is being transferred must be obtained before the transfer of an ATD pursuant to TEC, §30.0015. The procedures employed by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** in obtaining informed consent shall be consistent with the procedures employed by the school to obtain parental consent under 34 CFR §300.300. Consistent with 34 CFR, §300.505(c), informed parental or adult student consent need not be obtained if the school can demonstrate that it has taken reasonable measures to obtain that consent, and the student’s parent or the adult student has failed to respond. To meet the reasonable measures requirement, the school must use procedures consistent with those described in 34 CFR, §300.322(d).
- 3) If the transfer is a sale, then the sale of the ATD shall be evidenced by a “Uniform Transfer Agreement” which includes the following:
 - a. the names of the transferor and the transferee (which may be any individual or entity identified in TEC, §30.0015(b));
 - b. the date of the transfer;
 - c. a description of the ATD being transferred;
 - d. the terms of the transfer (including the transfer of warranties, to the extent applicable); and
 - e. the signatures of authorized representatives of both transferor and transferee.

(19 TAC 89.1056)

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Sec. 8. SPECIAL EDUCATION TEACHER DEFINED (20 U.S.C. §1401(10)(B)(i))

When used with respect to any public elementary school or secondary school special education teacher teaching in a State, such term means that—the teacher has obtained full State certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the State special education teacher licensing examination, and holds a license to teach in the State as a special education teacher, except that when used with respect to any teacher teaching in a public charter school, the term means that the teacher meets the requirements set forth in the State’s public charter school law.

Sec. 9. COMPLIANCE WITH FEDERAL AND STATE PERSONNEL STANDARDS FOR INDIVIDUALS SERVING CHILDREN WITH DISABILITIES

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall ensure that personnel standards for all individuals serving children with disabilities are met in accordance with the IDEA and its procedures.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM recognizes that both the Every Student Succeeds Act and the IDEA provide that charter school teachers must meet the requirements set forth in the State’s public charter school law. 20 U.S.C. §§ 6311(g)(2)(J); 20 U.S.C. §1401(10)(B)(i). In Texas, that means that the charter school special education teacher must be certified.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall make an ongoing good-faith effort to recruit and hire appropriately and adequately certified and/or licensed personnel to provide a wide range of special education and related services to students with disabilities who are eligible for special education services. Special education staffing needs come from the individualized decisions made by the ARD committee.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall ensure that all personnel necessary to carry out the requirements of the IDEA 2004 are appropriately and adequately certified and/or licensed, prepared and assigned.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM adopts as policy the provisions under State and Federal law concerning personnel, including:

Charter school teachers must only meet the requirements of the State’s public charter school law, which differ from the requirements for Texas teacher certification. In Texas, State law does not require a teacher employed by an open-enrollment charter school to be certified unless the teacher is assigned to teach in special education or bilingual education programs, in which case the appropriate State certification is required. The minimum qualification under State law for a teacher at an open-enrollment charter school, other than a special education or bilingual education teacher, is a bachelor’s degree. However, the governing body of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may set the qualifications for teachers at a standard above what State law requires.

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The open-enrollment charter school shall not employ a person as a teacher unless that person holds a bachelor's degree. (TEC §12.129(a)). In an open-enrollment charter school that serves youth referred to or placed in a residential trade center by a local or state agency, a person may be employed as a teacher for a noncore vocational course without holding a baccalaureate degree if the person has demonstrated subject matter expertise related to the subject taught, such as professional work experience, formal training and education, holding a relevant active professional industry license, certification, or registration, or any combination of work experience, training and education, and industry license, certification, or registration, and received at least 20 hours of classroom management training as determined by the governing body of the open-enrollment charter school. (TEC §12.129(b))

All special education and related service personnel shall be certified, endorsed, or licensed in the area or areas of assignment in accordance with 34 CFR §300.156; TEC §§21.002, 21.003, and 29.304; or appropriate state agency credentials. (19 T.A.C. §89.1131(a))

Sec. 10. NOTICE TO PARENTS – QUALIFICATIONS

The Superintendent or designee shall provide to the parent or guardian of each student enrolled in **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** written notice of the qualifications of each teacher employed by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**.

Additionally, the Superintendent or designee shall, at the beginning of each school year, notify the parents of each student attending **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** that the parents may request, and **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following:

1. Whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
2. Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived.
3. Whether the teacher is teaching in the field of discipline of the certification of the teacher.
4. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall also provide to each individual parent timely notice that the parent's child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable state certification standards or licensure requirements at the grade level and subject area in which the teacher has been assigned.

Sec. 1. ADMISSION, REVIEW AND DISMISSAL COMMITTEES

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall establish an admission, review and dismissal (“ARD”) committee for each eligible student with a disability and for each student for whom a full and individual initial evaluation is conducted. The ARD committee shall be the individualized education program (“IEP”) team defined at 34 CFR 300.321.

Sec. 2. ARD COMMITTEE RESPONSIBILITIES

The ARD committee and **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** are responsible for:

1. Evaluating, reevaluating, and determining eligibility for special education and related services;
2. Placement of students with disabilities, including disciplinary changes in placement;
3. Development of student IEPs;
4. Development and implementation of service plans for students who have been placed by their parents in private schools and who have been designated to receive special education and related services;
5. Compliance with the least restrictive environment standard;
6. Compliance with state requirements for reading diagnosis and state assessments;
7. Development of personal graduation plans;
8. Development of accelerated instruction under Education Code 28.0211 and intensive programs of instruction under Education Code 28.0213;
9. Evaluation, placement, and coordination of services for students who are deaf, hard of hearing, blind, or visually impaired; and
10. Determining eligibility for extracurricular activities, under Education Code 33.081.

19 TAC 89.1050(a); 34 CFR 300.116(a), 300.321(a).

Sec. 3. COMMITTEE MEMBERS

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall ensure that each ARD committee meeting includes all of the following:

1. The parents of a child with a disability;
2. At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment) who must, to the extent practicable, be a teacher who is responsible for implementing a portion of the student’s IEP;
3. At least one special education teacher, or where appropriate, at least one special education provider of the child;
4. A representative of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** who:

- a. Is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities;
 - b. Is knowledgeable about the general education curriculum; and
 - c. Is knowledgeable about the availability of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s resources;
5. An individual who can interpret the instructional implications of evaluation results, who may be a member of the ARD committee (who may be a member of the committee listed in items 2–5);
 6. At the discretion of the parent or **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate;
 7. The child, whenever appropriate;
 8. A representative from career and technical education, preferably the teacher, when considering initial or continued placement of a student in a career and technical education program;
 9. For a child with limited English proficiency, a member of the child's language-proficiency assessment committee ("LPAC") when deciding upon the selection of assessments and appropriate accommodations;
 10. For a child with an auditory impairment, including deaf-blindness, a teacher who is certified in the education of children with auditory impairments; and
 11. For a child with a visual impairment, including deaf-blindness, a teacher who is certified in the education of children with visual impairments.

20 U.S.C. 1414(d)(1)(B); 34 CFR 300.321; 19 TAC 75.1023(d)(1), 89.1131(b)(3)–(4), 101.1009.

A **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** member of the ARD committee shall not be required to attend an IEP meeting, in whole or in part, if the parent and **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** agree in writing that the attendance is not necessary because the member's area of the curriculum or related services is not being modified or discussed during the meeting.

A **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** member of the ARD committee may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of curriculum or related services if the parent, in writing, and **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** consent to the excusal and the member submits, in writing, to the parent and the ARD committee, input into the development of the IEP before the meeting.

20 U.S.C. 1414(d)(1)(C); 34 CFR 300.321(e).

a) Transition Meeting Membership

If the ARD committee is meeting to consider postsecondary goals and the transition services needed to assist the student in reaching those goals, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall invite:

1. The student. If the student does not attend, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall take other steps to ensure that the student's preferences and interests are considered.
2. To the extent appropriate, and with the consent of the parent or student who has reached the age of majority, a representative of any other agency that is likely to be responsible for providing or paying for transition services.

34 CFR 300.321(b).

Sec. 4. PARENTAL INVOLVEMENT

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall take steps to ensure that one or both of the parents of a student with a disability are present at each ARD committee meeting or are afforded the opportunity to participate, including:

1. Notifying the parents of the meeting early enough to ensure that they will have an opportunity to attend (the notice shall include all information required by applicable regulation); and
2. Scheduling the meeting at a mutually agreed time and place.

34 CFR 300.322(a)–(b); 19 TAC 89.1050.

Sec. 5. ALTERNATIVE PARTICIPATION METHODS

If neither parent can attend an ARD committee meeting, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must use other methods to ensure parent participation, including individual or conference telephone calls. 20 U.S.C. 1414(f); 34 CFR 300.322(c).

An ARD committee meeting may be conducted without a parent in attendance if **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** is unable to convince the parents that they should attend. In such event, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must keep a record of its attempts to arrange a mutually agreed time and place, such as:

1. Detailed records of telephone calls made or attempted and the results of those calls;
2. Copies of correspondence sent to the parents and any responses received; and
3. Detailed records of visits made to the parent's home or place of employment and the results of those visits.

34 CFR 300.322(d).

Sec. 6. ARD COMMITTEE MEETINGS

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall initiate and conduct ARD committee meetings for the purpose of developing, reviewing, and revising the IEP of a student with a disability. The committee shall review each student's IEP periodically, and, if appropriate, revise the IEP. A meeting must be held for this purpose at least once a year. The ARD committee must also determine the child's placement once per year.

A meeting does not include informal or unscheduled conversations involving **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision. A meeting also does not include preparatory activities that **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting. 20 U.S.C. 1414(d)(4); 34 CFR 300.116(b)(1), 300.324(b), (c)(1); 300.501(b)(3).

a) Meeting at Parent Request

Upon request of a written request for an ARD committee meeting from a parent, the **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must (1) schedule and convene a meeting; or (2) within five school days, provide the parent with written notice explaining why the district refuses to convene a meeting. 19 TAC 89.1050(e).

b) Transfer Students

If a student transfers to **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, and the student had a previous IEP in place, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall provide the student with a free appropriate public education ("FAPE"), including services comparable to those described in the previous IEP, in consultation with the parents, until:

1. In the case of a student who transfers within the state, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** adopts the previous IEP or develops, adopts, and implements a new IEP.
2. In the case of a student who had an IEP in effect in another state, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** conducts an evaluation, if determined necessary by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, and develops, adopts, and implements a new IEP, if appropriate.

20 U.S.C. 1414(d)(2)(C)(i); 34 CFR 300.323(e), (f).

c) Transfer of Records

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall take reasonable steps to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the child, from the child's previous district. 20 U.S.C. 1414(d)(2)(C)(ii); 34 CFR 300.323(g).

d) Military Dependents

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall initially provide comparable services to a military student with disabilities based on his or her current IEP. This does not preclude **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** from performing subsequent evaluations to ensure appropriate placement of the student. Education Code 162.002 art. V, § C.

Sec. 7. ELIGIBILITY DETERMINATIONS

Upon completion of the administration of assessments and other evaluation measures, a team of qualified professionals and the parent shall make the determination of whether the child has a disability and of the educational needs of the child.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent. 20 U.S.C. 1414(b)(4)(B); 34 CFR 300.306(a).

The ARD committee must make its decisions regarding a student's initial eligibility determination and, if appropriate, IEP and placement within 30 calendar days from the date of the completion of the written full individual and initial evaluation report. If the 30th day falls during the summer and school is not in session, the student's ARD committee has until the first day of classes in the fall to finalize decisions concerning the student's initial eligibility determination, IEP, and placement, unless the full individual and initial evaluation indicates that the student will need extended school year ("ESY") services during that summer.

When a report is provided to a parent not later than June 30 as described at Timeframe for Completion of Written Report, above, the ARD committee must meet not later than the 15th school day of the following school year to consider the evaluation. If, however, an evaluation indicates that a student will need ESY services, the ARD committee must meet as expeditiously as possible. 19 TAC 89.1011(d), (e).

Sec. 8. INDIVIDUALIZED EDUCATION PROGRAM

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall develop, review, and revise an IEP for each child with a disability. 20 U.S.C. 1412(a)(4); 34 CFR 300.320(a).

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall have an IEP in effect for each child with a disability at the beginning of each school year. 20 U.S.C. 1414(d)(2)(A); 34 CFR 300.323(a).

The term "individualized education program" means a written statement for each child with a disability that includes:

1. A statement of the child's present levels of academic achievement and functional performance;
2. A statement of measurable annual goals, including academic and functional goals;
3. A description of how the child's progress toward the annual goals will be measured and when periodic reports on the progress of the child will be provided;
4. A statement of the specific special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child;
5. A statement of the program modifications or supports for school personnel that will be provided for the child;
6. An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in extracurricular and nonacademic activities;
7. The projected dates for initiation of services and modifications and the anticipated frequency, location, and duration of these services and modifications;
8. A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on state or system-wide assessments;
9. If the ARD committee determines that the child must take an alternative assessment instead of a particular regular state or system-wide assessment, a statement of why the child cannot participate in the regular assessment and why the particular assessment selected is appropriate for the child;
10. Beginning not later than the first IEP to be in effect when the child is 16, or younger if determined appropriate by the ARD committee, and updated annually thereafter, a statement of appropriate, measurable postsecondary goals and transition services needed to assist the child in reaching those goals; and
11. Beginning not later than one year before the child reaches the age of 17, a statement that the child has been informed of the rights that will transfer to the child upon reaching the age of majority.

20 U.S.C. 1414(d); 34 CFR 300.320; 19 TAC 89.1055

Sec. 9. TRANSLATING IEPs

If the child's parent is unable to speak English, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall:

1. Provide the parent with a written or audio-taped copy of the child's IEP translated into Spanish if Spanish is the parent's native language; or
2. If the parent's native language is a language other than Spanish, make a good faith effort to provide the parent with a written or audiotaped copy of the child's IEP translated into the parent's native language.

TEC § 29.005(d).

Sec. 10. AUTISM/PERVASIVE DEVELOPMENTAL DISORDERS

For students with autism/pervasive developmental disorders, the following strategies shall be considered by the ARD committee, based on peer-reviewed, research-based educational programming practices to the extent practicable and, when needed, addressed in the IEP:

1. Extended educational programming;
2. Daily schedules reflecting minimal unstructured time and active engagement in learning activities;
3. In-home training and community-based training or viable alternatives that assist the student with the acquisition of social/behavioral skills;
4. Positive behavior support strategies based on relevant information;
5. Beginning at any age, futures planning for integrated living, work, community, and educational environments that considers skills necessary to function in current and post-secondary environments;
6. Parent/family training and support, provided by qualified personnel with experience in Autism Spectrum Disorders (“ASD”);
7. Suitable staff-to-student ratio appropriate to identified activities and as needed to achieve social/behavioral progress based on the child’s developmental and learning level (acquisition, fluency, maintenance, generalization) that encourages work towards individual independence;
8. Communication interventions, including language forms and functions that enhance effective communication across settings;
9. Social skills supports and strategies based on social skills assessment/curriculum and provided across settings;
10. Professional educator/staff support; and
11. Teaching strategies based on peer-reviewed, research-based practices for students with ASD.

If the ARD committee determines that services are not needed in one or more of the areas in 1–11 above, the IEP shall include a statement reflecting that decision and the basis upon which the determination was made. 19 TAC 89.1055(e)–(f).

Sec. 11. VISUAL IMPAIRMENT

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall adopt written procedures as required in Education Code 30.002(c)(10) for providing special education services to students with visual impairments, if such services are necessary. 19 TAC 89.1075(b).

An IEP for a student with a visual impairment must include instruction in braille unless the student's ARD committee determines and documents that braille is not an appropriate literacy medium for the student, based on an evaluation of the student's appropriate literacy media and literacy skills and the student's current and future instructional needs. Tex. Educ. Code § 30.002.

Sec. 12. STUDENTS WHO ARE DEAF OR HARD OF HEARING

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM must develop an IEP for students who are deaf or hard of hearing in which the students have an education in which their unique communication mode is respected, used, and developed to an appropriate level of proficiency. Tex. Educ. Code § 29.303.

Sec. 13. COLLABORATIVE PROCESS

All members of the ARD committee shall have the opportunity to participate in a collaborative manner in developing the IEP. Decisions concerning the required elements of the IEP shall be made by agreement of the required members, if possible. The ARD committee may agree to an annual IEP or an IEP of shorter duration.

a) Recess

When agreement about all required elements of the IEP is not achieved, the parent or adult student who disagrees shall be offered a single opportunity to have the ARD committee recess for a period not to exceed ten school days. This recess is not required when:

1. The student's presence on campus represents a danger of physical harm to the student or others;
2. The student has committed an expellable offense; or
3. The student has committed an offense that may lead to placement in a disciplinary alternative education program.

These requirements do not prohibit the members of the ARD committee from recessing an ARD committee meeting for reasons other than failure of the parents and **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** to reach agreement about all required elements of an IEP.

During the recess, the ARD committee members shall consider alternatives, gather additional data, prepare further documentation, and/or obtain additional resource persons to enable the ARD committee to reach agreement.

The date, time, and place for continuing the ARD committee meeting shall be determined by agreement before the recess.

b) No Agreement Reached

If, after the ten-day recess, the ARD committee still cannot reach agreement, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall implement the IEP that it has determined to be appropriate for the student. A written statement of the basis for the disagreement shall be included in the IEP. The ARD committee members who disagree shall be offered the opportunity to write their own statements.

When **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** implements an IEP with which the parents, or an adult student disagree, it shall provide prior written notice in compliance with applicable regulations and **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** policy.

19 TAC § 89.1050.

Sec. 14. IEP MODIFICATION

Changes to an IEP may be made either by the entire ARD committee or by amending the IEP by agreement, rather than redrafting the entire IEP.

After the annual IEP meeting for a school year, the parent and **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may agree not to convene an IEP meeting for the purposes of making changes to the IEP and instead may develop a written document to amend or modify the child's current IEP.

Upon request, a parent shall be provided with a revised copy of the IEP with amendments incorporated.

To the extent possible, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall encourage the consolidation of reevaluation meetings for the child and other ARD committee meetings for the child. 20 U.S.C. 1414(d)(3)(D)– (F); 34 CFR 300.324(a)(4)–(a)(6).

Sec. 15. LEAST RESTRICTIVE ENVIRONMENT

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall ensure that, to the maximum extent possible, children with disabilities shall be educated with children who are not disabled. Special classes, special schooling, or other removal of children with disabilities from the regular educational environment shall occur only when the nature or severity of the child's disability is such that education in regular classes with the use of supplementary aids and services cannot be satisfactorily achieved. 20 U.S.C. 1412(a)(5); 34 CFR 300.114(a)(2).

Sec. 16. EXTENDED SCHOOL YEAR SERVICES

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall ensure that ESY services are available as necessary to provide a student with a disability with a FAPE.

ESY services must be provided only if the ARD committee determines, on an individual basis, that the services are necessary for a FAPE. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may not limit ESY services to particular categories of disability or unilaterally limit the type, amount, or duration of ESY services. 34 CFR 300.106; 19 TAC 89.1065.

Sec. 17. GRADUATION

A student receiving special education services who successfully completes the requirements of his or her IEP, including performance on a state assessment required for graduation, shall receive a high school diploma. A student's ARD committee shall determine if the student will be required to meet satisfactory performance on an assessment for purposes of graduation. 19 TAC 101.3023(a).

Sec. 18. STATE ASSESSMENTS

The TEA shall develop or adopt appropriate criterion-referenced alternative assessment instruments to be administered to each student in a special education program for whom a state assessment instrument adopted under Education Code 39.023(a), even with allowable accommodations, would not provide an appropriate measure of student achievement, as determined by the student's ARD committee, including assessment instruments approved by the Commissioner that measures growth. The assessment instruments developed or adopted, including the assessment instruments approved by the Commissioner, must, to the extent allowed under federal law, provide a district with options for the assessment of students.

The TEA may not adopt a performance standard that indicates that a student's performance on the alternate assessment does not meet standards if the lowest level of the assessment accurately represents the student's developmental level as determined by the student's ARD committee.

The student's ARD committee shall determine whether any allowable modification is necessary in administering to the student a required end-of-course ("EOC") assessment instrument under Education Code 39.023(c), and whether the student is required to achieve satisfactory performance on an EOC assessment instrument to receive a high school diploma.

Sec. 19. TRANSPORTATION

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall provide special transportation with federal funds only when the ARD committee determines that the condition of the student warrants the service in order for the student to receive the special education and related services (if any) set forth in the IEP. 19 TAC 89.1096(e).

Sec. 20. TRANSITIONING SERVICES

a) Definitions

“Transition services” means a coordinated set of activities for a child with a disability that:

1. Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child to facilitate the child’s movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.
2. Is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests; and includes:
 - a. Instruction;
 - b. Related services;
 - c. Community experiences;
 - d. The development of employment and other post-school adult living objectives; and
 - e. If appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

20 U.S.C. 1401(34); 34 CFR 300.43.

b) Individual Transition Planning

In accordance with Education Code 29.011 and 29.0111, not later than when a student reaches 14 years of age, the ARD committee must consider, and if appropriate, address the following issues in the IEP:

1. Appropriate student involvement in the student's transition to life outside the public school system;
2. If the student is younger than 18 years of age, appropriate parental involvement in the student's transition;
3. If the student is at least 18 years of age, appropriate parental involvement in the student's transition, if the parent is invited to participate by the student or **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**;
4. Any postsecondary education options;
5. A functional vocational evaluation;
6. Employment goals and objectives;
7. If the student is at least 18 years of age, the availability of age-appropriate instructional environments;
8. Independent living goals and objectives; and
9. Appropriate circumstances for referring a student or the student's parents to a governmental agency for services.

POLICY GROUP 6 - SPECIAL EDUCATION

In accordance with 34 C.F.R. 300.320(b), beginning not later than the first IEP to be in effect when the student turns 16 years of age, or younger if determined appropriate by the ARD committee, and updated annually thereafter, the IEP must include the following:

1. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
2. The transition services, including courses of study, needed to assist the student in reaching the postsecondary goals developed under paragraph (1) of this subsection.

20 U.S.C. 1414(d)(1)(A)(i)(VIII), 1414(d)(6); 34 C.F.R. 300.320(b); Education Code 29.0111; 19 TAC 89.1055(h), (j).

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall post the transition and employment guide on the **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** website if **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** maintains a website; provide written information and, if necessary, assistance to a student or parent regarding how to access the electronic version of the guide at:

(A) the first meeting of the student's ARD committee at which transition is discussed; and (B) the first committee meeting at which transition is discussed that occurs after the date on which the guide is updated. Upon request, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall provide a printed copy of the guide to a student or parent. *Tex. Educ. Code § 29.0112.*

c) Graduation

Graduation with a regular high school diploma under 19 TAC 89.1070(b)(1), (b)(2)(D), (f)(1), (f)(2), or (f)(3)(D) terminates a student's eligibility for special education services. For students who receive a diploma according to 19 TAC 89.1070(b)(2)(A), (B), or (C) or (f)(3)(A), (B), or (C), the ARD committee shall determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age requirements.

Graduation from high school with a regular diploma constitutes a change in placement that requires written prior notice to parents.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM is not required to conduct an evaluation before termination of eligibility due to graduation from secondary school with a regular high school diploma or due to exceeding the age eligibility for a FAPE under state law.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.

20 U.S.C. 1414(c)(5); 34 CFR 300.102(a)(3), 300.305(e)(2); 19 TAC 89.1070.

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Sec. 1. AGE OF MAJORITY – TRANSFER OF RIGHTS

Not later than one year before the 18th birthday of a student with a disability, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall:

1. Provide to the student and the student's parents:
 - a. Written notice regarding the transfer of rights; and
 - b. Information and resources regarding guardianship, alternatives to guardianship, including a supported decision-making agreement under Estates Code, Chapter 1357, and other supports and services that may enable the student to live independently; and
2. Ensure that the student's individualized education program ("IEP") includes a statement that **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** provided the required notice, information, and resources.

When a student reaches the age of majority (18 years of age), **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall provide written notice to the student and the student's parents of the transfer of parental rights. The notice must include the information required above.

This notice is separate and distinct from the requirement that, beginning at least one year before the student reaches the age of 18, the student's IEP include a statement regarding transfer of parental rights.

If a student with a disability or the student's parent requests information regarding guardianship or alternatives to guardianship, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall provide the student or parent information and resources on supported decision-making agreements under Estates Code, Chapter 1357.

A student with a disability who is 18 years of age or older or whose disabilities of minority have been removed for general purposes under Chapter 31, Family Code, shall have the same right to make educational decisions as a student without a disability. All other rights accorded to parents under Chapter 29, Subchapter A of the Education Code or 20 U.S.C. 1415 transfer to the student.

(34 CFR 300.520; Education Code 29.017(a), (c), (c-1), (c-2); 19 TAC 89.1049(c))

Sec. 1. PREKINDERGARTEN PROGRAMS

a) *Tuition-Free Program*

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall offer tuition-free prekindergarten classes if it identifies 15 or more eligible children who are at least four years of age. UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may offer tuition-free prekindergarten classes if it identifies 15 or more eligible children who are at least three years of age.

i. Exemption

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may apply to the Commissioner of Education for an exemption from the requirement that it provide a free prekindergarten program if UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM would be required to construct classroom facilities in order to provide the program.

ii. Half-Day Basis

A tuition-free prekindergarten class shall be operated on a half-day basis.

iii. Program Eligibility

A child is eligible for enrollment in free prekindergarten if the child is at least three years of age and:

1. Is unable to speak and comprehend the English language;
2. Is educationally disadvantaged;
3. Is homeless, as defined by federal law, regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control;
4. Is the child of an active duty member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who is ordered to active duty by proper authority;
5. Is the child of a member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who was injured or killed while serving on active duty; or
6. Is or ever has been in the conservatorship of the Department of Family and Protective Services following an adversary hearing under Family Code 262.201.
7. Is the child of a person eligible for the Star of Texas Award as:
 - a. A peace officer under Section 3106.002, Government Code;
 - b. A firefighter under Section 3106.003, Government Code; or
 - c. An emergency medical first responder under Section 3106.004, Government Code.

A child who is eligible for enrollment under items 4 or 5 above remains eligible if the child's parent leaves the armed forces, or is no longer on active duty, after the child begins the prekindergarten class.

iv. Public Notice

The Superintendent shall develop a system to notify the population in the community with children eligible or enrollment of the availability of the program. The system must include public notices issued in English and Spanish.

Sec. 2. PRESCHOOL-AGED CHILDREN

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** offers preschool, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must provide a free appropriate public education ("FAPE") in the least restrictive environment to preschool-aged students even if **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** does not provide free preschool programs to all preschool-aged children. (34 C.F.R. §§300.101(a)-(b) and §300.116)

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may provide opportunities for the participation of the preschool students with disabilities in other preschool programs operated by public agencies or by locating classes for preschool students with disabilities in regular elementary schools. However, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** is not required to initiate preschool programs or to establish extensive contact programs with private schools which serve both students with disabilities and students without disabilities solely to satisfy the requirements regarding placement in the least restrictive environment. (OSEP Policy Memo 89-23; 34 C.F.R. §300.102(a))

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall develop a system to notify residents within **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s boundaries with children who are at least three but younger than six and who are eligible for enrollment in a special education program of the availability of such programs. (TEC §29.009)

Sec. 3. TRANSITION OF CHILDREN FROM PART C

By the third birthday of a child participating in early intervention programs the **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must ensure that an individualized education program ("IEP") or an individualized family service plan ("IFSP"), has been developed and is being implemented for the child.

In the case of a child with a disability aged three through five the ARD committee must consider an IFSP that contains the IFSP content (including the natural environments statement, educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills for children with IFSPs under this section who are at least three years of age), and that is developed in accordance with the IEP procedures. 34 C.F.R. § 300.323(b).

Sec. 6.4.4 COMMUNICATION MODE OF DEAF OR HARD OF HEARING CHILD

The comprehensive statewide plan for the education of children with visual impairments must:

1. Adequately provide for comprehensive diagnosis and evaluation of each school-age child with a serious visual impairment;
2. Include the procedures, format, and content of the IEP for each child with a visual impairment;
3. Emphasize providing educational services to children with visual impairments in their home communities whenever possible;
4. Include methods to ensure that children with visual impairments receiving special education services in school districts receive, before being placed in a classroom setting or within a reasonable time after placement: (A) evaluation of the impairment; and (B) instruction in an expanded core curriculum, which is required for students with visual impairments to succeed in classroom settings and to derive lasting, practical benefits from the education provided by school districts, including instruction in: (i) compensatory skills, such as braille and concept development, and other skills needed to access the rest of the curriculum; (ii) orientation and mobility; (iii) social interaction skills; (iv) career planning; (v) assistive technology, including optical devices; (vi) independent living skills; (vii) recreation and leisure enjoyment; (viii) self-determination; and (ix) sensory efficiency;
5. Provide for flexibility on the part of school districts to meet the special needs of children with visual impairments through: (A) specialty staff and resources provided by the district; (B) contractual arrangements with other qualified public or private agencies; (C) supportive assistance from regional education service centers or adjacent school districts; (D) short-term or long-term services through the Texas School for the Blind and Visually Impaired or related facilities or programs; or (E) other instructional and service arrangements approved by the agency;
6. Include a statewide admission, review, and dismissal (“ARD”) process;
7. Provide for effective interaction between the visually impaired child's classroom setting and the child's home environment, including providing for parental training and counseling either by school district staff or by representatives of other organizations directly involved in the development and implementation of the IEP for the child;
8. Require the continuing education and professional development of school district staff providing special education services to children with visual impairments;
9. Provide for adequate monitoring and precise evaluation of special education services provided to children with visual impairments through school districts; and
10. Require that school districts providing special education services to children with visual impairments develop procedures for assuring that staff assigned to work with the children have prompt and effective access directly to resources available through: (A) cooperating agencies in the area; (B) the Texas School for the Blind and Visually Impaired; (C) the

Central Media Depository for specialized instructional materials and aids made specifically for use by students with visual impairments; (D) sheltered workshops participating in the state program of purchases of blind-made goods and services; and (E) related sources.

Each eligible blind or visually impaired student is entitled to receive educational programs according to an IEP that:

1. Is developed in accordance with federal and state requirements for providing special education services;
2. Is developed by a committee composed as required by federal law;
3. Reflects that the student has been provided a detailed explanation of the various service resources available to the student in the community and throughout the state;
4. Provides a detailed description of the arrangements made to provide the student with the evaluation and instruction; and
5. Sets forth the plans and arrangements made for contacts with and continuing services to the student beyond regular school hours to ensure the student learns the skills and receives the required instruction.

In the development of the IEP for a student with a visual impairment, proficiency in reading and writing is a significant indicator of the student's satisfactory educational progress.

The IEP for a student with a visual impairment must include instruction in braille and the use of braille unless the student's ARD committee determines and documents that braille is not an appropriate literacy medium for the student.

The ARD committee's determination must be based on an evaluation of the student's appropriate literacy media and literacy skills and the student's current and future instructional needs.

Braille instruction may be used in combination with other special education services appropriate to the student's educational needs and shall be provided by a teacher certified to teach students with visual impairments.

Education Code § 30.002)

Sec. 1. CHILD FIND

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall ensure that all children residing within **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s boundaries who have disabilities, regardless of the severity of their disabilities, and who are in need of special education and related services are identified, located, and evaluated. This requirement applies to all children with disabilities, including:

1. Homeless children;
2. Children who are wards of the state;
3. Children attending private schools;
4. Highly mobile children (including migrant children); and
5. Children who are suspected of being in need of special education but who are advancing from grade to grade.

20 U.S.C. 1412(a)(3)(A); 34 CFR 300.111(a)(1)(i), (c).

Sec. 2. PRIVATE SCHOOL STUDENTS

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall coordinate with home school districts, who are primarily responsible for consulting with private school representatives regarding the child find process and the provision of special education and related services to children enrolled in private schools within **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s boundaries.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall undertake activities similar to those undertaken for public school children and shall complete the child find process for children enrolled in private schools in a time period comparable to that for other students attending the public schools within **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s boundaries. 20 U.S.C. 1412(a)(10)(A)(ii)–(iv).

Sec. 3. PRESCHOOL STUDENTS

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall develop a system to notify residents within **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s boundaries with children who are at least three but younger than six and who are eligible for enrollment in a special education program of the availability of such programs. Education Code 29.009.

Sec. 4. STUDENT RECORDS

After each student is enrolled in **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** will promptly request all student records from the student's previous school.

Sec. 1. STUDENTS WHO TRANSFER WITH AN IEP

When a student transfers to UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM from another school within Texas, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall provide a free appropriate public education (“FAPE”) to the student. UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall provide comparable services as those described in the individualized education program (“IEP”) the student transferred with until UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM adopts the student’s IEP from the previous school, or develops, adopts and implements a new IEP.

If the student with a disability transfers to from a school outside of Texas, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall provide the student with FAPE, including comparable services, until UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM conducts an evaluation and develops, adopts, and implements a new IEP. (34 CFR §300.323)

A new IEP must be implemented within 30 school days from the date the student is verified as being a student eligible for special education services.

If a student transfers from UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM will furnish the student’s special education records to the student’s new school not later than the 10th working day after the date a request for the information is received by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM. (19 TAC §89.1050(j)(3))

Sec. 1. PREKINDERGARTEN PROGRAMS

The education of students with disabilities can be made more effective by providing incentives for whole-school approaches, scientifically-based early reading programs, positive behavioral interventions and supports, and early intervening services to reduce the need to label students as disabled in order to address the learning and behavioral needs of such students. (20 USC §1400(c)(5)(F))

In implementing coordinated, early intervening services, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may carry out activities that include:

1. professional development (which may be provided by entities other than local educational agencies) for teachers and other school staff to enable such personnel to deliver scientifically based academic instruction and behavioral interventions, including scientifically based literacy instruction, and, where appropriate, instruction on the use of adaptive and instructional software; and
2. providing educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction.

(20 USC §1413(f)(2); 34 CFR §300.226(b))

An early intervening service (including a response-to-intervention or (RTI)) process cannot delay the initial evaluation for special education services of a student suspected of having a disability. A parent may request an evaluation at any time to determine whether the student is a student with a disability. If a parent requests an evaluation and **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** agrees that the student may be eligible for special education, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must evaluate the student. If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** denies the parent's request for evaluation, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall provide notice to the parent explaining the basis for the refusal. The parent may challenge the refusal to evaluate through the impartial hearing process. (20 USC §1413(f)(3); 34 CFR §300.226(c))

Sec. 2. BILINGUAL EDUCATION PROGRAM

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall identify Limited English Proficient (LEP) students based on state criteria.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall provide an appropriate Bilingual Education (BE) or English as a Second Language (ESL) program conducted by teachers certified for such courses. (Texas Education Code Chapter 29, Subchapter B; 19 TAC §§89.1201-1265)

Sec. 3. STUDENT WITH DISABILITIES AND LIMITED ENGLISH PROFICIENCY

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall ensure that a student with limited English proficiency who also qualifies for special education services as a student with a disability under the Individuals with Disabilities Education Act (IDEA) is not refused services in a bilingual education or English as a second language program solely because the student has a disability. (19 TAC §89.1230)

Sec. 4. APPLICABILITY OF TITLE RELATING TO BILINGUAL EDUCATION

An open-enrollment charter school is subject to a prohibition, restriction, or requirement, as applicable, imposed by Title 2 (Public Education) of the Texas Education Code, or a rule adopted under Title 2 (Public Education) of the Texas Education Code, relating to bilingual education under Subchapter B (Bilingual Education and Special Language Programs), Chapter 29, Texas Education Code. (TEC §12.104(b)(2)(G)). **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** adopts the requirements of Subchapter B (Bilingual Education and Special Language Programs), Chapter 29, Texas Education Code pursuant to TEC §12.104(b)(2)(G).

Sec. 5. ESTABLISHMENT OF BILINGUAL EDUCATION AND SPECIAL LANGUAGE PROGRAM

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall establish a BE or ESL program as required by TEC §29.053 (Establishment of Bilingual Education and Special Language Programs) and in accordance with the procedures established by the Texas Education Agency (“TEA”), unless otherwise excepted under TEC §29.054 (Exception). (TEC §29.053)

Sec. 6. LANGUAGE PROFICIENCY ASSESSMENT COMMITTEES

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall further establish a Language Proficiency Assessment Committee (“LPAC”) that complies with TEC §29.063. The LPAC shall select the appropriate assessment option for each English language learner (ELL) in accordance with this subchapter. For each ELL who receives special education services, the student's admission, review, and dismissal (“ARD”) committee in conjunction with the student’s LPAC shall select the appropriate assessments. The LPAC shall document the decisions and justifications in the student's permanent record file, and the ARD committee shall document the decisions and justifications in the student’s individualized education program. Assessment decisions shall be made on an individual student basis and in accordance with administrative procedures established by the TEA. 19 Tex. Admin. Code § 101.1005(a).

Sec. 7. PROGRAM CONTENT; METHOD OF INSTRUCTION

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM’s bilingual education program’s content and instruction shall comply with TEC§29.055. (TEC §29.055)

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Sec. 8. ENROLLMENT OF STUDENTS IN PROGRAM

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall comply with the TEA criteria for identification, assessment, and classification of students of limited English proficiency eligible for entry into the program or exit from the program. (TEC §29.056(a))

The student's parent must approve a student's entry into the program, exit from the program, or placement in the program. The open-enrollment charter school or parent may appeal the decision under TEC §29.064. (TEC §29.056(a))

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM, through its LPAC, shall evaluate and consider reenrollment of students who have transferred out of a bilingual education or special language program under TEC §29.056(h) as required by TEC §29.0561.

Sec. 9. FACILITIES; CLASSES

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall ensure that bilingual education and special language programs are located in the regular public charter school rather than in separate facilities. (TEC §29.057)

Sec. 10. ENROLLMENT OF STUDENTS WHO DO NOT HAVE LIMITED ENGLISH PROFICIENCY

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM ensures that enrollment of students who do not have limited English proficiency may occur only if the requirements of TEC §29.058 are met. (TEC §29.058)

Sec. 11. COOPERATION AMONG SCHOOLS

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may cooperate with other schools to provide a bilingual education or special language program. (TEC §29.059)

Sec. 12. PRESCHOOL, SUMMER SCHOOL, AND EXTENDED TIME PROGRAMS

Each open-enrollment charter school that is required to offer a bilingual education or special language program shall offer a voluntary program for students of limited English proficiency who will be eligible for admission to kindergarten or the first grade at the beginning of the school year. A school that operates on a system permitted by the Texas Education Code other than a semester system shall offer 120 hours of instruction on a schedule the governing board establishes. The program shall meet the requirements of TEC §29.060. (TEC §29.060(a))

Enrollment of a student in the program is optional with the parent of the student. (TEC §29.060(b))

The program must be an intensive bilingual education or special language program that meets standards established by the Texas Education Agency. The student/teacher ratio for the program may not exceed 18/1. (TEC §29.060(c))

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may establish on a full- or part-time basis summer school, extended day, or extended week bilingual education or special language programs for students of limited English proficiency and may join with other schools or schools in establishing the programs. (TEC §29.060(d))

The programs required or authorized by TEC §29.060 may not be a substitute for programs required to be provided during the regular school year. (TEC §29.060(e))

The legislature may appropriate money from the foundation school fund for support of a program under TEC §29.060(a). (TEC §29.060(f))

Sec. 13. BILINGUAL EDUCATION AND SPECIAL LANGUAGE PROGRAM TEACHERS

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall ensure that bilingual education and special language program teachers are properly certified. (TEC §29.061)

Sec. 14. APPEALS

A parent of a student enrolled in a bilingual education or special language program may appeal to the Commissioner of Education if **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** fails to comply with the requirements established by law or by the TEA. If the parent disagrees with the placement of the student in the program, the parent may appeal that decision to the Board. Appeals shall be conducted in accordance with procedures adopted by the Commissioner of Education under Chapter 157 of the Texas Administrative Code. (TEC §29.064; 19 TAC §89.1240)

Sec. 15. PEIMS REPORTING REQUIREMENTS

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall meet Public Education Information Management System (PEIMS) Reporting Requirements with respect to its bilingual education or special language programs. (TEC §29.066)

Sec. 1. PROCEDURAL SAFEGUARDS

The Superintendent shall establish and maintain procedures to ensure that children with disabilities and their parents are guaranteed procedural safeguards with respect to the provision of a free appropriate public education (“FAPE”). 20 U.S.C. 1415(a)–(b).

These procedures shall include:

1. An opportunity for the parents to review all education records and to participate in meetings relating to the identification, evaluation, and educational placement of the child and the provision of FAPE to the child. 34 CFR 300.501.
2. An opportunity for the parents to obtain an independent educational evaluation of the child. 34 CFR 300.502.
3. Assignment of an individual to act as a surrogate for the parent when no parent can be identified, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** cannot locate the parents, or the child is a ward of the state. 34 CFR 300.519.
4. Prior written notice to the parents whenever **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** proposes to initiate or change, or refuses to initiate or change, the identification, evaluation, or educational placement of the child, or the provision of FAPE to the child. 34 CFR 300.503.
5. Procedures to allow parties to resolve disputes through a mediation process. 34 CFR 300.506.
6. An opportunity for any party to file a due process complaint on any matter relating to the identification, evaluation, or educational placement of the child, or the provision of FAPE to the child. 34 CFR 300.507.
7. Procedures that require either party, or the attorney representing a party, to provide to the other party a due process complaint (which shall remain confidential). 34 CFR 300.508.

Sec. 2. CONSENT

Consent means that:

1. The parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication;
2. The parent understands and agrees in writing to the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and
3. The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time. A revocation of consent is not retroactive.

If the parent revokes consent in writing for his or her child’s receipt of services after the child is initially provided special education and related services, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** is not required to amend the child’s education records to remove any references to the child’s receipt of services because of the revocation of consent. 34 CFR 300.9

Sec. 3. LANGUAGE OF NOTICES

The procedural safeguards and prior notices described below must be written in a language understandable to the general public. The notice must be provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so. 34 CFR 300.503(c), 300.504(d).

a) Electronic Delivery of Notices

A parent of a child with a disability may elect to receive required notices by electronic mail, if **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** makes that option available. 34 CFR 300.505.

Sec. 4. NOTICE OF PROCEDURAL SAFEGUARDS

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall provide a copy of the procedural safeguards to parents only once per year, except that a copy also shall be given to the parents:

1. Upon initial referral or parental request for evaluation;
2. Upon receipt of the first state complaint and upon receipt of the first due process complaint in a school year;
3. On the date of a decision to make a disciplinary removal that is a change in placement; and
4. Upon request by a parent.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may also place a current copy of the procedural safeguards notice on its Internet website.

a) Contents of Notice

The notice shall include a full explanation of the procedural safeguards relating to:

1. Independent educational evaluations;
2. Prior written notice;
3. Parental consent;
4. Access to educational records;
5. Opportunity to present and resolve complaints through the due process complaint and state complaint procedures, including:
 - a. The time period in which to file a complaint,
 - b. The opportunity for **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** to resolve the complaint; and
 - c. The difference between the due process complaint and the state complaint procedures, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures.

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6. The availability of mediation;
7. The child's placement during pendency of any due process proceedings;
8. Procedures for children who are subject to placement in an interim alternative educational setting;
9. Requirements for unilateral placement by parents of children in private schools at public expense;
10. Hearings on due process complaints, including requirements for disclosure of evaluation results and recommendations;
11. Civil actions, including the time period in which to file such actions; and
12. Attorneys' fees.

20 U.S.C. 1415(a)–(b), (d); 34 CFR 300.504(c).

Sec. 5. PRIOR NOTICE AND CONSENT

Whenever **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** proposes or refuses to initiate or change the identification, evaluation, or educational placement of a student or the provision of a free appropriate public education to the student, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must provide prior written notice as required in 34 CFR, §300.503, including providing the notice in the parent's native language or other mode of communication. This notice must be provided to the parent at least five school days before the school district proposes or refuses the action unless the parent agrees to a shorter timeframe. 19 T.A.C. § 89.1050(h).

a) *Contents of Notice*

The notice must include:

1. A description of the action proposed or refused by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**;
2. An explanation of why **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** proposes or refuses to take the action;
3. A description of each evaluation procedure, assessment, record, or report **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** used as a basis for the proposed or refused action;
4. A statement that the parents have protection under the procedural safeguards and, if this notice is not an initial referral for evaluation, the means by which a copy of the procedural safeguards can be obtained;
5. Sources for parents to contact to obtain assistance in understanding the IDEA rules;
6. A description of other options the admission, review and dismissal (“ARD”) committee considered and the reasons why those options were rejected; and
7. A description of other factors relevant to **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s proposal or refusal.

34 CFR 300.503(b)

Sec. 6. CONSENT TO INITIAL EVALUATION

Before **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** conducts an initial evaluation, it shall provide prior written notice, including a description of any evaluation **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** proposes to conduct, and obtain informed consent for the evaluation from the parents. 20 U.S.C. 1414(a)(1)(D), (E); 34 CFR 300.304(a).

Sec. 7. CONSENT TO SERVICES

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall seek informed consent from the parent before providing special education and related services to a child. 20 U.S.C. 1414(a)(1)(D).

Sec. 8. CONSENT TO REEVALUATION

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall obtain informed parental consent before conducting any reevaluation of a child with a disability, except that such informed parental consent need not be obtained if

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM can demonstrate that it has taken reasonable measures to obtain such consent and the parent has failed to respond. 20 U.S.C. 1414(c)(3).

Sec. 9. CONSENT TO EXCUSE MEMBER FROM ATTENDING ARD COMMITTEE MEETING

A **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** member of the ARD committee may be excused from attending an individualized education program (“IEP”) meeting, in whole or in part, when the meeting involves a modification to or discussion of the member’s area of curriculum or related services if the parent, in writing, and **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** consent to the excusal and the member submits, in writing, to the parent and the ARD committee, input into the development of the IEP before the meeting.

Sec. 10. PSYCHOLOGICAL EXAMINATIONS AND TESTS

On request of a child’s parent, before obtaining the parent’s consent for the administration of any psychological examination or test to the child as part of the evaluation of the child’s need for special education, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall provide to the child’s parent:

1. The name and type of the examination or test; and

2. An explanation of how the examination or test will be used to develop an appropriate IEP for the child.

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** determines that an additional examination or test is required for the evaluation of a child's need for special education, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall provide the information above to the parent regarding the additional examination or test and shall obtain additional consent for the examination or test. Education Code 29.0041(a), (b).

Sec. 11. PARENTAL CONSENT TO ACCESS PUBLIC BENEFITS

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall obtain informed consent from the parent each time that access to a parent's private insurance proceeds or to public benefits or an insurance program is sought. (34 CFR §300.154(d)(2)(iv)(A))

Sec. 12. PARENTAL CONSENT FOR TRANSFER OF ASSISTIVE TECHNOLOGY DEVICES

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall obtain informed consent from the parent, or the adult student if the adult student has the legal capacity to enter into a contract before transferring an assistive technology device through a transfer agreement that incorporates the standards of the state.

Sec. 13. OTHER CONSENT REQUIREMENTS

Parental consent is not required before **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may:

1. review existing data as part of the student's evaluation or a reevaluation; or
2. give the student a test or other evaluation that is given to all students unless, before that test or evaluation, consent is required from parents of all students. 34 CFR 300.300(d)

Instructional materials adopted by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must be provided to students at no cost.

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** chooses to coordinate with the National Instructional Materials Access Center (NIMAC) when purchasing print instructional materials, it must acquire the print instructional materials in the same manner and subject to the same conditions as the Texas Education Agency acquires print instructional materials.

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** chooses not to coordinate with the NIMAC when purchasing print instructional materials, it will provide instructional materials to blind persons or other persons with print disabilities in a timely manner and shall provide assurance of compliance with this policy to the Texas Education Agency.

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Sec. 1. SPECIAL EDUCATION STUDENTS

Except as set forth below, the placement of a student with a disability who receives special education services may be made only by a duly constituted admission, review, and dismissal (“ARD”) committee. Any disciplinary action regarding the student shall be determined in accordance with federal law and regulations.

Sec. 2. REMOVAL FOR TEN DAYS OR LESS

A student with a disability who violates the **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** Student Code of Conduct may be moved from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than ten consecutive school days, to the extent those alternatives are applied to children without disabilities.

a) Services During Removal

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM is required to provide services during the period of removal if **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** provides services to a child without disabilities who is similarly removed.

Sec. 3. SUBSEQUENT REMOVALS OF TEN DAYS OR LESS

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM personnel may remove the student for additional removals of not more than ten consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change in placement.

b) Services During Removal

After a student has been removed from his or her current placement for ten school days in the same school year, during any subsequent removal of ten consecutive school days or less, school personnel, in consultation with at least one of the student’s teachers, shall determine the extent to which services are needed so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student’s individualized education program (“IEP”).

Sec. 4. NOTICE OF PROCEDURAL SAFEGUARDS

Not later than the date on which the decision to take the disciplinary action is made, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall notify the student’s parents of the decision and of all procedural safeguards.

Sec. 5. CHANGES IN PLACEMENT

Any disciplinary action that would constitute a change in placement may be taken only after the student's ARD committee conducts a manifestation determination review.

For purposes of disciplinary removal of a student with a disability, a change in placement occurs if a student is:

1. Removed from the student's current educational placement for more than ten consecutive school days; or
2. Subjected to a series of removals that constitute a pattern because:
 - a. The series of removals total more than ten school days in a school year;
 - b. The student's behavior is substantially similar to the student's behavior in the previous incidents that resulted in the series of removals; and
 - c. Additional factors exist, such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM determines, on a case-by-case basis, whether a pattern of removals constitutes a change in placement. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s determination is subject to review through due process and judicial proceedings.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student who violates the Student Code of Conduct.

Sec. 6. MANIFESTATION DETERMINATION

Within ten school days of any decision to change the placement of a student because of a violation of the Student Code of Conduct, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, parents, and relevant members of the ARD committee (as determined by the parent and **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**) shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents to determine whether the conduct in question was:

1. Caused by, or had a direct and substantial relationship to, the student's disability; or
2. The direct result of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s failure to implement the IEP.

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, the parent, and relevant members of the ARD committee determine that either of the above is applicable, the conduct shall be determined to be a manifestation of the student's disability.

a) Not a Manifestation

If the determination is that the student's behavior was not a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures to the student in the same manner and for the same duration as for students without disabilities. The ARD committee shall determine the interim alternative educational setting.

i. Services During Removal

The student must:

1. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP.
2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

These services may be provided in an interim alternative educational setting.

b) Manifestation

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, the parents, and relevant members of the ARD committee determine that the conduct was a manifestation of the student's disability, the ARD committee shall:

1. Conduct a functional behavioral assessment ("FBA"), unless **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** had conducted an FBA before the behavior that resulted in the change in placement occurred, and implement a behavioral intervention plan ("BIP") for the student; or
2. If a BIP has already been developed, review the BIP and modify it, as necessary, to address the behavior.

Except as provided at SPECIAL CIRCUMSTANCES, below, the ARD committee shall return the student to the placement from which the student was removed, unless the parent, and **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** agree to a change in placement as part of the modification of the BIP.

i. Special Circumstances

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:

1. Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of Texas Education Agency (the “TEA”) or **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**; or
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the TEA or **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**;
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the TEA or **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**.

The ARD committee shall determine the interim alternative education setting.

c) Services During Removal

The student must:

1. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student’s IEP.
2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

These services may be provided in an interim alternative educational setting.

Sec. 7. APPEALS

A parent who disagrees with a placement decision or the manifestation determination may request a hearing. Additionally, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may request a hearing if it believes that maintaining a current placement of a student is substantially likely to result in injury to the student or others.

a) Placement During Appeals

When an appeal has been requested by a parent or **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the student’s assignment to the alternative setting, whichever occurs first, unless the parent and **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** agree otherwise.

Sec. 8. REPORTING CRIMES

Federal law does not prohibit **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** from reporting a crime committed by a student with a disability to appropriate authorities. If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** reports a crime, **UNIVERSITY OF**

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shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** reported the crime. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may transmit records only to the extent permitted by the Family Educational Rights and Privacy Act ("FERPA").

Sec. 9. STUDENTS NOT YET IDENTIFIED

A student who has not been determined to be eligible for special education and related services and who has engaged in behavior that violated the Student Code of Conduct may assert any of the protections provided for in the Individuals with Disabilities Education Act if **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** had knowledge that the student had a disability before the behavior that precipitated that disciplinary action occurred.

a) *School Knowledge*

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall be deemed to have knowledge that a student has a disability if, before the behavior that precipitated the disciplinary action occurred:

1. The parent of the student expressed concern in writing to **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** supervisory or administrative personnel, or to the teacher of the student, that the student was in need of special education and related services;
2. The parent requested an evaluation of the student for special education and related services; or
3. The student's teacher, or other **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** personnel, expressed specific concerns about a pattern of behavior demonstrated by the student directly to the special education director or to other **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** supervisory personnel.

b) *Exception*

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall not be deemed to have knowledge that the student had a disability if:

1. The parent has not allowed an evaluation of the student;
2. The parent has refused services; or
3. The student has been evaluated and it was determined that the student did not have a disability.

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** does not have knowledge, before taking disciplinary measures, that a student has a disability, the student may be subjected to the same disciplinary measures applied to students without disabilities who engaged in comparable behaviors.

However, if a request is made for an evaluation during the time period in which the student is subjected to disciplinary measures, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

Sec. 10. BEHAVIOR MANAGEMENT TECHNIQUES

It is **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s policy to treat all students with dignity and respect, including students with disabilities who receive special education services. Any behavior management technique and/or discipline management practice must be implemented in such a way as to protect the health and safety of the student and others. No discipline management practice may be calculated to inflict injury, cause harm, demean, or deprive the student of basic human necessities.

a) *Exceptions*

Education Code 37.0021 (regarding use of confinement, seclusion, restraint, and time-out) does not apply to:

1. A peace officer, while performing law enforcement duties; and
2. An educational services provider with whom a student is placed by a judicial authority, unless the services are provided in a **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** educational program.

Further, Education Code 37.0021 does not prevent a student's locked, unattended confinement in an emergency situation while awaiting the arrival of law enforcement personnel if:

1. The student possesses a weapon; and
2. The confinement is necessary to prevent the student from causing bodily harm to the student or another person.

For these purposes, "weapon" includes any weapon described under Education Code 37.007(a)(1).

Sec. 11. CONFINEMENT

A student with a disability who receives special education services may not be confined in a locked box, locked closet, or other specially designed locked space as either a discipline management practice or a behavior management technique.

Sec. 12. SECLUSION

A **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** employee or volunteer or an independent contractor of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may not place a student in seclusion. “Seclusion” means a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:

1. Is designed solely to seclude a person; and
2. Contains less than 50 square feet of space.

Sec. 13. RESTRAINT

A **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** employee, volunteer, or independent contractor may use restraint only in an emergency and with the following limitations:

1. Restraint shall be limited to the use of such reasonable force as is necessary to address the emergency.
2. Restraint shall be discontinued at the point at which the emergency no longer exists.
3. Restraint shall be implemented in such a way as to protect the health and safety of the student and others.
4. Restraint shall not deprive the student of basic human necessities.

“Restraint” means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student’s body.

“Emergency” means a situation in which a student’s behavior poses a threat of:

1. Imminent, serious physical harm to the student or others; or
2. Imminent, serious property destruction.

a) Training

Training for **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** employees, volunteers, or independent contractors regarding the use of restraint shall be provided according to the requirements set forth at 19 TAC 89.1053(d).

b) Documentation

In a case in which restraint is used, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** employees, volunteers, or independent contractors shall implement the documentation requirements set forth at 19 TAC 89.1053(e).

Sec. 14. TIME-OUT

A **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** employee, volunteer, or independent contractor may use time-out with the following limitations.

1. Physical force or threat of physical force shall not be used to place a student in time-out.
2. Time-out may only be used in conjunction with an array of positive behavior intervention strategies and techniques and must be included in the student's IEP and/or BIP if it is utilized on a recurrent basis to increase or decrease targeted behavior.
3. Use of time-out shall not be implemented in a fashion that precludes the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.

"Time-out" means a behavior management technique in which, to provide a student with an opportunity to regain self-control, the student is separated from other students for a limited period in a setting:

1. That is not locked; and
2. From which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.

a) *Training*

Training for **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** employees, volunteers, or independent contractors regarding the use of time-out shall be provided according to the requirements set forth at 19 TAC 89.1053(h).

b) *Documentation*

Necessary documentation or data collection regarding the use of time-out, if any, must be addressed in the IEP or BIP. The ARD committee must use any collected data to judge the effectiveness of the intervention and provide a basis for making determinations regarding its continued use.

It is the policy of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** to annually conduct a comprehensive needs assessment and to conduct district and campus improvement plans, if required by state and federal funding requirements.

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Sec. 1. DYSLEXIA AND RELATED DISORDERS

The Board shall ensure that procedures for identifying and providing appropriate instructional services to students for dyslexia and related disorders are implemented by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM. These procedures shall be implemented in accordance with the State Board of Education's *Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders (Dyslexia Handbook)*.

Sec. 2. IDENTIFICATION AND TESTING

Screening and further evaluation should be done only by individuals or professionals who are trained in valid, evidence-based assessments and who are trained to appropriately evaluate students for dyslexia and related disorders.

Before an identification or assessment procedure is used selectively with an individual student, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM must notify the student's parent or guardian or another person standing in parental relation to the student.

A process for early identification, intervention, and support for students at risk for dyslexia and related disorders must be available, as outlined in the *Dyslexia Handbook*. The program must include a screening at the end of each school year for all kindergarten and first grade students.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may not use early intervention strategies, including multi-tiered systems of support, to delay or deny the provision of a full and individual evaluation to a child suspected of having a specific learning disability, including dyslexia or a related disorder.

Sec. 3. TREATMENT

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall provide each identified student access at his or her campus to instructional programs and to the services of a teacher trained in dyslexia and related services. UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may, with the approval of each student's parents or guardians, offer additional services at a centralized location, so long as such centralized services do not preclude each student from receiving services at his or her campus.

a) Reading Program

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall purchase a reading program or develop its own reading program for students with dyslexia and related disorders that is aligned with the descriptors found in the *Dyslexia Handbook*.

Teachers who screen and treat these students must be trained in instructional strategies that utilize individualized, intensive, multi-sensory, phonetic methods and a variety of writing and spelling

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components described in the *Dyslexia Handbook*. The professional development activities

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specified by each school and/or campus planning committee shall include these instructional strategies.

b) Reassessment

Unless otherwise provided by law, a student determined to have dyslexia during testing or accommodated because of dyslexia may not be retested for dyslexia for the purpose of reassessing the student's need for accommodations until **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** reevaluates the information obtained from previous testing of the student.

Sec. 4. PARENTAL NOTIFICATIONS

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall inform parents and guardians of students eligible under Section 504 of all services and options available to the student under that law. The notice must be in English, or to the extent practicable, the individual's native language and must include the following:

1. A reasonable description of the evaluation procedure to be used with the individual student;
2. Information related to any instructional intervention or strategy used to assist the student prior to evaluation;
3. An estimated time frame within which the evaluation will be completed; and
4. Specific contact information for the campus point of contact, relevant parent training and information projects, and other appropriate parent resources.

Parents and guardians of students with dyslexia or a related disorder must be informed of all services and options available to the student, including general education interventions under response to intervention and multi-tiered systems of support modules as required by Education Code §26.0081.

Sec. 5. PARENT EDUCATION PROGRAM

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall develop and provide a parent education program for parents and guardians of students with dyslexia and related disorders. This program should include:

- Awareness of characteristics of dyslexia and related disorders;
- Information on testing and diagnosis of dyslexia;
- Information on effective strategies for teaching dyslexic students; and
- Awareness of information on modification, especially modifications allowed on standardized testing.

Education Code 38.003; 19 TAC 74.28.

Sec. 1. ELIGIBILITY CRITERIA

A student that is at least three years old but not more than 21 years of age may be eligible for special education services. Through an evaluation, if a student is found to have a disability in one of the following categories, and has an educational need, they may be found eligible for special education:

1. Intellectual Disability;
2. Hearing impairment;
3. Visual Impairment;
4. Speech or Language impairment;
5. Emotional disturbance;
6. Orthopedic impairment;
7. Other health impairment;
8. Traumatic brain injury;
9. Deaf-blindness;
10. Specific Learning Disability;
11. Autism;
12. Developmental delay; or
13. Multiple Disabilities.

(34 CFR § 300.008)

Additionally, a student is eligible to participate in **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s special education program if the student is not more than 21 years of age and has a visual or auditory impairment that prevents the student from being adequately or safely educated in public school without the provision of special services. (TEC §29.003)

Sec. 2. DETERMINING ELIGIBILITY

Following the completion of the full and individual initial evaluation, the student's admission, review, and dismissal ("ARD") committee must make an eligibility determination. The ARD committee members reviewing evaluations and data to determine eligibility must include a licensed specialist in school psychology ("LSSP"), an educational diagnostician, or other appropriately certified or licensed practitioner with experience, and a licensed or certified professional for a specific eligibility category defined below. (19 TAC §89.1040)

When interpreting evaluation data for the purpose of determining if a student is a student with a disability under § 300.8, and the educational needs of the student, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall:

1. Draw upon information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior; and
2. Ensure that information obtained from all of these sources is documented and carefully considered.

If a student is determined to be a student with a disability and needs special education and related services, an individualized education program ("IEP") must be developed for the student in accordance with §§ 300.320 through 300.324. (34 CFR §300.306)

A student is not eligible for special education services through the evaluation, if a student is found to only need related services. A student cannot be found eligible for services if the determinant factor for that determination is lack of appropriate instruction in reading, including in the essential components of reading instruction, lack of appropriate instruction in math, or limited English proficiency. (34 CFR §300.306(b))

For children aged three through nine, or any subset of that age range, may be a child with a disability if the student is:

1. experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: Physical development, cognitive development, communication development, social or emotional development, or adaptive development; and
2. needs special education and related services.

(34 CFR §300.8(b))

Sec. 3. INTELLECTUAL DISABILITY

A student qualifies as a student with an intellectual disability if the student has significantly sub-average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a student's educational performance. (34 CFR §300.8(c)(6); 19 TAC §89.1040(c)(5))

Sec. 4. SPEECH OR LANGUAGE IMPAIRMENT

A communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance. The evaluation team shall include a certified speech and hearing therapist, a certified speech and language therapist, or a licensed speech/language pathologist. (34 CFR §300.8(c)(11); 19 TAC 89.1040(c)(10))

Sec. 5. EMOTIONAL DISTURBANCE

A student may be eligible for services as a student with an emotional disturbance if they exhibit one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:

1. An inability to learn that cannot be explained by intellectual, sensory, or health factors;
2. An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
3. Inappropriate types of behavior or feelings under normal circumstances;
4. A general pervasive mood of unhappiness or depression; or
5. A tendency to develop physical symptoms or fears associated with personal or school problems.

Emotional disturbance includes schizophrenia, but does not include children who are socially maladjusted, unless it is determined that they have an emotional disturbance. A written evaluation must include recommendations for behavior intervention strategies. (34 CFR §300.8(c)(4); 19 TAC §89.1040(c)(4))

Sec. 6. ORTHOPEDIC IMPAIRMENT

A severe orthopedic impairment, including impairments caused by congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures). If the impairment adversely impacts a student's educational performance, the student is eligible under this category. (34 CFR §300.8(c)(8); 19 TAC §89.1040(10))

The multidisciplinary team determining eligibility must include a licensed physician. (19 TAC §89.1040(10))

Sec. 7. OTHER HEALTH IMPAIRMENT (OHI)

A student with limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli caused by chronic or acute health problems such as:

1. Asthma;
2. Attention Deficit Disorder or Attention Deficit Hyperactivity Disorder;
3. Diabetes;
4. Epilepsy;
5. Heart Condition;
6. Hemophilia;

7. Lead poisoning;
8. Leukemia;
9. Nephritis;
10. Rheumatic Fever;
11. Sickle Cell Anemia; or
12. Tourette Syndrome.

If the health condition limits alertness in the educational environment and adversely impacts a student's learning, he or she is eligible for OHI. In determining eligibility, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall must include a licensed physician on the multidisciplinary team.

Sec. 8. TRAUMATIC BRAIN INJURY

An acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a student's educational performance. Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech. Traumatic brain injury does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall include a licensed physician, and a licensed specialist in school psychology (LSSP), an educational diagnostician, or other appropriately certified or licensed practitioner with experience and training in this area to review the data and determine eligibility. (19 TAC §89.1040(11))

Sec. 9. HEARING OR AUDITORY IMPAIRMENT AND DEAFNESS

A student with an impairment in hearing, whether permanent or fluctuating, that adversely affects a student's educational performance but is not included under the definition of deafness.

The student's evaluation must include an otological examination performed by an otologist or by a licensed medical doctor, with documentation that an otologist is not reasonably available. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall also conduct an audiological evaluation by a licensed audiologist. The evaluation must include a description of the implications of the hearing loss for the student's hearing in a variety of circumstances with or without recommended amplification. (34 CFR §300.8(c)(5); 19 TAC 89.1040(c)(3))

Sec. 10. DEAFNESS

Deafness is a hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification that adversely affects a student's educational performance. (34 CFR §300.8(c)(3))

Sec. 11. VISUAL IMPAIRMENT INCLUDING BLINDNESS

An impairment in vision that, even with correction, adversely affects a student's educational performance. The term includes both partial sight and blindness. (34 CFR 300.8(c)(13).

A student with a visual impairment is one who:

1. has been determined by a licensed ophthalmologist or optometrist to have no vision or to have a serious visual loss after correction; or to have a progressive medical condition that results in no vision or a serious visual loss after correction.
2. has been determined by the following evaluations to have a need for special services, including:
 - a. a functional vision evaluation by a professional certified in the education of students with visual impairments or a certified orientation and mobility instructor. The evaluation must include the performance of tasks in a variety of environments requiring the use of both near and distance vision and recommendations concerning the need for a clinical low vision evaluation and an orientation and mobility evaluation; or
 - b. a learning media assessment by a professional certified in the education of students with visual impairments. The learning media assessment must include recommendations concerning which specific visual, tactual, and/or auditory learning media are appropriate for the student and whether or not there is a need for ongoing evaluation in this area.

(19 TAC 89.1040(12)(A))

Through evaluation, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** should state the student's visual loss in exact measures of visual field and corrected visual acuity at a distance and at close range in each eye by a licensed ophthalmologist or optometrist. The report should also include prognosis whenever possible. If exact measures cannot be obtained, the eye specialist must so state and provide best estimates.

A student that qualifies as a student with a visual impairment is considered functionally blind if, based on the preceding evaluations, the student will use tactual media (which includes Braille) as a primary tool for learning to be able to communicate in both reading and writing at the same level of proficiency as other students of comparable ability. (19 TAC §89.1040(12)(B))

Sec. 12. DEAF-BLINDNESS

A student is eligible under deaf-blindness if identified with hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for students with deafness or students with blindness. (34 CFR §300.8(c)(2))

In addition to the Individuals with Disabilities Education Act (“IDEA”) requirements, a student may be eligible if a student is found to:

1. meet the eligibility criteria for auditory impairment specified in subsection 19 TAC §89.1040(c)(3) and visual impairment specified in subsection 19 TAC §89.1040 (c)(12);
2. meet the eligibility criteria for a student with a visual impairment and has a suspected hearing loss that cannot be demonstrated conclusively, but a speech/language therapist, a certified speech and language therapist, or a licensed speech language pathologist indicates there is no speech at an age when speech would normally be expected;
3. have documented hearing and visual losses that, if considered individually, may not meet the requirements for auditory impairment or visual impairment, but the combination of such losses adversely affects the student's educational performance; or
4. have a documented medical diagnosis of a progressive medical condition that will result in concomitant hearing and visual losses that, without special education intervention, will adversely affect the student's educational performance.

(19 TAC §89.1040(c))

Sec. 13. SPECIFIC LEARNING DISABILITY

Specific learning disability includes a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. (34 CFR §300.8(c)(10))

In addition to being identified as having a disorder that impacts a basic psychological process, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall also show that the student does not achieve adequately for the student's age or meet state-approved grade-level standards in oral expression, listening comprehension, written expression, basic reading skill, reading fluency skills, reading comprehension, mathematics calculation, or mathematics problem solving when provided appropriate instruction, as indicated by performance on multiple measures such as in-class tests; grade average over time (e.g. six weeks, semester); norm- or criterion- referenced tests; statewide assessments; or a process based on the child's response to scientific, research-based intervention.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM's evaluation must also show that the student:

1. does not make sufficient progress when provided a process based on the student's response to scientific, research-based intervention (as defined in 20 USC, §7801(37)), as indicated by the student's performance relative to the performance of the student's peers on repeated, curriculum-based assessments of achievement at reasonable intervals, reflecting student progress during classroom instruction; or
2. the student exhibits a pattern of strengths and weaknesses in performance, achievement, or both relative to age, grade-level standards, or intellectual ability, as indicated by significant variance among specific areas of cognitive function, such as working memory and verbal comprehension, or between specific areas of cognitive function and academic achievement.

(19 TAC §89.1040(c)(9))

A specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage. (34 CFR §300.8(c)(10))

Prior to identifying a student as one with a learning disability, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall ensure that the suspected disability is not due to lack of educational opportunity or lack of appropriate instruction. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall consider data that shows the student has received appropriate instruction in math and reading in the general education setting. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall also consider documentation of repeated assessments of achievement at reasonable intervals, reflecting formal evaluation of student progress during instruction. This may include, but is not limited to, RTI progress results, in-class tests on grade-level curriculum, or other regularly administered assessments. Intervals are considered reasonable if consistent with the assessment requirements of a student's specific instructional program. (19 TAC §89.1040(c)(9))

Sec. 14. AUTISM

A student with autism is one that meets the criteria outlined in 34 CFR §300.8(c)(1) of the IDEA. It also includes students with pervasive developmental disorders. (19 TAC 89.1040(c)(1))

Under IDEA, autism is a developmental disability significantly affecting a student's verbal and nonverbal communication and social interactions that adversely affects a student's educational performance. Engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences are often associated with autism. Characteristics of autism are generally evident before age three.

A child who manifests the characteristics of autism after age three could be identified as having autism if the student meets the above criteria also defined in 34 CFR §300.8(c)(1)(i).

A student does not meet the eligibility category for autism if a student's educational performance is adversely affected primarily because the student has an emotional disturbance, as defined above and in 34 CFR §300.8(c)(4). (34 CFR §300.8(c)(1)).

The written evaluation determining eligibility under autism must include recommendations for behavior interventions. (19 TAC 89.1040(c)(1))

Sec. 15. MULTIPLE DISABILITIES

A student may qualify as a student with multiple disabilities if they are identified to have a combination of impairments (such as mental retardation-blindness or mental retardation-orthopedic impairment) and the combination causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Multiple disabilities does not include deaf-blindness. (34 CFR §300.8(c)(7))

The impairments must be expected to continue indefinitely and the impairments must severely limit performance in two or more of the following:

1. psychomotor skills;
2. self-care skills;
3. communication;
4. social and emotional development, or
5. cognition.

A student that qualifies for more than one impairment, but does not severely impair performance in one of the above categories, or is not expected to continue indefinitely, does not qualify as a student with multiple disabilities. (19 TAC §89.1040(c)(6))

Sec. 1. REFERRAL FOR FULL AND INDIVIDUAL INITIAL EVALUATION

Referral of students for a full and individual initial evaluation for possible special education services shall be a part of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s overall general education referral or screening system. Either a parent, the Texas Educational Agency ("TEA"), another state agency, or **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may initiate a request for an initial evaluation.

a) Obligation to Refer

Before referral, students experiencing difficulty in the general classroom should be considered for all support services available to all students. If a student continues to experience difficulty in the general classroom after the provision of interventions, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** personnel must refer the student for a full and individual initial evaluation. 20 U.S.C. 1414(a)(1); 34 CFR 300.301; 19 TAC 89.1011.

b) Parent Request

If a parent submits a written request for a full individual and initial evaluation of a student, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall, not later than the 15th school day after the date **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** receives the request:

1. Provide the parent with prior written notice of its proposal to conduct an evaluation consistent with 34 CFR 300.503, a copy of the procedural safeguards notice required by 34 CFR 300.504, and an opportunity to give written consent for the evaluation; or
2. Provide the parent with prior written notice of its refusal to conduct an evaluation consistent with 34 CFR 300.503, and a copy of the procedural safeguards notice required by 34 CFR 300.504.

20 U.S.C. 1414(a)(1); 34 C.F.R. 300.301; 19 TAC 89.1011(a), (b); Education Code 29.004(c).

Sec. 2. NOTICE OF RIGHTS

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall provide written notice to a student's parent or guardian within a reasonable time before proposing or refusing to initiate the identification, evaluation, or educational placement of a student or the provision of a free appropriate public education ("FAPE"). 20 U.S.C. 1415(b)(3); 34 CFR 300.503(a).

Sec. 3. INITIAL EVALUATION

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall conduct a full and individual initial evaluation before the initial provision of special education and related services. 20 U.S.C. 1414(a)(1)(A).

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall ensure that evaluations of children who transfer from one district to another in the same academic year are coordinated with the children's prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of evaluations. 20 U.S.C. 1414(b)(3)(D).

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. 20 U.S.C. 1414(a)(1)(E).

a) Consent for Initial Evaluation

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall make reasonable efforts to obtain informed parental consent before conducting an initial evaluation.

If the parent does not provide consent for an initial evaluation or fails to respond to a request to provide consent, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may—but is not required to—pursue the initial evaluation by utilizing due process procedures, except to the extent inconsistent with state law relating to such parental consent.

Parental consent to initial evaluation shall not be construed as consent for placement for special education and related services. 20 U.S.C. 1414(a)(1)(D)(i)(1); 34 CFR 300.300.

b) Wards of the State

If the child is a ward of the state and is not residing with the child's parent, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall make reasonable efforts to obtain the informed consent from the parent for an initial evaluation, unless:

1. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** cannot discover the whereabouts of the parent, despite reasonable efforts to do so;
2. The rights of the parent have been terminated; or
3. The rights of the parent to make educational decisions have been subrogated and an individual appointed by a judge to represent the student has given consent for an initial evaluation.

20 U.S.C. 1414(a)(1)(D)(iii); 34 CFR 300.300(a)(2).

Sec. 4. PROVIDING ASSISTANCE TO STUDENTS WHO HAVE LEARNING DIFFICULTIES OR NEED SPECIAL EDUCATION SERVICES

If a student is experiencing learning difficulties, the parent may contact their child's campus principal to learn about **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s overall general education referral or screening system for support services. This system links students to a variety of support options, including referral for a special education evaluation. Students having difficulty in the regular classroom should be considered for tutorial, compensatory, and other academic or behavior support services that are available to all students, including a process based on Response to Intervention ("RtI"). The implementation of RtI has the potential to have a positive impact on **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s ability to meet the needs of all struggling students.

At any time, a parent is entitled to request an evaluation for special education services by presenting a written request to **<<Director of Special Education Services>>** or to a **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** administrative employee. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must, within 15 school days of receiving the request, either (1) give the parent an opportunity to give written consent for the evaluation or

(2) refuse to provide the evaluation and provide the parent with written notice that explains why the child will not be evaluated. This written notice will include a statement that informs the parents of their rights if they disagree with **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**. Additionally, the parent will receive a copy of the *Notice of Procedural Safeguards – Rights of Parents of Students with Disabilities*.

If consent for evaluation is obtained, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must generally complete the evaluation and report within 45 school days of the date **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** receives the written consent. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must give a copy of the evaluation report to the parent.

Sec. 5. NOTIFICATION TO PARENTS REGARDING INTERVENTION STRATEGIES

Each school year, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall notify a parent of each child, other than a child enrolled in a special education program, who receives assistance from the **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** for learning difficulties, including through the use of intervention strategies that **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** provides to the child. The notice must:

1. Be provided when the child begins to receive the assistance for that school year;
2. Be written in English or, to the extent practicable, the parent's native language; and
3. Include:
 - a. A reasonable description of the assistance that may be provided to the child, including any intervention strategies that may be used;
 - b. Information collected regarding any intervention in the base tier of a multi-tiered system of supports that has previously been used with the child;

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- c. An estimate of the duration for which the assistance, including through the use of
- d. intervention strategies, will be provided;
- e. The estimated time frames within which a report on the child's progress with the assistance, including any intervention strategies used, will be provided to the parent; and
- f. A copy of a written explanation of the options and requirements for providing assistance to students who have learning difficulties or who need or may need special education. The explanation must state that a parent is entitled at any time to request an evaluation of the parent's child for special education services or for aids, accommodations, or services under Section 504 of the Rehabilitation Act.

The notice under this policy may be provided to a child's parent at a Section 504 meeting.

A parent is entitled to access to all written records of UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM concerning the parent's

child, including attendance records, test scores, grades, disciplinary records, counseling records, psychological records, applications for admission, health and immunization information, teacher and school counselor evaluations, reports of behavioral progress, and records relating to assistance provided for learning difficulties, including information collected regarding any intervention strategies used with the child.

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Sec. 1. FULL AND INDIVIDUAL EVALUATION (FIE)

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall ensure that upon completion of the administration of such tests and other evaluation materials administered according to the evaluation procedures of the Individuals with Disabilities Education Act (“IDEA”), and preparation of the written report, the admission, review and dismissal (“ARD”) committee determines if the student is a student with a disability under state and federal standards.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall conduct a full and individual initial evaluation (“FIE”) prior to providing special education and related services to any student. All students must be evaluated in accordance with the IDEA and the Texas Education Code (“TEC”).

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall have procedures in place to ensure that testing and evaluation materials and procedures utilized for the purposes of evaluation and placement of students with disabilities are selected and administered so as to not be racially, culturally, or gender discriminatory. Assessment and procedures shall be provided and administered in the student’s native language or most proficient mode of communication and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to do so. (34 CFR §300.301; TEC §29.310)

All implementing assessment procedures must differentiate between language proficiency and handicapping condition. Additionally, placement procedures must ensure that placement in a bilingual education or English as a second language program is not refused solely because the student has a disability. (19 TAC §89.1230)

No single procedure shall be the sole criterion for determining whether a student is a student with a disability or for determining an appropriate education program for a student with a disability. The evaluation must be sufficiently comprehensive to identify all of the student’s special education and related services’ needs. Each student must be evaluated in all suspected areas of disability. (34 CFR §§300.301 and 300.304; TEC §29.310)

All assessments must be administered in accordance with the instructions provided and by a trained and knowledgeable person. (34 CFR §§300.301 and 300.304)

Sec. 2. TIMELINE

If a student’s parent provides a written request for an evaluation to the school’s director of special education services or to a district administrative employee, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall, within 15 school days, (1) provide the parent with prior written notice of its proposal to conduct an evaluation, a copy of the procedural safeguards, and an opportunity to give written consent for the

evaluation, or (2) provide prior written notice and procedural safeguards if the school is denying the request for evaluation. (TEC §29.004(c)).

A written FIE report must be completed not later than the 45th school day following the date on which **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** receives written consent for the evaluation, signed by the student's parent. If the student is absent for more than three days in that time period, the timeline must be extended by the number of days the student was absent. (TEC §29.004(a))

This time frame shall not apply if:

1. A student enrolls in the current school after the relevant time frame has begun and before the previous school made a determination as to whether the student has a disability, but only if the current school is making sufficient progress to ensure a prompt completion of the evaluation and the parent and current school agree to a specific time for completion of the evaluation; or
2. The parent repeatedly fails or refuses to produce the student for the evaluation.

(34 CFR §300.301(d))

Following the completion of the FIE, the ARD committee must meet within 30 calendar days from the date of completion to review and determine eligibility. (TEC 29.004). If the 30th day falls during the summer and school is not in session, the student's ARD committee has until the first day of classes in the fall to finalize decisions concerning the student's initial eligibility determination, individualized education program ("IEP"), and placement, unless the full individual and initial evaluation indicates that the student will need extended school year services during that summer.

If the student is an English language learner, the language proficiency assessment committee (LPAC) must also attend the meeting to determine services. (19 TAC §89.1050(c)(J))

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** receives written consent for an FIE from a student's parent at least 35 but less than 45 school days before the last instructional day of the school year, the evaluation must be completed and the written report of the evaluation must be provided to the parent not later than June 30 of that year. The ARD committee must meet by the 15th school day of the following school year to consider the evaluation.

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** receives written consent signed by a student's parent less than 35 school days before the last instructional day of the school year or if the school receives the written consent at least 35 but less than 45 school days before the last instructional day of the school year but the student is absent from school during that period on three or more days, the FIE must be completed not later than the 45th school day after receiving consent.

School days do not include days following the last instructional day of the spring term and before the first day of the fall term.

(TEC 29.004)

Sec. 3. SPECIFIC LEARNING DISABILITY EVALUATION

The Texas Education Agency (“TEA”) cannot require **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** to use the severe discrepancy between intellectual ability and achievement for determining whether a student has a specific learning disability. TEA must permit the use of a process based on the child’s response to scientific, research-based intervention; and may permit the use of other alternative research-based procedures for determining whether a student has a specific learning disability.
(34 CFR §300.307)

The evaluation process for specific learning disability includes an observation of the child in the learning environment, including the regular classroom setting, to document academic performance and behavior in the areas of difficulty. 34 CFR § 300.310 (a).

Sec. 4. FUNCTIONAL BEHAVIOR ASSESSMENT (FBA)

A functional behavior assessment (“FBA”) may be necessary for a student whose behavior impedes their education. Prior to completing an FBA, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall get consent from the parent. (34 CFR §§300.9)

If an ARD committee determines a change of placement is necessary due to the student’s behavior, it must conduct an FBA and implement a behavioral intervention plan (“BIP”). If an FBA was already completed, the ARD committee must review and update the BIP. (34 CFR §300.350(f))

Sec. 5. REVIEW OF EXISTING EVALUATION DATA (REED)

A Review of Existing Evaluation Data (REED) is required as part of an initial evaluation, if appropriate, and as part of any reevaluation. The REED must be conducted by the admission, review, and dismissal (“ARD”) committee members and other qualified professionals, as appropriate. The ARD committee members may conduct the review without a meeting.

The REED must include a review of the following:

- Evaluations and information provided by the parents of the student;
- Current classroom-based, local, or State assessments, and classroom-based observations;
- and

- Observations by teachers and related services providers.

On the basis of that review, and input from the student's parents, the ARD committee members must identify what additional data, if any, are needed to determine:

- Whether the student is a student with a disability, and the educational needs of the student, or, in case of a reevaluation of a student, whether the student continues to have such a disability and the educational needs of the student;
- Whether the student needs special education and related services, or in the case of a reevaluation of a student, whether the student continues to need special education and related services;
- The present levels of academic achievement and related developmental needs of the student; and
- Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in the IEP of the student and to participate, as appropriate, in the general education curriculum.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall administer any assessments or other evaluation measures needed to produce the data identified by the REED in accordance with applicable procedural requirements regarding notice and consent.

If additional data is not needed, the ARD committee must notify the parent of the determination decision and provide information about the parent's right to request additional assessments to determine student needs and eligibility. (34 CFR §300.305)

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall conduct a reevaluation of the student if the school determines that the educational or related service needs, including improved academic achievement and functional performance, of the child warrant a reevaluation or if the child's parent or teacher requests a reevaluation. A reevaluation may not occur more than once per year, unless agreed to by the school and the parent. A reevaluation must occur at least every three years, unless the school and parent agree the evaluation is unnecessary. (34 CFR §300.303).

Sec. 6. CHANGE IN ELIGIBILITY

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall evaluate a student with a disability before determining a student is no longer eligible for special education and related services.

An evaluation is not required if a student is no longer eligible due to graduation or exceeding the age eligibility in Texas. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall create a summary of performance and include recommendations on how to assist the student in meeting postsecondary goals. (34 CFR §300.305(e))

Sec. 7. CONSIDERATION OF SERVICES PROVIDED IN REGULAR EDUCATION SETTING

To ensure that underachievement in the student suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group of qualified professionals, as part of a full and individual evaluation, must consider:

- Data that demonstrate that prior to, or as part of, the referral process, the student was provided appropriate instruction in regular education settings, delivered by qualified personnel; and
- Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of progress during instruction, which was provided to the student's parents. (34 CFR 300.309(b))

Sec. 8. COORDINATION OF EVALUATIONS WITH PRIOR AND SUBSEQUENT SCHOOLS

The school shall ensure that evaluations of students who transfer from one local education agency to another in the same academic year are coordinated with the student's prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of evaluations. (20 U.S.C. 1414(b)(3)(D))

Sec. 9. PSYCHOLOGICAL EXAMINATIONS AND TESTS

On request of a child's parent, before obtaining the parent's consent for the administration of any psychological examination or test to the child as part of the evaluation of the child's need for special education, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall provide to the child's parent:

1. The name and type of the examination or test; and
2. An explanation of how the examination or test will be used to develop an appropriate IEP for the child.

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** determines that an additional examination or test is required for the evaluation of a child's need for special education, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall provide the information above to the parent regarding the additional examination or test and shall obtain additional consent for the examination or test. Education Code 29.0041(a), (b).

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** determines that an additional examination or test is required for the evaluation, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall provide the information required by Education Code 29.0041(a) and shall obtain parental consent. If a parent does not give consent within 20 calendar days after the School provides the information, the parent's consent is considered denied.

The time required for **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** to provide information and seek consent may not be counted toward the timeframe for completion of an evaluation. Education Code 29.0041.

Sec. 10. EXTENSION OF TIMELINES

For a specific learning disability, the timelines for evaluation under this policy may be extended by mutual written agreement of the student's parents and the ARD committee. (34 CFR 300.309(c))

Sec. 11. EVALUATION CONDUCTED PURSUANT TO A SPECIAL EDUCATION DUE PROCESS HEARING

A special education hearing officer in an impartial due process hearing brought under 20 U.S.C. §1415 may issue an order or decision that authorizes one or more evaluations of a student who is eligible for, or who is suspected as being eligible for, special education services. Such an order or decision authorizes the evaluation of the student without parental consent as if it were a court order for purposes of any State or federal law providing for consent by order of a court. (TEC §29.016)

Sec. 12. INDEPENDENT EDUCATIONAL EVALUATIONS

The parent of a student with a disability has the right to obtain an independent educational evaluation ("IEE") of the parent's child if the parent disagrees with the evaluation of the student that was obtained by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**.

If the parent requests an IEE, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must provide the parent with information about where the parent may obtain an IEE and about **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s criteria that apply to IEE.

Sec. 13. DEFINITIONS

An IEE means an evaluation conducted by a qualified examiner who is not employed by the school responsible for the education of a student.

Public expense means that **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent, consistent with the provisions of Part B of IDEA, which allow each State to use whatever State, local, Federal, and private sources of support are available in the State to meet the requirements of Part B of IDEA.

(34 CFR §300.502)

Sec. 14. RIGHT TO EVALUATION AT PUBLIC EXPENSE

The parent has the right to request an IEE of the parent's child at public expense if the parent disagrees with an evaluation of the student completed by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**.

If the parent requests an IEE, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must respond to the parent by either:

1. without unnecessary delay, file a due process complaint to request a hearing to show that its evaluation of the student is appropriate; or
2. provide an IEE at public expense, unless **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** demonstrates in a due process hearing that the evaluation of the student that the parent obtained did not meet **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s criteria.

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** requests a hearing and the final decision is that **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s evaluation of the student is appropriate, the parent still has the right to an IEE, but not at public expense.

If the parent requests an IEE of the student, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may ask why the parent objects to the evaluation of the student obtained by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**; however, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may not require an explanation and may not unreasonably delay either providing the IEE of the student at public expense or filing a due process complaint to request a due process hearing to defend **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s evaluation of the student.

The parent is entitled to only one IEE of the student at public expense each time **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** conducts an evaluation of the student with which the parent disagrees. (34 CFR §300.502)

a) Parent-Initiated Evaluations

If the parent obtains an IEE of the student at public expense or the parent shares with **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** an evaluation of the student that the parent obtained at private expense:

1. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must consider the results of the evaluation of the student, if it meets **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s criteria for IEE, in any decision made with respect to the provision of a free appropriate public education to the student; and
2. the parent or **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may present the evaluation as evidence at a due process hearing regarding the student.

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b) Requests for Evaluations by Hearing Officers

If a hearing officer requests an IEE of the student as part of a due process hearing, the cost of the evaluation must be at public expense.

Sec. 15. CRITERIA FOR OBTAINING IEE AT PUBLIC EXPENSE

The criteria under which the IEE is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the public agency uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an IEE.

a) Location

The evaluator conducting an IEE of a child with a disability at public expense must be located within a 100-mile radius of UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM. This will allow the evaluator access to UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM for observation of the student and access to the student's cumulative and special education eligibility folders.

b) Cost

Parents are free to select whomever they choose to perform the IEE, so long as the examiner meets UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM's criteria. UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM will pay a fee for an IEE that allows a parent to choose from among qualified professionals in the area.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM will not pay unreasonably excessive fees. An unreasonably excessive fee is one which is 20% above the prevailing fees in the area as established by the Medicaid/Medicare Service Provider Manual for the specific test being considered.

Parents will be offered the opportunity to demonstrate to their child's ARD committee that unique circumstances exist which justify an IEE that does not meet UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM criteria outlined in this document.

When evaluators have a sliding scale fee based on parent income, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM will pay the amount charged to the parent if the evaluator meets UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM criteria or UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM has approved the IEE that does not meet UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM criteria.

In the event a parent pursues an IEE independently or pursues an IEE provider that is not on UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM independent evaluator list, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM will determine if the evaluator meets UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM criteria prior to authorizing payment or reimbursement. If payment will be authorized, an original billing form and an

MANUAL POLICY GROUP 6 - SPECIAL EDUCATION

EVALUATION

original written report with original signature must be submitted to UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM prior to payment.

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UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM will deny payment for an IEE conducted by an evaluator who does not meet UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM criteria. UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM will deny payment for an IEE that does not meet TEA criteria for the specific disability identified.

If a hearing officer requests an IEE as part of a hearing on a due process complaint, the cost of the evaluation must be at public expense.

Travel costs for evaluators will not exceed UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM rates for travel as established by state guidelines.

A contract for an IEE between an evaluator and UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM will not exceed one year. All terms will become void after the expiration date of one year.

c) Evaluator Criteria

The evaluator conducting the IEE must meet UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM criteria and possess comparable credentials to the examiner that conducted the evaluation that is in dispute.

Evaluators must possess current licensure/certification to conduct the evaluation and must provide copies of his or her license or certification with the evaluation, if not previously provided.

Evaluators must comply with all requirements specified in state and federal law, including those outlined in the professional board responsible for providing the license or certification.

Evaluators must meet the examiner qualifications for the tests administered as outlined by the test producer.

The evaluator will have access to the student's cumulative folder and special education folders in gathering information about the student.

The evaluator will have the ability to interview teachers and observe the student in the educational setting.

Prior to conducting the assessment, the evaluator agrees to submit to a national criminal history review and to provide any and all information necessary to secure the national criminal history review, including fingerprints and photographs, or other information required by Texas Education Code § 22.0834 concerning Contractor or Contractor's Subcontractors.

The evaluator agrees to conduct a thorough evaluation in the area(s) performed by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM with which the parent disagrees.

Copies of protocols must be provided to **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**.

The report must comply with all federal and state requirements, including addressing the presence or absence of a disability condition as defined under the IDEA and the TEC.

The evaluation must be provided to **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** upon completion.

Except for the criteria described above, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may not impose conditions or timelines related to obtaining an IEE at public expense. (34 CFR 300.502(e))

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POLICY GROUP 6 - SPECIAL EDUCATION

FUNDING - FEDERAL FUNDING COMPLIANCE IDEA, TITLE I

Sec. 1. COMPLIANCE

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall use Individuals with Disabilities Education Act (“IDEA”) Part B funds received to:

1. comply with the federal maintenance of effort (MOE) requirements;
2. supplement State, local and other Federal funds and not supplant such funds; and
3. pay the excess costs of providing special education and related services to children with disabilities and must be used to supplement State, local, and other Federal funds.

(34 CFR §300.202, 20 USC §1413(a)(2)).

Sec. 2. REDUCING LEVEL OF EXPENDITURES

Funds provided to **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** will not be used to reduce the level of expenditures for the education of students with disabilities made by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** below the level of those funds for the preceding year. (2 USC §1423(a)(2)(A)(iii), Appendix E to Part 300)

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may reduce the level of expenditures if the reduction is attributable to:

1. Voluntary departure, retirement, or departure for just cause of special education personnel;
2. A decrease in enrollment of students with disabilities;
3. The termination of the obligation of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** to provide a special education program to a particular student with a disability that is an exceptionally costly program because the child left **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, aged out of services, or no longer needs special education;
4. The termination of costly expenditures for long-term purchases; or
5. The assumption of cost by the high cost fund operated by the Texas Education Agency.

(34 CFR §300.204)

Sec. 3. EXCESS EXPENDITURES

Having complied with MOE and excess costs requirements, IDEA Part B funds provided to the school will be used for the following activities:

1. For the costs of special education and related services, and supplementary aids and services, provided in a regular class or other education-related setting to the child with a disability in accordance with the individualized education program (“IEP”) of the child, even if nondisabled children benefit from such services;

POLICY GROUP 6 - SPECIAL EDUCATION

FUNDING - FEDERAL FUNDING COMPLIANCE IDEA, TITLE I

2. To develop and implement coordinated, early intervening educational services in compliance with the child find and administration requirements, including:
 - a. Early intervening services, which may include interagency financing structures, for children in kindergarten through grade 12 (with a particular emphasis on children in kindergarten through grade 3) who are not currently identified as needing special education or related services but who need additional academic and behavioral support to succeed in a general education environment;
 - b. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may not use more than 15 percent of the amount received under IDEA Part B for any fiscal year, less any adjustments by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** to local fiscal effort, if any, in combination with other amounts, which may include amounts other than education funds, to develop and implement coordinated, early intervening services; and
3. To establish and implement cost or risk-sharing funds, consortia, or cooperatives for **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, or for **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s working in a consortium of which **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** is a part, to pay for high-cost special education and related services.
4. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may use IDEA Part B funds to purchase appropriate technology for recordkeeping, data collection, and related case management activities of teachers and related services personnel providing services described in the IEP that is needed for the implementation of such case management activities.

(34 CFR §300.208)

Sec. 4. EARLY INTERVENING SERVICES

Funds made available for early intervening services, must supplement not supplant funds available under the ESEA. (34 CFR §300.226(e))

Sec. 5. USE OF IDEA PART B FUNDS FOR TITLE 1 PROGRAMS

Notwithstanding any other provisions related to commingling of funds, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may use IDEA Part B funds received for any fiscal year to carry out a Title 1, Part A school wide programs under the Elementary and Secondary Education Act ("ESEA"), except that the amount may not exceed:

- the amount received by the school under IDEA Part B for that fiscal year; divided by
- the number of students with disabilities in the jurisdiction of the school; and multiplied by
- the number of students with disabilities participating in the school wide program.

(34 CFR §300.206; 20 USC §1413)

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Sec. 6. COMPLIANCE WITH FEDERAL FUNDING REQUIREMENTS: TITLE 1

To the extent required under Title 1 of the ESEA, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall ensure equity among school programs in staff/student ratios and in expenditures of money for curriculum materials and instructional supplies. “Staff” shall include teachers, administrators, and auxiliary personnel. In special programs, such as special education and bilingual education, a lower ratio may be maintained and more money may be spent as necessary to fulfill other legal requirements.

The parental involvement program shall be set up in accordance with requirements of Title 1 of the ESEA, as applicable. Parental involvement is encouraged and required in the planning and decision-making process for the school and for the campus.

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Sec. 1. NONEDUCATIONAL COMMUNITY BASED SUPPORT SERVICES

Students with disabilities and their families may be eligible to receive noneducational community based support services paid for by public funds.

The Texas Education Agency (TEA) is responsible for establishing procedures and criteria for the allocation of noneducational funds to open-enrollment charter schools for the provision of noneducational community-based support services to certain students with disabilities and their families so that those students may receive a free appropriate public education (FAPE) in the least restrictive environment. (TEC §29.013(a))

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall use any funds allocated under TEC §29.013 only for eligible students with disabilities who would remain or would have to be placed in residential facilities primarily for educational reasons without the provision of noneducational community-based support services. (TEC §29.013(b))

The support services may include in-home family support, respite care, and case management for families with a student who otherwise would have been placed by an open-enrollment charter school in a private residential facility. (TEC §29.013(c))

The provision of services under TEC §29.013 does not supersede or limit the responsibility of other agencies to provide or pay for costs of noneducational community-based support services to enable any student with disabilities to receive a FAPE in the least restrictive environment. Specifically, services provided under TEC §29.013 may not be used for a student with disabilities who is currently placed or who needs to be placed in a residential facility primarily for noneducational reasons. Funds cannot be used to cover services already required through the student's individual education program or for long-term care. (TEC §29.013(d))

Sec. 1. SHARED SERVICES ARRANGEMENT

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may enter into a written contract to jointly operate its special education programs. Funds to which the cooperating schools/charter schools are entitled may be allocated to the schools/charter schools jointly as shared services arrangement units or shared services arrangement funds in accordance with the shared services arrangement schools/charters' agreement, TEA Guidance and Govt. Code Chapter 791 (interlocal agreements).

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Sec. 1. STATE FUNDING: SPECIAL ALLOTMENTS

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall maintain records of students participating in special programs in accordance with the Commissioner of Education's rules. (19 TAC §129.21)

Sec. 2. SPECIAL EDUCATION ALLOTMENT

Each open-enrollment charter school will receive an annual allotment equal to the adjusted basic allotment multiplied by 1.1 for each student receiving special education and related services in a mainstream instructional arrangement. For each full-time equivalent student receiving special education and related services in average daily attendance in an instructional arrangement other than a mainstream instructional arrangement, the open-enrollment charter school is entitled to an annual allotment equal to the adjusted basic allotment multiplied by a weight determined according to instructional arrangement as set forth in Section 48.102, Texas Education Code.

Funds allocated under this section, other than an indirect cost allotment established under State Board of Education ("SBOE") rule, must be used in the special education program under Subchapter A, Chapter 29. (TEC §48.102(h))

Sec. 3. COMPENSATORY EDUCATION ALLOTMENT

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM must use funds allocated under TEC §48.104 for a purpose authorized in TEC §48.104(j-1), (k). (TEC §48.104)

Funds allocated under TEC §48.104 shall be used to fund supplemental programs and services designed to eliminate any disparity in performance on assessment instruments administered under Subchapter B (School-Based Health Centers), Chapter 39, Texas Education Code or disparity in the rates of high school completion between students at risk of dropping out of school, as defined by TEC §29.081 (Compensatory, Intensive, and Accelerated Instruction) and all other students. Specifically, the funds, other than an indirect cost allotment established under SBOE rule, which may not exceed 45 percent, may be used to meet the costs of providing a compensatory, intensive, or accelerated instruction program under TEC §29.081 or an alternative education program established under TEC §37.008 (Disciplinary Alternative Education Programs) or to support a program eligible under Title I of the Elementary and Secondary Education Act of 1965, as provided by Pub. L. No. 103-382 and its subsequent amendments, and by federal regulations implementing that Act, at a campus at which at least 40 percent of the students are educationally disadvantaged. In meeting the costs of providing a compensatory, intensive, or accelerated instruction program under TEC §29.081, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s compensatory education allotment shall be used for costs supplementary to the regular education program, such as costs for program and student evaluation, instructional materials and equipment and other supplies required for quality

instruction, supplemental staff expenses, salary for teachers of at-risk students, smaller class size, and individualized instruction. (TEC §48.104(k))

Sec. 4. BILINGUAL EDUCATION ALLOTMENT

For each student in average daily attendance in a bilingual education or special language program under Subchapter B, Chapter 29, an open-enrollment charter school is entitled to an annual allotment equal to the adjusted basic allotment multiplied by 0.1. Funds allocated under this section, other than an indirect cost allotment established under SBOE rule, must be used in providing bilingual education or special language programs under Subchapter B, Chapter 29, and must be accounted for under existing agency reporting and auditing procedures. An open-enrollment charter school's bilingual education or special language allocation may only be used for program and student evaluation, instructional materials and equipment, staff development, supplemental staff expenses, salary supplements for teachers, and other supplies required for quality instruction and smaller class size. (TEC §§12.104(b)(3)(G) and 42.105)

Sec. 5. CAREER AND TECHNOLOGY EDUCATION ALLOTMENT

For each full-time equivalent student in average daily attendance in an approved career and technology education program in grades 7 through 12 or in career and technology education programs for students with disabilities in grades seven through 12, an open-enrollment charter school is entitled to:

1. an annual allotment equal to the adjusted basic allotment multiplied by a weight of 1.35; and
2. \$50 for each of the following in which the student is enrolled:
 - a. two or more advanced career and technology education classes for a total of three or more credits;
 - b. a campus designated as a P-TECH school under Section 29.566; or
 - c. a campus that is a member of the New Tech Network and that focuses on project-based learning and work-based education.

For purposes of this allotment, "full-time equivalent student" means 30 hours of contact a week between a student and career and technology education program personnel.

At least 55% of the funds allocated under this section must be used in providing career and technology education programs in grades 7 through 12. (TEC §48.106).

Sec. 1. APPLICABILITY OF TITLE RELATING TO HIGH SCHOOL GRADUATION

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM is subject to a prohibition, restriction, or requirement, as applicable, imposed by Title 2 (Public Education) of the Texas Education Code (“TEC”), or a rule adopted under Title 2 (Public Education) of the TEC, relating to high school graduation under TEC §28.025. (TEC §12.104(b)(2)(E))

Sec. 2. ARD COMMITTEE AND IEP

For each student who is at least 14 years of age and qualifies for special education, the admission, review, and dismissal (“ARD”) committee must begin transition planning. The ARD committee must also consider the student’s graduation plan and what state assessments are required for graduation. (TEC §29.0111; 19 TAC §89.1070)

Sec. 3. SPECIAL EDUCATION ELIGIBILITY UPON GRADUATION

Graduation with a regular high school diploma terminates a student’s eligibility for special education and related services. Termination of eligibility based on graduation requires **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** to complete a summary of performance in accordance with 34 CFR §300.305(e)(3), and prior written notice must be provided to the parent. (34 CFR §300.102)

A student who receives a diploma, but took one or more classes with a modified curriculum, may request the ARD committee determine needed educational services as long as the student meets the age eligibility requirements. Modified curriculum is defined as curriculum or content that is reduced in amount or complexity of the required Texas Essential Knowledge and Skills (“TEKS”). (19 TAC §89.1070)

Sec. 4. GRADUATION REQUIREMENTS UNDER THE FOUNDATION HIGH SCHOOL PROGRAM

A student with a disability that receives special education services and who enters 9th grade in or after the 2014-2015 school year, may receive a regular high school diploma if the student:

1. Demonstrates mastery of the required states standards;
2. Completes the credit requirements under the Foundation High School Program; or
3. Achieves satisfactory performance on the required state assessment unless the ARD committee determines that satisfactory performance on the required state assessment is not necessary for graduation.

A student who receives special education services entering 9th grade in 2014-2015 or after may also earn a high school diploma if the student the student meets the above requirements and

successfully completes the individualized education program (“IEP”) and meets one of the following:

1. consistent with the IEP, the student obtains full-time employment and masters sufficient self-help skills to enable to the student to maintain employment without direct or ongoing educational support;
2. consistent with the IEP, demonstrated mastery of specific employability skills and self-help skills that do not require ongoing educational support;
3. has access to services that are not within the legal responsibility of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** or educational options for which the student has been prepared for by the academic program; or
4. no longer meets eligibility requirements

(19 TAC §89.1070; TEC §28.025)

Sec. 5. ENDORSEMENTS UNDER THE FOUNDATION HIGH SCHOOL PROGRAM

A student receiving special education services, may receive an endorsement if the student:

1. Completes the requirements for graduation under the Foundation High School Program and completes the additional credits requirements in mathematics, science, and elective courses required for an endorsement with or without modified curriculum; or
2. Completes the courses required for the endorsement without modified curriculum; and
3. Performs satisfactorily on the state assessment.

A student who is in 11th or 12th grade in 2014-2015, 2015-2016, or 2016-2017 school years who took each of the required assessments, but failed to achieve satisfactorily on no more than two assessments is eligible for an endorsement if the student meets the other endorsement requirements.

For students receiving special education services, if the student wants to use a course to satisfy both the Foundation High School Program requirements and for the endorsement requirement, the course must be completed without modified curriculum.

(19 TAC §89.1070; TEC §28.025)

Sec. 6. TRANSITIONING TO THE FOUNDATION HIGH SCHOOL PROGRAM

For students who entered 9th grade prior to the 2014-2015 school year, a student may receive a diploma under the Foundation High School Program if the student’s ARD committee determines

the student should take courses under the Foundations program and the student completes the requirements.

A student transitioning may also receive an endorsement if he or she meets the requirements.

A student who is in 11th or 12th grade in the 2014-2015, 2015-2016, or 2016-2017 school years and transitioning to the Foundation High School Program, who took each of the required assessments, but failed to achieve satisfactorily on no more than two assessments may graduate if the student met the other graduation requirements.

(19 TAC §89.1070; TEC §28.025)

Sec. 7. SUBSTITUTIONS UNDER THE FOUNDATION HIGH SCHOOL PROGRAM

a) Language other than English

If the ARD committee determines that a student with a disability is unable to complete two credits in the same language other than English, the ARD committee may determine to:

1. substitute a combination of two credits from ELA, math, science, or social studies; or
2. substitute two credits of CTE, technology applications, or other academic electives.

(TEC §74.12(b)(5)(D)(i); §28.025(b-14)(1))

b) Physical Education

In accordance with State Board of Education (“SBOE”) rules, a student who is unable to participate in physical activity due to disability or illness is allowed to substitute one credit in English language arts, mathematics, science, or social studies or one academic elective credit for the required physical education credit. A credit allowed to be substituted may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The determination regarding a student’s ability to participate in physical activity must be made by:

- The student’s ARD committee, if the student receives special education services under the IDEA and Texas Education Code Chapter 29;
- The student’s 504 committee, if the student does not receive special education services under the IDEA or Texas Education Code Chapter 29, Subchapter A but is covered by Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Section 794; or
- If each of the described committees is inapplicable, a committee established by the school of persons with appropriate knowledge regarding the student.

(TEC §28.025(b-11))

Credits allowed as a substitution for the language and PE requirement may not be used to satisfy other graduation credit requirements.

(TEC §28.025(b-11) and (b-14))

Sec. 8. DISTINGUISHED ACHIEVEMENT, RECOMMENDED, AND MINIMUM HIGH SCHOOL PROGRAM

A student receiving special education services who entered 9th grade before the 2014-2015 school year, may graduate with a regular diploma if the student:

1. Demonstrates mastery of the state standards;
2. Completes credit requirements for graduation under the recommended or distinguished program; and
3. Achieves satisfactory performance on the required state assessment.

A student who is in 11th or 12th grade in 2014-2015, 2015-2016, or 2016-2017 school years and who took each of the required assessments, but failed to achieve satisfactorily on no more than two assessments may graduate under the recommended or distinguished program if the student met the other graduation requirements.

A student receiving special education services who entered 9th grade before the 2014-2015 school year, may also graduate with a regular diploma if the student:

1. Demonstrates mastery of the state standards;
2. Completes credit requirements for graduation under the minimum program; and
3. Participates in or satisfactorily performs on the required state assessment as determined by the ARD committee.

A student receiving special education services who entered 9th grade before the 2014-2015 school year, may also graduate with a regular diploma if the student:

1. Demonstrates mastery of the state standards through courses, one or more of which contained modified content and is aligned with the requirements under the minimum high school program;
2. Completes credit requirements for graduation under the minimum program;
3. Participates in or satisfactorily performs on the required state assessment as determined by the ARD committee; and
4. Successfully completes the IEP and meets one of the following conditions:

- a. consistent with the IEP, the student obtains full-time employment and masters sufficient self-help skills to enable the student to maintain employment without direct or ongoing educational support;
- b. consistent with the IEP, demonstrated mastery of specific employability skills and self-help skills that do not require ongoing educational support;
- c. has access to services that are not within the legal responsibility of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** or educational options for which the student has been prepared for by the academic program; or
- d. No longer meets eligibility requirements.

(19 TAC §89.1070)

Sec. 9. HIGH SCHOOL DIPLOMA AND CERTIFICATE; ACADEMIC ACHIEVEMENT RECORD

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM does issue a certificate of coursework completion to a student who successfully completes the curriculum requirements identified by the SBOE under TEC §28.025(a) but who fails to comply with TEC §39.025 (Secondary-Level Performance Required) relating to exit-level assessment requirements. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** does allow a student who receives a certificate to participate in a graduation ceremony with students receiving high school diplomas. (TEC §28.025(d))

Sec. 10. CERTIFICATE OF ATTENDANCE

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM does issue a Certificate of Attendance to a student who receives special education services under the Individuals with Disabilities Education Act (“IDEA”), and who has completed four years of high school but has not completed the student's IEP. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall allow a student who receives a certificate to participate in a graduation ceremony with students receiving high school diplomas. A student may participate in only one graduation ceremony. Receiving a Certificate of Attendance does not preclude a student from receiving a diploma. (TEC §28.025(f))

Sec. 11. PROMOTION TO 6TH OR 9TH GRADE

A student may not be promoted to 6th grade if the student does not perform satisfactorily on the 5th grade mathematics and reading assessments.

A student may not be promoted to 9th grade if the student did not perform satisfactorily on the 8th grade mathematics and reading assessments.

Each time a student fails to perform satisfactorily on an assessment administered under Section 39.023(a) in the 3rd, 4th, 5th, 6th, 7th, or 8th grade, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall provide the student

with accelerated instruction in the applicable subject area. Accelerated instruction may require participation of the student before or after normal school hours and may include participation at times of the year outside normal school operations.

The ARD committee of a student who participates in **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s special education program and who does not perform satisfactorily on an assessment shall determine:

1. the manner in which the student will participate in an accelerated instruction program under this section; and
2. whether the student will be promoted or retained under this section.

(TEC §28.0211)

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Sec. 1. FOSTER PARENT

A foster parent may act as a parent of a child with a disability, as authorized under 20 U.S.C. §1415(b) and its subsequent amendments, if:

1. the Department of Family and Protective Services (“DFPS”) is appointed as the temporary or permanent managing conservator of the child;
2. the rights and duties of the department to make decisions regarding education provided to the child under Section 153.371, Family Code, have not been limited by court order; and
3. the foster parent agrees to:
 - a. participate in making special education decisions on the child’s behalf; and
 - b. complete a training program that complies with minimum standards established by the Texas Education Agency (“TEA”) rule.

(TEC §29.015(a))

A foster parent who will act as a parent of a child with a disability must complete a training program before the next scheduled admission, review, and dismissal (“ARD”) committee meeting for the child but not later than the 90th day after the date the foster parent begins acting as the parent for the purpose of making special education decisions. (TEX §29.015(b))

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may not require a foster parent to retake a training program to continue serving as a child’s parent or to serve as the surrogate parent for another child if the foster parent has completed a training program to act as a parent of a child with a disability provided by:

1. the DFPS;
2. a school district;
3. an education service center; or
4. any other entity that receives federal funds to provide special education training to parents.

A foster parent who is denied the right to act as a parent under TEC §29.015 by an open-enrollment charter school may file a complaint with the TEA in accordance with federal law and regulations. (TEC §29.015(c))

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall provide notice to the student’s educational decision-maker and caseworker regarding events that may significantly impact the education of a student, including:

1. requests or referrals for an evaluation under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), or special education under Section 29.003;
2. ARD committee meetings;
3. manifestation determination reviews required by Section 37.004(b);

4. any disciplinary actions under Chapter 37 for which parental notice is required;
5. citations issued for Class C misdemeanor offenses on school property or at school-sponsored activities;
6. reports of restraint and seclusion required by Section 37.0021; and
7. use of corporal punishment as provided by Section 37.0011.

(TEC §25.007)

As a condition to receiving funds under Title I, Part A, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall collaborate with the state or local child welfare agency to:

- a. ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with 42 U.S.C. 675(4)(A) and to the extent required by law; and
- b. ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** will, to the extent required by law, provide transportation to the school of origin if:
 - i. the local child welfare agency agrees to reimburse **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** for the cost of transportation;
 - ii. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** agrees to pay the cost of transportation; or
 - iii. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** and the local welfare agency agree to share the cost of such transportation.

20 U.S.C. 6312(c)(5).

Sec. 2. SEC. 6.21.2. SURROGATE PARENT

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM must appoint an individual to serve as the surrogate parent for a child if:

1. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** is unable to identify or locate a parent for a child with a disability; or
2. the foster parent of a child is unwilling or unable to serve as a parent.

A surrogate parent appointed by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may not:

1. be an employee of the state, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, or any other agency involved in the education or care of the child; or
2. have any interest that conflicts with the interests of the child.

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A surrogate parent must:

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1. be willing to serve in that capacity;
2. exercise independent judgement in pursuing the child's interests;
3. ensure that the child's due process rights under applicable state and federal laws are not violated;
4. complete a training program that complies with minimum standards established by agency rule before the next scheduled admission, review, and dismissal committee meeting for the child but not later than the 90th day after the date the surrogate parent is appointed;
5. visit the child and the school where the child is enrolled;
6. review the child's educational records;
7. consult with any person involved in the child's education, including the child's teachers, caseworkers, court-appointed volunteers, guardian ad litem, attorney ad litem, foster parent, and caregiver; and
8. attend meetings of the child's admission, review, and dismissal committee.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may appoint a person who has been appointed to serve as a child's guardian ad litem or as a court-certified volunteer advocate as the child's surrogate parent. As soon as practicable after appointing a surrogate parent **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall provide written notice of the appointment to the child's educational decision-maker and caseworker.

If a court appoints a surrogate parent for a child with a disability and the **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** determines that the surrogate parent is failing to perform or is not properly performing the duties listed in this policy, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall consult with the DFPS regarding whether another person should be appointed to serve as the surrogate parent for the child.

Sec. 1. CHILD FIND PRIVATE SCHOOL STUDENTS

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall coordinate with home school districts, who are primarily responsible for consulting with private school representatives, regarding the child find process and the provision of special education and related services to children enrolled in private schools within **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s boundaries.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall undertake activities similar to those undertaken for children enrolled in public schools and shall complete the child find process for children enrolled in private schools in a time period comparable to that for other students attending the public schools within **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s boundaries. 20 U.S.C. 1412(a)(10)(A)(ii)–(iv).

Sec. 2. SPECIAL EDUCATION STUDENTS PLACED IN PRIVATE SCHOOL

*a) Placement by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM***

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** places a child with a disability in a private school or facility, or refers the child to a private school or facility, as a means of carrying out the requirements of the special education laws, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall ensure that the child is provided special education and related services, in accordance with an individualized education program ("IEP"), at no cost to the parents. 20 U.S.C. 1412(a)(10)(B)(i).

b) Placement by the Parent

When a student with a disability who has been placed by his or her parent directly in a private school is referred to **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall convene an admission, review, and dismissal ("ARD") committee to determine whether **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** can offer the child a free appropriate public education ("FAPE"). If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** determines that it can offer a FAPE to the student, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** is not responsible for providing educational services to the student, except as provided in 34 CFR 300.130–300.144 or 19 TAC 89.1096(e), until such time as the parents choose to enroll the student in **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** full time. 19 TAC 89.1096(b).

Sec. 3. REJECTION OF OFFER OF FAPE

a) Student Receives ISP

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** offers to provide a FAPE to a child with a disability and the parents elect to place the child in a private school or facility, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** is not required to pay for the cost of

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education, including special education and related services. However, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM must develop and implement an individualized services plan (“ISP”) for the child. 20 U.S.C. 1412(a)(10)(C)(i); 34 CFR 300.148(a).

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b) Reimbursement

If the parents of a child with a disability, who previously received special education and related services under the authority of UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM, enroll the child in a private school without the consent or referral by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM, a court or a hearing officer may require UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM to reimburse the parents for the cost of that enrollment if the court or hearing officer finds that UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM had not made a FAPE available to the child in a timely manner before the enrollment. 20 U.S.C. 1412(a)(10)(C)(ii); 34 CFR 300.148(c).

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Student records shall be maintained for each student from the time the student is in attendance at UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM until withdrawal or graduation from UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM. These records shall move with the respective student from campus to campus. Records for students not in attendance and/or withdrawn students and graduates shall be retained for the period of time required by law. No permanent records may be destroyed without explicit written permission from the Superintendent.

Sec. 1. EDUCATION RECORDS

a) “Education Records” Defined

For the purposes of this policy, the term “education records” means those records, files, documents, and other materials that contain information directly related to a student and are maintained by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM or

by a person acting for UNIVERSITY OF TEXAS CHARTER

SCHOOL SYSTEM. The term “education records” does not

include:

1. Records that are created or received by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM after an individual is no longer a student in attendance, and that are not directly related to the individual’s attendance as a student.
2. Records made by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM personnel that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to anyone other than a temporary substitute for the maker of the record.
3. Records maintained by a law enforcement unit of UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM that were created by that law enforcement unit for the purpose of law enforcement.
4. Records on a student who is eighteen years of age or older, or who is attending an institution of postsecondary education, that are:
 - a. Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity;
 - b. Made, maintained, or used only in connection with treatment of the student; and
 - c. Disclosed only to individuals providing the treatment. For the purpose of this definition, “treatment” does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution.
5. Grades on peer-graded papers before they are collected and recorded by a teacher.

State and federal law safeguard educational records from unauthorized inspection or use. All information relating to student performance, including grades, test results, and disciplinary records are considered confidential educational records. Release of those records are restricted to parents;

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school staff members with a legitimate educational interest; various governmental agencies or in response to a subpoena or court order; or a school to which the student transfers or subsequently

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enrolls. Release to any other person or agency will occur only with prior written consent of the parent.

b) Screening Records

The Principal of each **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** campus shall maintain records of screening for special senses and communication disorders, spinal screening, and assessment for type 2 diabetes for each student in **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**. Records shall be open for inspection by the state or local health department. The Texas-Mexico Border Health Coordination Office may, directly or through local health departments, enter a school and inspect records relating to assessment for type 2 diabetes. Individual screening records may be transferred among schools in accordance with Section 2-d (Access by Other Persons) below.

c) Immunization Records

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall maintain an individual immunization record during the period of attendance for each student admitted. The records shall be open for inspection at all reasonable times by the Texas Education Agency (“TEA”) or by representatives of local health departments or the Texas Department of State Health Services (“TDSHS”). **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall cooperate with other districts and schools in transferring students’ immunization records between other schools. Specific approval from students or parents is not required prior to making such record transfers.

d) Medical Records

The parent of a student is entitled to access the student’s medical records maintained by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**. On request of a student’s parent, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall provide a copy of the student’s medical records to the parent. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may not impose a charge that exceeds the amount authorized by Section 552.261 of the Government Code.

e) Privacy Rule for Non-“Education Records”

To the extent **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** is a covered entity under the Health Insurance Portability and Accountability Act (“HIPAA”), **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must comply with the Privacy Rule, 45 CFR Part 164, with respect to protected health information that is not an education record.

f) Food Allergy Information

Information regarding a child’s food allergy, regardless of how it is received by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, shall be retained in the child’s student records, but may not be placed in the health record maintained for the child by **UNIVERSITY OF TEXAS**

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i. Exceptions

If UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM receives documentation of a food allergy from a physician, that documentation shall be placed in the health record maintained for the child by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM. A registered nurse may enter appropriate notes about a child's possible food allergy in the health record maintained for the child by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM, including a notation that the child's student records indicate that a parent has notified UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM of the child's possible food allergy.

g) Assessment Instruments

The results of individual student performance on basic skills assessment instruments or other achievement tests administered by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM are confidential and may be made available only to the student, the student's parent, and to UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM personnel directly involved with the student's educational program. However, overall student performance data shall be aggregated by ethnicity, sex, grade level, subject area, campus, and school system, and made available to the public, with appropriate interpretations, at regularly scheduled Board meetings. The information may not contain the names of individual students or teachers.

h) Academic Achievement Records (Grades 9–12)

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall use the academic achievement record (transcript) form adopted by the State Board of Education ("SBOE"). This form shall serve as the academic record for each student and shall be maintained permanently by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM. Copies of the record shall be made available to students transferring to another district. The information may be provided to the student or to the receiving district or to both. UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall respond promptly to all requests for student records from receiving districts.

i) Enrollment Records

If a parent or other person with legal control of a child enrolls the child in UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM, the parent or other person, or the school district in which the child most recently attended school, shall furnish to UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM all of the following:

1. The child's birth certificate, or another document suitable as proof of the child's identity as defined by the Commissioner of Education in the Student Attendance Accounting Handbook.
2. A copy of the child's records from the school the child most recently attended if he or she was previously enrolled in a school in Texas or in another state.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM must furnish information under items 1 and 2 not later than the tenth working day after the date UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM receives a request for the information.

If a parent or other person with legal control of a child under a court order requests that UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM transfer a child's student records, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall notify the parent or other person as soon as practicable that the parent or other person may request and receive an unofficial copy of the records for delivery in person to a school in another district.

Sec. 2. ACCESS, DISCLOSURE, AND AMENDMENT

a) *Definitions*

i. "Attendance"

"Attendance" includes, but is not limited to:

1. Attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and
2. The period during which a person is working under a work-study program.

ii. "Disclosure"

"Disclosure" means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.

iii. "Parent"

"Parent" includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

iv. "Personally Identifiable Information"

"Personally identifiable information" includes, but is not limited to:

1. The student's name;
2. The name of the student's parent or other family members;
3. The address of the student or student's family;

4. A personal identifier, such as the student's biometric record, defined as a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting); social security number; or student number;
5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
7. Information requested by a person who UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM reasonably believes knows the identity of the student to whom the education record relates.

v. "Record"

"Record" means any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audiotape, film, microfilm, and microfiche.

vi. "Authorized Representative"

"Authorized representative" means any entity or individual designated by a state or local educational authority or an agency headed by an official listed in 34 C.F.R. 99.31(a)(3) to conduct—with respect to federal- or state-supported education programs—any audit, evaluation, or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

vii. "Education Program"

"Education program" means any program that is principally engaged in the provision of education, including but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education, and adult education, and any program that is administered by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM.

viii. "Signed and Dated Written Consent"

"Signed and dated written consent" may include a record and signature in electronic form that:

1. Identifies and authenticates a particular person as the source of the electronic consent; and
2. Indicates such person's approval of the information contained in the electronic consent.

b) Access by Parents

Access to the education records of a student who is or has been in attendance at UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall be granted to the parent of the student who is a minor or who is a dependent for tax purposes.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall presume that a parent has authority to inspect and review the student's records unless it has been provided with evidence that there is a court order, state statute, or legally binding document that specifically revokes these rights. A court may order the custodian of records to delete all references in a child's records to the place of residence of either party appointed as conservator before their release to another party appointed as conservator.

c) Access by Student

Whenever a student has attained 18 years of age or is attending an institution of postsecondary education, the rights accorded to, and consent required of, parents transfer from the parents to the student.

Nothing in this section prevents UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM from disclosing education records, or personally identifiable information from education records, to a parent without prior written consent of an eligible student if the disclosure meets the conditions in 34 CFR 99.31(a), including if the student is a dependent for tax purposes or in the case of a health or safety emergency.

If material in the education record of a student includes information on another student, only the portion of the material relating to the student whose records were requested may be inspected and reviewed.

d) Access by Other Persons

Personally identifiable information in education records shall not be released without the written consent of the student's parents, except to the following:

i. School Officials

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may disclose personally identifiable information without parent consent when disclosure is made to school officials with legitimate educational interest in the information. A school official is:

1. A person employed by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM as an administrator, instructor, or support staff member (including health or medical staff and law enforcement unit personnel).
2. A person serving on the Board.

3. A person or company with whom UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist).
4. A consultant, contractor, volunteer, or other party to whom UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM has outsourced institutional services or functions, provided that the outside party:
 - a. Performs an institutional service or function for which UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM would otherwise use employees;
 - b. Is under the direct control of UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM with respect to the use and maintenance of education records; and
 - c. Is subject to the requirements of 34 CFR 99.33(a) governing the use and redisclosure of personally identifiable information from education records.
5. A parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM must use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests.

ii. Officials of Other Schools

Officials of other schools or school systems in which the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer, provided that UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM either:

1. Includes in its policies a statement that notifies the parent or student that it forwards education records on request of the other school to such officials; or
2. Makes a reasonable attempt to notify the parent (unless the record transfer is initiated by the parent).

In either case, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall furnish a copy of the transferred records to the parent if requested and shall give the parent an opportunity for a hearing to challenge the content of the record.

iii. Authorized Governmental Representatives

Authorized representatives of the officials or agencies headed by the Comptroller General of the United States, the Attorney General of the United States, the Secretary of Education, or state and local educational authorities who require access to student or other records necessary in connection with the audit and evaluation of federal- or state-supported education programs or in connection with the enforcement of or compliance with federal legal requirements that relate to such programs.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may not refuse to report information concerning a student holding an F, J, or M visa on the basis of the Family Educational Rights and Privacy Act (“FERPA”) and any regulation implementing FERPA. UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM is authorized and required to report information that would ordinarily be protected by FERPA only to the extent required by 8 U.S.C. 1372, 8 CFR 214.3, or any corresponding regulation.

iv. Financial Aid Personnel

Personnel involved with a student’s application for, or receipt of, financial aid.

v. Juvenile Justice Officials

State and local officials to whom such information is specifically allowed to be reported or disclosed by state statute if:

1. The allowed reporting or disclosure concerns the juvenile justice system and its ability to effectively serve the student whose records are released, and
2. The officials and authorities to whom such information is disclosed certify in writing to UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM that the information will not be disclosed to any other party except as provided under state law without the prior written consent of the parent of the student.

vi. Organizations Conducting Surveys

Organizations conducting studies for, or on behalf of, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction. Such studies must be conducted so that personal identification of students and their parents will not be revealed to persons other than authorized personnel of the organizations conducting the studies who have legitimate interests in the information. Such information must be destroyed when no longer needed for the original purposes of the studies.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM must enter into a written agreement with the organization that:

1. Specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;
2. Requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement;
3. Requires the organization to conduct the study in a manner that does not permit personal identification of parents and students, as defined in this part, by anyone other than representatives of the organization with legitimate interests; and

4. Requires the organization to destroy or return to UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be returned or destroyed.

If UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM enters into an agreement with an organization conducting a study, it may redisclose personally identifiable information from education records on behalf of educational agencies and institutions that disclosed the information to UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM in accordance with the requirements of 34 C.F.R. 99.33(b).

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM is not required to initiate a study or agree with or endorse the conclusions or results of the study.

vii. Accrediting Organizations

Accrediting organizations that require the information for purposes of accreditation.

viii. Health & Safety Emergency

Appropriate persons, including the student's parents, who, in an emergency, must have such information in order to protect the health or safety of the student or other person.

In making a determination, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.

ix. Secretary of Agriculture

The Secretary of Agriculture, or authorized representative from the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of schools receiving funding or providing benefits of programs authorized under the National School Lunch Act or the Child Nutrition Act.

x. State or Local Child Welfare Agency

An agency caseworker or other representative of a state or local child welfare agency who has the right to access a student's case plan when the agency is legally responsible, in accordance with state law, for the care and protection of the student.

xi. Directory Information

Any person requesting directory information after **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** has given public notice of that definition

*e) **Written Consent***

The parent shall provide a signed and dated written consent before **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** discloses personally identifiable information from a student's education records to any individual, agency, or organization other than the parent, the student, or those listed above. Such consent shall specify records to be released, the reason for such release, and to whom the records are to be released.

*f) **Instructional Resources and Parental Rights***

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material that will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U. S. Department of Education ("DOE") shall be available for inspection by the parents of students.

*g) **Information Collection***

i. DOE Funded Surveys

No student shall be required, as part of any program funded in whole or in part by the DOE, to submit to a survey, analysis, or evaluation that reveals information concerning the following topics without the prior consent of the student (if the student is an adult or emancipated minor), or, in the case of an unemancipated minor, without the prior written consent of the parent:

1. Political affiliations or beliefs of the student or the student's parents.
2. Mental and psychological problems of the student or the student's family.
3. Sex behavior and attitudes.
4. Illegal, anti-social, self-incriminating, and demeaning behavior.
5. Critical appraisals of other individuals with whom students have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or student's parent.
8. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

ii. Information Collection Funded by Other Sources

Except as provided by 20 U.S.C. 1232h(a) or (b), as a condition of receiving funds from programs funded in whole or in part by the DOE, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall develop and adopt policies, in consultation with parents, pursuant to 20 U.S.C. 1232h(c)(1), and provide for parent notification in accordance with 20 U.S.C. 1232(c)(2).

iii. Subpoenaed Records

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall release student records to an entity or persons designated in a subpoena.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall not disclose to any person the existence or contents of the subpoena if a court orders UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM to refrain from such disclosure. Unless the court or other issuing agency orders UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM to refrain from such disclosure or the order is an *ex parte* court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. 2332b(g)(5)(B) or an act of domestic or international terrorism as defined in 18 U.S.C. 2331,

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall make a reasonable effort to notify the parents and the student of all such subpoenas in advance of compliance.

iv. Sex Offenders

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may disclose personally identifiable information without consent if the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM under 42 U.S.C. 14071 and applicable federal guidelines.

h) *Parental Rights and Student Privacy*

As a condition of receiving funds under any applicable program, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM adopts the following policies, pursuant to 20 U.S.C. 1232h(c)(1):

1. Parents have a right to inspect any survey created by a third party before the survey is administered or distributed by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM to the student. Parents should submit such a request to the Principal, and shall be provided an opportunity to inspect the survey within a reasonable period of time as determined by the Principal. Upon a parent's request to inspect a survey, the parent's child shall not participate in the survey until the parent has had a reasonable opportunity to inspect the survey, as determined by the Principal.

2. In the event a survey contains the items listed above, and is administered or distributed to students, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall comply with FERPA and other applicable law to protect student privacy.
3. Parents have a right to inspect any instructional material used in the educational curriculum for the student. Parents should submit such a request to the Principal. The Principal shall provide reasonable access to parents within a reasonable period of time, as determined by the Principal.
4. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may administer physical examinations or other screenings to students as required and/or authorized by state or federal law and in accordance with other applicable policy.
5. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall not collect, disclose, or use a student's personal information for the purpose of marketing or selling that information to third parties. This policy does not apply to or restrict the use of personal information collected from students for the purpose of developing, evaluating, or providing educational products or services offered by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, for or to students or educational institutions, such as recruiters, book clubs, curriculum and instructional materials used by schools, sale by students of products or services to raise funds for school- related or education-related activities, or student recognition programs, or as otherwise required by law. This policy is also subject to state and federal public information laws and FERPA, that makes some student personal information, defined in this policy as "Directory Information," public.
6. Parents have a right to inspect any instrument used in collection of personal information, described above, before the instrument is administered to the student. Parents should submit such a request to the Principal. The Principal shall provide reasonable access to parents within a reasonable period of time, as determined by the Principal. Upon a parent's request to inspect such an instrument, the parent's child shall not participate until the parent has had a reasonable opportunity to inspect the instrument, as determined by the Principal.

The Superintendent shall ensure that parents are provided reasonable notice of the adoption or continued use of these policies. Such notice shall be provided directly to the parents of the students in attendance at **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**. At a minimum, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall:

1. Provide notice at least annually, at the beginning of the school year and within a reasonable time after any substantive change in the policies; and
2. Offer an opportunity for the parent to opt the student out of participation in an activity described above.

i) Request Procedure

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM must permit parents to inspect and review education records related to their children that are collected, maintained, or used by the UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM under the IDEA.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM must comply with the request without unnecessary delay and before any meeting regarding an IEP, any due process hearing, or resolution session, and in no case more than 45 days after the request has been made.

j) Destruction of Records

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall not destroy any education records if there is an outstanding request to inspect and review the records.

k) De-Identified Records

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM, or a party that has received education records or information from education records, may release the records or information without the parent's written consent after the removal of all personally identifiable information provided that UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM or other party has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, and taking into account other reasonably available information.

l) Education Research

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM, or a party that has received education records or information from education records, may release de-identified student level data from education records for the purpose of education research by attaching a code to each record that may allow the recipient to match information received from the same source, provided that:

1. UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM or other party that releases de-identified data under this section does not disclose any information about how it generates and assigns a record code, or that would allow a recipient to identify a student based on a record code;
2. The record code is used for no purpose other than identifying a de-identified record for purposes of education research and cannot be used to ascertain personally identifiable information about a student; and
3. The record code is not based on a student's social security number or other personal information.

m) Authenticating Requestors' Identities

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM must use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM discloses personally identifiable information from education records.

n) Transfer Not Permitted

Personal information from student education records shall be transferred to a third party only on the condition that such party will not permit any other party to have access to such information without the written consent of the student's parent. If a third party permits access to information in violation of this policy, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall not permit access to information from education records to that third party for a period of not less than five years.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall inform a party to whom a disclosure is made of the requirements of 34 CFR 99.33, unless the disclosure is made pursuant to a court order, lawfully issued subpoena, or litigation; the disclosed information is directory information; the disclosure concerns sex offenders; or the disclosure is made to a parent of a student who is not an eligible student or to a student.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may disclose personally identifiable information with the understanding that the party receiving the information may make further disclosures of the information on behalf of UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM if:

1. The disclosures meet the requirements of 34 CFR 99.31; and
2. UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM has complied with the requirements of 34 CFR 99.32(b) regarding the record of disclosure; or a state or local educational authority or federal official or agency listed requesting information through a subpoena or ex parte order has complied with the requirements of 34 CFR 99.32(b)(2).

o) Record of Access to Student Records

Each campus shall maintain a record, kept with the education record of each student, that indicates all individuals, agencies, or organizations that have requested or obtained access to a student's education records, as well as the names of state and local educational authorities and federal officials and agencies listed in 34 CFR 99.31(a)(3) that may make further disclosures of personally identifiable information from the student's education records without consent. UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM must obtain a copy of the record of further disclosures maintained by the named authorities, officials, and agencies under 34 CFR 99.32(b)(2) and make it available in response to a parent's request to review the record.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM must record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception (see Section 2- d-viii above):

1. The articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
2. The parties to whom **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** disclosed the information.

The records shall include at least the name of the person or agency that made the request and the legitimate interest the person or agency had in the information. The record will be maintained as long as **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** maintains the student's education record. The record of access shall be available only to parents, school officials responsible for custody of the records, and those state, local, and federal officials authorized to audit the operation of the system.

The record shall not include requests for access by, or access granted to, parents of the student or officials of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, requests accompanied by prior written consent of the parent, requests for directory information, or a party seeking or receiving records in accordance with a subpoena or ex parte order.

p) Right to Amend Records

The parent of a student whose records are covered by this policy may ask **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** to amend the student's record if the parent believes it contains information that is inaccurate, misleading, or in violation of the student's right of privacy or other rights. If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** decides not to amend the education records requested, it shall inform the parent of its decision and his or her right to a hearing to challenge the content of the student's education records.

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** decides to amend the records as a result of the hearing, it shall inform the parent in writing. If, as a result of the hearing, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** decides not to amend the records, it shall inform the parent of the right to place a statement in the records commenting on the contested information and/or stating why the parent disagrees with the decision of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**. Any explanation shall be maintained with the contested part of the record for as long as the record is maintained and shall be disclosed whenever the contested portion of the record is disclosed.

q) Fees for Copies

No fee shall be charged to search for or to retrieve the education records of a student. A fee may be charged for copies of education records that are made for the parents or students under this policy provided that the fee does not effectively prevent them from exercising their right to inspect and review those records. Hardship cases shall be dealt with on an individual basis.

r) Records of Students with Disabilities

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall permit parents to inspect and review education records collected, maintained, or used for purposes of identifying, evaluating, placing, or educating students with disabilities.

i. Access Rights

In addition to policies applicable to all student records, the following guidelines shall apply when parents of a student with disabilities request to review or inspect school records relating to the education of their child:

1. Parents may request that a representative inspect and review the records.
2. UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall comply with a request without unnecessary delay and before any meeting regarding an IEP or hearing relating to the identification, evaluation, or placement of the child, and in no case longer than 45 days after the request.
3. UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall keep a record of persons obtaining access to these student records (except access by parents and authorized employees), including name, date of access, and the purpose for which the person is authorized to use the records.

ii. List of Types and Locations of Information

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall provide parents on request a list of types and locations of education records.

iii. Parental Consent

Parental consent must be obtained before personally identifiable information is used for any purpose other than meeting a requirement under the IDEA or disclosed to anyone other than officials of agencies collecting or using this information. UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may not release information from these records without parental consent except as provided in FERPA.

iv. Confidentiality

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall protect the confidentiality of personally identifiable information in collection, storage, disclosure, and destruction of records. One official in UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall assume responsibility for ensuring confidentiality of personally identifiable information. All persons collecting or using this information shall receive training or instruction concerning the legal requirements involved in handling these records. UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall maintain for public

inspection a current listing of the names and positions of employees who may have access to this information.

v. *Destruction of Information*

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall inform parents when personally identifiable information collected, maintained, or used to provide special education and related services is no longer needed to provide educational services to the student. Such information shall be destroyed at the request of the parents.

A permanent record of the student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

s) *Annual Notification of Rights*

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall give parents of students in attendance and eligible students in attendance annual notification of their rights under FERPA.

The notice must inform parents or eligible students that they have the right to:

1. Inspect and review the student's education records;
2. Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;
3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the Act and 34 CFR 99.31 authorize disclosure without consent; and
4. File with the DOE a complaint under 34 CFR 99.63 and 99.64 concerning alleged failures by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** to comply with the requirements of the Act and 34 CFR part 99.

The notice must include all of the following:

1. The procedure for exercising the right to inspect and review education records.
2. The procedure for requesting amendment of records under 34 CFR 99.20.
3. If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** has a policy of disclosing education records under 34 CFR 99.31(a)(1), a specification of criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may provide this notice by any means that are reasonably likely to inform the parents or eligible students of their rights. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall effectively notify parents who are disabled and parents of students who have a primary or home language other than English.

t) Custodian of Records

The Superintendent or designee is designated as the custodian of all student records. The Principal of each campus is designated as an agent of the Superintendent or designee for the purposes of the receipt of requests concerning the disclosure of student records.

Sec. 3. DIRECTORY INFORMATION

Certain information about students is considered “directory information” and will be released to anyone who follows procedures for requesting it unless the parent or eligible student objects in writing to its release, within a reasonable time period set by the Superintendent, of receiving notice of FERPA rights. A parent or eligible student may also choose to opt out of the release of directory information at any time during the school year. At any time after restricting the release of directory information, a parent or eligible student may in writing authorize **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** to release directory information.

a) Definition

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM has designated the following categories of information as directory information for the purpose of disclosure relating solely to school-sponsored/school-affiliated purposes:

1. Student’s name;
2. Address;
3. Telephone listing;
4. Electronic mail address;
5. Photographs (including video images);
6. Date and place of birth;
7. Major field of study;
8. Dates of attendance;
9. Grade level;
10. Participation in officially recognized activities and sports;
11. Weight and height of members of athletic teams;
12. Degrees, honors, and awards received; and
13. The most recent educational agency or institution attended.

“Directory information” does not include a student’s:

1. Social security number; or
2. Student identification number, unless the student identification number, user identification number, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number, password, or other factor known or possessed only by the authorized user.

School-sponsored/school-affiliated purposes are those events/activities that **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** conducts and/or sponsors to support **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s educational mission. Examples include, but are not limited to:

1. Extracurricular programs or events (e.g., school plays, concerts, athletic events, graduation ceremonies).
2. Publications (e.g., newsletters, yearbook, etc.).
3. Honor roll and other student recognition lists.
4. Marketing materials of the School (e.g., print media, website, videos, newspaper, etc.).

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM has designated the following categories of information for the purpose of disclosure to military recruiters and institutions of higher education, but only for secondary students:

1. Student's name;
2. Address;
3. Telephone listing; and
4. E-mail address.

b) Disclosure of Directory Information

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall not release directory information except for the purposes indicated above, namely:

1. Disclosure relating to school-sponsored/school-affiliated purposes; and
2. Disclosure to military recruiters and institutions of higher education, but only for secondary students.

c) In Class

A parent or eligible student may not use the right of refusal to opt out of directory information disclosures to prevent **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** from disclosing or requiring a student to disclose the student's name, identifier, or institutional e-mail address in a class in which the student is enrolled.

d) Former Students

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may disclose directory information about former students without satisfying the public notice conditions above. However, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM must continue to honor any valid request to opt out of the disclosure of directory information made while a student was in attendance unless the student rescinds the opt-out request.

e) Confirmation of Identity or Records

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may not disclose or confirm directory information without meeting the written consent requirements in 34 CFR 99.30 if a student's social security number or other non-directory information is used alone or combined with other data elements to identify or help identify the student or the student's records.

f) Designation of Directory Information

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may designate as directory information any or all information defined as directory information by FERPA. Directory information under that Act that is not designated by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM as directory information is excepted from disclosure by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM under Government Code Chapter 552.

Directory information consented to by a parent for use only for a limited school-sponsored purpose, such as for a student directory, student yearbook, or school publication, if any such purpose has been designated by UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM, remains otherwise confidential and may not be released under Government Code Chapter 552.

g) Student Recruiting Information

Notwithstanding the provisions of Section 3 (Directory Information) above, upon receipt of assistance under the Elementary and Secondary Education Act of 1965 (ESEA), UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall provide, on a request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses, and telephone listings.

A secondary school student or the parent of the student may request that the student's name, address, and telephone listing described above not be released without prior written parental consent. UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall notify parents of the option to make a request and shall comply with any request.

Sec. 4. INFORMATION FROM LAW ENFORCEMENT

a) Oral Notice of Arrest or Referral

Upon receipt of oral notice from a law enforcement agency that it has arrested a student or referred a student to the juvenile board for a specified offense, the Superintendent shall promptly notify all instructional and support personnel who have responsibility for supervising the student. All personnel shall keep the information received confidential.

b) Written Notice of Arrest or Referral

Upon subsequent receipt of confidential, written notice of the arrest or referral, the Superintendent or designee may send the information in the confidential notice to a School employee having direct supervisory responsibility over the student if the Superintendent or designee determines that the employee needs the information for educational purposes or for the protection of the person informed or others.

c) Oral Notice of Conviction or Adjudication

Upon receipt of oral notice from a prosecuting attorney of a student's conviction, deferred prosecution, or adjudication of a specified offense, including a statement as to whether the student is required to register as a sex offender, the Superintendent shall, within 24 hours of receiving the notice, notify all instructional and support personnel who have regular contact with the student.

d) Notice of Transfer or Reenrollment

Upon receipt of notice from a parole, probation, or community supervision office having jurisdiction over a student that a student has transferred or reenrolled, the Superintendent shall, within 24 hours of receiving the notice, notify all instructional and support personnel who have regular contact with the student.

A person who receives information described above shall not disclose it except as specifically authorized by Code of Criminal Procedure 15.27.

Information received by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** under this provision shall not be attached to the permanent academic file of the student who is the subject of the report. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall destroy the information at the end of the academic year in which the report was filed.

e) Duty to Flag Records

Upon receipt of notification from a law enforcement agency or the missing children and missing persons information clearinghouse that a child under 11 years of age who attended or who is enrolled in UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM is missing, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall flag the child's records and maintain the records in its possession so that on receipt of a request regarding the child, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM will be able to notify law enforcement or the missing children and missing persons information clearinghouse that a request for a flagged record has been made.

i. Request in Person

When a request for a flagged record is made in person, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may not advise the requesting party that the request concerns a missing child and shall:

1. Require the person requesting the flagged record to complete a form stating the person's name, address, telephone number, and relationship to the child for whom a request is made, and the name, address, and birth date of the child;
2. Obtain a copy of the requesting party's driver's license or other photographic identification, if possible;
3. If the request is for a birth certificate, inform the requesting party that a copy of a certificate will be sent by mail; and
4. Immediately notify the appropriate law enforcement agency that a request has been made concerning a flagged record and include a physical description of the requesting party, the identity and address of the requesting party, and a copy of the requesting party's driver's license or other photographic identification.

After providing the information listed above, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall mail a copy of the requested record to the requesting party on or after the 21st day after the date of the request.

ii. Request in Writing

When a request for a flagged record is made in writing, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may not advise the requesting party that the request concerns a missing child and shall immediately notify the appropriate law enforcement agency that a request has been made concerning a flagged record and provide to the law enforcement agency a copy of the written request. After providing the notification, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall mail a copy of the requested record to the requesting party on or after the 21st day after the date of the request.

iii. Removal of Flag

On the return of a missing child under 11 years of age, the law enforcement agency shall notify each school that has maintained flagged records for the child that the child is no longer missing. On receipt of this notification, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall remove the flag from the records.

A school that has reason to believe that a missing child has been recovered may request confirmation that the missing child has been recovered from the appropriate law enforcement agency or the missing children and missing persons information clearing-house. If a response is not received after the 45th day after the date of the request for confirmation, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** may remove the flag from the record and shall inform the law enforcement agency or the missing children and missing persons information clearing-house that the flag has been removed.

Sec. 5. ACCESS TO RECORDS UNDER THE IDEA

The IDEA grants parents the right to inspect and review all educational records with respect to the identification, evaluation, educational placement, and the provision of FAPE to the child. 34 CFR § 300.501(a). **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must permit parents to inspect and review any education records relating to their children that are collected, maintained, or used by the district under the IDEA. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must comply with the request without unnecessary delay and before any meeting regarding an IEP, any due process hearing, or resolution session, and in no case more than 45 days after the request has been made. 34 CFR § 300.613(a).

Sec. 1. DEFINITIONS

a) “Records”

The term “records” means all documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other recording media, regardless of physical form or characteristic, and regardless of whether public access to it is open or restricted under the laws of the state, created or received by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, or any of its officers or employees pursuant to law or in the transaction of public business, are hereby declared to be the records of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** and shall be created, maintained, and disposed of in accordance with the provisions of this ordinance or procedures authorized by it and in no other manner.

The term “records” does not include:

1. Convenience copies: “Extra identical copies of documents created only for convenience of reference or research.”
2. Copies of documents furnished to the public (to fulfill a Public Information Act request).
3. Blank forms/stocks of publications.
4. Library or museum materials.

b) “Essential Record”

The term “essential record” means any record of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** necessary to the resumption or continuation of operations of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** in an emergency or disaster, to the recreation of the legal and financial status of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, or to the protection and fulfillment of obligations to the people of the state.

c) “Records Management”

The term “records management” means the application of management techniques to the creation, use, maintenance, retention, preservation, and disposal of records for the purposes of reducing the costs and improving the efficiency of record keeping. The term includes the development of records control schedules, the management of filing and information retrieval systems, the protection of essential and permanent records, the economical and space-effective storage of inactive records, control over the creation and distribution of forms, reports, and correspondence, and the management of micrographic and electronic and other records storage systems.

d) “Records Liaison Officers”

The term “records liaison officers” means the persons designated under Section 9 of this policy.

e) “Records Management Committee”

The term “records management committee” means the committee established under Section 5 of this policy.

f) “Records Management Officer”

The term “records management officer” means the person designated in Section 4 of this policy.

g) “Records Management Plan”

The term “records management plan” means the plan developed under Section 6 of this policy.

Sec. 2. RECORDS DECLARED PUBLIC PROPERTY

All records as defined in Section 1 of this policy are hereby declared to be the property of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**. No official or employee of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** has, by virtue of his or her position, any personal or property right to such records, even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

Sec. 3. POLICY

It is hereby declared to be the policy of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all records of this office through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Local Government Records Act and accepted records management practice.

Sec. 4. RECORDS MANAGEMENT OFFICER

<<Title>> will serve as Records Management Officer for **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** as provided by law, and will ensure that the maintenance, destruction, electronic storage, or other disposition of the records of this office are carried out in accordance with the requirements of the Local Government Records Act.

Sec. 5. ESTABLISHMENT OF RECORDS MANAGEMENT COMMITTEE: DUTIES

The Records Management Officer, in consultation with the Human Resource Director, shall appoint a Records Management Committee consisting of:

1. A Human Resource Department Supervisor; and

2. A financial officer for **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**; and
3. An executive or administrative officer for **UNIVERSITY OF**

TEXAS CHARTER SCHOOL SYSTEM The committee shall:

1. Assist the Records Management Officer in the development of policies and procedures governing the records management program;
2. Review the performance of the program on a regular basis and propose changes and improvements if needed;
3. Review and approve records control schedules submitted by the Records Management Officer;
4. Give final approval to the destruction of records in accordance with approved records control schedules; and
5. Actively support and promote the records management program throughout **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**.

Sec. 6. RECORDS MANAGEMENT PLAN TO BE DEVELOPED; APPROVAL OF PLAN; AUTHORITY OF PLAN

The Records Management Officer and the Records Management Committee shall develop a records management plan for **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** to be submitted to the Board. The plan must contain policies and procedures designed to reduce the costs and improve the efficiency of record keeping, to adequately protect the essential records of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, and to properly preserve those records of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** that are of historical value. The plan must be designed to enable the Records Management Officer to carry out his or her duties prescribed by state law and this policy effectively.

Once approved by the Board, the records management plan shall be binding on all offices, departments, divisions, programs, commissions, bureaus, boards, committees, or similar entities of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, and records shall be created, maintained, stored, microfilmed, or disposed of in accordance with the plan.

Sec. 7. DUTIES OF RECORDS MANAGEMENT OFFICER

In addition to other duties assigned in this policy, the Records Management Officer shall:

1. Administer the records management program and provide assistance to department heads in its implementation;
2. Plan, formulate, and prescribe records disposition policies, systems, standards, and procedures;

3. In cooperation with Principals and department heads, identify essential records and establish a disaster plan for each **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** campus and department to ensure maximum availability of the records in order to re-establish operations quickly and with minimum disruption and expense;
4. Develop procedures to ensure the permanent preservation of the historically valuable records of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**;
5. Establish standards for filing and storage equipment and for record keeping supplies;
6. Study the feasibility of and, if appropriate, establish a uniform filing system and a forms design and control system for **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**;
7. Provide records management advice and assistance to all **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** departments by preparing a manual or manuals of procedure and policy and by on-site consultation;
8. Monitor records retention schedules and administrative rules issued by the Texas State Library and Archives Commission to determine if the records management program and **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s records control schedules are in compliance with state regulations;
9. Disseminate to the Board, department heads, and Principals information concerning state laws and administrative rules relating to local government records;
10. Instruct Records Liaison Officers and other personnel in policies and procedures of the records management plan and their duties in the records management program;
11. Direct Records Liaison Officers or other personnel in the conduct of records inventories in preparation for the development of records control schedules as required by state law and this policy;
12. Ensure that the maintenance, preservation, microfilming, destruction, or other disposition of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** records is carried out in accordance with the policies and procedures of the records management program and the requirements of state law;
13. Maintain records on the volume of records destroyed under approved records -- control schedules, the volume of records microfilmed or stored electronically, and the estimated cost and space savings as the result of such disposal or disposition;
14. Report annually to the Superintendent on the implementation of the records management plan in each department of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**; and
15. Bring to the attention of the Superintendent non-compliance by department heads, Principals, or other **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** personnel with the policies and procedures of the records management program or the Local Government Records Act.

Sec. 8. DUTIES AND RESPONSIBILITIES OF DEPARTMENT HEADS AND PRINCIPALS

In addition to other duties assigned in this policy, department heads and Principals shall:

1. Cooperate with the Records Management Officer in carrying out the policies and procedures established by **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** for the efficient and economical management of records and in carrying out the

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requirements of this policy;

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2. Adequately document the transaction of government business and the services, programs, and duties for which the department head, principal, and his or her staff are responsible; and
3. Maintain the records in his or her care and carry out their preservation, microfilming, destruction, or other disposition only in accordance with the policies and procedures of the records management program of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** and the requirements of this policy.

Sec. 9. DESIGNATION OF RECORDS LIAISON OFFICERS

Each department head and Principal shall designate a member of his or her staff to serve as a Records Liaison Officer for the implementation of the records management program in the department.

If the Records Management Officer determines that in the best interests of the records management program more than one Records Liaison Officer should be designated for a department, the department head or Principal shall designate the number of Records Liaison Officers specified by the Records Management Officer.

Persons designated as Records Liaison Officers shall be thoroughly familiar with all records created and maintained by the department.

In the event of the resignation, retirement, dismissal, or removal by action of the department head or Principal of a person designated as a Records Liaison Officer, the department head or Principal shall promptly designate another person to fill the vacancy.

A department head or Principal may serve as Records Liaison Officer for his or her department.

Sec. 10. DUTIES AND RESPONSIBILITIES OF RECORDS LIAISON OFFICERS

In addition to other duties assigned in this policy, Records Liaison Officers shall:

1. Conduct or supervise the conduct of inventories of the records of the department in preparation for the development of records control schedules;
2. In cooperation with the Records Management Officer, coordinate and implement the policies and procedures of the records management program in their department; and
3. Disseminate information to department staff concerning the records management program.

Sec. 11. RECORDS CONTROL SCHEDULES TO BE DEVELOPED; APPROVAL; FILING WITH STATE

1. The Records Management Officer, in cooperation with department heads, Principals, and Records Liaison Officers, shall prepare records control schedules on a department by

department basis, listing all records created or received by the department and the retention period for each record. Records control schedules shall also contain such other information regarding the disposition of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** records as the records management plan may require.

2. Each records control schedule shall be monitored and amended as needed by the Records Management Officer on a regular basis to ensure that it is in compliance with records retention schedules issued by the state, and that it continues to reflect the record keeping procedures and needs of the department and the records management program of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**.
3. Before its adoption, a records control schedule or amended schedule for a department must be approved by the department head or Principal and the members of the Records Management Committee.
4. Before its adoption, a records control schedule must be submitted to and accepted for filing by the director and librarian as provided by state law. If a schedule is not accepted for filing, the schedule shall be amended to make it acceptable for filing. The Records Management Officer shall submit the records control schedules to the director and librarian.

Sec. 12. IMPLEMENTATION OF RECORDS CONTROL SCHEDULES; DESTRUCTION OF RECORDS UNDER SCHEDULE

1. A records control schedule for a department that has been approved and adopted under Section 11 shall be implemented by department heads, principals and Records Liaison Officers according to the policies and procedures of the records management plan.
2. A record whose retention period has expired on a record control schedule shall be destroyed unless an open records request is pending on the record, the subject matter of the records is pertinent to a pending lawsuit, or the department head or principal requests in writing to the Records Management Committee that the record be retained for an additional period.
3. Prior to the destruction of a record under an approved records control schedule, authorization for the destruction must be obtained by the Records Management Officer from the Records Management Committee.

Sec. 13. DESTRUCTION OF UNSCHEDULED RECORDS

A record that has not yet been listed on an approved records control schedule may be destroyed if its destruction has been approved in the same manner as a record destroyed under an approved schedule and the Records Management Officer has submitted to and received back from the director and librarian an approved destruction authorization request.

Sec. 14. CONTRACT SERVICES

With approval of the Board, the Records Management Officer and Committee may assign and delegate duties under this Policy to contracted services. The engagement of contract services will not relieve persons assigned and responsible under this policy from such assignment and responsibilities.

Sec. 15. RECORD OF ACCESS

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student, (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records. The record of access shall be maintained with the education records of the student as long as the records are maintained.

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Sec. 1. **DEFINITIONS**

For purposes of this policy, the following terms will have the meanings set forth below:

“Parent” means a person standing in parental relation to a child, including a guardian, and whose child receives special education and related services and assigned to one or more self-contained classrooms or other special education settings for at least 50 percent of the instructional day.

“Staff member” means a teacher, related service provider, paraprofessional, counselor, or educational aide assigned to work in a self-contained classroom or other special education setting.

“Board” means a majority of the UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM Board of Directors.

“School business day” means a day that campus or UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM administrative offices are open.

“Time-Out” has the meaning assigned by Education Code 37.0021.

“Self-contained classroom” means a classroom on a regular UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM campus (*i.e.*, a campus that serves students in general education and students in special education) in which a majority of the students in regular attendance are provided special education and related services and have one of the following instructional arrangements/settings described in the Student Attendance Accounting Handbook adopted by the Texas Education Agency (“TEA”):

1. self-contained (mild/moderate/severe) regular campus;
2. full-time early childhood (preschool program for children with disabilities) special education setting;
3. residential care and treatment facility--self-contained (mild/moderate/severe) regular campus;
4. residential care and treatment facility--full-time early childhood special education setting;
5. off home campus--self-contained (mild/moderate/severe) regular campus; or
6. off home campus--full-time early childhood special education setting.

“Other special education setting” means a classroom on a separate UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM campus (*i.e.*, a campus that serves only students who receive special education and related services) in which a majority of the students in regular attendance are provided special education and related services and have one of the following instructional arrangements/settings described in the Student Attendance Accounting Handbook adopted by the TEA:

1. residential care and treatment facility--separate campus; or
2. off home campus--separate campus.

“**Incident**” means an event or circumstance that involves alleged “abuse” or “neglect,” as those terms are described in Texas Family Code §261.001, of a student by a **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** employee or alleged “physical abuse” or “sexual abuse,” as those terms are described in Texas Family Code § 261.410, of a student by another student; and allegedly occurred in a self-contained classroom or other special education setting in which video surveillance is conducted under Texas Education Code §29.022.

Sec. 2. PROMOTION OF STUDENT SAFETY

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM will, upon receipt of a written request authorized by this policy, provide equipment, including a video camera, to the school or schools specified in the request

A school or campus that receives equipment due to a video surveillance request shall place, operate, and maintain one or more video cameras in self-contained classrooms and other special education settings in which a majority of the students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least 50 percent of the instructional day.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may not:

1. allow regular or continual monitoring of video recorded under this policy; or
2. use video recorded under this policy for routine teacher evaluation or monitoring or for any purpose other than the promotion of student safety.

Sec. 3. PROCEDURES FOR REQUESTING VIDEO SURVEILLANCE

Video surveillance under this policy is for the purpose of promoting student safety in certain self-contained classrooms and other special education settings.

a) Parent Request

A parent may request in writing that equipment be provided to the school or campus at which the parent’s child receives special education services in one or more self-contained classrooms or other special education settings.

b) Board Request

The Board may request in writing that equipment be provided to one or more specified schools or campuses at which one or more children receive special education services in self-contained classrooms or other special education settings.

c) Principal or Assistant Principal Request

The Principal or Assistant Principal of a school or campus at which one or more children receive special education services in self-contained classrooms or other special education settings may request in writing that equipment be provided to the Principal's or Assistant Principal's school or campus.

d) Staff Member Request

A staff member assigned to work with one or more children receiving special education services in a self-contained classroom or other special education settings may request in writing that equipment be provided to the school or campus at which the staff member works.

e) Additional Procedures

A school or campus that receives equipment as a result of the request of a parent or staff member is required to place equipment only in classrooms or settings in which the parent's child is in regular attendance or to which the staff member is assigned, as applicable.

A school or campus that receives equipment as a result of the request by the Board, Principal, or Assistant Principal is required to place equipment only in classrooms or settings identified by the requestor, if the requestor limits the request to specific classrooms or settings.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall designate an administrator (the "Administrator") at the **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** Central Office with responsibility for coordinating the provision of equipment to schools and campuses in compliance with this policy.

A written request must be submitted and acted on as follows:

1. A parent, staff member, or Assistant Principal must submit a request to the Principal or designee of the school or campus addressed in the request, and the Principal or designee must provide a copy of the request to the Administrator.
2. A Principal must submit a request by the Principal to the Administrator.
3. The Board must submit a request to the Administrator, and the Administrator must provide a copy of the request to the Principal or designee of the school or campus addressed in the request.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall provide a response to a request not later than the seventh school business day after receipt of the request by the person to whom it must be submitted that either authorizes the request or states the reason for denying the request. Unless granted an extension by the TEA,

the school or campus must begin operation of a video camera in compliance with this policy not later than the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the request is authorized.

A parent of a student whose admission, review, and dismissal (“ARD”) committee has determined that the student’s placement for the following school year will be in a classroom or other special education setting in which a video camera may be placed to make a request for the video camera by the later of the date on which the current school year ends, or the 10th school business day after the date of the placement determination by the ARD committee. Unless the TEA grants an extension of time, the school or campus must begin operation of a video camera not later than the later of the 10th school day of the fall semester or the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the date the request is made.

Sec. 4. ADVANCE WRITTEN NOTICE TO CAMPUS STAFF AND PARENTS

Before UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM activates a video camera in a classroom or other special education setting, UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall provide written notice of the placement to all school or campus staff and to the parents of each student attending class or engaging in school activities in the classroom or setting. This notice shall be in the form of a “Notice of Installation of Video and Audio Recording Equipment” form adopted by the Superintendent or designee, and shall be distributed to all parties prior to the start of recording.

At UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM’s discretion, campuses may post a notice at the entrance of any self- contained classroom or other special education setting in which video camera are placed stating that video and audio surveillance are conducted in the classroom or setting.

Sec. 5. TIMES OF OPERATION

Cameras shall be operational at all times during the instructional day when students are in the self-contained classroom or other special education setting.

A school or campus that places a video camera in a classroom or other special education setting shall operate and maintain the video camera in the classroom or setting, as long as the classroom or setting continues to satisfy the requirements under this policy, for the remainder of the school year in which the school or campus received the request, unless the requestor withdraws the request in writing.

If for any reason a school or campus will discontinue operation of a video camera during a school year, not later than the fifth school day before the date the operation of the video camera will be discontinued, the school or campus must notify the parents of each student in regular attendance

in the classroom or setting that operation of the video camera will not continue unless requested by a person eligible to make a request.

Not later than the 10th school day before the end of each school year, the school or campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue during the following school year unless a person eligible to make a request for the next school year submits a new request.

This policy applies to placement, operation, and maintenance of a video camera in a self-contained classroom or other special education setting during the regular school year and extended school year services.

Sec. 6. RESTRICTIONS ON VIDEO RECORDING

Video cameras must be capable of covering all areas of the classroom or other special education setting, including a room attached to the classroom or setting used for time-out. Video cameras must also be capable of recording audio from all areas of the classroom or other special education setting, including a room attached to the classroom or setting used for time-out.

The inside of a bathroom or any area in the classroom or other special education setting in which a student's clothes are changed may not be visually monitored, except for incidental coverage of a minor portion of a bathroom or changing area because of the layout of classroom or setting.

Sec. 7. RETENTION OF RECORDINGS

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM shall retain video recordings from a video camera placed under this policy for at least three months after the date the video was recorded.

If a person described in Section 8-a (Requests to View a Video Recording) as eligible to receive a copy of a video requests to view a video recording from a video camera placed under this policy, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must retain the recording from the date of receipt of the request until the person has viewed the recording and a determination has been made as to whether the recording documents an alleged incident. If the recording documents an alleged incident, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall retain the recording until the alleged incident has been resolved, including the exhaustion of all appeals.

A video recording under this policy is a governmental record only for purposes of 37.10, Penal Code.

Sec. 8. CONFIDENTIALITY OF VIDEO RECORDINGS

A video recording of a student is confidential and may not be released or viewed except as provided by Texas Education Code §29.022; the Family Educational Rights and Privacy Act of 1974 (“FERPA”); or other applicable law.

a) Requests to View a Video Recording

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM will release a recording for viewing by:

1. A **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** employee who is involved in an alleged incident that is documented by the recording and has been reported to **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, on request of the employee;
2. A parent of a student who is involved in an alleged incident that is documented by the recording and has been reported to **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, on request of the parent;
3. Appropriate Department of Family and Protective Services (“DFPS”) personnel as part of an investigation under Section 261.406, Family Code;
4. A peace officer, a school nurse, a district-level or campus-level administrator trained in de-escalation and restraint techniques as provided by commissioner rule, or a human resources staff member designated by the Board in response to a report of an alleged incident or an investigation of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** personnel or a report of alleged abuse committed by a student; or
5. Appropriate TEA or State Board for Educator Certification personnel or agents as part of an investigation.

A contractor or employee performing job duties relating to the installation, operation, or maintenance of video equipment or the retention of video recordings who incidentally views a video recording is not in violation of this policy.

If a person described by subsections (4) or (5) above who views the video recording believes that the recording documents a possible violation under Subchapter E, Chapter 261, Family Code, the person shall notify the DFPS for investigation in accordance with Family Code § 261.406.

If any person described by subsections (3), (4), or (5) above who views the recording believes that the recording documents a possible violation of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** policy, the person may allow access to the recording to appropriate legal and human resources personnel. A recording believed to document a possible violation of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** policy relating to the neglect or abuse of a student may be used as part of a disciplinary actions against **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** personnel and shall be released at the request of the student’s parent in a legal proceeding.

If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** determines that the recording is an “education record,” **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** shall release the recording in accordance with FERPA. State law does not limit the access of a student’s parent to a record regarding the student under FERPA or other law.

In order to review recordings for potential release, and operation and maintenance of the equipment, the following individuals shall have access to the video equipment: list out titles/departments that may have access to video equipment.

Sec. 9. PROCEDURES FOR REPORTING A COMPLAINT AND/OR REQUESTING TO VIEW RECORDING

Video and audio recording equipment shall be used for safety purposes to access documented, specific incidents. To report a complaint of alleged abuse or neglect to **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** and/or to request to view a recording allowed by Section 8 above, a written “Incident Report Form,” as adopted by the Superintendent or designee, shall be used by the requestor. This form will be completed to the extent of known information, and returned to the Superintendent or designee for validation.

Sec. 10. GRIEVANCE PROCEDURES

The special education dispute resolution procedures in 34 C.F.R. §§ 300.151-300.153 and 300.504-300.515, do not apply to complaints alleging that **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** has failed to comply with Education Code § 29.022. Complaints alleging violations of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**’s video surveillance obligations for special education settings under Education Code § 29.022 must be addressed through **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**’s Student and Parent Grievance Process (see PG-3.XX), as adopted by the Board.

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM, a parent, staff member, or an administrator may request an expedited review by the TEA of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**’s (1) denial of a request, (2) request for an extension of time to begin operation of a video camera, or (3) determination to not release a video recording to an individual. If **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, a parent, staff member or administrator requests an expedited review, the TEA shall notify all other interested parties of the request.

If an expedited review has been requested, the TEA shall issue a preliminary judgment as to whether **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** is likely to prevail on the issue under a full review by the TEA. If the TEA determines **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** is not likely to prevail, **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** must fully comply with the policy notwithstanding an appeal of the TEA’s decision. The TEA shall notify the requestor and **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, if **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** is not the requestor, of the TEA’s determination.

Sec. 11. FUNDING

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may solicit and accept gifts, grants, and donations from any person to implement the requirements in Education Code § 29.022. **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** is not permitted to use Individuals with Disabilities Education Act, Part B, funds or state special education funds to implement the requirements of Education Code requirements of Education Code § 29.022.

Sec. 12. NO WAIVER OF IMMUNITY

The requirements described by this policy do not:

1. Waive any immunity from liability of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**, or of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** officers or employees; or
2. Create any liability for a cause of action against **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** or against **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** officers or employees.

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Sec. 1. COMPLIANCE WITH GENERAL AND FISCAL GUIDELINES

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM must comply with the Texas Education Agency General and Fiscal Guidelines.

Sec. 2. CHARGING COSTS TO SPECIAL EDUCATION GRANT

UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM may charge costs to a special education grant when those costs follow the **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM**'s local written procedures for allowability of costs and meet the following criteria:

- Are reasonable for the performance of the special education grant and are allocable under the applicable cost principles;
- Conform to limitations or exclusions set forth in applicable cost principles or the special education grant agreement as to types or amount of costs;
- Are consistent with policies and procedures that apply uniformly to federally or state-funded activities funded from other sources;
- Are accorded consistent treatment among all grant programs, regardless of funding source;
- Are not included as a cost or used to meet cost-sharing or matching requirements of any other federally or state-funded program in the current or a prior period; and
- Are adequately documented.

Sec. 3. REASONABLE COST

A cost can be considered reasonable if it meets the following standards:

- The cost is of a type generally recognized as ordinary and necessary for the operation of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** or grant performance;
- Restrictions or requirements are imposed for generally accepted sound business practices, arms-length bargaining, federal or state laws and regulations, and grant award terms and conditions;
- Consideration is given to market prices for comparable goods or services for the geographical area;
- Individuals are acting with prudence in the circumstances of responsibility to **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** and federal and state government; and
- There are no significant deviations from established practices of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** that may unjustifiably increase grant costs.

a) *Allocating Costs*

A cost is allocable to the special education grant in accordance with relative benefits received if it is treated consistently with other costs incurred for the same purposes in like circumstance and if it meets the following:

- Is incurred specifically for the grant;
- Benefits both the grant and the other work and can be distributed in reasonable proportion to the benefits received; and
- Is necessary to the overall operation of **UNIVERSITY OF TEXAS CHARTER SCHOOL SYSTEM** and is assignable in part to the special education grant award in accordance with the principles of this framework.

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Sec. .1. DYSLEXIA AND RELATED DISORDERS

The Board shall ensure that procedures are implemented for identifying and providing appropriate, evidence-based instructional services to students for dyslexia and related disorders. These procedures shall be implemented in accordance with the State Board of Education's *Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders* (Dyslexia Handbook 2018 Update). 19 TAC 74.28. The University of Texas-University Charter School shall provide a copy or a link to the electronic version of the *Dyslexia Handbook* to parents of children suspected to have dyslexia or a related disorder.

Sec. .2. IDENTIFICATION AND TESTING

Students enrolling in The University of Texas-University Charter School shall be screened or tested, as appropriate, for dyslexia and related disorders at appropriate times in accordance with a program approved by the State Board of Education. This program includes a screening at the end of each school year for each student in kindergarten and each student in first grade.

The University of Texas-University Charter School must make available a process for early identification, intervention, and support for students at risk for dyslexia and related disorders in accordance with the *Dyslexia Handbook*. The University of Texas-University Charter School may not use early intervention strategies, including multi-tiered systems of support, to delay or deny the provision of a full and individual evaluation to a child suspected of having a specific learning disability, including dyslexia or a related disorder.

Screening and further evaluation should only be done by individuals or professionals who are trained to assess students for dyslexia and related disorders.

19 TAC 74.28(d), (j).

a) *Parent Notification*

At least five school days before any identification or evaluation procedure is used with an individual service, The University of Texas-University Charter School must provide written notification of the proposed identification or evaluation to the student's parent. The notice must be in English, or to the extent practicable, the individual's native language. The notice must include:

1. A reasonable description of the evaluation procedure to be used with the individual student;
2. Information related to any instructional intervention or strategy used to assist the student prior to evaluation;
3. An estimated timeframe within which the evaluation will be completed; and
4. Specific contact information for the campus point of contact, relevant parent training and information projects, and any other appropriate parent resources.

b) *IDEA Notice*

Before a full individual and initial evaluation is conducted to determine whether a student has a disability under the Individuals with Disabilities Education Act (“IDEA”), The University of Texas-University Charter School must notify the student’s parent of its proposal to conduct an evaluation consistent with 34 CFR 300.503, provide all the information required in the above notice, and provide an opportunity for written consent for the evaluation. The University of Texas-University Charter School must also provide a copy of the IDEA procedural safeguards notice required under 34 CFR 300.504 and a copy of Section 504 information required under Education Code 26.0081.

c) *Options and Services*

Parents of a student with dyslexia or a related disorder must be informed of all services and options available to the student, including general education interventions under response to intervention and multi-tiered systems of support models as required by Education Code 26.0081(d).

19 TAC 74.28(f)-(h).

Sec. .3. TREATMENT

The University of Texas-University Charter School shall provide each identified student access at his or her campus to instructional programs and to the services of a teacher trained in dyslexia and related services. The University of Texas-University Charter School may, with the approval of each student’s parents or guardians, offer additional services at a centralized location, so long as such centralized services do not preclude each student from receiving services at his or her campus.
19 TAC 74.28(i).

a) *Reading Program*

The University of Texas-University Charter School shall purchase a reading program or develop its own reading program for students with dyslexia and related disorders that is aligned with the descriptors found in the *Dyslexia Handbook*.

Teachers who screen and treat these students must be trained in instructional strategies that utilize individualized, intensive, multi-sensory, phonetic methods and a variety of writing and spelling components described in the *Dyslexia Handbook*. The professional development activities specified by each school and/or campus planning committee shall include these instructional strategies.

19 TAC 74.28(e).

b) *Reassessment*

Unless otherwise provided by law, a student determined to have dyslexia during testing or accommodated because of dyslexia may not be retested for dyslexia for the purpose of reassessing the student's need for accommodations until The University of Texas-University Charter School reevaluates the information obtained from previous testing of the student.

Sec. .4. PARENT EDUCATION PROGRAM

The University of Texas-University Charter School shall provide a parent education program for parents of students with dyslexia and related disorders. This program must include:

1. Awareness of characteristics of dyslexia and related disorders;
2. Information on testing and diagnosis of dyslexia;
3. Information on effective strategies for teaching dyslexic students;
4. Information on qualifications of those delivering services to students with dyslexia and related disorders;
5. Awareness of information on modification, especially modifications allowed on standardized testing;
6. Information on eligibility, evaluation requests, and services available under IDEA and Section 504; and
7. Contact information for the relevant regional and/or district specialists.

Education Code 38.003; 19 TAC 74.28(l).

University of Texas

University Charter School



Course Guide
2020-2021

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High School Course Information

All University of Texas-University Charter School courses meet the state standards for curriculum and instruction. Students who successfully complete UT-UCS courses receive credit that is transferable to any other secondary school.

High School Grade-Level Classification

Listed below is the minimum number of course credits required for each grade-level classification.

Freshman	Fewer than 6 credits
Sophomore	6 credits
Junior	11 credits
Senior	17 credits

Grade-level classification is determined at the beginning of the fall semester or upon enrollment. Reclassification occurs in extreme circumstances only. Immediately following the fall semester, the principal must submit a request, in writing, to the Superintendent for approval. Emphasis is on earning the proper credits in a progression towards graduation, rather than the student's grade-level classification.

Course Load

Listed below is the maximum and minimum number of credits to be earned during the regular school year without principal approval.

Time in School	Credits per Semester	Credits per Year
Half-Day Campus	1.5 – 2 credits	At least 3, no more than 4
Full-Day Campus	3 – 4 credits	At least 6, no more than 8
Summer Session	2 credits	

*Correspondence courses are not part of the course load unless they are given as part of the UT-UCS curriculum.

Concurrent Credit Programs

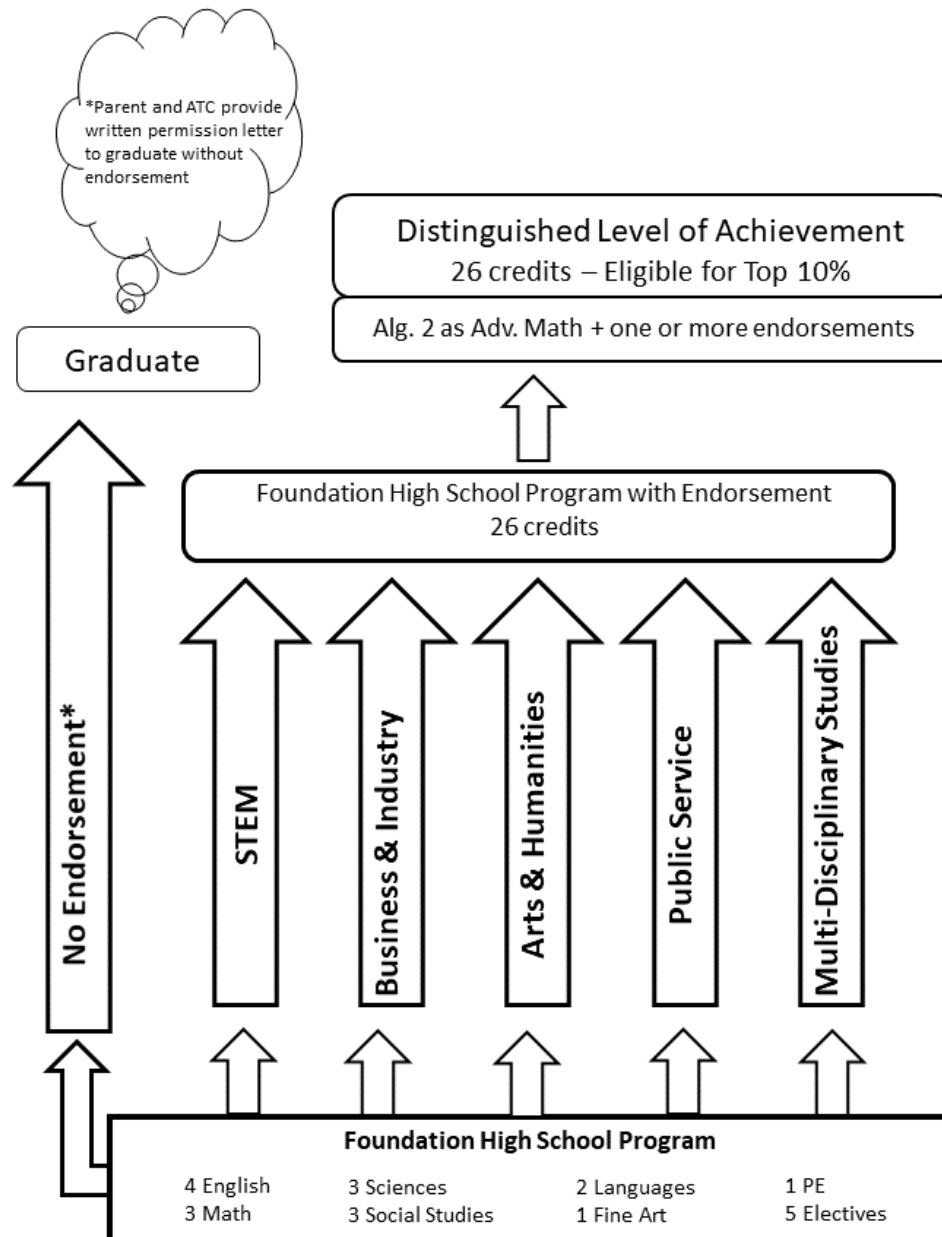
Students may enroll in equivalent high school and college level courses to earn concurrent credit. Students must complete the college level work through an accredited college. Courses can be taken during fall, spring, or summer semesters. Students should contact the college to determine credit transfer to a college degree program. Students must be aware that failing or not completing a dual credit class could have negative consequences on graduation plans. Students must be classified as a junior or higher and are limited to two college courses per semester, totaling no more than seven credit hours.

Students should follow the process below for concurrent enrollment:

1. Consult Academic Transition Coordinator (ATC) for academic advising, course enrollment permission, and transcript evaluation
2. Schedule Texas Success Initiative (TSI) or other admissions assessments, unless exempt
3. Complete College Admission form
4. Submit admission application with transcript to the college

5. Register for classes
6. Pay tuition
7. Submit copy of receipt to ATC for district records
8. Present grade report from the participating college to the ATC and principal for award of credit
(Credit is awarded for a grade of 70 or higher)

Graduation Requirements



Graduation Plans and Endorsements

Foundation High School Program

- 4 English credits
 - English I, II, III, plus 1 credit of advanced English
- 3 Math credits
 - Algebra I, Geometry, plus 1 credit of advanced math
- 3 Science credits
 - Biology + [IPC, Chemistry, Physics, or Principles of Technologies] + 1 credit of another advanced science
- 3 Social Studies credits
 - U.S. History, Economics, Government, and [World Geography or World History]
- 2 Language other than English credits
- 1 Fine Arts credit
- 1 Physical Education credit
- 5 Elective credits
- Evidence of Speech proficiency

STEM Endorsement

- Foundation High School Program
- Algebra II
- Chemistry and [Physics or Principles of Technologies]
- 2 additional Elective credits
- And 1 of the following combinations:
 - Sequence of 4 or more credits in career and technical education (CTE) that consists of at least 2 courses in the same career cluster and at least 1 advanced CTE course.
 - Sequence of 4 credits in computer science
 - 2 mathematics credits for which Algebra II is a prerequisite
 - 2 science credits in addition to chemistry and physics

Business and Industry

- Foundation High School Program
- Adv. Math
- Adv. Science
- 2 additional Elective credits
- And 1 of the following combinations:
 - Sequence of 4 or more credits in career and technical education (CTE) that consists of at least 2 courses in the same career cluster and at least 1 advanced CTE course.
 - 3 levels of one of the following courses:
 - Public speaking
 - Debate
 - Advanced broadcast journalism
 - Advanced journalism: newspaper

- Advanced journalism: yearbook
- Advanced journalism: literary magazine
- 4 credits from the following technology courses:
 - Digital Design and Media Production
 - Digital Art and Animation
 - 3-D Modeling and Animation
 - Digital Communication in the 21st Century
 - Digital Video and Audio Design
 - Web Communications
 - Web Design
 - Web Game Development
 - Independent Study in Evolving/Emerging Technologies
- Combination of 4 credits from any of the options listed above (A-C in TAC Ch. 74)

Public Service

- Foundations High School Program
- And 1 of the following combinations:
 - Sequence of 4 or more credits in career and technical education (CTE) that consists of at least 2 courses in the same career cluster and at least 1 advanced CTE course, selected from TAC Chapter 130, 127 or CTE Innovative courses approved by the commissioner. The final course in the sequence must be selected from one of the following:
 - Chapter 130, Subchapter E: Relating to Education and Training
 - Chapter 130, Subchapter E: Relating to Government and Public Administration
 - Chapter 130, Subchapter H: Relating to Health Science
 - Chapter 130, Subchapter J: Relating to Human Services
 - Chapter 130, Subchapter L: Relating to Law, Public Safety, Corrections, and Security
 - Career Preparation I or II and Problems and Solutions in Chapter 127, Subchapter B: Relating to Education and Training, Government and Public Administration, Health Science, Human Services, or Law, Public Safety, Corrections and Security
 - 4 credits in Junior Reserve Officer Training Corps (JROTC)

Arts and Humanities

- Foundation High School Program
- And 1 of the following combinations:
 - 5 Social Studies credits
 - 4 levels of the same language in a language other than English
 - 2 levels of 2 languages other than English
 - 4 levels of American Sign Language

- Sequence of 4 credits from categories or disciplines in fine arts or innovative courses approved by the commissioner
- 4 English credits from the following
 - English IV
 - Independent Study in English
 - Literary Genres
 - Creative Writing
 - Research and Technical Writing
 - Humanities
 - Communication Applications
 - AP English Literature and Composition
 - AP English Language and Composition
 - IB Language Studies A1 Higher Level

Multidisciplinary Studies

- Foundation High School Program
- And 1 of the following combinations:
 - 4 advanced courses from within one endorsement area
 - 4 credits in each of the four foundation subject areas
 - Must include English IV and [Chemistry or Physics]
 - 4 credits in Advanced Placement, International Baccalaureate, or dual credit selected from English, mathematics, science, social studies, economics, languages other than English, or fine arts

Credit Acquisition

Credit by Exam (CBE)

Credit by Exam allows students to receive credit by demonstrating proficiency in the Texas Essential Knowledge and Skills (TEKS) for the course. The threshold for mastery is dependent upon prior exposure to the course. Students may take each CBE up to two times. These exams are offered during specific testing windows, and can only be taken once per window. # 1 Jan-Mar, #2 April-June, #3 July-September, #4 October-December.

CBE for Credit Recovery

Credit by Exam for Credit Recovery allows students with prior exposure to formal instruction to regain credit by passing a proficiency examination covering the TEKS of the course. Students must score at least 70% to recover credit.

CBE for Credit Acquisition/Acceleration

Credit by Exam for Acquisition or Acceleration allows students without prior instruction to gain credit for courses by passing a proficiency examination covering the TEKS of the course. Students must score at least 80% to gain credit.

Any elementary or middle school students attempting to accelerate and skip to the next grade level must take and pass all four core CBE exams. The request for acceleration and administration of exams must take place during the summer, prior to the beginning of the school year.

Credit Recovery

Edmentum Courseware allows students to access Computer-Based Instruction (CBI) for credit recovery. Students access the online coursework during the school day as a scheduled class or through summer school to regain credits. Students demonstrate proficiency through successful completion of pre-tests and the End of Semester (EOS) exam. The following courses are available for credit recovery through Edmentum Courseware:

Texas English 1-4	Texas Biology	World History
Texas Algebra 1-2	Integrated Physics and Chemistry (IPC)	US Government
Pre-Calculus	Chemistry	Economics
Texas Geometry	Physics	World Geography
Texas Mathematical Models with Applications	Texas US History	Spanish 1-2

Acceleration for Credit Acquisition

Students may accelerate the following elective courses for credit acquisition through Edmentum Courseware in CBI.

Course Name	PEIMS Code 022	PLATO Course Name	Credit
Accounting	13016600	Texas Accounting I A/B	1.0
Advertising and Sales Promotion	13034200	Texas Advertising	0.5
Art I	03500100	Art History & Appreciation	0.5
Audio/Video Production I	13008500	Texas Audio/Video Production A/B	1.0
Advanced Audio/Video Production	13008600	Texas Advanced Audio/Video Production A/B	1.0
Business Information Management I	13011400	Texas Business Information Management I A/B	1.0
Child Development	13024700	Texas Child Development	0.5
College Readiness and Study Skills	03270100	Texas College and Career Readiness	0.5
Commercial Photography	13009100	Texas Commercial Photography A/B	1.0
Computer Programming	13027600	Texas Computer Programming A/B	1.0
Creative Writing	03221200	Creative Writing	0.5
Introduction to Culinary Arts	13022500	Texas Culinary Arts A/B	1.0
Dollars and Sense	13024300	Texas Dollars and Sense	0.5
Earth and Space Science	03060200	High School Earth and Space Science A/B	1.0
Engineering Design and Presentation	13036500	Texas Engineering Design and Presentation A/B	1.0

Entrepreneurship	13034400	Texas Entrepreneurship A/B	1.0
Financial Mathematics	13018000	Financial Mathematics A/B	1.0
Foundations of Physical Fitness	PES00052	Physical Education	0.5
Game Programming and Design	03580380	Game Development	0.5
Graphic Design and Illustration	13008800	Texas Graphic Design and Illustration A/B	1.0
Health Education	03810100	Health	0.5
Health Science	13020400	Texas Health Science A/B	1.0
Independent Study in English	03221800	Gothic Literature	0.5
Lifetime Nutrition and Wellness	13024500	Texas Lifetime Nutrition and Wellness	0.5
Medical Terminology	13020300	Texas Medical Terminology	0.5
Money Matters	13016200	Texas Money Matters A/B	1.0
Music I	03152700	Music Appreciation	0.5
Principles of Agriculture, Food, and Natural Resources	13000200	Texas Principles of Agriculture, Food and Natural Resources A/B	1.0
Principles of Architecture	13004210	Texas Principles of Architecture A/B	1.0
Principles of Construction	13004220	Texas Principles of Construction A/B	
Principles of Arts, A/V Technology and Communications	13008200	Texas Principles of Arts, A/V Technology and Communications A/B	1.0
Principles of Business, Marketing, and Finance	13011200	Texas Principles of Business, Marketing and Finance A/B	1.0
Principles of Education and Training	13014200	Texas Principles of Education and Training A/B	1.0
Principles of Government and Public Administration	13018200	Texas Principles of Government and Public Administration A/B	1.0
Principles of Health Science	13020200	Texas Principles of Health Science A/B	1.0
Principles of Hospitality and Tourism	13022200	Texas Principles of Hospitality and Tourism A/B	1.0
Principles of Human Services	13024200	Texas Principles of Human Services A/B	1.0
Principles of Information Technology	13027200	Texas Principles of Information Technology A/B	1.0
Principles of Law, Public Safety, Corrections & Security	13029200	Texas Principles of Law, Public Safety, Corrections, & Security A/B	1.0
Principles of Manufacturing	13032200	Texas Principles of Manufacturing A/B	1.0
Principles of Transportation, Distribution & Logistics	13039200	Texas Principles of Transportation, Distribution & Logistics A/B	1.0
Professional Communications	13009900	Texas Professional Communications	0.5
Psychology	03350100	Psychology A (can only earn .5 credits)	0.5
Special Topics in Social Studies I	03380002	African American Studies	0.5

Special Topics in Social Studies II	03380022	Native American Studies: Contemporary Perspectives	0.5
Special Topics in Social Studies III	03380031	Native American Studies: Historical Perspectives	0.5
Sports and Entertainment Marketing	13034600	Texas Sports and Entertainment Marketing	0.5
Sociology	03370100	Sociology	0.5
Statistics	03102530	Probability and Statistics	0.5
Touch System Data Entry	13011300	Texas Touch System Data Entry v2.0	0.5
Web Technologies	13027900	Texas Web Technologies A/B	1.0

Full list of available courses:

Course Name	PEIMS Code	Edmentum Name (if applicable)	Credit	Campus	Category
Accounting	13016600	Texas Accounting I A/B	1		CTE
AP Computer Science Principles	A3580300		1	MCH, SJRC	Tech
Advanced Animal Science	13000700		1	MCH only	CTE
Advanced Audio/Video Production	13008600	Texas Advanced Audio/Video Production A/B	1		CTE
Advanced Plant and Soil Science	13002100		1	MCH, PF	CTE
Advanced Welding	13032400		1	MCH only	CTE
Advertising and Sales Promotion	13034200	Texas Advertising	0.5		CTE
Agribusiness Management and Marketing	13000900		1	MCH, PF	CTE
Agricultural Facilities Design and Fabrication	13002300		1	MCH only	CTE
Agricultural Mechanics and Metal Technologies	13002200		1	MCH only	CTE
Algebra I	03100500	Texas Algebra I A/B	1		Math
Algebra I Modified	03100500		1		Math
Algebra II	03100600	Texas Algebra II A/B	1		Math
Algebra II Modified	03100600		1		Math
Algebraic Reasoning	03102540		1		Math
Art I (CBI)	03500100	Art History & Appreciation	0.5		Art
Art I (direct teach)	03500100		1		Art
Art II Drawing	03500500		1	MCH, SH, TNC	Art
Art II Painting	03500600		1	MCH, SH, TNC	Art
Art III Drawing	03501300		1	MCH, SH, TNC	Art
Audio/Video Production I	13008500	Texas Audio/Video Production A/B	1		CTE
Automotive Basics	13039550		1	PF Only	CTE
Biology I	03010200	Texas Biology A/B	1		Science
Biology I Modified	03010200		1		Science
Business Information Management I	13011400	Texas Business Information Management I A/B	1		CTE
Career Preparation I	12701300		2	MCH, SH, AH	CTE
Career Preparation II	12701400		2	MCH, SH, AH	CTE
Chemistry	03040000	Chemistry A/B	1		Science
Chemistry Modified	03040000		1		Science
Child Development	13024500	Texas Child Development	0.5		CTE
College Readiness and Study Skills	03270100	Texas College and Career Readiness	0.5		ELA

Commercial Photography	13009100	Texas Commercial Photography A/B	1		CTE
Computer Programming	13027600	Texas Computer Programming A/B	1		CTE
Concepts of Engineering and Technology	13036200	Texas Concepts of Engineering and Technology A/B	1		CTE
Creative Writing	03221200	Creative Writing A/B	0.5		ELA
Culinary Arts	13022600	Texas Culinary Arts A/B	1		CTE
Digital Media	13027800		1	PW only	CTE
Dollars and Sense	13024300	Texas Dollars and Sense	0.5		CTE
College Transition Dual Credit	N1290050		0.5	MCH only	
Earth and Space Science	3060200	High School Earth and Space Science A/B	1		Science
Economics Modified	03310300		0.5		Social Studies
Economics with Emphasis on the Free Enterprise System	03310300	Economics	0.5		Social Studies
Engineering Design and Presentation	13036500	Texas Engineering Design and Presentation A/B	1		CTE
English I	03220100	Texas English I A/B	1		ELA
English I Modified	03220100		1		ELA
English II	03220200	Texas English II A/B	1		ELA
English II Modified	03220200		1		ELA
English III	03220300	Texas English III A/B	1		ELA
English III Modified	03220300		1		ELA
English IV	03220400	Texas English IV A/B	1		ELA
English IV Modified	03220400		1		ELA
Entrepreneurship	13034400	Texas Entrepreneurship A/B	1		CTE
Environmental Systems	03020000	Environmental Science A/B	1		Science
Environmental Systems Modified	03020000		1		Science
Equine Science	13000500		1	MCH, PF	CTE
ESOL 1: English for Speakers of Other Languages	03200600		1		ELA
ESOL II: English for Speakers of Other Languages II	03200700		1		ELA
Financial Mathematics	12018000	Financial Mathematics A/B	1		Math
Food Science	13023000		1	MCH only	CTE
Forensic Science	13029500		1	MCH only	Science
Foundations of Physical Fitness	PES00052	Physical Education	0.5		PE
French I (continuing course only)	03410100	French I A/B	1		LOTE

French II (continuing course only)	03410200	French II A/B	1		LOTE
Game Programming and Design	03580380	Game Development	0.5		CTE
General Employability Skills	N1270153		1		CTE
Geometry	03100700	Texas Geometry A/B	1		Math
Geometry Modified	03100700		1		Math
Graphic Design and Illustration	13008800	Texas Graphic Design and Illustration A/B	1		CTE
Greenhouse Operation and Production	13002050		1	MCH, PF	CTE
Health	03810100	Health	0.5		PE
Health Science	13020400	Texas Health Science A/B	1		CTE
Horticulture Science	13002000		1	MCH, PF	CTE
Independent Study in English	03221800	Gothic Literature	1		ELA
Independent Study in Mathematics (must have C&I approval)	03102500		1		Math
Integrated Physics and Chemistry (IPC)	03060201	Integrated Physics and Chemistry A/B	1		Science
Integrated Physics and Chemistry (IPC) Modified	03060201		1		Science
Landscape Design and Management	13001900		0.5	MCH, PF	CTE
Lifetime Nutrition and Wellness	13024600	Texas Lifetime Nutrition and Wellness	0.5		CTE
Livestock Production	13000300		1	MCH, PF	CTE
Math Intervention I	84100010		LC		Math
Math Intervention II	84100011		LC		Math
Math Intervention III	84100012		LC		Math
Math Models with Applications	0312400	Texas Math Models with Applications A/B	1		Math
Math Models with Applications Modified	0312400		1		Math
Mathematics Applied in Agriculture, Food, and Natural Resources	13001000		1	MCH only	Math
Medical Terminology	13020300	Texas Medical Terminology	0.5		CTE
Methodology for Academic and Personal Success I	N1130021		0.5-1.0		Elective
Money Matters	13016200	Texas Money Matters	0.5		CTE
Music I (CBI)	03152700	Music Appreciation	0.5		Art

Music I (direct teach)	03152700		1	SH	Art
Physics	03050000	Physics A/B	1		Science
Physics Modified	03050000		1		Science
Political Science I	13018300		1		Social Studies
Political Science II	13018400		1		Social Studies
Practicum in Agriculture, Food, and Natural Resources	13002500		1.0-2.0	MCH only	CTE
Pre-Calculus	03101100	Pre-Calculus	1		Math
Principles and Elements of Floral Design	13001800		1	MCH only	CTE
Principles of Agriculture, Food, and Natural Resources	13000200	Texas Principles of Agriculture, Food, and Natural Resources A/B	1		CTE
Principles of Architecture	13004210	Texas Principles of Architecture A/B	1	MCH only	CTE
Principles of Construction	13004220	Texas Principles of Construction A/B	1		CTE
Principles of Arts, A/V Technology and Communications	13008200	Texas Principles of Arts, A/V Technology and Communications A/B	1		CTE
Principles of Business, Marketing, and Finance	13011200	Texas Principles of Business, Marketing and Finance A/B	1		CTE
Principles of Education and Training	13014200	Texas Principles of Education and Training A/B	1		CTE
Principles of Government and Public Administration	13018200	Texas Principles of Government and Public Administration A/B	1		Social Studies
Principles of Health Science	13020200	Texas Principles of Health Science A/B	1		CTE
Principles of Hospitality and Tourism	13022200	Texas Principles of Hospitality and Tourism A/B	1		CTE
Principles of Human Services	13024200	Texas Principles of Human Services A/B	1		CTE
Principles of Information Technology	13027200	Texas Principles of Information Technology A/B	1		CTE
Principles of Law, Public Safety, Corrections & Security	13029200	Texas Principles of Law, Public Safety, Corrections, & Security A/B	1		CTE

Principles of Manufacturing	13032200	Texas Principles of Manufacturing A/B	1		CTE
Principles of Transportation, Distribution & Logistics	13039200	Texas Principles of Transportation, Distribution & Logistics A/B	1		CTE
Professional Communications	13009900	Texas Professional Communications	0.5		CTE
Project Based Research	1270500		1		CTE
Psychology	03370100	Psychology A	0.5		Social Studies
Reading I	03270700		1		ELA
Reading II	03270800		1		ELA
Reading III	03270900		1		ELA
Small Animal Management	13000400		1	MCH, PF	CTE
Sociology	03370100	Sociology	0.5		Social Studies
Spanish I	03440100	Spanish I A/B	1	MCH, CBI	LOTE
Spanish II	03440200	Spanish II A/B	1	MCH, CBI	LOTE
Special Topics in SS I	03380002	African American Studies	0.5		Social Studies
Special Topics in SS II	03380022	Native American Studies: Contemporary Perspectives	0.5		Social Studies
Special Topics in SS III	03380032	Native American Studies: Historical Perspectives	0.5		Social Studies
Sports and Entertainment Marketing	13034600	Texas Sports and Entertainment Marketing	0.5		CTE
Statistics	03102530	Probability and Statistics	0.5		Math
Strategic Learning for HS Math	N1110030		1		Math
Theatre Arts I	03250100		1	MCH only	Art
Touch System Data Entry	13011300	Texas Touch System Data Entry	0.5		CTE
Turf Grass Management	13001950		0.5	MCH	CTE
US Government	03330100	US Government	0.5		Social Studies
US Government Modified	03330100				Social Studies
US History	03340100	Texas US History A/B	1		Social Studies
US History Modified	03340100		1		Social Studies
US History OnRamps	03340100		1	MCH only	Social Studies
Web Technologies	13027900	Texas Web Technologies A/B	1		CTE
Welding	13032300		1	MCH only	CTE

Wildlife, Fisheries, and Ecology Management	13001500		1	MCH only	CTE
World Geography	03320100	World Geography	1		Social Studies
World Geography Modified	03320100		1		Social Studies
World History	03340400	World History	1		Social Studies
World History Modified	03340400		1		Social Studies

Specialty trainings and offerings:

In accordance with TEC 38.030 on Health and Safety, each school year, the University of Texas University Charter school will offer an optional training to all students in grades 7-12 on the topic of “Stop the Bleed”. As part of the content, the students will be trained in the use of a bleed control station. The training will be presented by an individual that has been especially trained in the required “Stop the Bleed”. It may be presented in person or through a teleconferencing format.

Middle School Course Information

The middle school section of the course guide provides information to students and parents regarding courses available in grades 6-8. It provides a brief description of each course offered, lists any prerequisites or special requirements and gives information on promotion requirements.

Promotion and Retention

Promotion is based on each student’s academic achievement. Middle school students must have an overall average of 70% or greater, as well as a 70% or greater average in at least three of the four core classes: English/Reading, Mathematics, Social Studies, and Science.

For promotion to high school, 8th grade students must also pass the Reading and Math STAAR tests.

Middle School Grade Level Requirements

Students in grades 6-8 take the following core courses:

6th grade	English language arts	Math	Science	World Cultures
7th grade	English language arts	Math	Science	Texas History
8th grade	English language arts	Math	Science	US History

Middle School Electives and Courses for High School Credit

The following elective courses are available to middle school students:

Reading Enrichment by Grade Level
Math Intervention by Grade Level

Art
Music
College and Career Readiness

The following courses are available for high school credit:

Course	Credits
Algebra 1	1
Health	0.5
Spanish 1	1
Principles of Agriculture, Food, and Natural Resources	1
Speech	0.5
Theater Arts 1	1
Methodology for Academic and Personal Success 1	0.5 – 1
Art 1	1
Professional Communications	0.5

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER
SCHOOL

ANNUAL FINANCIAL REPORT

FOR THE YEAR ENDED AUGUST 31, 2020

University of Texas-University Charter School
Annual Financial Report
For The Year Ended August 31, 2020

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Introductory Section

CERTIFICATE OF BOARD

University of Texas-University Charter School
Name of School District

Travis
County

227-806
Co.-Dist. Number

We, the undersigned, certify that the attached annual financial reports of the above named school district were reviewed and (check one) _____approved _____disapproved for the year ended August 31, 2020, at a meeting of the Advistory Board of such charter school on the ____ day of _____, _____.

Signature of Vice Chairman

Signature of Board Member

If the Advisory Board disapproved of the auditors' report, the reason(s) for disapproving it is (are):
(attach list as necessary)

Financial Section

WEST, DAVIS & COMPANY, LLP
11824 Jollyville Road, Suite 100
Austin, Texas 78759
www.westdavis.com / gary@westdavis.com

Independent Auditors' Report

To the Board of Trustees
University of Texas-University Charter School
Austin, Texas

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the University of Texas-University Charter School ("the School") as of and for the year ended August 31, 2020, and the related notes to the financial statements, which collectively comprise the School's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the School's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the School's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of University of Texas-University Charter School as of August 31, 2020, and the respective changes in financial position, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis, and budgetary comparison information and schedule of the School's proportionate share of the net pension liability and schedule of School pension contributions, identified as Required Supplementary Information in the table of contents be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the University of Texas-University Charter School's basic financial statements. The introductory section and combining and individual nonmajor fund financial statements are presented for purposes of additional analysis and are not required parts of the basic financial statements. The schedule of expenditures of federal awards is presented for purposes of additional analysis as required by Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, and is also not a required part of the basic financial statements. The accompanying other supplementary information is presented for purposes of additional analysis and is also not a required part of the basic financial statements.

The combining and individual nonmajor fund financial statements and other supplementary information and the schedule of expenditures of federal awards are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements and other supplementary information and the schedule of expenditures of federal awards are fairly stated in all material respects in relation to the basic financial statements as a whole.

The introductory section has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated January 15, 2021 on our consideration of University of Texas-University Charter School's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the School's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering University of Texas-University Charter School's internal control over financial reporting and compliance.

A handwritten signature in cursive script, appearing to read "West, Davis & Company".

West, Davis & Company, LLP
Austin, Texas
January 15, 2021

University of Texas-University Charter School

MANAGEMENT'S DISCUSSION AND ANALYSIS

MANAGEMENT'S DISCUSSION AND ANALYSIS

This section of the Annual Financial and Compliance Report presents management's discussion and analysis of University of Texas-University Charter School's (the School) financial performance for the fiscal year ended August 31, 2020. This section of the report should be read in conjunction with the independent auditors' report on page 2, and the School's financial Statements, which begin on page 10. All amounts, unless otherwise indicated, are expressed in thousands of dollars.

FINANCIAL HIGHLIGHTS

- At year end the School has a net position of \$3.9 million.
- During the year, the School had operating expenses totaling \$10.6 million.

OVERVIEW OF THE FINANCIAL STATEMENTS

The School is considered a governmental organization for accounting, financial reporting, and auditing purposes. Organizations other than public corporations and bodies corporate and politic are classified as governmental organizations if they have one or more of the following characteristics:

- Popular election of officers or appointment (or approval) of a controlling majority of the members of the organization's governing body by officials of one or more state or local governments;
- The potential for unilateral dissolution by a government with the net position reverting to a government; or
- The power to enact and enforce a tax levy.

The School has the potential for unilateral dissolution by the University of Texas at Austin or the Texas Education Agency. Therefore, the School exhibits one of the characteristics and is considered to be a governmental organization for accounting, financial reporting, and auditing purposes.

This annual report consists of a series of financial statements. The government-wide financial statements include the Statement of Net Position and the Statement of Activities on pages 10 through 11. These provide information about the activities of the School as a whole and present a longer-term view of the School's property and debt obligations and other financial matters. They reflect the flow of total economic resources in a manner similar to the financial reports of a business enterprise.

Fund financial statements, starting on page 12, report the School's operations in more detail than the government-wide statements by providing information about the School's most significant funds. For governmental activities, these statements tell how services were financed in the short term as well as what resources remain for future spending. They reflect the flow of current financial resources and supply the basis for the budget.

The notes to the financial statements starting on page 16 provide narrative explanations or additional data needed for full disclosure in the government-wide statements or the fund financial statements.

The section labeled Other Supplementary Information Section contains data used by monitoring or regulatory agencies for assurance that the School is using funds supplied in compliance with the terms of grants.

This report consists of three parts – *management's discussion and analysis* (this section), *independent auditor's opinion*, and *basic financial statements*.

The basic financial statements include:

- Statement of Net Position includes all of the School's assets and liabilities. The difference between the School's assets and liabilities is its net assets. Net position is presented in two components – unrestricted and restricted.
- Statement of Activities reports all of the School's revenues and expenses. The statement measures the results of the School's operations.
- Fund financial statements report the School's operations in more detail.
- The Notes to the Financial Statements present information essential for fair presentation of the financial statements that is not displayed on the face of the financial statements. The notes are an integral part of the basic financial statements.

FINANCIAL ANALYSIS OF THE SCHOOL

Reporting the School as a Whole

The Statement of Net Position and the Statement of Activities

The analysis of the School's overall financial condition and operations begins on page 10. Its primary purpose is to show whether the School is better off or worse off as a result of the year's activities. The Statement of Net Position includes all the School's assets and liabilities at the end of the year while the Statement of Activities includes all the revenues and expenses generated by the School's operations during the year. These apply the accrual basis of accounting which is the basis used by private sector companies.

All of the current year's revenues and expenses are taken into account regardless of when cash is received or paid. The School's revenues are divided into those provided by outside parties who share the costs of some programs, such as grants provided by the U.S. Department of Education to assist children with disabilities and/or from disadvantaged backgrounds (program revenues), and revenues provided by TEA in equalization funding processes (general revenues). All the School's assets are reported whether they serve the current year or future years. Liabilities are considered regardless of whether they must be paid in the current or future years (such as workers' compensation claims).

These two statements report the School's net position and changes in it. The School's net position (the difference between assets and liabilities) provide one measure of the School's financial health, or financial position. Over time, increases or decreases in the School's net position is one indicator of whether its financial health is improving or deteriorating. To fully assess the overall health of the School, however, you should consider non-financial factors as well, such as changes in the School's average daily attendance.

In the Statement of Net Position and the Statement of Activities, we divide the School into two kinds of activities:

- **Governmental activities**—Most of the School's basic services are reported here, including the instruction, counseling, co-curricular activities, food services, transportation, maintenance, community services, and general administration. State and federal grants finance most of these activities.
- **Business-type activities**—The School has no such business-type activities.

Reporting the School's Most Significant Funds

Fund Financial Statements

The fund financial statements begin on page 12 and provide detailed information about the most significant funds—not the School as a whole. Laws and contracts require the School to establish some funds. The School's administration establishes many other funds to help it control and manage money for particular purposes. The School has only one kind of fund—governmental.

- **Governmental funds**—the School's basic services are reported in governmental funds. These use modified accrual accounting (a method that measures the receipt and disbursement of cash and all other financial assets that can be readily converted to cash) and report balances that are available for future spending. The governmental fund statements provide a detailed short-term view of the School's general operations and the basic services it provides. We describe the differences between governmental activities (reported in the Statement of Net Position and the Statement of Activities) and governmental funds in reconciliation schedules following each of the fund financial statements.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

Our analysis focuses on the net position (Table I) and changes in net position (Table II) of the School's governmental activities.

Net position of the School's governmental activities at year end totaled \$3.9 million. Unrestricted net position – the part of the net position that can be used to finance day-to-day operations without constraints established by debt covenants, enabling legislation, or other legal requirements – was \$3.9 million at August 31, 2020.

Total government-wide revenues increased from \$11.5 million to \$11.4 million. Total government-wide expenses increased from \$10.3 million to \$10.6 million.

Table I
University of Texas-University Charter School

NET POSITION		
in thousands		
	Governmental Activities	
	2020	2019
Current and other assets	4,038	3,204
Capital assets	-	-
Total assets	<u>4,038</u>	<u>3,204</u>
Other liabilities	99	59
Total liabilities	<u>99</u>	<u>59</u>
Total net position	<u>3,939</u>	<u>3,145</u>

Table II
University of Texas - University Charter School

CHANGES IN NET POSITION		
in thousands		
	Governmental Activities	
	2020	2019
Grants and Contributions:		
Operating Grants and Contributions	1,348	1,425
Not Restricted	10,058	9,917
Total Grants and Contributions	<u>11,406</u>	<u>11,342</u>
Operating Expenses:		
Instructional, Curriculum and Leadership	8,235	8,189
Student Support Services	614	627
Cocurricular/Extracurricular	0	0
General Administration	946	976
Plant Maintenance & Operation	226	175
Data Processing	368	333
Community Services	0	0
Fund Raising	223	200
Total Operating Expenses	<u>10,612</u>	<u>10,500</u>
Change in Net Position	<u>794</u>	<u>842</u>

NET PENSION AND OPEB LIABILITIES

The School has elected not to report these liabilities. See notes G and H to the financial statements.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS

Looking Beyond 2019-2020

In 2019-2020, UT-UCS opened two new campuses.

- Clearfork Academy (Fort Worth, TX): a residential facility offering substance abuse rehabilitation to boys ages 13-18. The campus is serving 24 students in its first year of operation.
- Safe Haven Youth Ranch (Hempstead, TX): a residential treatment facility offering services to boys and girls ages (12-17), who have suffered from traumatic life-experiences of abuse and neglect and are in need of mental and behavioral health services. The campus will serve 10 youth during the initial phase-one of construction in 2020, then an additional 32 youth after phase-two is completed.

In March of 2020, UT-UCS transitioned to remote learning in response to the COVID-19 pandemic. This effort necessitated the purchase of student laptops, hotspots, wireless access points and other technology related items to ensure our students and staff did not encounter any connectivity issues while participating in remote instruction.

In 2020-2021, UT-UCS developed a reopening plan that slowly transitioned students and staff to in-person instruction. The district is committed to taking the necessary precautions to provide our students, teachers, and staff with the safest learning environment possible. We are following the requirements and guidance set by the Texas Education Agency, and the CDC. Because our schools are all over the state, we are also following the executive orders set in the counties in which our school resides.

To ensure the financial impact of this pandemic is minimized, UT-UCS is following the guidance from the Texas Education Agency regarding attendance and implementing appropriate waivers to guarantee state funding levels. UT-UCS is also participating in the Elementary and Secondary School Emergency Relief Fund (ESSER) and Coronavirus Relief Fund (CRF) federal grant programs to offset the expenses incurred as a result of COVID-19.

CONTACTING THE SCHOOL'S FINANCIAL MANAGEMENT

This financial report is designed to provide a general overview of the School's finances and to show the School's accountability for the money it receives. If you have questions about this report or need additional financial information, contact the School's business office at University of Texas-University Charter School, The University of Texas at Austin, Division of Diversity and Community Engagement, 2200 East 6th Street, Austin, Texas 78702.

Basic Financial Statements

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

STATEMENT OF NET POSITION

AUGUST 31, 2020

		1	
Data Control Codes		Governmental Activities	
ASSETS:			
1110	Cash and Cash Equivalents	\$	3,654,404
1240	Due from Other Governments		383,680
1000	Total Assets		4,038,084
LIABILITIES:			
2110	Accounts Payable		99,157
2000	Total Liabilities		99,157
NET POSITION:			
Restricted For:			
3820	Federal and State Programs		20,834
3890	Other Purposes		40,451
3900	Unrestricted		3,877,642
3000	Total Net Position	\$	3,938,927

The accompanying notes are an integral part of this statement.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

STATEMENT OF ACTIVITIES

FOR THE YEAR ENDED AUGUST 31, 2020

Data Control Codes	Functions/Programs	1	4	Net (Expense) Revenue and Changes in Net Position
		Expenses	Program Revenues Operating Grants and Contributions	Governmental Activities
	Governmental Activities:			
11	Instruction	\$ 6,380,412	\$ 918,921	\$ (5,461,491)
13	Curriculum and Staff Development	487,397	--	(487,397)
23	School Leadership	1,366,946	--	(1,366,946)
31	Guidance, Counseling, & Evaluation Services	613,826	428,629	(185,197)
41	General Administration	945,604	--	(945,604)
51	Facilities Maintenance and Operations	226,341	--	(226,341)
53	Data Processing Services	368,315	--	(368,315)
81	Fund Raising	222,820	--	(222,820)
TG	Total Governmental Activities	10,611,661	1,347,550	(9,264,111)
TP	Total Primary Government	\$ 10,611,661	\$ 1,347,550	(9,264,111)
General Revenues:				
GC	Grants & Contributions Not Restricted to Specific Program			10,049,874
MI	Miscellaneous			8,169
TR	Total General Revenues			10,058,043
CN	Change in Net Position			793,932
NB	Net Position - Beginning			3,144,995
NE	Net Position - Ending			\$ 3,938,927

The accompanying notes are an integral part of this statement.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

BALANCE SHEET - GOVERNMENTAL FUNDS

AUGUST 31, 2020

Data Control Codes	10 General Fund	State Textbook Fund	Other Governmental Funds	98 Total Governmental Funds
ASSETS:				
1110 Cash and Cash Equivalents	\$ 3,934,317	\$ 42,312	\$ (322,225)	\$ 3,654,404
1240 Due from Other Governments	179	--	383,501	383,680
1000 Total Assets	<u>3,934,496</u>	<u>42,311</u>	<u>61,277</u>	<u>4,038,084</u>
LIABILITIES:				
Current Liabilities:				
2110 Accounts Payable	\$ 56,855	\$ 42,302	\$ --	\$ 99,157
2000 Total Liabilities	<u>56,855</u>	<u>42,302</u>	<u>--</u>	<u>99,157</u>
FUND BALANCES:				
Restricted Fund Balances:				
3490 Other Restrictions of Fund Balance	--	9	61,277	61,286
3600 Unassigned	<u>3,877,641</u>	<u>--</u>	<u>--</u>	<u>3,877,641</u>
3000 Total Fund Balances	<u>3,877,641</u>	<u>9</u>	<u>61,277</u>	<u>3,938,927</u>
4000 Total Liabilities and Fund Balances	<u>\$ 3,934,496</u>	<u>\$ 42,311</u>	<u>\$ 61,277</u>	<u>\$ 4,038,084</u>

The accompanying notes are an integral part of this statement.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL
*RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET
 TO THE STATEMENT OF NET POSITION
 AUGUST 31, 2020*

Total fund balances - governmental funds balance sheet	\$ 3,938,927
Amounts reported for governmental activities in the Statement of Net Position are different because:	
Net position of governmental activities - Statement of Net Position	\$ <u>3,938,927</u>

The accompanying notes are an integral part of this statement.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL**STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES****IN FUND BALANCES - GOVERNMENTAL FUNDS****FOR THE YEAR ENDED AUGUST 31, 2020**

Data Control Codes	10 General Fund	State Textbook Fund	Other Governmental Funds	98 Total Governmental Funds
REVENUES:				
5700 <i>Local and Intermediate Sources</i>	\$ --	\$ --	\$ 8,169	\$ 8,169
5800 <i>State Program Revenues</i>	9,981,694	42,302	20,825	10,044,821
5900 <i>Federal Program Revenues</i>	--	--	1,352,603	1,352,603
5020 Total Revenues	<u>9,981,694</u>	<u>42,302</u>	<u>1,381,597</u>	<u>11,405,593</u>
EXPENDITURES:				
Current:				
0011 <i>Instruction</i>	5,952,176	42,302	385,934	6,380,412
0013 <i>Curriculum and Staff Development</i>	12,251	--	475,146	487,397
0023 <i>School Leadership</i>	1,366,946	--	--	1,366,946
0031 <i>Guidance, Counseling, & Evaluation Services</i>	108,694	--	505,132	613,826
0041 <i>General Administration</i>	959,207	--	(13,603)	945,604
0051 <i>Facilities Maintenance and Operations</i>	226,341	--	--	226,341
0053 <i>Data Processing Services</i>	368,315	--	--	368,315
0081 <i>Fund Raising</i>	222,820	--	--	222,820
6030 Total Expenditures	<u>9,216,750</u>	<u>42,302</u>	<u>1,352,609</u>	<u>10,611,661</u>
1100 Excess (Deficiency) of Revenues Over (Under)				
1100 Expenditures	764,944	--	28,988	793,932
1200 Net Change in Fund Balances	<u>764,944</u>	<u>--</u>	<u>28,988</u>	<u>793,932</u>
0100 Fund Balances - Beginning	3,112,697	9	32,289	3,144,995
3000 Fund Balances - Ending	<u>\$ 3,877,641</u>	<u>\$ 9</u>	<u>\$ 61,277</u>	<u>\$ 3,938,927</u>

The accompanying notes are an integral part of this statement.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

*RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS
TO THE STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED AUGUST 31, 2020*

Net change in fund balances - total governmental funds	\$	793,932
--	----	---------

Amounts reported for governmental activities in the Statement of Activities
are different because:

Change in net position of governmental activities - Statement of Activities	\$	<u>793,932</u>
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The accompanying notes are an integral part of this statement.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED AUGUST 31, 2020

A. Summary of Significant Accounting Policies

The basic financial statements of University of Texas-University Charter School (the "School") have been prepared in conformity with accounting principles generally accepted in the United States of America ("GAAP") applicable to governmental units in conjunction with the Texas Education Agency's Financial Accountability System Resource Guide ("Resource Guide"). The Governmental Accounting Standards Board ("GASB") is the accepted standard setting body for establishing governmental accounting and financial reporting principles.

1. Reporting Entity

The Board of School Trustees ("Board"), a seven-member group, has governance responsibilities over all activities related to public elementary and secondary education within the jurisdiction of the School. The Board is elected by the public and has the exclusive power and duty to govern and oversee the management of the public schools of the School. All powers and duties not specifically delegated by statute to the Texas Education Agency ("TEA") or to the State Board of Education are reserved for the Board, and the TEA may not substitute its judgment for the lawful exercise of those powers and duties by the Board. The School receives funding from local, state and federal government sources and must comply with the requirements of those funding entities. However, the School is not included in any other governmental reporting entity and there are no component units included within the School's reporting entity.

2. Basis of Presentation, Basis of Accounting

a. Basis of Presentation

Government-wide Financial Statements: The statement of net position and the statement of activities include the financial activities of the overall government. Eliminations have been made to minimize the double-counting of internal activities. Governmental activities generally are financed through taxes, intergovernmental revenues, and other nonexchange transactions.

The statement of activities presents a comparison between direct expenses and program revenues for each function of the School's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. The School does not allocate indirect expenses in the statement of activities. Program revenues include (a) fees, fines, and charges paid by the recipients of goods or services offered by the programs and (b) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including all taxes, are presented as general revenues.

Fund Financial Statements: The fund financial statements provide information about the School's funds, with separate statements presented for each fund category. The emphasis of fund financial statements is on major governmental funds, each displayed in a separate column. All remaining governmental funds are aggregated and reported as nonmajor funds.

The School reports the following major governmental funds:

General Fund: This is the School's primary operating fund. It accounts for all financial resources of the School except those required to be accounted for in another fund.

State Textbook Fund: This fund accounts for state funding for instructional materials including textbooks.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED AUGUST 31, 2020

b. Measurement Focus, Basis of Accounting

Government-wide Financial Statements: These financial statements are reported using the economic resources measurement focus. They are reported using the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows take place. Nonexchange transactions, in which the School gives (or receives) value without directly receiving (or giving) equal value in exchange, include property taxes, grants, entitlements, and donations. On an accrual basis, revenue from property taxes is recognized in the fiscal year for which the taxes are levied. Revenue from grants, entitlements, and donations is recognized in the fiscal year in which all eligibility requirements have been satisfied.

Governmental Fund Financial Statements: Governmental funds are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. The School considers all revenues reported in the governmental funds to be available if the revenues are collected within sixty days after year-end. Revenues from local sources consist primarily of property taxes. Property tax revenues and revenues received from the State are recognized under the susceptible-to-accrual concept. Miscellaneous revenues are recorded as revenue when received in cash because they are generally not measurable until actually received. Investment earnings are recorded as earned, since they are both measurable and available. Expenditures are recorded when the related fund liability is incurred, except for principal and interest on general long-term debt, claims and judgments, and compensated absences, which are recognized as expenditures to the extent they have matured. General capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of general long-term debt and acquisitions under capital leases are reported as other financing sources.

When the School incurs an expenditure or expense for which both restricted and unrestricted resources may be used, it is the School's policy to use restricted resources first, then unrestricted resources.

3. Financial Statement Amounts

a. Property Taxes

The School levies no property taxes.

b. Inventories and Prepaid Items

Inventories of supplies on the balance sheet are stated at weighted average cost, while inventories of food commodities are recorded at market values supplied by the Texas Department of Human Services. Inventory items are recorded as expenditures when they are consumed. Supplies are used for almost all functions of activity, while food commodities are used only in the food service program. Although commodities are received at no cost, their fair market value is supplied by the Texas Department of Human Services and recorded as inventory and deferred revenue when received. When requisitioned, inventory and deferred revenue are relieved, expenditures are charged, and revenue is recognized for an equal amount. Inventories also include plant maintenance and operation supplies as well as instructional supplies.

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED AUGUST 31, 2020

c. Capital Assets

Purchased or constructed capital assets are reported at cost or estimated historical cost. Donated capital assets are recorded at their estimated fair value at the date of the donation. The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend assets' lives are not capitalized. A capitalization threshold of \$5,000 is used.

Capital assets are being depreciated using the straight-line method over the following estimated useful lives:

<u>Asset Class</u>	<u>Estimated Useful Lives</u>
Vehicles	2-15
Computer Equipment	3-15

d. Deferred Outflows and Inflows of Resources

In addition to assets, the statements of financial position (the government-wide Statement of Net Position and governmental funds balance sheet) will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position and/or fund balance that applies to one or more future periods and so will not be recognized as an outflow of resources (expense/expenditure) until then.

In addition to liabilities, the statements of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to one or more future periods and so will not be recognized as an inflow of resources (revenue) until that time.

e. Receivable and Payable Balances

The School believes that sufficient detail of receivable and payable balances is provided in the financial statements to avoid the obscuring of significant components by aggregation. Therefore, no disclosure is provided which disaggregates those balances.

There are no significant receivables which are not scheduled for collection within one year of year end.

f. Interfund Activity

Interfund activity results from loans, services provided, reimbursements or transfers between funds. Loans are reported as interfund receivables and payables as appropriate and are subject to elimination upon consolidation. Services provided, deemed to be at market or near market rates, are treated as revenues and expenditures or expenses. Reimbursements occur when one fund incurs a cost, charges the appropriate benefiting fund and reduces its related cost as a reimbursement. All other interfund transactions are treated as transfers. Transfers In and Transfers Out are netted and presented as a single "Transfers" line on the government-wide statement of activities. Similarly, interfund receivables and payables are netted and presented as a single "Internal Balances" line of the government-wide statement of net position.

g. Use of Estimates

The preparation of financial statements in conformity with GAAP requires the use of management's estimates.

h. Data Control Codes

Data Control Codes appear in the rows and above the columns of certain financial statements. The TEA requires the display of these codes in the financial statements filed with TEA in order to ensure accuracy in building a statewide database for policy development and funding plans.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED AUGUST 31, 2020

i. Fund Balances - Governmental Funds

Fund balances of the governmental funds are classified as follows:

Nonspendable Fund Balance - represents amounts that cannot be spent because they are either not in spendable form (such as inventory or prepaid insurance) or legally required to remain intact (such as notes receivable or principal of a permanent fund).

Restricted Fund Balance - represents amounts that are constrained by external parties, constitutional provisions or enabling legislation.

Committed Fund Balance - represents amounts that can only be used for a specific purpose because of a formal action by the School's Board of Trustees. Committed amounts cannot be used for any other purpose unless the Board of Trustees removes those constraints by taking the same type of formal action. Committed fund balance amounts may be used for other purposes with appropriate due process by the Board of Trustees. Commitments are typically done through adoption and amendment of the budget. Committed fund balance amounts differ from restricted balances in that the constraints on their use do not come from outside parties, constitutional provisions, or enabling legislation.

Assigned Fund Balance - represents amounts which the School intends to use for a specific purpose, but that do not meet the criteria to be classified as restricted or committed. Intent may be stipulated by the Board of Trustees or by an official or body to which the Board of Trustees delegates the authority. Specific amounts that are not restricted or committed in a special revenue, capital projects, debt service or permanent fund are assigned for purposes in accordance with the nature of their fund type or the fund's primary purpose. Assignments within the general fund convey that the intended use of those amounts is for a specific purpose that is narrower than the general purposes of the School itself.

Unassigned Fund Balance - represents amounts which are unconstrained in that they may be spent for any purpose. Only the general fund reports a positive unassigned fund balance. Other governmental funds might report a negative balance in this classification because of overspending for specific purposes for which amounts had been restricted, committed or assigned.

j. Net Position Flow Assumption

Sometimes the School will fund outlays for a particular purpose from both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted net position and unrestricted net position in the government-wide and proprietary fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the School's policy to consider restricted net position to have been depleted before unrestricted net position is applied.

k. Fund Balance Flow Assumptions

Sometimes the School will fund outlays for a particular purpose from both restricted and unrestricted resources (the total of committed, assigned, and unassigned fund balance). In order to calculate the amounts to report as restricted, committed, assigned, and unassigned fund balance in the governmental fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the School's policy to consider restricted fund balance to have been depleted before using any of the components of unrestricted fund balance. Further, when the components of unrestricted fund balance can be used for the same purpose, committed fund balance is depleted first, followed by assigned fund balance. Unassigned fund balance is applied last.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED AUGUST 31, 2020

B. Compliance and Accountability

1. Finance-Related Legal and Contractual Provisions

In accordance with GASB Statement No. 38, "Certain Financial Statement Note Disclosures," violations of finance-related legal and contractual provisions, if any, are reported below, along with actions taken to address such violations:

<u>Violation</u>	<u>Action Taken</u>
None reported	Not applicable

2. Deficit Fund Balance or Fund Net Position of Individual Funds

Following are funds having deficit fund balances or fund net position at year end, if any, along with remarks which address such deficits:

<u>Fund Name</u>	<u>Deficit Amount</u>	<u>Remarks</u>
None reported	Not applicable	Not applicable

C. Deposits and Investments

The School's funds are required to be deposited and invested under the terms of a depository contract. The depository bank deposits for safekeeping and trust with the School's agent bank approved pledged securities in an amount sufficient to protect School funds on a day-to-day basis during the period of the contract. The pledge of approved securities is waived only to the extent of the depository bank's dollar amount of Federal Deposit Insurance Corporation ("FDIC") insurance. The School's funds are maintained by UT.

On a monthly basis, UT provides the School with a statement of account showing all fund activities for the month and ending monthly balances which is then reconciled to the accounts of the School. Such deposits are insured to protect School funds on a day-to-day basis during the period of the contract. The pledge of approved securities is collateralized with securities held by The University of Texas at Austin in UT's name. The School does not maintain investments of any kind since funds available are retained by UT, therefore, no interest accrues to the School.

D. Capital Assets

Capital asset activity for the year ended August 31, 2020, was as follows:

	<u>Beginning Balances</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending Balances</u>
<u>Governmental activities:</u>				
<i>Capital assets being depreciated:</i>				
Equipment	\$ 19,549	\$ --	\$ --	\$ 19,549
Vehicles	21,597	--	--	21,597
Total capital assets being depreciated	41,146	--	--	41,146
Less accumulated depreciation for:				
Buildings and improvements	--	--	--	--
Equipment	(19,549)	--	--	(19,549)
Vehicles	(21,597)	--	--	(21,597)
Total accumulated depreciation	(41,146)	--	--	(41,146)
Total capital assets being depreciated, net	--	--	--	--
Governmental activities capital assets, net	\$ --	\$ --	\$ --	\$ --

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED AUGUST 31, 2020

E. Interfund Balances and Activities

1. Due To and From Other Funds

Balances due to and due from other funds at August 31, 2020, consisted of the following:

<u>Due To Fund</u>	<u>Due From Fund</u>	<u>Amount</u>	<u>Purpose</u>
None	None	\$ --	Not Applicable

All amounts due are scheduled to be repaid within one year.

2. Transfers To and From Other Funds

Transfers to and from other funds at August 31, 2020, consisted of the following:

<u>Transfers From</u>	<u>Transfers To</u>	<u>Amount</u>	<u>Reason</u>
None	None	\$ --	Not Applicable

F. Risk Management

The School is exposed to various risks of loss related to torts, theft, damage or destruction of assets, errors and omissions, injuries to employees, and natural disasters. During fiscal year 2020, the School purchased commercial insurance to cover general liabilities. There were no significant reductions in coverage in the past fiscal year and there were no settlements exceeding insurance coverage for each of the past three fiscal years.

G. Pension Plan

1. Plan Description

The School participates in a cost-sharing multiple-employer defined benefit pension that has a special funding situation. The plan is administered by the Teacher Retirement System of Texas (TRS). It is a defined benefit pension plan established and administered in accordance with the Texas Constitution, Article XVI, Section 67, and Texas Government Code, Title 8, Subtitle C. The pension trust fund is a qualified pension trust under section 401(a) of the Internal Revenue Code. The Texas Legislature establishes benefits and contribution rates within the guidelines of the Texas Constitution. The pension's Board of Trustees does not have the authority to establish or amend benefit terms.

All employees of public, state-supported educational institutions in Texas who are employed for one-half or more of the standard work load and who are not exempted from membership under Texas Government Code, Title 8, Section 822.002 are covered by the system.

All liabilities are liabilities of the University System and not the School, therefore, none are recorded here.

Detail information about the Teacher Retirement System's fiduciary net position is available in a separately-issued Comprehensive Annual Financial Report that includes financial statements and required supplementary information. That report may be obtained on the Internet at <https://www.trs.state.tx.us/about/documents/cafr.pdf#CAFR>; by writing to TRS at 1000 Red River Street, Austin, TX, 78701-2698; or by calling (512) 542-6592.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED AUGUST 31, 2020

H. Defined Other Post-Employment Benefit Plans

In addition to providing pension benefits, the State provides certain health and life insurance benefits for retired employees in accordance with state statutes. These postretirement benefits are administered at the UT System level. Substantially, all UT Austin employees may become eligible for the health and life insurance benefits as a retired employee if they reach normal retirement age while working for the State. Similar benefits for active employees are provided through the same self-funded plan. Depending upon the status of the employee at the time of retirement, the State or UT Austin recognizes the cost of providing these benefits. The cost of retiree postemployment benefits is recognized when paid. This contribution paid all of the "employee/retiree only" premiums and a portion of the premiums for those employees/retirees selecting dependent coverage. The employee/retiree was required to pay a portion of the cost of dependent coverage.

UT System follows an accrual-based measurement, recognition, and disclosure of OPEB expense, such as retiree medical, over the employees' years of service, along with the related liability, net of any plan assets. The UT System's Employee Group Insurance (EGI) program is a single employer plan in which a uniform benefit package is provided to all employees and retirees of the UT System (collectively, "subscribers") through a single risk pool. Uniform employer and subscriber contribution rates are developed by an actuary for each fiscal year based on a single actuarial valuation and are uniformly applicable to all subscribers from all institutions. Once the contributions are made, they are combined in a single risk pool from which all benefits and expenses are paid. Separate accounts are not maintained for UT Austin and contributions, benefits, and expenses are not tracked by individual component. As of August 31, 2018 and 2017, UT System's net OPEB obligation was \$3.17 billion and \$3.19 billion, respectively. The amount reported by the State is related to the premium sharing contributions, which are recognized as State appropriation general revenue on the UT System's financial statements in the fiscal year that the State contributed the amounts for OPEB on the UT System's behalf.

The UT System and member contribution rates are determined annually by the UT System based on the recommendations of the UT System's Office of Employee Benefits staff and consulting actuary. The contribution rates are determined based on the benefit and administrative costs expected to be incurred, the funds appropriated, and the funding policy established by the Texas Legislature in connection with benefits provided through the EGIP. The UT System revises benefits when necessary to match expected benefit and administrative costs with available revenue. EGIP is operated on a pay-as-you-go basis and no assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75.

The UT System EGIP is disclosed within the primary consolidated financial statements of the UT System.

All liabilities are liabilities of the University System and not the School, therefore, none are recorded here.

Additional information may be obtained from the UT System annual financial report:

<https://www.utsystem.edu/sites/default/files/documents/report-state/2018/consolidated-annual-financial-report-fy-2018/ut-system-audit-afr-2018.pdf>.

I. Employee Health Care Coverage

UT provides health care benefits to all School employees who meet UT employment qualifications and requirements. Contributions are required for coverage of dependents. During the year, UT deducted amounts from the School's cash accounts to cover their portion of health care coverage.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED AUGUST 31, 2020

J. Commitments and Contingencies

1. Contingencies

The School participates in grant programs which are governed by various rules and regulations of the grantor agencies. Costs charged to the respective grant programs are subject to audit and adjustment by the grantor agencies; therefore, to the extent that the School has not complied with the rules and regulations governing the grants, refunds of any money received may be required and the collectibility of any related receivable may be impaired. In the opinion of the School, there are no significant contingent liabilities relating to compliance with the rules and regulations governing the respective grants; therefore, no provision has been recorded in the accompanying basic financial statements for such contingencies.

2. Litigation

No reportable litigation was pending against the School at August 31, 2020.

K. Related Party Transactions

The School operates within the Division of Diversity and Community Engagement as detailed in Note A1; therefore, the School has several transactions within UT. In addition to payroll and supplies processed or purchased through UT, significant financial transactions include the following:

Administrative Services Charge to UT	\$	433,738
--------------------------------------	----	---------

L. Infectious Disease Outbreak - COVID - 19

The outbreak of COVID-19, a respiratory disease caused by a new strain of coronavirus, has been characterized as a pandemic (the "Pandemic") by the World Health Organization and is currently affecting many parts of the world, including the United States and the State of Texas (the "State"). On January 31, 2020, the Secretary of the United States Health and Human Services Department declared a public health emergency for the United States and on March 13, 2020, the President of the United States declared the outbreak of COVID-19 in the United States a national emergency. Subsequently, the President's Coronavirus Guidelines for America and the United States Centers for Disease Control and Prevention called upon Americans to take actions to slow the spread of COVID-19 in the United States.

On March 13, 2020, the Governor of Texas (the "Governor") declared a state of disaster for all counties in the State in response to the Pandemic. Pursuant to Chapter 418 of the Texas Government Code, The Governor has broad authority to respond to disasters, including suspending any regulatory statute prescribing the procedures for conducting state business or any order or rule of a state agency (including TEA) that would in any way prevent, hinder, or delay necessary action in coping with the disaster, and issuing executive orders that have the force and effect of law. The Governor has since issued a number of executive orders relating to COVID-19 preparedness and mitigation, which among other things, imposed limitations on social gatherings of more than 10 people, ordered closure of in-person classroom attendance at school districts through the remainder of the 2019-2020 school year and maintained certain mandates regarding the minimization of in-person contact with people who are not in the same household. These include, for example, the issuance on June 3, 2020 of Executive Order GA-26 which, among other things, provided that public schools may resume operations for the summer as provided by, and under the minimum standard health protocols found in, guidance issued by the TEA. Notwithstanding anything therein to the contrary, schools may conduct graduation ceremonies consistent with the minimum standard health protocols found in guidance issued by TEA. Prior orders permitted public school districts to offer summer school programs, special education evaluations, specialized assessments, and individualized tutoring, under the minimum standard health protocols found in guidance issued by the TEA. Executive Order GA-26 remains in place until amended, rescinded or superseded by the Governor. In addition to the actions by the state and federal officials, certain local officials have declared a local state of disaster and have issued "shelter-in-place" orders. Many of the federal, state and local actions and policies under the aforementioned disaster declarations and orders are focused on limiting instances where the public can congregate or interact with each other, which affects the operation of schools.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED AUGUST 31, 2020

On July 7, 2020, TEA issued public planning health guidance to support school systems in planning for the 2020-2021 school year, addressing on campus and virtual instruction, administrative and extracurricular activities, and school visits. Within the guidance, TEA instructs schools to provide parental and public notices of the school district's plan to follow in order to mitigate COVID-19 within their facilities and confirms the attendance requirements for promotion (which may be completed by virtual education). The guidance further details screening mechanisms, identification of symptoms, and procedures for confirmed, suspected, and exposed cases. Certain actions, such as notification to health department officials and closure of high-traffic areas, will be required in the instance of confirmed cases. Schools are highly encouraged to engage in mitigation practices promoting health and hygiene consistent with CDC guidelines (including social distancing, facial coverings, frequent disinfecting of all areas, limiting visitations, etc.) to avoid unnecessary exposure to others to prevent the spread of COVID-19.

The School continues to monitor the spread of COVID-19 and is working with local, State and national agencies to address the potential impact of the Pandemic upon the District. While the potential impact of the Pandemic on the School cannot be quantified at this time, the continued outbreak of COVID-19 could have an adverse effect on the School's operations and financial condition.

State funding of School operations and maintenance in future fiscal years could be adversely impacted by the negative effects on economic growth and financial markets resulting from the Pandemic as well as ongoing disruptions in the global oil markets.

Required Supplementary Information

Required supplementary information includes financial information and disclosures required by the Governmental Accounting Standards Board but not considered a part of the basic financial statements.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

EXHIBIT G-1

GENERAL FUND

BUDGETARY COMPARISON SCHEDULE

FOR THE YEAR ENDED AUGUST 31, 2020

Data Control Codes		1	2	3	Variance with Final Budget Positive (Negative)
		Budgeted Amounts		Actual	
		Original	Final		
REVENUES:					
5800	State Program Revenues	\$ 9,806,242	\$ 9,831,242	\$ 9,981,694	\$ 150,452
5020	Total Revenues	9,806,242	9,831,242	9,981,694	150,452
EXPENDITURES:					
Current:					
Instruction & Instructional Related Services:					
0011	Instruction	6,359,761	6,429,761	5,952,176	477,585
0013	Curriculum and Staff Development	74,576	54,576	12,251	42,325
	Total Instruction & Instr. Related Services	6,434,337	6,484,337	5,964,427	519,910
Instructional and School Leadership:					
0021	Instructional Leadership	69,414	29,414	--	29,414
0023	School Leadership	1,379,752	1,369,752	1,366,946	2,806
	Total Instructional & School Leadership	1,449,166	1,399,166	1,366,946	32,220
Support Services - Student (Pupil):					
0031	Guidance, Counseling and Evaluation Services	236,589	136,589	108,694	27,895
	Total Support Services - Student (Pupil)	236,589	136,589	108,694	27,895
Administrative Support Services:					
0041	General Administration	1,026,813	1,026,813	959,207	67,606
	Total Administrative Support Services	1,026,813	1,026,813	959,207	67,606
Support Services - Nonstudent Based:					
0051	Plant Maintenance and Operations	186,320	236,320	226,341	9,979
0053	Data Processing Services	357,478	407,478	368,315	39,163
	Total Support Services - Nonstudent Based	543,798	643,798	594,656	49,142
Fund Raising:					
0081	Fund Raising	204,400	229,400	222,820	6,580
	Total Capital Outlay	204,400	229,400	222,820	6,580
6030	Total Expenditures	9,895,103	9,920,103	9,216,750	703,353
1100	Excess (Deficiency) of Revenues Over (Under)				
1100	Expenditures	(88,861)	(88,861)	764,944	853,805
1200	Net Change in Fund Balance	(88,861)	(88,861)	764,944	853,805
0100	Fund Balance - Beginning	--	--	3,112,697	3,112,697
3000	Fund Balance - Ending	\$ (88,861)	\$ (88,861)	\$ 3,877,641	\$ 3,966,502

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

NOTES TO REQUIRED SUPPLEMENTARY INFORMATION FOR THE YEAR ENDED AUGUST 31, 2020

Budget

The official budget was prepared for adoption for all Governmental Fund Types. The budget was prepared in accordance with accounting practices generally accepted in the United States of America. The following procedures are followed in establishing the budgetary data.:

- a. Prior to August 21 of the preceding fiscal year, the School prepares a budget for the next succeeding fiscal year. The operating budget includes proposed expenditures and the means of financing them.
- b. A meeting of the Board is then called for the purpose of adopting the proposed budget after ten days' public notice of the meeting has been given.
- c. Prior to the beginning of the fiscal year, the budget is legally enacted through passage of a resolution by the Board.

Once a budget is approved, it can be amended at function and fund level only by approval of a majority of the members of the Board. Amendments are presented to the Board at its regular meetings.

Each amendment must have Board approval. Such amendments are made before the fact, are reflected in the official minutes of the Board and are not made after fiscal year end as required by law.

Each amendment is controlled by the budget coordinator at the revenue and expenditure function/object level. Budgeted amounts are as amended by the Board. All budget appropriations lapse at year end.

Encumbrances for goods or purchased services are documented by purchase orders or contracts. Under Texas law, appropriations lapse at August 31, and encumbrances outstanding at that time are to be either cancelled or appropriately provided for in the subsequent year's budget. There were no end-of-year outstanding encumbrances that were provided for in the subsequent year's budget.

Defined Benefit Pension Plan

Changes of benefit terms

There were no changes of benefit terms that affected measurement of the total pension liability during the measurement period.

Changes of assumptions

There were no changes of assumptions or other inputs that affected measurement of the total pension liability during the measurement period.

Other Post-Employment Benefit Plan

Changes of benefit terms

There were no changes of benefit terms that affected measurement of the total OPEB liability during the measurement period.

Changes of assumptions

There were no changes of assumptions or other inputs that affected measurement of the total OPEB liability during the measurement period.

*Combining Statements and Budget Comparisons
as Supplementary Information*

This supplementary information includes financial statements and schedules not required by the Governmental Accounting Standards Board, nor a part of the basic financial statements, but are presented for purposes of additional analysis.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

COMBINING BALANCE SHEET

NONMAJOR SPECIAL REVENUE FUNDS

AUGUST 31, 2020

Data Control Codes		211 ESEA Title I Improving Basic Programs	224 IDEA-Part B Formula	225 IDEA-Part B Preschool Grant	255 ESEA Title II Training & Recruiting
ASSETS:					
1110	Cash and Cash Equivalents	\$ (156,620)	\$ (57,155)	\$ (1,567)	\$ (21,923)
1240	Due from Other Governments	156,620	57,155	1,567	21,923
1260	Due from Other Funds	--	--	--	1
1000	Total Assets	--	--	--	1
LIABILITIES:					
2000	Total Liabilities	--	--	--	--
FUND BALANCES:					
Restricted Fund Balances:					
3490	Other Restrictions of Fund Balance	\$ --	\$ --	\$ --	\$ 1
3000	Total Fund Balances	--	--	--	1
4000	Total Liabilities and Fund Balances	\$ --	\$ --	\$ --	\$ 1

288 ESEA Title I Part D Subpart 2	289 Title IV Part A Subpart 1	429 Evaluation Capacity Grant	499 Various Donors Fund	Total Nonmajor Special Revenue Funds (See Exhibit C-1)
\$ (100,650)	\$ (45,586)	\$ 20,825	\$ 40,451	\$ (322,225)
100,650	45,586	--	--	383,501
--	--	--	--	1
--	--	20,825	40,451	61,277
--	--	--	--	--
\$ --	\$ --	\$ 20,825	\$ 40,451	\$ 61,277
--	--	20,825	40,451	61,277
\$ --	\$ --	\$ 20,825	\$ 40,451	\$ 61,277

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

COMBINING STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
NONMAJOR SPECIAL REVENUE FUNDS
FOR THE YEAR ENDED AUGUST 31, 2020

Data Control Codes	211 ESEA Title I Improving Basic Programs	224 IDEA-Part B Formula	225 IDEA-Part B Preschool Grant
REVENUES:			
5700 <i>Local and Intermediate Sources</i>	\$ --	\$ --	\$ --
5800 <i>State Program Revenues</i>	--	--	--
5900 <i>Federal Program Revenues</i>	567,711	428,629	1,567
5020 Total Revenues	<u>567,711</u>	<u>428,629</u>	<u>1,567</u>
EXPENDITURES:			
Current:			
0011 <i>Instruction</i>	100,150	111,629	1,567
0013 <i>Curriculum and Staff Development</i>	475,021	--	--
0031 <i>Guidance, Counseling, & Evaluation Services</i>	--	319,957	--
0041 <i>General Administration</i>	(7,460)	(2,957)	--
6030 Total Expenditures	<u>567,711</u>	<u>428,629</u>	<u>1,567</u>
1100 Excess (Deficiency) of Revenues Over (Under)	--	--	--
1100 Expenditures	--	--	--
1200 Net Change in Fund Balances	--	--	--
0100 Fund Balances - Beginning	--	--	--
3000 Fund Balances - Ending	<u>\$ --</u>	<u>\$ --</u>	<u>\$ --</u>

255 ESEA Title II Training & Recruiting	263 English Language Acquisition and Enhancement	288 ESEA Title I Part D Subpart 2	289 Title IV Part A Subpart 1
\$ --	\$ --	\$ --	\$ --
--	--	--	--
21,696	448	287,212	45,340
<u>21,696</u>	<u>448</u>	<u>287,212</u>	<u>45,340</u>
21,923	323	104,749	45,586
--	125	--	--
--	--	185,175	--
(228)	--	(2,712)	(246)
<u>21,695</u>	<u>448</u>	<u>287,212</u>	<u>45,340</u>
1	--	--	--
<u>1</u>	--	--	--
--	--	--	--
<u>\$ 1</u>	<u>\$ --</u>	<u>\$ --</u>	<u>\$ --</u>

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

COMBINING STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
NONMAJOR SPECIAL REVENUE FUNDS
FOR THE YEAR ENDED AUGUST 31, 2020

Data Control Codes	429 Evaluation Capacity Grant	499 Various Donors Fund	Total Nonmajor Special Revenue Funds (See Exhibit C-2)
REVENUES:			
5700 <i>Local and Intermediate Sources</i>	\$ --	\$ 8,169	\$ 8,169
5800 <i>State Program Revenues</i>	20,825	--	20,825
5900 <i>Federal Program Revenues</i>	--	--	1,352,603
5020 Total Revenues	<u>20,825</u>	<u>8,169</u>	<u>1,381,597</u>
EXPENDITURES:			
Current:			
0011 <i>Instruction</i>	--	7	385,934
0013 <i>Curriculum and Staff Development</i>	--	--	475,146
0031 <i>Guidance, Counseling, & Evaluation Services</i>	--	--	505,132
0041 <i>General Administration</i>	--	--	(13,603)
6030 Total Expenditures	<u>--</u>	<u>7</u>	<u>1,352,609</u>
1100 Excess (Deficiency) of Revenues Over (Under)			
1100 Expenditures	20,825	8,162	28,988
1200 Net Change in Fund Balances	<u>20,825</u>	<u>8,162</u>	<u>28,988</u>
0100 Fund Balances - Beginning	--	32,289	32,289
3000 Fund Balances - Ending	<u>\$ 20,825</u>	<u>\$ 40,451</u>	<u>\$ 61,277</u>

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL
EXHIBIT H-3

SPECIAL REVENUE FUND
BUDGETARY COMPARISON SCHEDULE
FOR THE YEAR ENDED AUGUST 31, 2020

Data Control Codes	1	2	3
	Budget	Actual	Variance Positive (Negative)
5700 Local and Intermediate Sources Various Donors	8,000	8,169	169
5800 State Program Revenues Instructional Materials Allotment	42,315	42,302	(13)
Evaluation Capacity Grant	20,825	20,825	--
	63,140	63,127	(13)
5900 Federal Program Revenues			
Title I, Part A, Improving Basic Programs	569,000	567,711	(1,289)
Title I, Part D, Subpart 2, Delinquent Programs	290,315	287,212	(3,103)
IDEA - Part B, Formula	435,085	428,629	(6,456)
IDEA - Part B, Preschool	1,575	1,567	(8)
Title IV, Part A, Subpart 1	45,650	45,340	(310)
Title II Part A - Teacher and Principal Training	22,000	21,696	(304)
Title III Part A - English Language Acquisition	450	448	(2)
	1,364,075	1,352,603	(11,472)
5020 Total Revenues	1,435,215	1,423,899	(11,316)
EXPENDITURES:			
Current:			
Instruction & Instructional Related Services:			
11 Instruction	439,165	428,237	10,928
12 Instructional Resources and Media Services	--	--	--
13 Curriculum and Staff Development	475,275	475,146	129
Total Instruction & Instr. Related Services	914,440	903,383	11,057
Instructional and School Leadership:			
21 Instructional Leadership	--	--	--
23 School Leadership	--	--	--
Total Instructional & School Leadership	--	--	--
Support Services - Student (Pupil):			
31 Guidance, Counseling and Evaluation Services	507,450	505,132	2,318
32 Social Work Services	--	--	--
33 Health Services	--	--	--
Total Support Services - Student (Pupil)	507,450	505,132	2,318
Administrative Support Services:			
41 General Administration	(7,500)	(13,604)	6,104
Total Administrative Support Services	(7,500)	(13,604)	6,104
Support Services - Nonstudent Based:			
51 Plant Maintenance and Operations	--	--	--
53 Data Processing Services	--	--	--
Total Support Services - Nonstudent Based	--	--	--
Ancillary Services:			
61 Community Services	--	--	--
Total Ancillary Services	--	--	--
6030 Total Expenditures	1,414,390	1,394,911	19,479
1100 Excess (Deficiency) of Revenues Over (Under)			
1100 Expenditures	20,825	28,988	(8,163)
Other Financing Sources (Uses):			
8911 Transfers Out	--	--	--
7080 Total Other Financing Sources and (Uses)	--	--	--
1200 Net Change in Fund Balances	20,825	28,988	(8,163)
0100 Fund Balance - Beginning	32,289	32,289	--
3000 Fund Balance - Ending	\$ 53,114	\$ 61,277	\$ (8,163)

Other Supplementary Information

This section includes financial information and disclosures not required by the Governmental Accounting Standards Board and not considered a part of the basic financial statements. It may, however, include information which is required by other entities.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL**EXHIBIT J-1***SCHEDULE OF EXPENDITURES BY OBJECT CODE**GENERAL AND SPECIAL REVENUE FUNDS**FOR THE YEAR ENDED AUGUST 31, 2020*

<u>Expenditures</u>		<u>General Fund</u>	<u>Special Revenue Fund</u>	<u>Total</u>
6100	Payroll Costs	\$ 7,786,420	\$ 1,179,807	\$ 8,966,227
6200	Professional and Contract Services	423,079	113,196	536,275
6300	Supplies and Materials	260,305	115,330	375,635
6400	Other Operating Costs	746,946	(13,422)	733,524
6600	Capital Outlay	--	--	--
Total		<u>\$ 9,216,750</u>	<u>\$ 1,394,911</u>	<u>\$ 10,611,661</u>

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL**EXHIBIT J-2**

*SCHEDULE OF RELATED PARTY TRANSACTIONS
FOR THE YEAR ENDED AUGUST 31, 2020*

<u>Related Party Name</u>	<u>Name of Relation to the Related Party</u>	<u>Relationship</u>	<u>Type of Transaction</u>	<u>Description of Terms and Conditions</u>	<u>Source of Funds Used</u>	<u>Payment Frequency</u>	<u>Total Paid During Fiscal Year</u>	<u>Principal Balance Due</u>
The University of Texas at Austin	Component Unity	Division	Administrtrive Charge	Charge to all components	State Funds	Monthly \$	433,738	None

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Independent Auditors' Report on Internal Control over Financial Reporting and
On Compliance and Other Matters Based on an Audit of Financial Statements
Performed In Accordance With Government Auditing Standards

Board of Trustees
University of Texas-University Charter School
Austin, Texas

Members of the Board of Trustees:

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of University of Texas-University Charter School, as of and for the year ended August 31, 2020, and the related notes to the financial statements, which collectively comprise University of Texas-University Charter School's basic financial statements, and have issued our report thereon dated January 15, 2021.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the University of Texas-University Charter School's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the University of Texas-University Charter School's internal control. Accordingly, we do not express an opinion on the effectiveness of the University of Texas-University Charter School's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

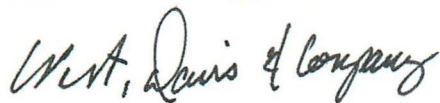
Compliance and Other Matters

As part of obtaining reasonable assurance about whether the University of Texas-University Charter School's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of

noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink that reads "West, Davis & Company". The signature is written in a cursive, flowing style.

West, Davis & Company, LLP
Austin, Texas
January 15, 2021

WEST, DAVIS & COMPANY, LLP
11824 Jollyville Road, Suite 100
Austin, Texas 78759
www.westdavis.com / gary@westdavis.com

Independent Auditors' Report on Compliance for Each Major Federal Program and
Report on Internal Control Over Compliance Required by the Uniform Guidance

Board of Trustees
University of Texas-University Charter School
Austin, Texas

Members of the Board of Trustees:

Report on Compliance for Each Major Federal Program

We have audited the University of Texas-University Charter School's compliance with the types of compliance requirements described in the *OMB Compliance Supplement* that could have a direct and material effect on University of Texas-University Charter School's major federal program for the year ended August 31, 2020. University of Texas-University Charter School's major federal program is identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with federal statutes, regulations, and the terms and conditions of its federal awards applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of University of Texas-University Charter School's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the University of Texas-University Charter School's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the University of Texas-University Charter School's compliance.

Opinion on Each Major Federal Program

In our opinion, the University of Texas-University Charter School complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on its major federal program for the year ended August 31, 2020.

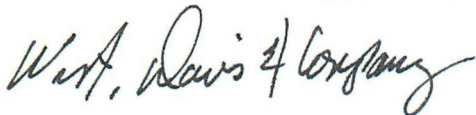
Report on Internal Control Over Compliance

Management of the University of Texas-University Charter School is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the University of Texas-University Charter School's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the University of Texas-University Charter School's internal control over compliance.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we considered to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.



West, Davis & Company, LLP
Austin, Texas
January 15, 2021

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED AUGUST 31, 2020

A. Summary of Auditor's Results

1. Financial Statements

Type of auditor's report issued: Unmodified

Internal control over financial reporting:

One or more material weaknesses identified? Yes X No

One or more significant deficiencies identified that are not considered to be material weaknesses? Yes X None Reported

Noncompliance material to financial statements noted? Yes X No

2. Federal Awards

Internal control over major programs:

One or more material weaknesses identified? Yes X No

One or more significant deficiencies identified that are not considered to be material weaknesses? Yes X None Reported

Type of auditor's report issued on compliance for major programs: Unmodified

Version of compliance supplement used in audit: August 2019

Any audit findings disclosed that are required to be reported in accordance with Title 2 U.S. Code of Federal Regulations (CFR) Part 200? Yes X No

Identification of major programs:

<u>CFDA Number(s)</u>	<u>Name of Federal Program or Cluster</u>
84.010A	ESEA Title I Part A - Improving Basic Programs
84.010A	Title I, Part D, Subpart 2

Dollar threshold used to distinguish between type A and type B programs: \$750,000

Auditee qualified as low-risk auditee? X Yes No

B. Financial Statement Findings

NONE

C. Federal Award Findings and Questioned Costs

NONE

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

EXHIBIT K-1

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS FOR THE YEAR ENDED AUGUST 31, 2020

(1)	(2)	(2A)	(3)
Federal Grantor/ Pass-Through Grantor/ Program or Cluster Title	Federal CFDA Number	Pass- Through Entity Identifying Number	Passed Through to Subrecipients Federal Expenditures
SPECIAL EDUCATION (IDEA) CLUSTER:			
<u>U. S. Department of Education</u>			
Passed Through State Department of Education:			
IDEA-B Formula	84.027A	196600612278066000	\$ -- \$ (2,957)
IDEA-Part B, Formula	84.027A	206600612278066000	-- 431,586
Total CFDA Number 84.027			-- 428,629
IDEA-Part B, Preschool	84.173	20661001227819600	-- 1,567
Total CFDA Number 84.173			-- 1,567
Total Passed Through State Department of Education			-- 430,196
Total U. S. Department of Education			-- 430,196
Total Special Education (IDEA) Cluster			-- 430,196
OTHER PROGRAMS:			
<u>U. S. Department of Education</u>			
Passed Through State Department of Education:			
ESEA Title I Part A - Improving Basic Programs	84.010A	19610103227806	-- (7,460)
ESEA Title I Part A - Improving Basic Programs	84.010A	20610103227806	-- 575,171
			-- 567,711
Title I, Part D, Subpart 2	84.010A	20610103227806	-- 289,924
Title I, Part D, Subpart 2	84.010A	19610103227806	-- (2,712)
			-- 287,212
Total CFDA Number 84.365A			-- 854,923
Title III, Part A-English Language Acquisition & Language Enhancemt	84.365A	227-806	-- 447
Total CFDA Number 84.365A			-- 447
ESEA Title II Part A - Teacher & Principal Training & Recruiting	84.367A	1969450122786	-- (228)
ESEA Title II, Part A - Teacher & Principal Training & Recruiting	84.367A	2069450122786	-- 21,923
Total CFDA Number 84.367A			-- 21,695
Title IV, Part A, Subpart 1	84.424A	20680101227806	-- 45,586
Title IV, Part A, Subpart 1	84.424A	19680101227806	-- (246)
Total CFDA Number 84.424A			-- 45,340
Total Passed Through State Department of Education			-- 922,405
Total U. S. Department of Education			-- 922,405
TOTAL EXPENDITURES OF FEDERAL AWARDS			\$ -- \$ 1,352,601

The accompanying notes are an integral part of this schedule.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE YEAR ENDED AUGUST 31, 2020

Basis of Presentation

The accompanying schedule of expenditures of federal awards ("the Schedule") includes the federal grant activity of University of Texas-University Charter School. The information in the Schedule is presented in accordance with the requirements of Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200 *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* ("Uniform Guidance"). Therefore, some amounts may differ from amounts presented in, or used in the preparation of, the basic financial statements.

Summary of Significant Accounting Policies

Expenditures reported on the Schedule are reported on the modified accrual basis of accounting. These expenditures are recognized following the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowable or are limited as to reimbursement. Negative amounts shown on the Schedule, if any, represent adjustments or credits made in the normal course of business to amounts reported as expenditures in prior years.

University of Texas-University Charter School has elected not to use the 10-percent de minimis indirect cost rate allowed under the Uniform Guidance.

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL

SCHEDULE OF REQUIRED RESPONSES TO SELECTED SCHOOL FIRST INDICATORS
AS OF AUGUST 31, 2020

Data Control Codes		Responses
SF1	Was there an unmodified opinion in the Annual Financial Report on the financial statements as a whole?	Yes
SF2	Were there any disclosures in the Annual Financial Report and/or other sources of information concerning nonpayment of any terms of any debt agreement at fiscal year-end?	No
SF3	Did the school district make timely payments to the Teacher Retirement System (TRS), Texas Workforce Commission (TWC), Internal Revenue Service (IRS), and other government agencies? (If the school district was issued a warrant hold and the warrant hold was not cleared within 30 days from the date the warranty hold was issued, the school district is considered to not have made timely payments.)	Yes
	Payments to the TRS and TWC are considered timely if a warrant hold that was issued in connection to the untimely payment was cleared within 30 days from the date the warrant hold was issued.	
	Payments to the IRS are considered timely if a penalty or delinquent payment notice was cleared within 30 days from the date the notice was issued.	
SF4	Was the school district issued a warrant hold? Even if the issue surrounding the initial warrant hold was resolved and cleared within 30 days, the school district is considered to have been issued a warrant hold.	No
SF5	Did the Annual Financial Report disclose any instances of material weaknesses in internal controls over financial reporting and compliance for local, state or federal funds?	No
SF6	Was there any disclosure in the Annual Financial Report of material noncompliance for grants, contracts and laws related to local, state, or federal funds?	No
SF7	Did the school district post the required financial information on its website in accordance with Government Code, Local Government code, Texas Education Code, Texas Administrative Code and other statutes, laws and rules that were in effect at the school district's fiscal year-end?	Yes
SF8	Did the school board members discuss the school district's property values at a board meeting within 120 days before the school district adopted its budget?	N/A
SF9	Total accumulated accretion on CABs included in government-wide financial statements at fiscal year-end	\$ --

University of Texas-University Charter School
Advisory Board Resolution

**Endorsing the approval of a resolution for a waiver for Asynchronous
Instructional Days on February 5, March 5, and April 22, 2021**

**A Regular Meeting Held on January 20, 2021, in Accordance with the Texas
Open Meetings Act**

Whereas, the Texas Education Agency has approved additional professional development days to be utilized during the school year while students are working remotely utilizing the district Asynchronous model;

Now, therefore, be it resolved, that the Advisory Board for the University of Texas-University Charter School endorses the approval of a resolution for a waiver for Asynchronous Instructional Days on February 5, March 5, and April 22, 2021

Advisory Board Members [Signature denotes approval of the above-stated resolution.]

Jennifer Maedgen, Chair

Date

David Anderson

Date

Linda Addicks

Date

Eboni Calbow

Date

Suzon Kemp

Date

Judith Loredó

Date

Jessica Toste

Date

**University of Texas-University Charter School
Advisory Board Resolution**

**Endorsing the approval of a resolution to submit a waiver for missed
instructional days on January 11, 2021**

**A Regular Meeting Held on January 20, 2021, in Accordance with the Texas
Open Meetings Act**

Whereas, the University of Texas-University Charter School (UT-UCS) campuses of Kozmetsky, Munday, Olympia Hills, Pathways, Settlement Home, SJRC, Texas NeuroRehab Center, and University High School experienced a weather-related closure on January 11, 2021;

Now, therefore, be it resolved that the Advisory Board of the University of Texas-University Charter School endorses the approval of a waiver for the Kozmetsky, Munday, Olympia Hills, Pathways, Settlement Home, SJRC, Texas NeuroRehab Center, and University High School campuses for the missed instructional day on January 11, 2021 due to weather.

Advisory Board Members [Signature denotes approval of the above-stated resolution.]

Jennifer Maedgen, Chair

Date

David Anderson

Date

Linda Addicks

Date

Eboni Calbow

Date

Suzon Kemp

Date

Judith Loredó

Date

Jessica Toste

Date



The University of Texas
University Charter School System

English as a Second Language (ESL)

Program Report

2019-2020



Contents

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Stages of Intervention.....	4
Parental Involvement Activities for Parents of English Learners.....	4
Staffing-Exceptions/Waivers.....	4
2020-2021 ESL Program Plans for Improvement	5



Program Review Purpose

TEC 7.028 states: The board of trustees of a school district or the governing body of an open-enrollment charter school has primary responsibility for ensuring that the district or school complies with all applicable requirements of state educational programs.

TEA recommends:

- LEA conducts the program evaluation, with all the components addressed in the Report to the Board
- LEA conducts a Program Effectiveness Review that measures compliance with statute/rules and presents findings to the Board.

Program Type

The University of Texas-University of Charter School utilizes the Pull-out model for their ESL Program.

An English acquisition program that serves students identified as English learners through English instruction provided by an appropriately certified ESL teacher through English language arts and reading. The goal of ESL pull-out is for English learners to attain full proficiency in English in order to participate equitably in school. This model targets English language development through academic content instruction that is linguistically and culturally responsive in English language arts and reading. Instruction shall be provided by the ESL teacher in a pull-out or inclusionary delivery model.

Enrollment

Grade Level	Enrollment
Kindergarten	0
1st	2
2nd	1
3rd	3
4th	1
5th	0
6th	8
7th	6
8th	10
9th	39
10th	4
11th	2
12th	2
Total ELs Served in 2019-2020	78



District TELPAS Results by Composite Score

Due to COVID-19, UT-UCS did not participate in TELPAS Testing.

Number of Students Exited

- Number of Students Exited 2019-2020: 0

District ESL Professional Development

- Talk, Read, Talk, Write– all staff
- LPAC Training – All teachers and Campus Administrators
- TELPAS Training – All ELA teachers and Campus Testing Coordinators
- Region 13 Director Meetings – ESL Director
- Region 13 LPAC Framework —ESL Director
- Region 13 LPAC Decision Making Training —ESL Director
- Region 13 ESL Academy – PK Teacher
- ESL Director and Chair Check-ins

STAAR Results

Due to COVID-19, UT-UCS did not participate in STAAR/EOC Testing.

Stages of Intervention

No staging due to accountability waived for 2019-2020.

Parental Involvement Activities for Parents of English Learners.

- Meeting with Facility Staff and Home Parent

Staffing-Exceptions/Waivers

- 3 teachers were placed on the ESL Wavier in 2019-2020
 - 1 teacher passed certification
 - 1 resigned
 - 1 on Intern Permit



2020-2021 ESL Program Plans for Improvement

1. Complete periodic folder audits.
2. Hold monthly/bi-monthly ESL Chair meetings.
3. Provide training to support ELs via Remote Learning.
4. Purchase software to help support Newcomer English Learners.
5. Providing opportunities during bi-monthly curriculum meetings to discuss ESL program improvement.

ADA Analysis Summary Report: 2020-2021																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									</
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2020-2021 Year To Date Totals				
December				
#	School	Entry	Withdraws	Mobility Percentage
005	Settlement Home	47	11	23%
009	Pathfinders	26	8	31%
015	Kozmetsky	11	9	82%
017	Annunciation	15	9	60%
023	Pathways	36	13	36%
024	TX NeuroRehab	94	39	41%
025	Methodist Children's Home	83	12	14%
029	Depelchin-Richmond	18	7	39%
030	Laurel Ridge	123	103	84%
031	Olympia Hills Gymnastics	21	1	8%
032	Helping Hand	32	9	28%
034	High Point	153	137	90%
040	Austin Oaks	64	47	73%
041	Unlimited Visions Aftercare	29	23	79%
043	University High School	20	5	25%
044	Georgetown Behavioral Health Institute	42	40	95%
045	Cedar Crest	210	150	71%
046	Seton Home	41	26	63%
049	Munday	48	37	77%
051	The Refuge	16	6	38%
052	SJRC Texas	47	13	28%
053	Safe Haven	17	7	41%
054	Clearfork Academy	45	25	56%
	Total:	1238	737	60%

**University of Texas-
University Charter School
Comparison of Budget to Actuals
As of 12/31/2020**

Adopted Budget	General Fund Budget	Actuals as of 12/31/2020	Remaining Balance	%
5700 Local Revenues	161,394	2,165	159,229	
5800 State Program Revenues	10,059,818	3,258,128	6,801,690	
Total Revenues	\$ 10,221,212	\$ 3,260,293		32%
Actual Expenditure by Function				
11 - Instruction	6,739,141	2,376,427	4,362,714	35%
13 - Staff Devel/Curr Develop	54,576	13,481	41,095	25%
23 - School Leadership	1,400,268	472,190	928,078	34%
31 - Guidance/Counseling	136,589	102,138	34,451	75%
33 - Health Services	1,650	-	1,650	0%
41 - General Administration	1,159,950	409,960	749,990	35%
51 - Plant Maintenance	301,200	56,553	244,647	19%
53 - Data Processing	412,013	150,425	261,588	37%
81 - Fund Raising	254,989	206,409	48,580	81%
Total Actual Expenditures	\$ 10,460,376	\$ 3,787,583	\$ 6,672,793	36%
Net Surplus (Deficit)	(239,164)	(527,290)		
Beginning Funds Balance	3,144,995	3,144,995		
Ending Fund Balance	\$ 2,905,831	\$ 2,617,705		

UNIVERSITY OF TEXAS-UNIVERSITY CHARTER SCHOOL
Comparison of Budget to Actual Expenditures and Encumbrances
As of 12/31/2020

	Fund 211 Title I, Part A	Fund 224 IDEA-B Spec. Ed Form	Fund 225 IDEA-B Pre-School	Fund 255 Title II, Part A	Fund 266 ESSER	Fund 288 Title I, Part D Subpart 2	Fund 289 Title IV, Part A	TOTAL
Budget	\$ 533,599	\$ 424,676	\$ 1,513	\$ 21,905	\$ 469,209	\$ 322,557	\$ 41,776	\$ 1,815,235
Actual Expenditure by Function								
11 - Instruction	\$ 18,358	\$ 58,073	\$ 1,513	\$ -	\$ 24,876	\$ 21,620	\$ 12,279	\$ 136,718
13 - Staff Devel/Curr Develop	\$ 116,202	\$ 10,937	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 127,139
21 - Instructional Leadership	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
31 - Guidance/Counseling	\$ -	\$ 29,390	\$ -	\$ -	\$ -	\$ 48,786	\$ -	\$ 78,176
41 - Indirect Cost	\$ 5,598	\$ 4,093	\$ -	\$ -	\$ -	\$ 2,929	\$ 511	\$ 13,131
Total Actual Expenditures	\$ 140,158	\$ 102,492	\$ 1,513	\$ -	\$ 24,876	\$ 73,334	\$ 12,790	\$ 355,163
Encumbrances	\$ 303,588	\$ 208,457	\$ -	\$ -	\$ 49,751	\$ 183,693	\$ 24,559	\$ 770,048
% Of Budget Expended/Encumbered	83.16%	73.22%	100.00%	0.00%	15.90%	79.68%	89.40%	61.99%
Balance of Budget	\$ 89,853	\$ 113,726	\$ -	\$ 21,905	\$ 394,582	\$ 65,530	\$ 4,427	\$ 690,023