



# Board Policy Series

**300 Series: General School Operations**

## **Module 300: General School Operations**

The General School Operations provides a comprehensive summary of statutes and regulations that apply to the general operations of charter schools, as well as specific model board policies designed to comply with these legal requirements.

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### **300.020. SCHOOL YEAR AND ELIGIBILITY STATUS**

The governing body (“Board”) of LTTS Charter School Inc. dba Universal Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

#### **SECTION 1. SCHOOL YEAR**

The Universal Academy Board of Directors shall annually adopt an academic calendar with specific beginning and ending dates. The calendar shall provide at least 75,600 minutes of instruction or 180 days of instructions with at least 4 hour hours of academic instruction per day.

#### **SECTION 2. ELIGIBILITY STATUS**

Universal Academy shall maintain its status as an organization that is exempt from taxation under Section 501(c)(3), Internal Revenue Code of 1986 (26 U.S.C. Section 501(c)(3)). Any change in status shall cause the Chief Executive Officer/Superintendent (“CEO”) to immediately notify the commissioner of education.

## 300.040. INSTRUCTIONAL FACILITIES

### Section 1. FACILITIES.

#### Section 1.1. Right to Occupy Facilities

Throughout the term of the open-enrollment charter a charter holder shall have and maintain legally enforceable lease agreements, titles, or other legal instruments conferring on it the right to occupy and use one or more facilities suitable for classroom use as well as other instructional facilities described in the open-enrollment charter. The legal instrument must confer the right to occupy and use the facilities for the entire school year adopted by the charter school.

#### Section 1.2. Occupancy Certificate

- a. A charter holder shall comply with all state and local laws and ordinances applicable to the occupation and use of the facilities it occupies.
- b. A charter holder shall not change the site of its instructional facilities or administrative offices from those listed in the charter without prior approval from the commissioner of education through an amendment to the open-enrollment charter.
- c. When approved for a new site under (2), the charter holder shall, before commencing any operations at that site, file with the Texas Education Agency, Authorizing Division, a certificate of occupancy or an equivalent certificate appropriate for the proposed use of the facility at the new site.

[Tex. Admin. Code §100.1215.](#)

#### Section 1.3 Authority For Use of Public Property

The charter has the authority to use public property for all lawful educational purposes according to guidelines outlined in the Financial Accountability System Resource Guide (FASRG) Module 100: Financial Operations 2024, Section 100.280, *Use of Public Property*.

## **300.060. CHARTER AMENDMENTS**

### **Section 1. BASIS FOR AMENDMENTS.**

Charter amendments must be in writing and approved by the commissioner of education in writing.

### **Section 2. NON-EXPANSION AMENDMENTS**

#### **Section 2.1. Material and Non-Material Non-Expansion Amendments**

Material non-expansion amendments include changes to the terms of an open-enrollment charter, including the following: relocation of a campus, campus or charter dormancy, closing or returning an active campus or site, charter holder governance, articles of incorporation, corporate bylaws, management company, admission and enrollment policy, shared services cooperatives or shared services agreements, and curriculum programs not already approved by TEA.

- a. Relocation amendment. A material non-expansion amendment to relocate solely permits a charter holder to relocate an existing campus or site to an alternate address while serving the same students and grade levels without a significant disruption to the delivery of the educational services. The alternate address of the relocation shall not be in excess of 25 miles from the existing campus address.
- b. Material charter language change. Any material non-expansion amendment that requires changes to charter language shall set forth the text and page references in electronic format of the current open-enrollment charter language to be changed, and the text proposed as the new open-enrollment charter language.

Non-material non-expansion amendments include changes to the terms of an open-enrollment charter, including the following: charter holder name, charter school (district) name, charter campus name, grade levels served on a campus, campus start date change, closing or returning a dormant campus or site, and fiscal year change.

- a. Any non-expansion amendment not identified in subparagraph (A) or (B) of this paragraph is subject to commissioner determination as material or non-material.
- b. The following timelines apply to non-expansion amendment requests:
  - (i) Charter holders that submit material non-expansion requests will receive notice of the commissioner's decision within 60 calendar days of a completed amendment request.
  - (ii) Charter holders that submit non-material non-expansion requests may proceed with the request 30 calendar days after the date the charter holder submits a completed amendment request unless otherwise notified by the commissioner.

### **Section 3. EXPANSION AMENDMENTS**

#### **Section 3.1. Timeline for submission of Expansion Amendments.**

A charter holder may submit a request for approval for an expansion amendment:

- (i) up to 36 months before the date on which the expansion will be effective; and
- (ii) no later than the first day of March before the school year for which the expansion will be effective or no later than June 30 of each year for which the expansion will be effective for Subchapter G charter schools.

#### **Section 3.2. Notification.**

- a. Upon receipt of an expansion amendment request by a charter holder, the TEA division responsible for charter schools will notify the following:
  - i. the superintendent and the board of trustees of each school district from which the proposed open-enrollment charter school or campus is likely to draw students, as defined in §100.1013 of this title (relating to Notification of Charter Application); and
  - ii. each member of the legislature that represents the geographic area to be served by the proposed school or campus, as defined in §100.1013 of this title.
- b. To be considered a school district for purposes related to land development standards, licensing, zoning, and various purposes and services, a charter school must meet the notification requirements as outlined in §100.1209 of this title (relating to Municipal Ordinances).
- c. Should a change in the location of a campus be approved after notification but prior to opening, the commissioner of education or the commissioner's designee is required to notify as required by subparagraph (A) of this paragraph based on the zip code of the new location.

#### **Section 3.3. Expansion types.**

A charter holder of an open-enrollment charter may submit, as described by this section, a request for approval for either:

- expedited expansion; or
  - discretionary expansion
- a. Expedited expansion amendments. An expedited expansion amendment allows for the establishment of a new charter campus under Texas Education Code (TEC), §12.101(b-4).
  - b. In order to submit an expedited expansion amendment, the charter school must meet the following requirements:
    - i. an accreditation status of Accredited;
    - ii. currently has at least 50% of its student population in grades assessed under TEC, Chapter 39, Subchapter B, or has had at

- least 50% of the students in the grades assessed enrolled in the school for at least three years;
    - iii. is currently evaluated under the standard accountability procedures for evaluation under TEC, Chapter 39, and received a district rating in the highest or second highest performance rating category under TEC, Chapter 39, Subchapter C, for three of the last five ratings;
    - iv. at least 75% of the campuses rated under the charter school also received a rating in the highest or second highest performance rating category in the most recent ratings; and
    - v. no campus received a rating in the lowest performance rating category in the most recent ratings.
- c. Unless the commissioner provides written notice that the charter holder does not meet the requirements outlined in TEC, §12.101(b-4), within 60 days of the date the charter holder submits a completed expedited expansion amendment, the amendment is considered enacted. If the commissioner denies the amendment, the commissioner must identify the legal and factual basis for denial, including the specific criteria under TEC, §12.101(b-4), that was not met.
- d. Discretionary expansion amendments. A discretionary expansion amendment permits commissioner-approved changes to the terms of an open-enrollment charter school related to expansion.

Discretionary expansion amendment types. There are three types of discretionary amendments.

- i. Maximum enrollment. The commissioner may approve an expansion amendment request seeking to increase maximum allowable enrollment. For Subchapter G charter schools, the maximum enrollment may not exceed more than 2,000 students.
  - ii. Grade span. The commissioner may approve an expansion amendment request seeking to extend the grade levels it serves only if it is accompanied by appropriate educational plans for the additional grade levels in accordance with Chapter 74, Subchapter A, of this title (relating to Required Curriculum), and such plan has been reviewed and approved by the charter governing board.
  - iii. Adding a campus or site. The commissioner may approve an expansion amendment request seeking to add a new campus or site under a campus only if it meets the following criteria:
    - 1. the charter holder has operated at least one charter school campus in Texas for a minimum of three consecutive years; and
    - 2. a new site under an existing campus will be located within 25 miles of the campus with which it is associated.
- e. Board certification. Before voting to request a discretionary expansion amendment, the charter holder governing board must certify that they have considered a business plan and has determined by majority vote of the board that the growth proposed is financially prudent relative to the financial and operational strength of the charter school and includes such a statement in the board resolution. The commissioner may request submission of the business

plan, which must be comprised of the following components:

- i. a statement discussing the need for the expansion;
  - ii. a statement discussing the current and projected financial condition of the charter holder and charter school;
  - iii. an unaudited statement of financial position for the current fiscal year
  - iv. an unaudited statement of financial activities for the current fiscal year;
  - v. an unaudited statement of cash flows for the current fiscal year;
  - vi. a pro forma budget that includes the costs of operating the charter school, including the implementation of the expansion amendment;
  - vii. a statement or schedule that identifies the assumptions used to calculate the charter school's estimated Foundation School Program revenues;
  - viii. a statement discussing the use of debt instruments to finance part or all of the charter school's incremental costs;
  - ix. a statement discussing the incremental cost of acquiring additional facilities, furniture, and equipment to accommodate the anticipated increase in student enrollment;
  - x. a statement discussing the incremental cost of additional on-site personnel and identifying the additional number of full-time equivalents that will be employed;
  - xi. the required statement that the growth proposed is financially prudent relative to the financial and operational strength of the charter school;
  - xii. there are no instances of nepotism, conflicts of interest, or revelations in criminal history checks that deemed any board member or employee ineligible to serve as reported in the Governance Reporting Forms submitted to TEA for the previous three years; and
  - (xiii) the charter holder meets all other requirements applicable to expansion amendment requests and other amendments.
- f. Requirements. The commissioner may approve a discretionary expansion amendment only if:
- i. the expansion will be effective no earlier than the start of the fourth full school year at the affected charter school. This restriction does not apply if the affected charter school has a district rating of an A, B, or C and is operated by a charter holder that operates multiple charter campuses and all of that charter holder's most recent campus ratings of an A, B, or C;
  - ii. the charter school has an accreditation status of Accredited;
  - iii. the most recent district rating for the charter school is an A, B, or C;
  - iv. the most recent district financial accountability rating for the charter school in the Financial Integrity Rating System of Texas for charter schools is "satisfactory" as defined by §100.1001(9) of this title (relating to Definitions);
  - v. a charter holder that operates multiple charter campuses meets

the criteria in subclause (I) or (II) of this clause. When calculating the percentages described, campuses that receive a 'Not Rated' rating shall not be included in the calculation.

- vi. At least 90% of the campuses that receive an accountability rating are rated as an A, B, or C.
  - vii. If 75-89% of campuses that receive an accountability rating under the charter school are rated as an A, B, or C, the charter holder must provide additional information with the expansion request; and
  - viii. the most recent designation for the charter school under the CSPF or Adult Charter School Performance Framework is "Tier 1" or "Tier 2" as defined by §100.1031 or §100.1033 of this title.
- g. Discretionary expansion amendment determination timeline. Notice of the commissioner's decision regarding a discretionary expansion amendment will be made within 60 calendar days of the date the charter holder submits a completed amendment request. The notice of the commissioner's determination may be sent electronically.

### **300.80 EMERGENCY MANAGEMENT PLAN**

The governing body ("Board") of LTTS Charter School Inc. dba Universal Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

The Executive Director, or the Executive Director's designee, shall develop and implement a multi-hazard emergency operation plan for use in Universal Academy's facilities. The plan must provide for:

1. the mitigation, preparedness, response, and recovery in regard to an emergency,
2. employee training in responding to an emergency,
3. mandatory school drill exercises to prepare students and employees for responding to an emergency, and
4. measures to ensure coordination with the Department of State Health Services and local emergency management agencies, law enforcement, health departments, and fire departments in the event of an emergency.

Each campus of Universal Academy shall have a copy of the emergency management plan and all staff/personnel will be trained annually on the emergency procedures.

### **300.140. MEDIA RELATIONS**

The governing body ("Board") of LTTS Charter School Inc. dba Universal Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board. The purpose of this policy is for Universal Academy to be prepared to cooperate with media representatives and gain favorable media coverage.

#### **SECTION 1. Compliance**

Universal Academy shall comply with all laws and rules governing media relations.

**SECTION 2. Designation of Spokespersons for LTTS Charter School Inc. dba Universal Academy** The CEO or CEO's designee will serve as the primary spokesperson with the media for Universal Academy on all matters of school interest, except that the Chair, or the Chair's designee of the Board shall serve as the spokesperson for matters specifically involving the Board of Universal Academy.

#### **SECTION 3. Procedures Governing Media Access**

Requests to interview, film, videotape, and/or photograph students and/or school personnel on school grounds shall go through the CEO or CEO's designee. Whenever possible, the CEO or CEO's designee, shall contact the school principal before a media visit.

### **300.160. ASBESTOS HAZARD EMERGENCY RESPONSE ACT**

The governing body ("Board") of LTTS Charter School Inc. dba Universal Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

#### **SECTION 1. Compliance**

Universal Academy shall comply with all federal and state laws and regulations in regards, to the Asbestos Hazard Emergency Response Act ("AHERA"). Universal Academy designates the CEO or CEO's designee, as the individual who will ensure such compliance. The CEO shall receive appropriate and relevant training on the AHERA.

#### **SECTION 2. Annual Notice**

The CEO or CEO's designee shall send an annual notice to students, parents, guardians, and employees regarding the AHERA as required by law.

## AHERA YEARLY NOTIFICATION FORM

[Date]

Dear Students, Parents, Guardians, & Employees:

In 1986, Congress passed the Asbestos Hazard Emergency Response Act (AHERA) which requires school inspections to identify any asbestos containing building materials. In accordance with AHERA, LTTS Charter School Inc. dba Universal Academy hereby notifies all parties of the availability of the Asbestos Management Plan for Universal Academy.

The plan has several ongoing requirements: publish a notification on management plan availability and the status of asbestos activities; educate and train its employees about asbestos and how to deal with it; notify short-term or temporary workers on the locations of the asbestos containing building materials; post warning labels in routine maintenance areas where asbestos was previously identified or assumed; follow set plans and procedures designed to minimize the disturbance of asbestos containing building materials; and survey the condition of these materials every six months to assure that they remain in good condition.

The plan and a copy of the inspections and assessments are available for review Monday through Friday during regular office hours in all school offices and at the Universal Academy administrative building. If any interested parties would like to view the plan, contact the principal, assistant principal, or the Universal Academy Asbestos Program Manager.

Please refer to the management plan for specific details regarding whether, or not this campus' building(s) has asbestos-containing building materials, and if applicable at your school, a program for regular surveillance inspection of asbestos-containing materials. Also, every three years, an asbestos re-inspection of this campus will be conducted to comply with the AHERA law.

It is the intention of Universal Academy to comply with all federal and state regulations controlling asbestos to ensure students and employees a healthy and safe environment in which to learn and work.

### **300.180. MUNICIPAL ORDINANCES**

The governing body (“Board”) of LTTS Charter School Inc. dba Universal Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

#### **SECTION 1. Compliance**

LTTS Charter School Inc. dba Universal Academy shall comply with all applicable municipal ordinances. Universal Academy designates the CEO or CEO’s designee, as the individual who will ensure such compliance.

### **300.220. RISK MANAGEMENT POLICY**

LTTS Charter School Inc. dba Universal Academy strives to ensure that risks to Universal Academy are identified, analyzed, and managed so that they are maintained at acceptable levels. Universal Academy employees are responsible for ensuring Universal Academy programs, activities, and policies are conducted in a manner that considers the risk of loss or injury.

#### **SECTION 1. Risk Management Officer**

The CEO will designate a Risk Management Officer (RMO) who is responsible for providing guidance on risk management issues and the interpretation of specific policy requirements.

Additionally, the RMO is responsible for:

1. Coordinating the development and maintenance of risk management policies, procedures, standards, and forms for Universal Academy.
2. Identifying strategic risks,
3. Identifying tasks and implementing such tasks to ensure risk management becomes part of day-to-day management,
4. Ensuring staff are aware of risks and how to manage them; and
5. Monitoring our strategic risk profile and implementing a continuous improvement approach to risk management.

The RMO will forward recommendations to the CEO, who will present those recommendations to the Board.

#### **SECTION 2. General Liability Insurance**

Universal Academy shall purchase appropriate liability insurance to protect itself, its board members, officers, employees, and volunteers from the cost of defending litigation brought against them in their official capacity as board members, officers, employees, and/or volunteers of Universal Academy for acts or omissions committed by them in the

good faith discharge of their official Universal Academy duties.

Such insurance shall include, but not be limited to, insurance protection against claims for property damage, personal injury, or death proximately caused by the negligence, wrongful act, or omission of Universal Academy's officers or employees, acting within the scope of their employment or office, and arising from the operation or use of a motor vehicle under circumstances where such officers or employees would be personally liable to the claimant in accordance with the laws of this state.

