

05-896

Receipt by TEA: _____	Date of Committee Review: _____
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Not Approved	Date of SBOE Review: _____
	Beginning Date of Operation: _____

**Application for Approval of an
Open-Enrollment Charter**

Instructions: Submit four copies of completed application with the proposed charter and assurances signed by the Chief Operating Officer of the School and the evidence of parent/community support to the Texas Education Agency, Document Control Center, 1701 North Congress Ave., Austin, Texas 78701. For assistance, contact the Office of Charter Schools at (512) 463-9575.

Chief Operating Officer
of Proposed Charter: Dr. Linda S. Britton Title: Superintendent/Principal

Name of Sponsoring Entity: School of Excellence in Education

The applicant is an "eligible entity" under the following category (check one):

an institution of higher education (TEC 61.003); a tax-exempt organization [501(c)(3)];
 a private/independent institution of higher education (TEC 61.003); a governmental entity.

Sponsor Address: 1950 Bandera Rd. City: San Antonio, Texas

Zip: 78228 Phone Number: (210) 432-5775 FAX: (210) 432-5789

Name of Proposed Charter: School of Excellence in Education

Charter Site Address: 1950 Bandera Road City: San Antonio

Zip: 78228 Phone Number: (210) 432-5775 FAX: (210) 432-5789

Grade Levels: 6-12 Expected Initial Enrollment: 120 Projected Max. Enrollment: 300

The charter will primarily serve an area that is geographically: urban suburban rural

In succinct terms describe the proposed school including grade levels offered, student populations served, educational focus and any other essential characteristics. For example, "The Seventh Avenue Charter School is designed to recover students who have dropped out of high school and prepare them through vocational training to be productive contributors to society."

The School of Excellence in Education is designed to educate young people between the ages of eleven and fifteen, in sixth, seventh, and eighth grade, who have been retained in one or more grades; and because of academic failure are labeled "at-risk" of leaving high school without a diploma

Indicate the approximate percentage of each student population in as many categories as are applicable:

10 pre-kindergarten; 10 special education; 0 migrant;
75 economically disadvantaged; 0 limited English proficiency; 2 recovered dropouts;
75 at risk of dropping out;
0 pregnant or parent students; 0 other

The facility to be used for an open-enrollment charter school is owned by _____,
 a commercial entity a non-profit entity a school district.

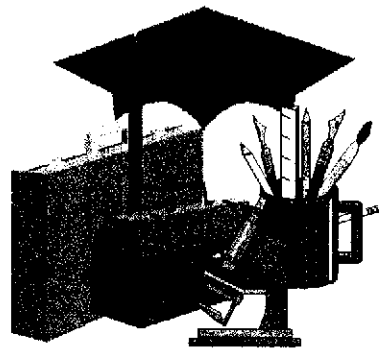
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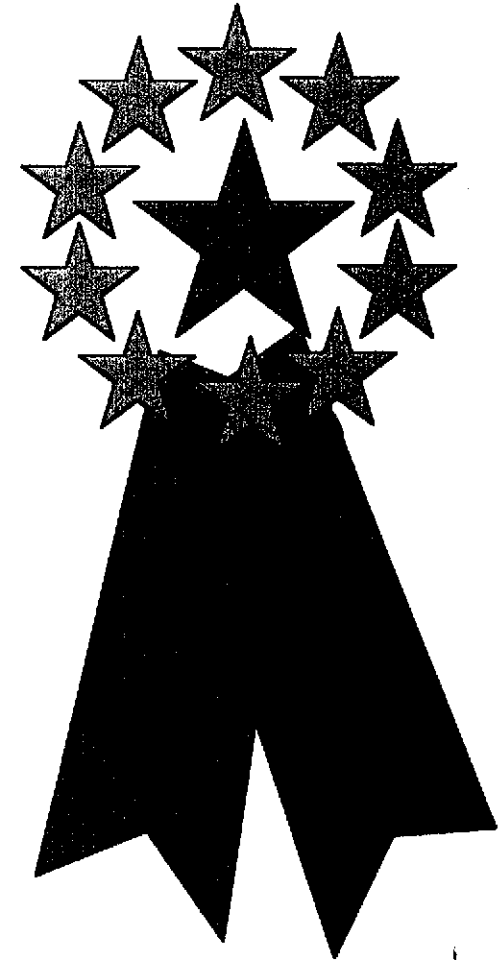
School of Excellence In Education
P.O. Box 28402
San Antonio, TX 78228

Core Components

- ★ Accelerated Block Schedule
- ★ School Days Aligned with Business Community
- ★ Individual and Small Group Mentors
- ★ Pre-entrance Diagnostic Testing for Placement
- ★ Interdisciplinary Courses
- ★ Project-based, "Hands-on" Curriculum
- ★ Ongoing Academic and Career Counseling
- ★ Preparation for a High School Diploma (not GED)
- ★ Community Service Requirement
- ★ All Teachers Certified or Working Towards Certification
- ★ Intramural sports



School of Excellence in Education



Our Vision

A school which challenges young people to strive for excellence in every aspect of their lives: academically, socially, mentally, emotionally.

A school where there is an on-going, active pursuit of the wisdom and knowledge of the ages coupled with a diligent search for ways to serve the community.

The School of Excellence in Education fosters a climate of mutual respect, caring, and the passion necessary to realize one's purpose.

Our Mission

To provide young people between the ages of eleven and fifteen with opportunities to:

- ★ Develop and practice self-discipline
- ★ Develop and practice self-respect, honesty, faithfulness, and integrity
- ★ Understand their potential
- ★ Acquire core knowledge
- ★ Prepare for high school
- ★ Prepare for post-secondary education
- ★ Develop marketable skills for jobs

Our Goals

- ★ Academic Challenge
- ★ Team-Building Concepts
- ★ Self-monitoring
- ★ Community Service

Admission Requirements

Applicant must be

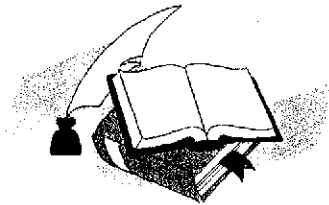
- ★ Between the ages of 11 and 15
- ★ Completion of 8th grade

Applicant must submit

- ★ Completed Application
- ★ Copy of Birth Certificate
- ★ Copy of Shot Records
- ★ Recommendation Letter from two adults (not relatives)

Applicant must demonstrate

- ★ Willingness to be subject to authority
- ★ Interest in developing his or her potential
- ★ Tenacity and desire for excellence
- ★ Parental support of academic pursuit



Request for Additional Information

Please send me more information about the



School
of
Excellence
in Education

Parent/Guardian Name

Address

City, State, Zip

Phone Number

Student Name

Present School (Include District)

Present District

Grade

SCHOOL OF EXCELLENCE IN EDUCATION

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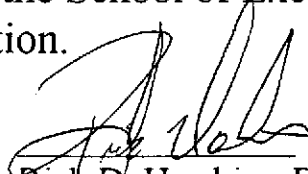
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OFFICERS
SCHOOL OF EXCELLENCE IN EDUCATION

Dr. Linda S. Britton
Mr. Henry Bernal
Ms Bonny Sharpe
Mrs. Darlene Brooker
Mr. S. Todd Burchett, CPA
Mrs. Nelda Pruneda

BOARD OF DIRECTORS

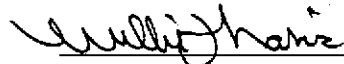
We, the undersigned Board of Directors, agree with the Vision, Goals, Budget and Program for the School of Excellence in Education as set forth in this application.



Rick D. Hawkins, Director

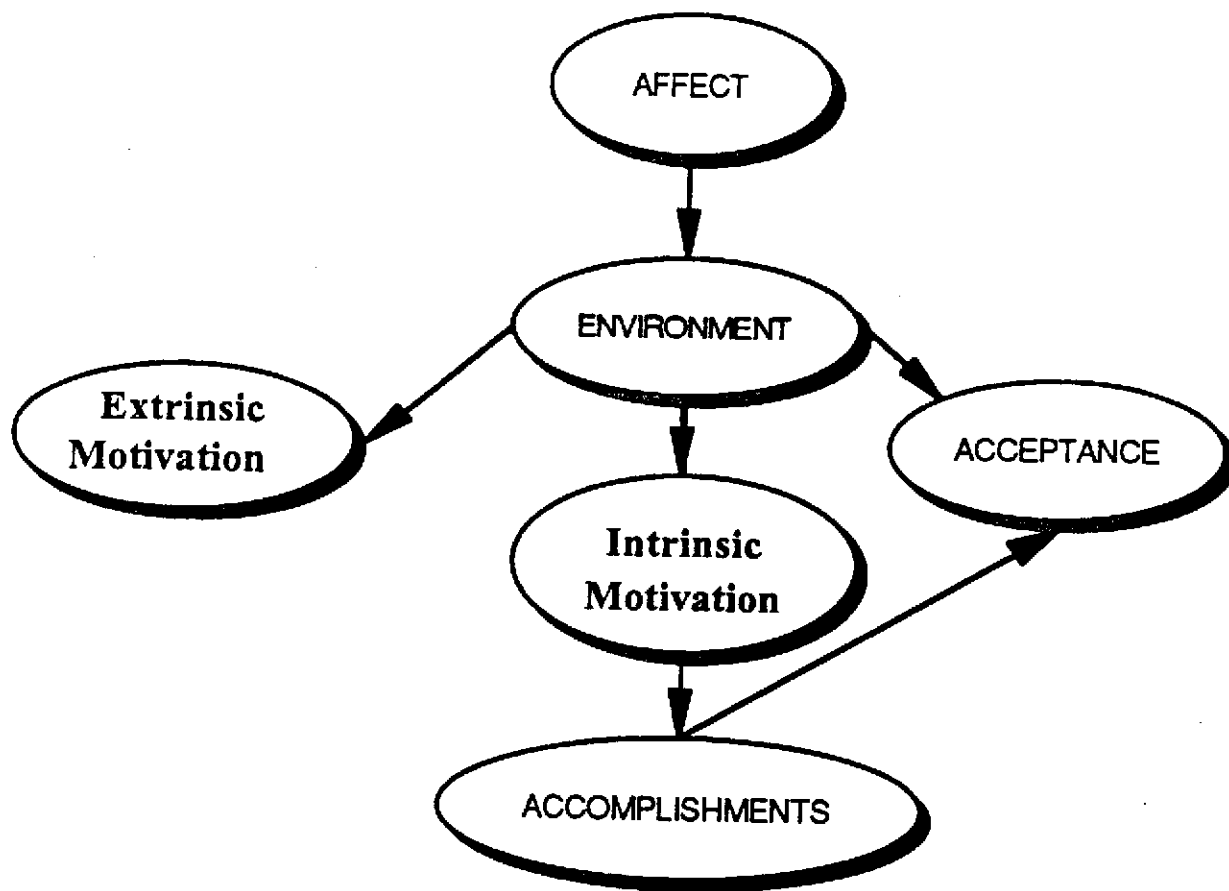


S. Todd Burchett, Director



Will R. Norris, Director

MODEL OF STUDENT LEARNING



The model suggests that one's affect or emotions are influenced by both extrinsic motivation and acceptance within his/her environment. When these are present (extrinsic motivation and acceptance), one develops intrinsic motivation which leads to accomplishments, which leads to acceptance; the cycle is repeated.

VISION

The School of Excellence in Education is established to serve the needs of students who have academic abilities, but who often are distracted by the social environment around them, and who have experienced the shame of academic failure. It has been observed by a veteran educator that the majority of students who are referred to the principal's office for behavioral infractions are students who have been retained in one or more grades. The School of Excellence will take away the stigma and shame of retention. The educational program requires students to focus on personal academic accomplishments, while encouraging students to value working cooperatively and/ or competing against themselves. This school stresses student responsibility while aggressively pursuing parental and community involvement in the students' education. Both parents and community members are needed to help students apply what is learned in the classrooms to life situations.

School of Excellence in Education challenges young people to strive for excellence in every aspect of their lives: academically, socially, mentally, and emotionally. It is a school where there is an on-going, active pursuit of the wisdom and knowledge of the ages; coupled with a diligent search for ways to serve the community. The School of Excellence in Education fosters a climate of mutual respect, caring and the passion necessary to realize ones purpose.

A well-known educator, TheodoreSizer, has stated that a school should ideally, have about three hundred students. The School of Excellence in Education will grow to three hundred students within the five year funding period. The size of the school will allow one to one instruction, mentoring, and small group interaction. It is expected that students will complete their formal public education academically prepared to pursue post-

secondary education as self-reliant, socially prepared citizens of the twenty-first century. In the **first year**, there will be one hundred twenty (120) students, and the program of study with multilevel, multiage classes will be established. Baseline data of the students will be recorded for evaluation and research purposes (See Appendix). During the **second year** , there will be 160 students; follow-up procedures for the first year's eighth grade students will be formed. PEIMS data will be submitted to TEA. In the **third year**, the student body will be 200 students ; begin the planning for the expansion from a middle school to a middle and high school. The School of Excellence in Education will expand to include a ninth grade class in the **fourth year**; total student body will be 240. In the **fifth year**, the school will add a tenth grade class; administer the Exit Level of the Texas Assessment of Academic Skills exam, and have a student body of 300.

The School of Excellence in Education is, initially, an open-enrollment middle school designed to provide young people between the ages of eleven and fifteen with opportunities to :

- ◆ develop and practice self-discipline
- ◆ develop and practice self-respect, honesty, faithfulness, and integrity
- ◆ understand their potentials
- ◆ be challenged academically
- ◆ prepare for high school education
- ◆ develop marketable skills for jobs

GOALS

The vision of the School of Excellence in Education will be accomplished by meeting and/or exceeding these goals:

- ◆ **Provide Academic Challenge**
 - a. Students follow an action-oriented, accelerated, and outcome-based curricula.
 - b. Teachers develop curricula based on Texas Essential Knowledge Skills using the Accelerated School and Core Knowledge program design.
 - c. Texas Assessment of Academic Skills exam and other standardized tests
- ◆ **Provide Frequent Monitoring of Student Progress**
 - a. Teacher provides Student Progress Reports; Grade Reports
 - b. Teacher and Parent quarterly conferences
- ◆ **Provide Assessment and Evaluation Instruments for Students' Self-Monitoring**
 - a. Students maintain portfolios and self-assessment forms
 - b. Student presentations; rubrics of student products
- ◆ **Provide Interdisciplinary and Team-building Instructional Strategies**
 - a. Teachers receive professional development concerning interdisciplinary themes.
 - b. Teachers receive training in 4-MAT
 - c. Teacher maintain lesson plans; reflect TEKS.
- ◆ **Provide Adult Mentors, Parental and Community Involvement**
 - a. Solicit mentors from business and community (Roster of Mentors)
 - b. Train adult mentors
 - c. Establish Parent Organizations; establish volunteer organizations
- ◆ **Provide Students with Opportunities for Community Service Projects**
 - a. Join SAFE and San Antonio Fighting Back
 - b. Establish community service projects; get a volunteer coordinator

Describe the educational program to be offered, including the required curriculum:

The principles guiding the School of Excellence in Education are based on the Effective Schools research of the late 1980's . The issue of effectiveness in schools is synonymous with student achievement. The California Assembly Office of Research defines an effective school as, "(school where) pupils achieve significantly above average on tests of basic skills compared to similar schools... they produce more pupil learning than normal for similar schools..." (Cruickshank, 1990,p. 23). Allen Odden (1985) writes that, "a statement of academic goals is one of the hallmarks of effective schools" (p.44); R. Edmonds's analysis of effective schools included these criteria as well: "strong leadership, orderly, humane climate, frequent monitoring of student progress, high expectation and focus on teaching skills"(1982,p.4).

The School of Excellence in Education (SEE) offers a course of study; the completion of which prepares students to enter a Texas high school with the skills to earn a diploma. The program targets young people between the ages of eleven and fifteen who because of their past academic failures ,and choice of social groups would be traditionally labeled "at-risk" of not obtaining a high school diploma. Students who are academically successful are also welcomed; there is no discrimination. The School of Excellence in Education allows for multilevel classes so that if a student is at an eighth grade level in Language Arts, but sixth grade level in math, then the student would be allowed to take math with students who are beginning at his level. The student would be allowed to continue until she or he has reached mastery. The program incorporates both traditional and student-centered methods of instruction to address the various learning styles (tactile, kinesthetic, visual, and auditory) and the cultural diversity of its student body. Principles from both Henry Levin's Accelerated Schools Project and E.D. Hirsch's Core Knowledge

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Sequences are included. The School of Excellence in Education provides academic rigor, social development, flexibility of schedules and well as opportunities to develop marketable skills. SEE is committed to the total (academic, social, emotional, and spiritual) development of its students; therefore the curriculum is both (a) Academic and (b) Social Skills.

Philosophical foundations of SEE include, but are not limited to:

- ◆ Belief that ALL students have potential and purpose; their job is to locate, focus on, and accomplish their purpose for their generation.
- ◆ Belief that all students can learn and achieve high academic standards when, and if both teachers and students believe and work toward academic success.
- ◆ Belief that diagnostic testing is imperative to determine students' abilities, deficiencies and growth.
- ◆ Belief that the curriculum MUST align with expected outcomes; students MUST be cognizant of expected outcomes. Curricula includes challenging activities which appeal to identified at-risk , gifted and talented students.
- ◆ Belief that counseling, mentoring, tutoring, and individualized education plans are essential to students' successes.
- ◆ Belief that it is crucial to have family and community involvement in any academic program.
- ◆ Belief that service projects to surrounding community contribute to the social development of students.
- ◆ Belief that intrinsic motivation leads to accomplishments, but such motivation is the direct result of extrinsic motivation, affective (passion) attachments, environment, and acceptance.

- ◆ Belief that teaching is a dynamic profession requiring periodic renewal of pedagogical strategies.
- ◆ Belief in the continuous improvement of instruction.

PROGRAM DESIGN

The SEE program is designed to focus on two areas: (A) Academic Curriculum, and (B) Social Skills Curriculum. These two areas reflect the vision of the SEE as a school which challenges young people to strive for excellence.

A. ACADEMIC CURRICULUM

SEE follows the curriculum guidelines as established by TEA including the Texas Essential Knowledge Skills (TEKS). Therefore, the curricula will be aligned with the assessment instruments currently used by TEA. The School of Excellence curriculum is designed to connect academic subjects and hands-on skills; alignment of academic subjects across grade levels allows the teacher to have certain expectations of student learning. The program design is based on the work of Henry M. Levin of the Accelerated Schools Project and the work of E.D. Hirsch of the Core Knowledge Sequence.

SEE encourages the development of higher order thinking skills, the ability to reason, to think clearly and creatively, to solve problems, and visualize solutions through the use of Socratic Questioning techniques, Real Life Problem projects, and Interdisciplinary Research. Interdisciplinary instruction will connect subject content so that students see the "Big Picture" through exploring, observations and testing of hypotheses.

SEE facilitates the integration of computer technology in each classroom by requiring presentations of student portfolios

and evaluations of student projects. Such project-based learning requires the development of word processing skills, data acquisition, information management, distance learning, and interactive multimedia presentations.

SEE prepares the instructional staff in the 4MAT method of instruction, which trains them in the recognition of students' preferred learning style. Instructors will be trained to administer the Learning Style inventory to all students. This training will help instructors to prepare lessons which affirm the learning style of students who have often been unsuccessful in regular classrooms. Traditional classrooms are geared toward students with abilities in the "bulge of the bell curve." The multilevel ability classroom is designed to focus on the individual student; not just the majority. At the School of Excellence in Education, we teach individuals; not classes. Multilevel classrooms are extremely flexible, allowing students to progress upward to the next level as soon as they are ready. Instructors will also receive training in the use of computer technology and manipulatives for math and science.

SEE instructional staff will incorporate organized "field experiences" to local venues in order to supplement classroom experiences with "real life" demonstrations of the use of the skills or subject being taught. Master craft persons and visiting artists from the community will augment academic studies with "real world" application of instruction.

The middle school course of study will be comprised of four academic blocks: one for math and science, a second for humanities and language arts. Two other blocks can be combinations of Spanish, computer technology, kinesiology, and performing arts.

After the fourth year, students at the School of Excellence in Education will take these courses in developmental sequence:

4 credits English Language Arts
3 credits Mathematics (option for independent math study)
4 credits Social Studies
3 credits Science
1 credit Speech
1 credit Health and Family Living
2 credits fine Arts or Foreign Language
1 credit computer applications and technology
1 credit Career Investigations
2 credit Independent Study or Career Internship (cooperative training)

*Students will have the flexibility to work on dual credits with local community colleges. Student attendance will equal or exceed state attendance requirements as outlined by TEA.

SOCIAL SKILLS CURRICULUM

SEE has a licensed mental health counselor / social worker on staff to train students in the areas of Conflict Resolution; Mediation, Abuse/Violence, Alcohol or Substance Abuse, as well as Teen Parenting.

SEE faculty and staff are also trained in Discipline Management techniques which encourage students to make choices appropriate for himself/ herself or for the group.

SEE faculty and staff are also trained as mentors. A mentor is an adult who is a friend, advocate, trusted counselor, role model, or guide of a student. The primary goal of the Mentor Program is to enhance the educational experience of the student through the promotion of both the cognitive and affective development. It is expected that the establishment of a Mentor Program will lead to higher retention rates among those who have found the educational environment

inhospitable or who have had limited exposure to positive role models (Griffin, 1990).

SEE will also recruit and train community or business leaders to become mentors in an effort to maintain a "retention conducive environment".

SEE students who have been recipients of the benefits of the Mentor Program may also be trained to become Student Mentors of new students. Multilevel ability classrooms provide opportunities for "peer teachers"; students master problem solving skills when grouped with older students. Peer teachers also benefit from this grouping; it builds self-confidence and a positive attitude toward school and a sense of responsibility.

SEE students will perform community service . Community service will develop sensitivity and understanding of other people , and is essential to preparing students for a multi-cultural society.

The Social Skills curriculum is concurrent with and complements the Academic Curriculum.

Specify the period for which the charter, if approved will be valid:

The charter will be valid for five years.

Specify any renewal period for which the charter, if approved will be valid:

After the five year period, the charter will be resubmitted for approval by the SBOE.

Identify the specific levels of student performance on assessment instruments adopted under TEC Chapter 39, Subchapter B that constitute acceptable performance for the open-enrollment charter:

The School of Excellence in Education students will be assessed in the areas of Algebra 1 and Biology according to the End of Course exams authorized by TEA. Additionally, students in the School of Excellence in Education will take the TAAS test. They will achieve passing rates that meet or exceed the TEA guidelines. Describe any additional accountability provisions in addition to those required under Texas Education code, Subchapter B, C, and G, Chapter 39 by which the performance of the open-enrollment charter will be assessed.

None

Provide the deadline or intervals by which the performance of the open-enrollment charter will be determined for accountability purposes:

The School of Excellence in Education charter school will provide PEIMS information to TEA in a timely manner. The performance of this open-enrollment charter school will be determined beginning the second year of operation and will be based upon annual audits according to PEIMS reports. Within the first year, a cognitive profile and baseline reference for each student's academic and social background will be formed. Analysis, review and additions to this profile will be ongoing and will be used to identify a student's aptitudes and remediation needs, so that recommendations for styles of learning can be forwarded.

Specify any basis, in addition to a basis specified by the State Board of Education, on which the charter may be placed on probation or revoked or on which renewal of the charter may be denied:

SEE shall comply with the rules for revocation as determined by the SBOE.

Describe the governing structure of the open-enrollment charter:

The governing body of the charter (ultimately responsible for the charter) is the School of Excellence in Education Board of Directors. This Board of Directors will appoint a chief executive officer (Superintendent/Principal) who is responsible for insuring

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that the School of Excellence in Education operations follow TEA, charter guidelines, and the sponsoring entity's focus for the school. The Board of Directors are responsible for all decisions related to funding and budget and shall enter into all contracts related to the school. The Board of Directors shall establish board policy, establish and define the role of an Administrative Council whose responsibility is to implement campus policies and procedures that include opportunities for due process. The Administrative Council shall include the Chairman of the Board of Directors, Superintendent/Principal, school treasurer, secretary, parents, a faculty representative; business and community representatives.

Specify the qualifications to be met by professional employees of the program:

SEE administrators and faculty will meet professional standards set by Texas certification and licensing. See Appendix for the resumes. The principal of the charter has twenty years of experience in public education in Texas. Fifteen of these years were as a middle school instructor. The director graduated from the University of Texas in Austin with a doctorate in Education Administration; dissertation researched the strategies of principals of effective and efficient middle schools. Instructors who have college degrees but no Texas certification will be working towards teacher certification through the Alternative method of certification with the Education Service Center. Paraprofessionals will be included in all professional development activities, and will be encouraged to complete college degrees. Additionally, all staff will be expected to work as effective team members to impact the school's community of learners. Each teacher will receive extensive professional development in the pedagogy of at-risk education, discipline and classroom management, principles of mentoring, learning styles, and multiple intelligences.

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All staff shall be subject to a criminal background check.

Describe the process by which the person providing the open-enrollment charter will adopt an annual budget:

The Board of Directors of the School of Excellence in Education is responsible for adopting an annual budget for the charter school. The budget will be the results of :

- ◆ The SEE Treasurer analyzes a comparison of actual expenditures and budgeted expenditures for the current year; reviews, contractual agreement, and overhead expenses to ensure appropriate budget conformity.
- ◆ The SEE Treasurer uses this information to formulate a draft budget for the coming year. Input from staff, students, and parents will be considered in determining needed supplies, equipment or other expenditures necessary for an effective program.
- ◆ The draft budget is reviewed by the Chairperson of the Board and the Superintendent/Principal, and forwarded for full review by the Administrative Council. Advice from a CPA will be solicited when appropriate or necessary.
- ◆ After review and/or revisions, the final proposed budget is submitted to the Board of Directors for approval.

Submit a proposed budget as an attachment to this application.

See Attachment.

Describe the manner in which an annual audit of the financial and programmatic operations of the open-enrollment charter will be conducted. Describe the manner in which the charter will participate in the Public Education Information management System (PEIMS), as required by the state statute or by the State Board of Education rule:

An independent accounting firm will audit the financial and programmatic operations of the School of Excellence in Education. The school will provide a timely report of all information required in the Public Education Information Management System according to state or TEA mandated schedules.

Describe the facilities to be used. If the facility is not operated by a school district, attach a copy of the agreement or pending agreement, signed by the entity owning and operating the facility and the chief operating officer of the proposed charter.

The facility to be used is a modular building to be placed on property adjacent to 1950 Bandera Rd, San Antonio, Texas. The facility has ten classrooms with a minimum of 600 square feet each. The building is fully equipped with security, fire alarm, sprinkle system, office space and restrooms. Parking spaces are ample; also space is available for some outdoor recreational activities. (Please see attached letter of intent for ordering the building and leasing the land.)

Describe the geographical area served by the program.

SEE draws students from throughout San Antonio, with the greatest percentage of students coming from areas representative of the San Antonio ISD and Northside ISD. San Antonio Independent School District has a large concentration of the population living at or below the local poverty level. The school may also impact Harlandale ISD and South San Antonio ISD.

Provide a list of all districts within the geographical area that may be affected by the open-enrollment charter with the date the "Statement of Impact" form was sent to each affected district.

South San Antonio ISD (Dec. 15, 1997)

North East ISD (Dec. 15, 1997)

Northside ISD (Dec. 15, 1997)

San Antonio ISD (Dec. 15, 1997)

Harlandale ISD (Dec. 15, 1997)

Specify any type of enrollment criteria to be used. Indicate whether the open-enrollment charter provides for the exclusion of a student who has a documented history of criminal offense, juvenile court adjudication, or discipline problems under TEC, Chapter 37, Subchapter A:

SEE does not discriminate on the basis of race, color, national or ethnic origin, religion and gender. SEE does not exclude from enrollment individuals who have been a part of the criminal justice system or who have documented discipline problems. Parents and or guardians will be asked to complete and submit an application prior to the opening of the school year.

Although all students between eleven and fifteen are welcomed, recruitment efforts will be for students who have been retained in a grade based upon their academic abilities. Students will be accepted based upon their desire to attend and to participate in the SEE educational program.

Describe provisions for transportation, if any, for students served by the open-enrollment charter school:

SEE is located conveniently on a VIA transit bus line route. While the school will not furnish transportation, the school will issue bus passes which allows half fare fees to accommodate those students who rely on public transportation in order to attend school.

Describe provisions for food service, if any, for students served by the open enrollment charter school.

Students will be allowed to bring their own sack lunches; the School of Excellence in Education will select a caterer licensed by the Metropolitan Health District to provide lunches that students can buy for nominal fees.

ATTACHMENT A
Nonprofit Organization Status
IRS Application

**THE ORIGINAL BYLAWS OF
SCHOOL OF EXCELLENCE IN EDUCATION**

Duncan, Utman, Weakley & Bressler, Inc.

Attorneys at Law

1000 South Texas Building

603 Navarro Street

San Antonio, Texas 78205-1838

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CARSON P. EPES

JILL MAKOVIC GLASS (1955 - 1997)

TEXAS BOARD OF LEGAL SPECIALIZATION
*BOARD CERTIFIED ESTATE PLANNING AND PROBATE LAW
**BOARD CERTIFIED CIVIL TRIAL LAW
***BOARD CERTIFIED COMMERCIAL REAL ESTATE LAW
AND RESIDENTIAL REAL ESTATE LAW
†BOARD CERTIFIED FAMILY LAW

TELEPHONE (210) 224-0781

TELECOPIER (210) 224-6958

E-MAIL: FIRM@DUNCANLAW.COM

December 9, 1997

FEDERAL EXPRESS
Airbill No. 2513640043

Secretary of State
Corporation Division
Special Handling
1019 Brazos, James Earl Rudder Bldg.
Austin, Texas 78701

RE: SCHOOL OF EXCELLENCE IN EDUCATION

Dear Sir:

Enclosed are duplicate originals of the Articles of Incorporation for SCHOOL OF EXCELLENCE IN EDUCATION, which we would appreciate your filing on our behalf. Also enclosed is our check in the amount of \$35.00 in payment of the filing fee and special handling cost.

If you should have any questions relating to the above, please do not hesitate to call me. Thank you for your courtesies and efforts afforded us in this matter.

Sincerely,

Original Signed By

S. Jeffrey Gately

SJG/ks
Enclosures
97328

✓ cc: Mr. Rick Hawkins

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**User Fee for Exempt Organization
 Determination Letter Request**

▶ Attach this form to determination letter application.
 (Form 8718 is NOT a determination letter application.)

For IRS Use Only

Control number _____
 Amount paid _____
 User fee screener _____

1 Name of organization
School of Excellence in Education

Caution: Do not attach Form 8718 to an application for a pension plan determination letter. Use Form 8717 instead.

2 Type of request Fee

a Initial request for a determination letter for:

- An exempt organization that has had annual gross receipts averaging not more than \$10,000 during the preceding 4 years, or
- A new organization that anticipates gross receipts averaging not more than \$10,000 during its first 4 years. \$150

Note: If you checked box 2a, you must complete the Certification below.

Certification

I certify that the annual gross receipts of _____
name of organization

have averaged (or are expected to average) not more than \$10,000 during the preceding 4 (or the first 4) years of operation.

Signature ▶ _____ Title ▶ _____

b Initial request for a determination letter for:

- An exempt organization that has had annual gross receipts averaging more than \$10,000 during the preceding 4 years, or
- A new organization that anticipates gross receipts averaging more than \$10,000 during its first 4 years . . . \$ 465

c Group exemption letters \$ 500

Instructions

The law requires payment of a user fee with each application for a determination letter. The user fees are listed on line 2 above. For more information, see Rev. Proc. 94-8, 1994-1 I.R.B. 176.

Check the box on line 2 for the type of application you are submitting. If you check box 2a, you must complete and sign the certification statement that appears under line 2a.

Attach to Form 8718 a check or money order payable to the Internal Revenue Service for the full amount of the user fee. If you do not include the full amount, your application will be returned. Attach Form 8718 to your determination letter application.

To avoid delays, send the determination letter application and

Form 8718 to the applicable IRS address shown below. Use the address below even if a different address appears in another form or publication.

If the organization is in	Send fee and request for determination letter to
▼	▼
Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont	Internal Revenue Service EP/EO Division P. O. Box 1880, GPO Brooklyn, NY 11202
Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania, Virginia, any U.S. possession or foreign country	Internal Revenue Service EP/EO Division P. O. Box 17010 Baltimore, MD 21203
Indiana, Kentucky, Michigan, Ohio, West Virginia	Internal Revenue Service EP/EO Division P. O. Box 3159 Cincinnati, OH 45201

Arizona, Colorado, Kansas, Oklahoma, New Mexico, Texas, Utah, Wyoming	Internal Revenue Service EP/EO Division Mail Code 4950 DAL 1100 Commerce Street Dallas, TX 75242
Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee	Internal Revenue Service EP/EO Division P.O. Box 941 Atlanta, GA 30370
Alaska, California, Hawaii, Idaho, Nevada, Oregon, Washington	Internal Revenue Service EO Application EP/EO Division McCaslin Industrial Park 2 Cupania Circle Monterey Park, CA 91754-7408
Illinois, Iowa, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, Wisconsin	Internal Revenue Service EP/EO Division 230 S. Dearborn DPN 20-5 Chicago, IL 60604

Attach Check or Money Order Here

026



The State of Texas

Secretary of State

DEC. 11, 1997

S. JEFFREY GATLEY
1000 SOUTH TEXAS BLDG., CUBA AVENUE
SAN ANTONIO, TX

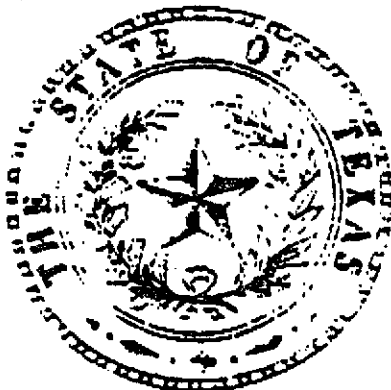
SCHOOL OF EXCELLENCE IN EDUCATION

CHARTER NUMBER 01466950-01

IT HAS BEEN OUR PLEASURE TO APPROVE AND PLACE ON RECORD THE ARTICLES OF INCORPORATION THAT CREATED YOUR CORPORATION. WE EXTEND OUR BEST WISHES FOR SUCCESS IN YOUR NEW VENTURE.

AS A CORPORATION, YOU ARE SUBJECT TO STATE TAX LAWS. SOME NON-PROFIT CORPORATIONS ARE EXEMPT FROM THE PAYMENT OF FRANCHISE TAXES AND MAY ALSO BE EXEMPT FROM THE PAYMENT OF SALES AND USE TAX ON THE PURCHASE OF TAXABLE ITEMS. IF YOU FEEL THAT UNDER THE LAW YOUR CORPORATION IS ENTITLED TO BE EXEMPT YOU MUST APPLY TO THE COMPTROLLER OF PUBLIC ACCOUNTS FOR THE EXEMPTION. THE SECRETARY OF STATE CANNOT MAKE SUCH DETERMINATION FOR YOUR CORPORATION.

IF WE CAN BE OF FURTHER SERVICE AT ANY TIME, PLEASE LET US KNOW.



VERY TRULY YOURS,

Secretary of State

027

ATTACHMENT B
Statement of Impact Letters
to School Districts

SCHOOL OF EXCELLENCE IN EDUCATION

1950 BANDERA RD.
SAN ANTONIO, TEXAS 78228
432-5775

Rick Hawkins, Chairman
Todd Burchett, CPA
Will Norms, Member

December 15, 1997

Harlandale Independent School District
102 Genevieve Dr.
San Antonio, Texas 78214

Dear Superintendent and President of the Board of Trustees:

This is to inform you that the School of Excellence in Education intends to submit an application to the State Board of Education for consideration for approval of an open-enrollment charter school. As part of the application process, entities applying for approval are required to notify any districts that are likely to be affected by the establishment or amendment of an open-enrollment charter school.

Specifically, the guidelines approved by the State Board of Education require that the enclosed form, entitled *Statement of Impact*, and a copy of the application for the proposed open-enrollment charter school be sent to each district that may be affected. Information is requested if the proposed open-enrollment charter may adversely impact a district financially, or if the proposed charter may impact the student enrollment of a district in a manner that impairs the district's ability to comply with a court order. The enclosed form must be completed by any district that may be affected, signed by the district's board president and superintendent, and returned to the Texas Education Agency, Document Control Center, Room 6-108, 1701 North Congress Avenue, Austin, Texas 78701. It should be received no later than January 15, 1998, for the information to be considered by the State Board of Education.

It is requested that you review the enclosed application, complete the *Statement of Impact* form, and submit it to the Texas Education Agency. If you have questions about the process for approval of open-enrollment charter schools, please contact Brooks Flemister in the Office of Charter Schools at (512) 463-9575. If you have questions about the enclosed application for approval of an open-enrollment charter school affecting your school district, please contact: L. Britton for School of Excellence in Education at 432-5775.

Sincerely,
School of Excellence in Education

SCHOOL OF EXCELLENCE IN EDUCATION

1950 BANDERA RD.
SAN ANTONIO, TEXAS 78228
432-5775

Rick Hawkins, Chairman
Todd Burchett, CPA
Will Norris, Member

December 15, 1997

North East Independent School District
8961 Tesoro Dr.
San Antonio, Texas 78217

Dear Superintendent and President of the Board of Trustees:

This is to inform you that the School of Excellence in Education intends to submit an application to the State Board of Education for consideration for approval of an open-enrollment charter school. As part of the application process, entities applying for approval are required to notify any districts that are likely to be affected by the establishment or amendment of an open-enrollment charter school.

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Sincerely,
School of Excellence in Education

SCHOOL OF EXCELLENCE IN EDUCATION

1950 BANDERA RD.

SAN ANTONIO, TEXAS 78228

432-5775

Rick Hawkins, Chairman
Todd Burchett, CPA
Will Norris, Member

December 15, 1997

Northside Independent School District
5900 Evers Rd.
San Antonio, Texas 78238

Dear Superintendent and President of the Board of Trustees:

This is to inform you that the School of Excellence in Education intends to submit an application to the State Board of Education for consideration for approval of an open-enrollment charter school. As part of the application process, entities applying for approval are required to notify any districts that are likely to be affected by the establishment or amendment of an open-enrollment charter school.

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Sincerely,
School of Excellence in Education

SCHOOL OF EXCELLENCE IN EDUCATION

1950 BANDERA RD.
SAN ANTONIO, TEXAS 78228
432-5775

Rick Hawkins, Chairman
Todd Burchett, CPA
Will Norris, Member

December 15, 1997

San Antonio Independent School District
141 Lavaca
San Antonio, Texas 78201

Dear Superintendent and President of the Board of Trustees:

This is to inform you that the School of Excellence in Education intends to submit an application to the State Board of Education for consideration for approval of an open-enrollment charter school. As part of the application process, entities applying for approval are required to notify any districts that are likely to be affected by the establishment or amendment of an open-enrollment charter school.

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Sincerely,
School of Excellence in Education

SCHOOL OF EXCELLENCE IN EDUCATION

1950 BANDERA RD.

SAN ANTONIO, TEXAS 78228

432-5775

Rick Hawkins, Chairman
Todd Burchett, CPA
Will Norris, Member

December 15, 1997

South San Antonio Independent School District
2515 Sioux St.
San Antonio, Texas 78224

Dear Superintendent and President of the Board of Trustees:

This is to inform you that the School of Excellence in Education intends to submit an application to the State Board of Education for consideration for approval of an open-enrollment charter school. As part of the application process, entities applying for approval are required to notify any districts that are likely to be affected by the establishment or amendment of an open-enrollment charter school.

Specifically, the guidelines approved by the State Board of Education require that the enclosed form, entitled *Statement of Impact*, and a copy of the application for the proposed open-enrollment charter school be sent to each district that may be affected. Information is requested if the proposed open-enrollment charter may adversely impact a district financially, or if the proposed charter may impact the student enrollment of a district in a manner that impairs the district's ability to comply with a court order. The enclosed form must be completed by any district that may be affected, signed by the district's board president and superintendent, and returned to the Texas Education Agency, Document Control Center, Room 6-108, 1701 North Congress Avenue, Austin, Texas 78701. It should be received no later than January 15, 1998, for the information to be considered by the State Board of Education.

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Sincerely,
School of Excellence in Education

ATTACHMENT C

ATTACHMENT C
Parental and Community Support

ALAMO COMMUNITY COLLEGE DISTRICT

PALO ALTO COLLEGE • ST. PHILIP'S COLLEGE • SAN ANTONIO COLLEGE

OFFICE OF THE CHANCELLOR

Board of Trustees

Donald L. McClure, Sr.
Chairman

Kenneth M. Shumate, Ph.D.
Vice Chairman

Richard Gonzalez
Secretary

Gene Sprague, Ph.D.
Assistant Secretary

Eloisa R. Vasquez

George Killen

Robert "Tinker" Garza

Brian T. Fox

James A. Rindfuss

Robert W. Ramsay, Ed.D.
Chancellor

State Board of Education
1701 North Congress Ave.
Austin, TX.

Dear Board Members:

This is a letter of endorsement for the School of Excellence in Education which is applying for an open-enrollment charter. I agree with the philosophical foundations of this educational program, and feel that "at-risk" students and those who have been retained in one or more grades, can certainly benefit from a program such as this.

As Chairman of the Board of Trustees of the Alamo Community College District and a veteran and educator, I am keenly aware of the need to teach individuals not just classes. In my professional capacity as principal of an urban middle school, I agree that students who have experienced academic failure in one or more grades seldom seem to catch their peers academically. These are the students who are frequently disruptive in classrooms, truant, and at risk of being a high school dropout.

I salute Dr. Britton and the School of Excellence in Education organization. I have known Dr. Britton to be a strong advocate for student learning and innovation in classrooms. She has served our district as an Instructional Guide, Magnet School Coordinator, and as Assistant Principal of a middle school. She has brought her enthusiasm, talent, and knowledge to each of these positions and has had a positive effect in each instance.

Without any reservations, I endorse the School of Excellence in Education as a worthy recipient of an open-enrollment charter.

Sincerely,



DONALD McCLURE, SR.
Principal, S.J. Davis Middle School
Chairman, Alamo Community College District Board of Trustees

006



Judson Independent School District

EDUCATIONAL RESOURCE CENTER

8205 Palisades Dr. • San Antonio Texas 78233-3402 • Telephone: (210) 659-9600

January 6, 1998

Jack Christie, Chairman
State Board of Education
1701 North Congress Avenue
Austin, Texas 78701

Dear Mr. Christie:

I endorse the San Antonio School of Excellence in Education's application for an open-enrollment charter. At-risk recovery programs, such as the one proposed by Dr. Britton, serve to reduce the drop-out rate, promote academic expectation and rigor, and reconnect students and families to the schools that serve them. The community of San Antonio deserves this opportunity for alternative education.

I worked with Dr. Linda Britton as we made our way through the superintendency certification program at the University of Texas at San Antonio. Dr. Britton demonstrated her ability to relate effectively with young people, other administrators, parents, and the community through class projects and reports. I am impressed with her attention to detail as well as her ability to keep the "big picture" in perspective. She has confirmed her ability to initiate and oversee an innovative, charter school project from her increasing responsibilities in San Antonio Independent School District

As Director of Secondary Curriculum, I have implemented at-risk and drop-out recovery programs for Judson. Research and experience shows that since retention and remediation do not work to advance special needs students, acceleration and enrichment are the most feasible options left to educators. The philosophy behind the School of Excellence charter proposal brings rigor and focus, compassion and creativity to a program for retained students.

It is my privilege to recommend the School of Excellence in Education for the state board's approval for open-enrollment charter.

Sincerely,

A handwritten signature in black ink that reads "Kim Kunczt". The signature is written in a cursive, flowing style.

Kim Kunczt
Director, Secondary Curriculum



S.J. DAVIS MIDDLE SCHOOL

4702 E. Houston St.
San Antonio, Texas 78220-1734

State Board of Education
1701 North Congress Ave
Austin, Texas

Dear State Board of Education:

I would like to endorse the School of Excellence in Education of San Antonio, Texas which is applying for an open-enrollment charter.

As an educator, I find the prospect of multilevel, multi age classes for middle school students who have been retained one or more times, fascinating. I think such a program will reconcile the dilemma of whether to allow students to be socially promoted or to continuously retain them until they are on grade level.

There is little doubt that students experience shame when they have been retained, and such shame could easily lead students to determine that "dropping out" of school is a viable way to get rid of the shame of failure.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in cursive script that reads 'Kathryn Cantu'.

Kathryn Cantu, Instructional Guide
S.J. Davis Middle School



ST. PHILIP'S COLLEGE

A Point of Pride in the Community

March 31, 1997

State Board of Education
1701 North Congress Ave.
Austin, Texas

Dear Members of the State Board of Education:

This letter is to endorse the SCHOOL OF EXCELLENCE IN EDUCATION. This school is applying for an open-enrollment charter. The SCHOOL OF EXCELLENCE IN EDUCATION is designed for middle school students who are at-risk of dropping out of school. The importance of effective intervention, as you well know, is of the utmost concern of all educators. As a twenty-nine (29) year veteran of education, I realize that methods and techniques which were effective fifteen (15) or twenty (20) years ago no longer seem to work. I am very impressed with the philosophical underpinning, goals, and mission of the SCHOOL OF EXCELLENCE IN EDUCATION. Additionally, the curriculum will address the needs of "at risk" students, and prepare them for either entrance into a post secondary institution or the labor market.

I truly believe that this charter school will make a significant difference in the lives of students who would otherwise be shunted aside and who would not be matriculated into the mainstream educational systems.

If I can be of further assistance please let me know.

Respectfully submitted,

Levi Jackson, Coordinator
Career Services
St. Philip's College

San Antonio Urban Network, Inc.

5823 Lake Bluff
San Antonio, Texas 78222
210-648-0122

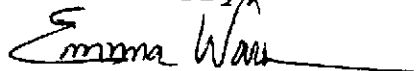
December 23, 1997

Dr. Linda S. Britton
School Of Excellence and Education
1950 Bandera Road
San Antonio, Texas 78238

Dear Dr. Britton:

It is my pleasure to endorse the School Of Excellence And Education. I am delighted that the school's issue address at-risk persons. I know that the school will excel in the greatness of its purpose.

Sincerely,



Emma T. Warren
CEO

SCHOOL OF EXCELLENCE IN EDUCATION

1950 BANDERA ROAD
SAN ANTONIO, TEXAS 78228
(210) 432-5775

Rick Hawkins, Chairman
Todd Burchett, CPA

Will Norris, Member
Linda Britton, Ph.D., Superintendent

Mr. Adrian Guardia
Harris Corporation Farinon Division
5727 Farinon
San Antonio, Texas 78249

Dear Adrian Guardia:

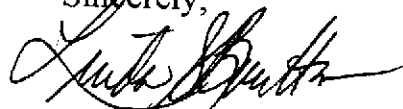
An educator, George Counts, once wrote, "... education must always be one of the major concerns of any advanced culture; it should be recognized as one of the central problems of (society)...."

I wholeheartedly agree with Mr. Counts, therefore, I know that we in education must have corporations such as yours in our school. As you recall, last year we worked together to establish a mentoring program with several of your employees. I am currently working for an open-enrollment charter school. It is called the School of Excellence in Education.

In 1996, the State of Texas passed legislation which allows non-profit organizations to establish schools which address the needs of students in innovative ways. The School of Excellence in Education will serve middle school students who have been identified as "at-risk" because of past academic failure.

I am once again seeking your support to recruit mentors for our students. I will be calling you soon to set up a meeting in order to explain the details of our program.

Sincerely,



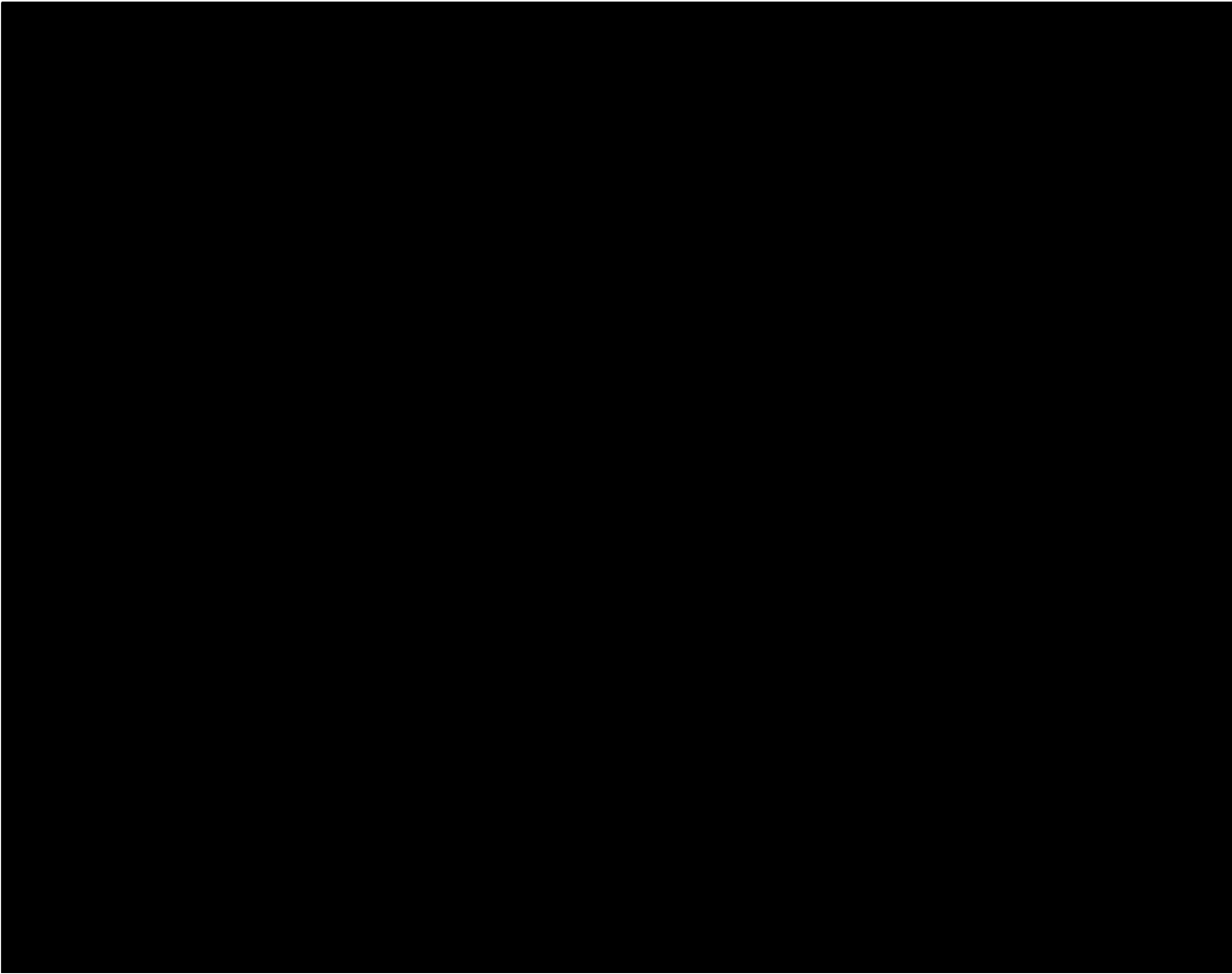
Dr. Linda S. Britton

PETITION

Application of the School of Excellence in Education to become an
Open-Enrollment Charter School

We, the undersigned parents and friends, support the School of Excellence in Education's application to the Texas Education Agency to become an open-enrollment school:

Print Name	Address	Phone Number	Signature
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PETITION

Application of the School of Excellence in Education to become an Open-Enrollment School

We, the undersigned parents and friends, support the School of Excellence in Education's application to the Texas Education Agency to become an open-enrollment school:

Print Name

Address

Phone Number

Signature

/

0

PETITION

Application of the School of Excellence in Education to become an Open-Enrollment School

We, the undersigned parents and friends, support the School of Excellence in Education's application to the Texas Education Agency to become an open-enrollment school:

Print Name

Address

Phone Number

Signature

PETITION

Application of the School of Excellence in Education to become an Open-Enrollment School

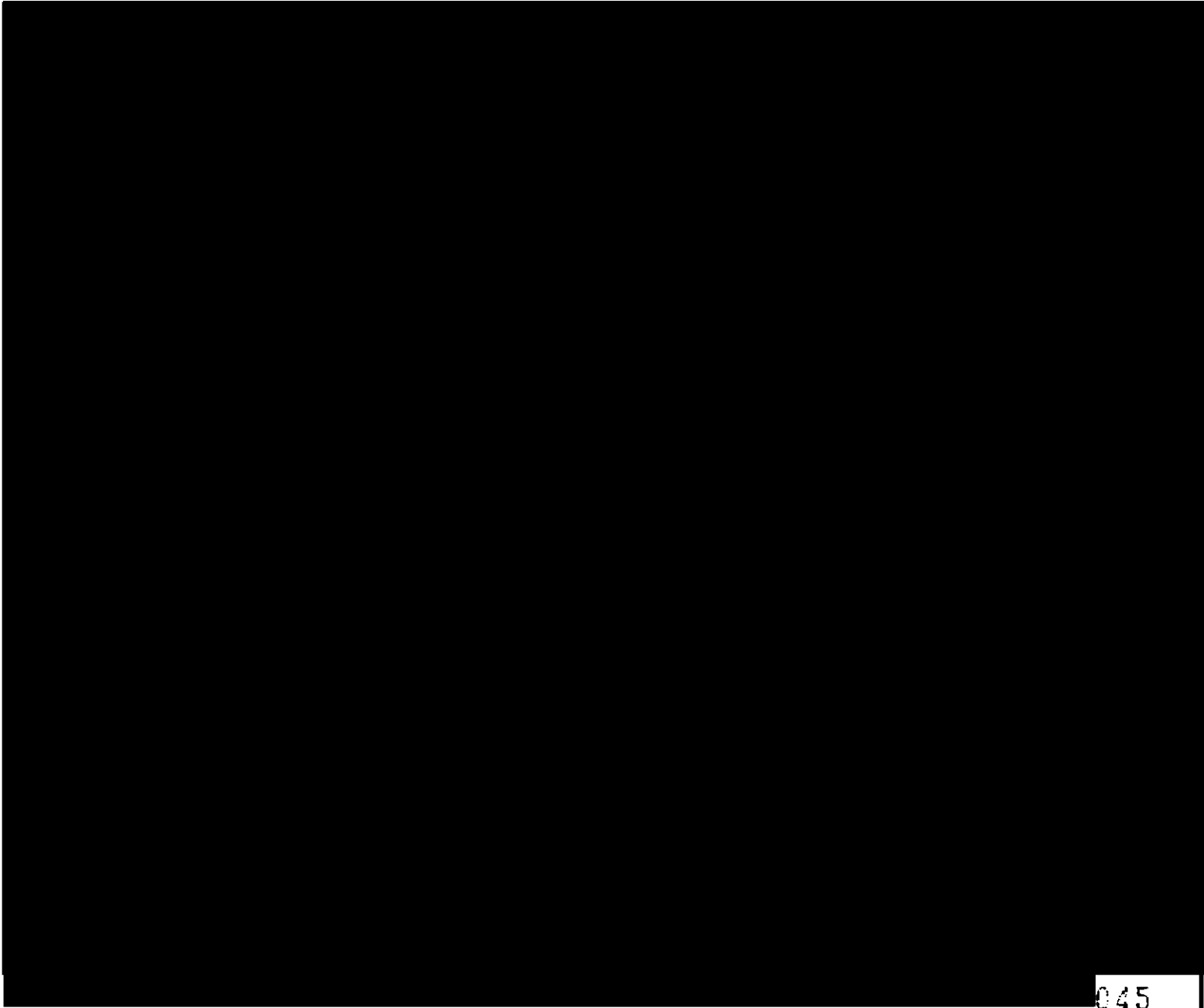
We, the undersigned parents and friends, support the School of Excellence in Education's application to the Texas Education Agency to become an open-enrollment school:

Print Name

Address

Phone Number

Signature



PETITION

Application of the School of Excellence in Education to become an Open-Enrollment School

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Print Name	Address	Phone Number	Signature
------------	---------	--------------	-----------



PETITION

Application of the School of Excellence in Education to become an Open-Enrollment Charter School

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Print Name

Address

Phone Number

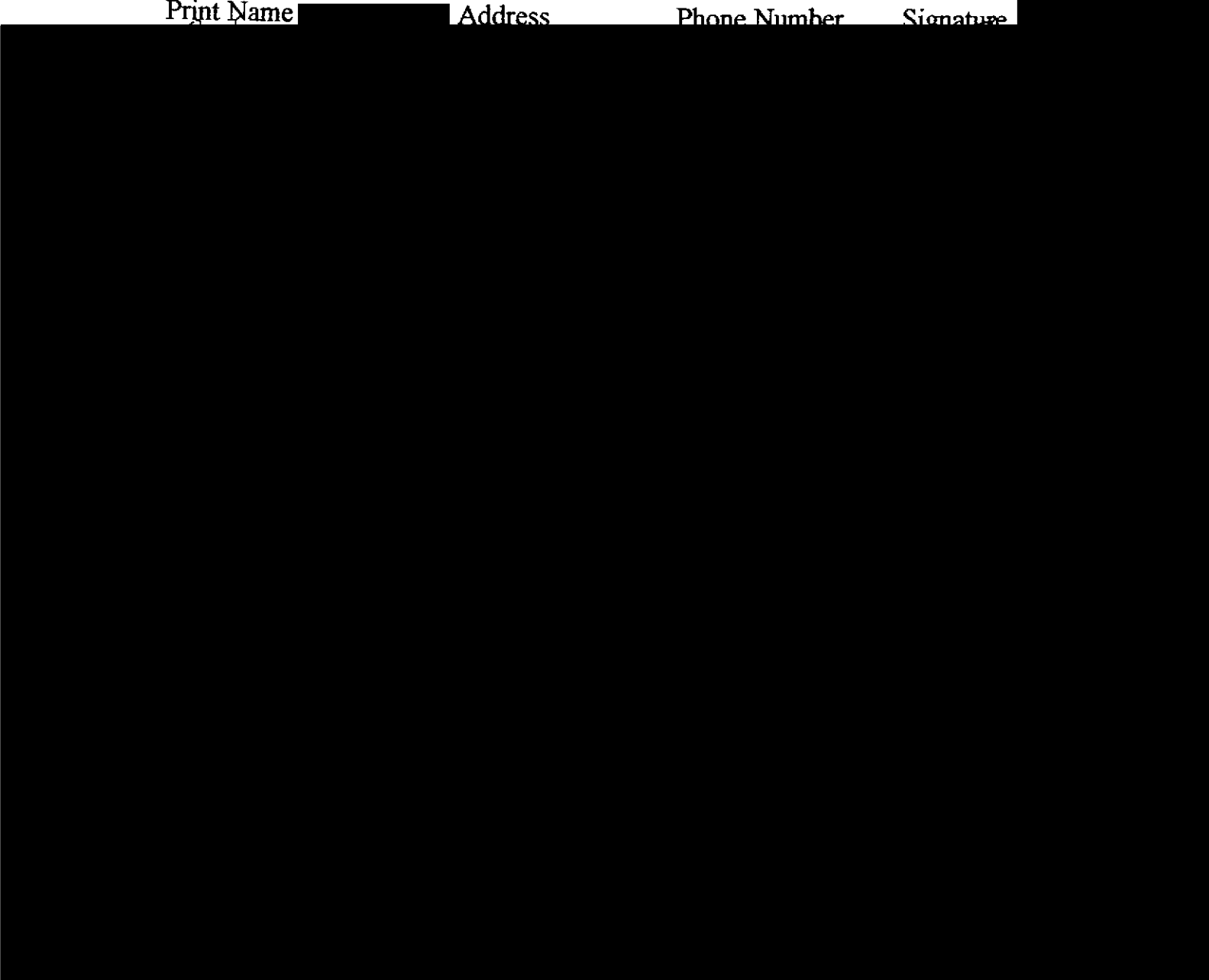
Signature

PETITION

Application of the School of Excellence in Education to become an
Open-Enrollment Charter School

We, the undersigned parents and friends, support the School of Excellence in Education's application to the Texas Education Agency to become an open-enrollment school:

Print Name Address Phone Number Signature



PETITION

Application of the School of Excellence in Education to become an
Open-Enrollment Charter School

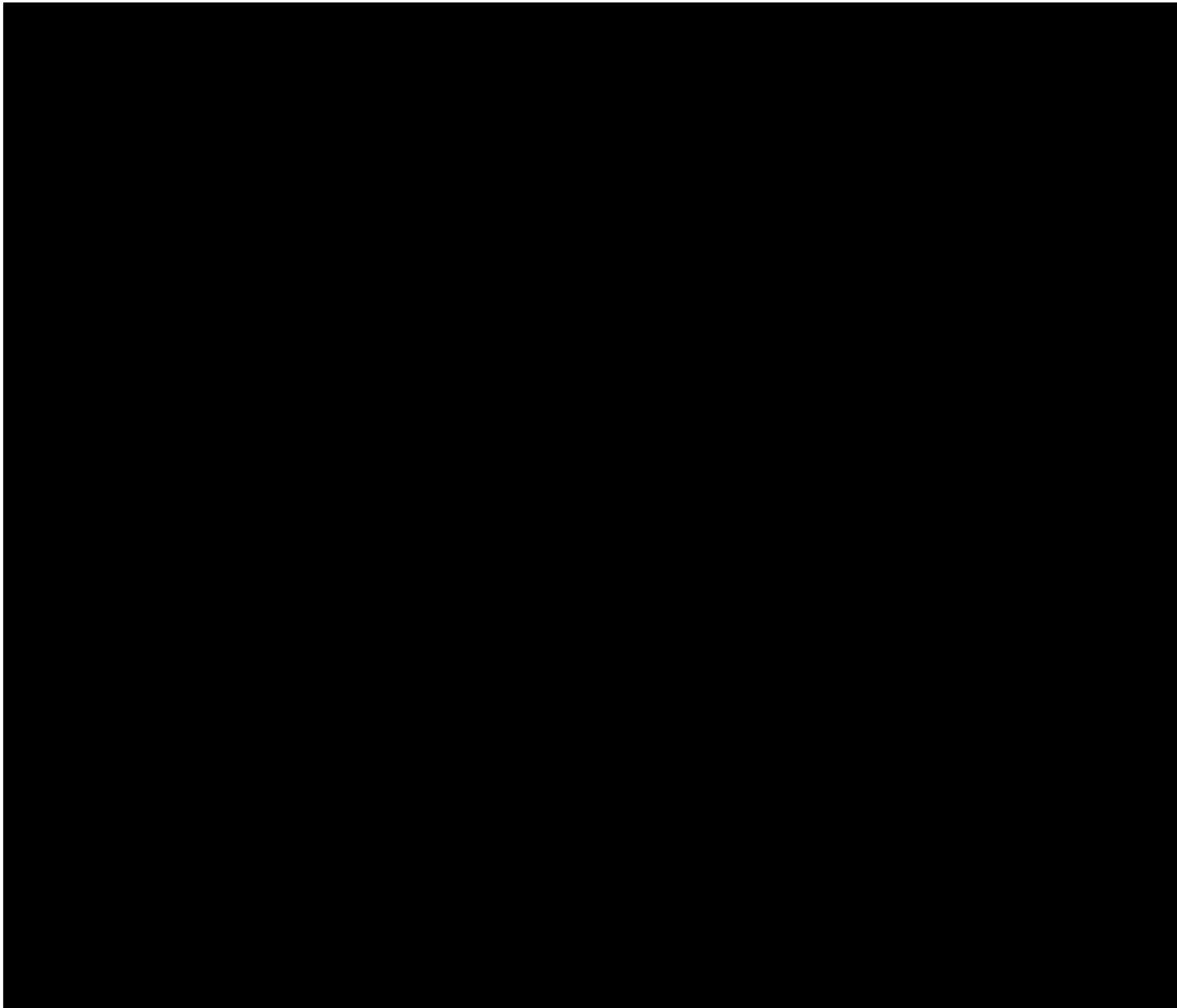
We, the undersigned parents and friends, support the School of Excellence in Education's application to the Texas Education Agency to become an open-enrollment school:

Print Name

Address

Phone Number

Signature



PETITION

Application of the School of Excellence in Education to become an
Open-Enrollment Charter School

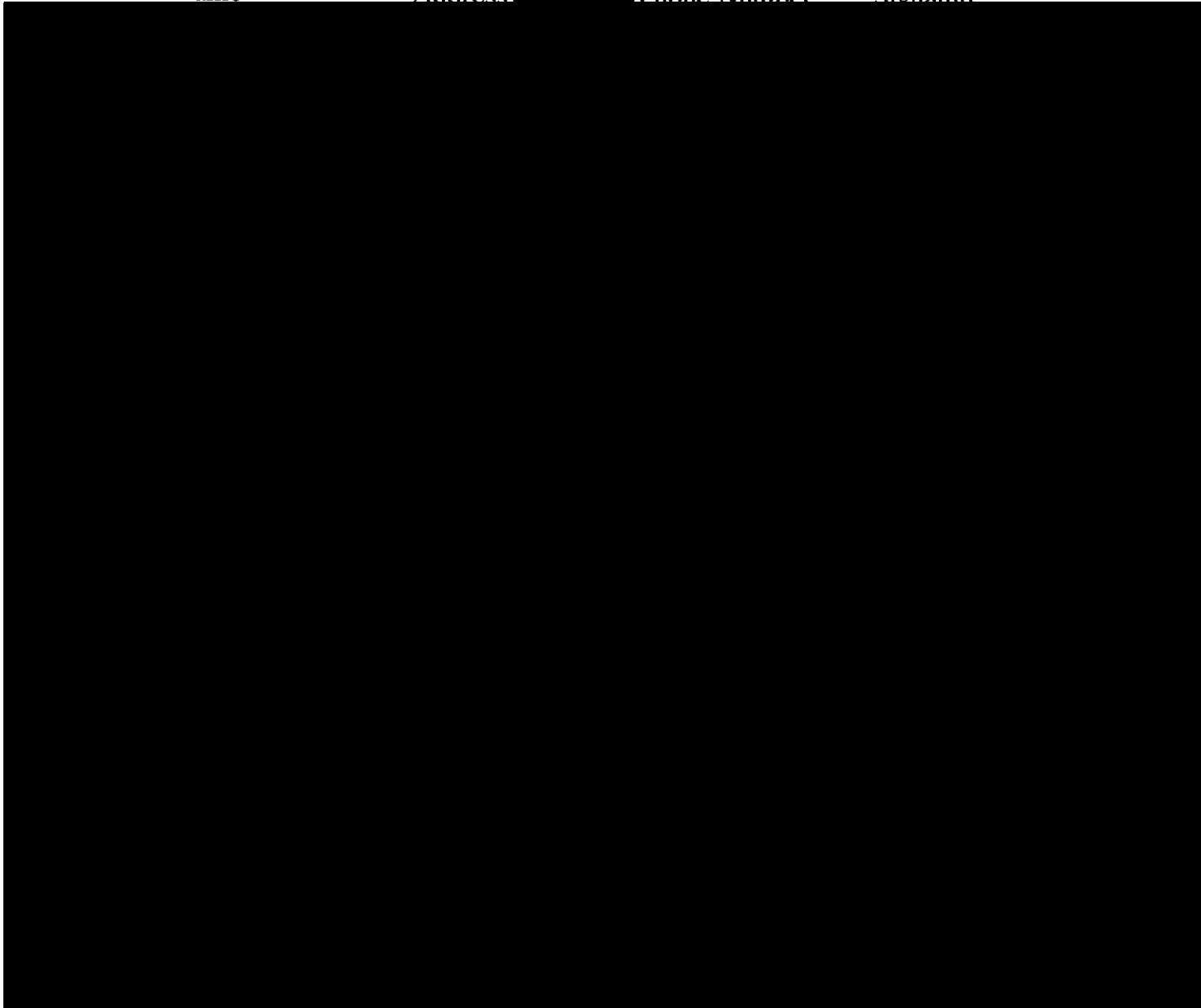
We, the undersigned parents and friends, support the School of Excellence in Education's application to the Texas Education Agency to become an open-enrollment school:

Print Name

Address

Phone Number

Signature



February 2, 1997

Mr. Brooks Flemister, Director
Charter Schools
Texas Education Agency
1701 North Congress Ave.
Austin, Texas 78701

Dear Mr. Flemister:

Unfortunately we have been missing each other via telephone. I am still interested in the status of the legislation concerning charter schools. I would like to know if there have been any meeting or directives. If possible, I would like to attend any sessions where the legislature discusses charter schools, and/or would like to attend deliberations by the State Board of Education.

Please keep me informed as to the status of the charter school movement. I think it would be best to e-mail me:

[REDACTED]
Or you may write me at:

Dr. Linda S. Britton,
324 Dora
San Antonio, Texas 78212-1500

Thank you for your assistance in this matter, and I look forward to hearing from you concerning charter schools.

Sincerely,



Linda S. Britton
(210) 736-5123

School of Excellence in Education
Minutes of Meeting
January 15, 1997

Meeting to determine interest in establishing an open-enrollment charter school. Linda Britton explained that the State of Texas had issued nineteen charters to private non-profit organizations to operate schools. Funding is provided by the state of Texas based on the number of students and the average daily attendance.

Those in support of the school signed a petition to indicate interest and willingness to send children to such a school.

Motion to establish a non-profit organization. Motion passed.

Motion to have Dr. Linda Britton be the contact person for the School of Excellence in Education.

Next scheduled meeting February 9, 1997.

School of Excellence in Education
Minutes of Meeting
February 9, 1997

Dr. Linda Britton gave a report of the information she had received from the Senior Director of the Charter Schools, Brooks Flemister.

The state legislature has not addressed State Charter Schools yet. The state legislature will address State Charter Schools and set a timeline in May. We need to watch for the legislative session where the Charter Schools will be discussed and send a representative. Hopefully they will vote to open more schools. The state funds the school based on number of students to be serviced and daily attendance.

The Senior Director, Brooks Flemister will mail an application to Dr. Britton.

We need the names of potential students.

Components of the School of Excellence so far:

- School will be on Accelerated Block schedule; students will have opportunities to complete coursework faster.
- School will begin early so that students have ample study time, and go to part time jobs in the afternoon.
- Students will have mentors who will meet regularly with individual or small groups of students.
- Upon entrance to the school, students will receive diagnostic testing to determine appropriate placement.
- Prepare students for post-secondary education with AP (advanced placement) level courses.
- Student products and "hands on" work will be exhibited and portfolios will be maintained.
- Academic counseling as well as career counseling will be ongoing from entrance to exit from the program.
- Students will receive a certified high school diploma; not a GED
- Self Talk, Mediation, Community Service are additional parts of the program
- Professional development will be continuous through independent consultants and ESC Region 20; including discipline management

techniques, instructional strategies, use of math manipulatives, reading, interpreting and developing competencies, curriculum writing, grant writing. Each staff member reads Myles Munro's book: Developing Potential and Purpose. Staff does not have to be state certified to teach by law, but through continuous staff development will gain hours toward alternative certification.

School of Excellence in Education
Minutes of Meeting
June 8, 1997

Dr. Britton reported that:

- Dr. Britton and Mrs. Vicki Martinez attended the Senate Education Committee's meeting in Austin.
- Patsy O'Neil stated that the legislation for charter schools passed on Saturday, May 31, 1997.
- The bill allows for 100 new charter schools, and additionally, charters may be given to schools where seventy-five (75) per cent of the students are considered "at-risk".
- According to guidelines formerly set, close to seventy per cent of all students in the inner city would be classified as "at-risk."
- State Board of Education will meet later in June, but charter schools are NOT on its agenda. Charter school application guidelines will probably be discussed in July.
- Mrs. O' Neill feels that the actual awards to fund the schools will not come until after December.

School of Excellence in Education
Minutes of Meeting
September 14, 1997

Attendees:

Rick Hawkins
S. Todd Burchett
Dr. Linda Britton
Bonny Sharpe
Nelda Pruneda

Proposal reviewed. Discussion that the school should be a middle school and evolve into a high school.
Budget proposal reviewed.

Determined that Board of Directors need to be three (3) or more.
Determined that there should also be an Advisory Board of seven (7) or more people.

Established that in reality this charter school will create a new school district. This district employees will pay TRS (retirement fees), but will not take social security from employees.

Charter will NOT be a member only corporation.

Students will be 75% at risk. Discipline plan must be established and enforced. Can the students participate in the University Interscholastic League (UIL) activities?

Developed a team to search for a building or other facilities.

Seek resources in order to fund the school before the award date; and to participate in the Reduced Lunch Program.

SUGGESTIONS:

Custodial Staff- All students take some responsibility for the facilities

Instructional Staff- How about retired military? Student teachers from local universities

Nurse- Contract for a Registered Nurse to come in

Library- Take students to the Public Library down town.

Next Scheduled Meeting: October 19, 1997

School of Excellence in Education
Minutes of Meeting
October 19, 1997

Attendees:

Rick Hawkins
Robin Hawkins
Todd Burchett
Dr. Linda Britton
Henry Bernal
Bonny Sharpe

REVIEW:

Board of Trustees member should be experienced; need names and addresses. Develop a list of candidates for next meeting

Organizational Structure: Board of Directors oversee Superintendent and an Administrative Council. The Administrative Council would be comprised of teachers and parents who would oversee the general school operation.

501c3 - Lawyers are researching this non-profit status, and will advise

Student Membership increased to 120 students and the average daily attendance was also increased. Administrator will teach a class or two. Staff: Administrator, 4 teachers 2 instructional assistants; and secretarial staff. No more than twenty-four (24) students in one classroom.

Open-enrollment charter is for five (5) years.

Henry Bernal and Linda Britton will attend a meeting of Charter School applicants on Thursday, October 31, 1997.

All affected school district superintendents must be advised of the application for a Charter School. Letters must be sent registered mail so that there is a record that a Statement of Impact was sent.

Building Search:

Need at least five classrooms Need over 1500sq ft. per class room
Need two offices Location should be N. West

Future Focus: gym, Site Planning Portable buildings

School of Excellence in Education
Minutes of Meeting
November 23, 1997

Attendees:

S. Todd Burchett
Henry Bernal
Bonny sharpe
Nelda Pruneda
Linda Britton

Submitted a list for consideration as members of the Board of Directors:

Mrs. Robin Hawkins
Mr. Portfilio Hernandez
Mr. David Brannon
S. Todd Burchett
Rick Hawkins
Will Norris

Administrative Council Members:

Mr. Chris Farias
Mrs. Stella Lopez
Mrs. Darlene Brooker
Ms Bonny Sharpe
Dr. Sandy Harris
Mr. Levi Jackson
Mrs. Jo Mascarro

Purpose:

The purpose of the nonprofit organization School of Excellence In Education is to operate an open-enrollment charter schol. The school will operate in accordance with the regulations set forth by the State Board o Education of Texas, and the Texas Education Agency. The charter will be for a middle school serving " at risk" students in the sixth, seventh, and eighth grades.

School of Excellence in Education
Minutes of Meeting
December 16, 1997

Attendees:

S. Todd Burchett
Dr. Linda Britton
Bonny Sharpe
Henry Bernal

S. Todd Burchett presented an engagement letter concerning services that the Certified Public Accountant can provide for the School of Excellence in Education.

The Board of Directors: Will Norris, Rick Hawkins, and S. Todd Burchett

The Officers of the organization: L. Britton, President, Henry Bernal, V. President, Bonny Sharpe, Secretary, S. Todd, Treasurer, Darlene Brooker, Ass't to Secretary, and Nelda Pruneda, Ass't to the Treasurer.

Reviewed the application to the Internal Revenue Service.

Request Fee: 465.00

Raise money through grants and donations

The organization is a "Stand Alone"; not controlled by another organization.

Accountability : Accountable to perform services stated in the application to the Texas State Board of Education.

Statement of Impact Letters were mailed to five school districts on December 15, 1997.

ATTACHMENT D
Facilities and Lease
Agreements

SCHOOL OF EXCELLENCE IN EDUCATION

1950 BANDERA ROAD
SAN ANTONIO, TEXAS 78228
(210) 432-5775

Rick Hawkins, Chairman
Todd Burchett, CPA

Will Norris, Member
Linda Britton, Ph.D., Superintendent

Mr. Wilber Fite
Woodlawn Building Corp.
1001 Donaldson Ave.
San Antonio, Texas 78228

Dear Mr. Fite:

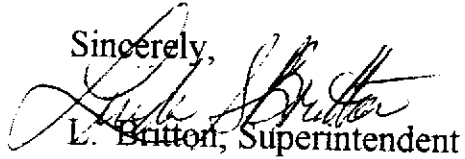
This letter is to confirm the information given to Mr. Todd Burchett concerning the lease of property adjacent to 1950 Bandera Rd.

It is my understanding that the property will lease for thirty (.30) cents per square foot. I also understand that there are 43,560 square feet per acre. If we were to lease an acre of land, the cost would be \$13,068.00.

When we receive the open-enrollment charter from the state of Texas in April, we will sign the lease agreement papers .

Thank you for your consideration in this matter.

Sincerely,



L. Britton, Superintendent
School of Excellence in Education

Dec-30-97 04:12P

WOODLAWN BUILDING CORPORATION

1001 Donaldson Avenue

San Antonio, Texas 78228

Phone (210) 736-3141

Fax (210) 736-3142

FASCIMILE TRANSMISSION

From: WILBER FITE
WOODLAWN BUILDING CORP.

To: TOD BURCHETT
Company: School of Excellence in Education
Address: 1950 Bandera Rd.

Phone: 432-5775
Fax: 432-5789

Message: The land adjacent to the property you are leasing at 1950 Bandera Road, at the rear of AutoZone and extending to East Broadview Dr is priced at \$3.00 per square ft. This property begins 200 ft. back from Bandera Rd. and extends back to the alley. There are 43,560 sq. ft. in an acre so this would be \$130,680.00 per acre or 261,360.00 for two acres. The land fronting on Bandera Road and extending back 200 feet is priced at \$5.00 per square Ft. Call us if you have any questions.

Number of pages including this cover sheet 1



CORPORATE HEADQUARTERS:

1400 U.S. HIGHWAY 287 SOUTH
MANSFIELD, TX 76063-5799
817-473-9376 FAX 817-473-3485
800-568-9376

WESTERN REGIONAL OFFICE:

35 QUAIL COURT, SUITE 100
WALNUT CREEK, CA 94596-5545
510-945-3666 FAX 510-945-3669
800-568-9376



Member Since 1984

December 29, 1997

Ms. Linda Britton
School of Excellence in Education
1950 Banderero Rd.
San Antonio, TX 78238

Dear Ms. Britton:

Ramtech Building Systems, Inc., a vertically integrated company in the design and construction of commercial modular buildings, appreciates the opportunity to present our budgetary pricing for the modular classroom facilities we discussed earlier this week.

As a vertically integrated company, we offer full general contractor services within our own organization, using our own personnel to design, engineer, manage, and install each construction project. In addition, each project is assigned a project manager. This insures that there is always someone to address your needs.

Our classroom buildings sell for a budget price of \$35.00 - \$45.00 per square foot including delivery and installation. This pricing includes no provision for any unusual site conditions and excludes any site development or utilities. I will call you soon to answer any questions you may have about our classroom portables.

Thank you again for this opportunity. We look forward to working with you.

Sincerely,

A handwritten signature in cursive script that reads "Sabrina Slaikeu".

Sabrina Slaikeu
Sales Consultant
Education Division

1.0 FRAME

- 1.1 TYPE: Outrigger.
- 1.2 BEAM: M12x11.8# I-beam spaced 99-1/2" o.c. with double beam in the axle area.
- 1.3 OUTRIGGER: 14 ga. installed at 48" o.c.
- 1.4 HEADERS: M12x11.8 with tapered ends installed on front.
- 1.5 HITCH: Demountable with 2-5/16" coupler and elevating jack elongated on "C", "E" & "J".
- 1.6 AXLES: All units shall have five Underslung 5000# axles with electric brakes on 3 axles.
- 1.7 TIRES: 7:00x 14.5 8 ply rated on all units.
- 1.8 PAINT: Black latex paint on entire assembly less axles.

2.0 FLOOR

- 2.1 BOTTOM BOARD: 12 mil GW Polymax one piece rolled continuous construction board.
- 2.2 INSULATION: R-11 (3-1/2") Kraft faced fiberglass batts.
- 2.3 JOISTS: 2x8 #2 SYP installed transverse at 24" o.c.
- 2.4 PERIMETER RAILS: Double 2x8 #2 SYP on all sides.
- 2.5 DECKING: Single layer 1-1/8" tongue and groove underlayment grade plywood decking installed perpendicular to floor joists.
- 2.6 COVERING: 1/9" vinyl composition tile shall be installed in restrooms.
Color shall be CX-31 Steel.
26 oz. level loop, action back Olefin, direct glue down, commercial carpet in all other areas.
Color shall be: 632 Ebb Tide.

3.0 EXTERIOR WALLS

- 3.1 TYPE: UBC framing.
- 3.2 STUDS: 2x4 #2 SYP @ 16" o.c. Sidewalls and endwalls shall have full height #2 SYP studs to bottom of rafters.
- 3.3 BOTTOM PLATE: Single 2x4 #3 SYP.

- 3.4 **TOP PLATE:** Double 2x4 #3 SYP.
- 3.5 **HEADERS:** Double 2x4 #2 SYP on edge with 1/2" CDX plywood filler.
- 3.6 **SILLS:** Flat 2x4 #2 SYP.
- 3.7 **FIRE BLOCKS:** 2x4 installed @ ceiling line in all walls.
- 3.8 **INTERIOR FINISH:** 5/8" type "X" vinyl covered gypsum wallboard.
Color shall be: Ruff-Stuff Frost
- 3.9 **INSULATION:** R-11 (3-1/2") Kraft faced fiberglass batts installed to ceiling line.
- 3.10 **SHEATHING:** 7/16" oriented strand board full perimeter.
15# felt around windows/doors only.
- 3.11 **SIDING:** 29 ga. high rib commercial steel siding with R profile.
Color shall be Aspen White.
- 3.12 **TRIM:** 29 ga. "J" flashing at windows and doors.
26 ga. steel fascia/rake trim.
Color shall be Colony Green.
- 3.13 **TIE DOWNS:** Hurricane straps per code requirements. Refer to print.
- 3.14 **SKIRTING:** Same material as used for exterior siding installed to grade with perforated venting panels and access doors.

4.0 INTERIOR WALLS

- 4.1 **STUDS:** 2x4 #2 SYP @ 16" o.c.
Plumbing walls to be 2x8.
- 4.2 **BOTTOM PLATE:** Single 2x4 #3 SYP.
- 4.3 **TOP PLATE:** Double 2x4 #3 SYP.
- 4.4 **HEADERS:** Double 2x4 #2 SYP on edge with 1/2" CDX plywood filler.
- 4.5 **WALL HEIGHT:** All corridor walls to be built full height to roof deck.
- 4.6 **FINISH:** 5/8" type "X" vinyl covered gypsum wallboard.

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Color shall be Ruff-Stuff Frost.

Fiberglass reinforced Class "B" panel laminated to 5/8" M.F. board in restrooms.

Color shall be White.

4.7 INSULATION: R-11 (3-1/2") unfaced fiberglass sound attenuation batts.

5.0 MOULDING

5.1 BASE: 4" vinyl cove base throughout.

Color shall be: CB-67 Dove Gray (NAFCO)

5.2 VERTICAL: 1" prefinished vinyl wrapped battens installed on all panel seams as required.

5.3 WINDOWS: The jambs of all windows shall be finished with prefinished paneling.

6.0 ROOF

6.1 RAFTERS: 2x8 #2 SYP installed @ 24" o.c.

6.2 RAILS: 2x8 #2 SYP.

6.3 RIDGE GIRDER: Double 1-1/2" pre-engineered girder each side of mate line.

6.4 BRIDGING: 1-1/2" steel angle installed at 8' o.c. from girder to rafter.

6.5 CEILING: 2x4 5/8" acoustical mineral fiber panel in suspended T-grid system.

6.6 CEILING HEIGHT: The finished ceiling height throughout the building shall be 7'-10".

6.7 INSULATION: R-19 (6") Kraft faced fiberglass batts installed on T-grid system.

6.8 DRAFT STOP: Installed in ceiling cavity.

6.9 SHEATHING: 7/16" oriented strand board.

6.10 ROOFING: 29 ga. high rib galvalume steel with R-profile installed over one layer of 15# felt.

6.11 ROOF VENTS: Galvanized roof vents.

7.0 EXTERIOR DOORS

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- 7.1 **DOORS:** (2) 1-3/4"x72"x80" 18 ga. commercial steel.
- 7.2 **FRAMES:** All exterior doors shall be equipped with 16 ga. commercial steel frames.
- 7.3 **WINDOWS:** 6"x30" wire tempered safety glass window in all exterior doors.
- 7.4 **HARDWARE:** All exterior doors shall be equipped with 1-1/2 pr. of 4-1/2"x4-1/2" ball bearing, non-removable pin butt hinges, full weatherstrip and threshold.
- 7.5 **LOCKSETS:** All exterior doors shall be equipped with a Von Duprin panic hardware. All exterior doors shall be keyed alike with 2 keys per door provided.
- 7.6 **CLOSER:** A Norton hydraulic closer with back check feature shall be provided on all exterior doors.
- 7.7 **FINISH:** The interior and exterior side of the doors and frames shall be painted to match exterior trim.

8.0 INTERIOR DOORS

- 8.1 **DOORS:** (3) 1-3/4"x36"x80" Mohawk architectural flush prefinished solid core wood at closet, janitors closet and work room.

(19) 1-3/4"x36"x80" Mohawk architectural flush prefinished woodgrain solid core wood with 1 hour fire rating in corridor. (20 minute label)
- 8.2 **FRAMES:** All interior doors shall be set in 16 ga. commercial steel frames with 20 minute fire rating-baked enamel finish in corridor.
- 8.3 **HARDWARE:** All interior doors shall be equipped with 1-1/2" pr. of 4-1/2"x4-1/2" butt-mortise hinges, floor stops and silencers. Restroom doors shall be equipped with push/pull and kick plates. All 1 hour doors shall have self-closing hinges. (20 minute label)
- 8.4 **LATCHSETS:** All classroom and office doors to have keyed latch core lockset with lever handle for ADA.

NOTE: Classroom and office doors to be keyed separately. Janitors closet and storage doors to be keyed the same.

9.0 WINDOWS

- 9.1 **TYPE:** (20) 68"x24" aluminum horizontal slider with single clear glass-brown painted frames, and insect screens.

10.0 ELECTRICAL

- 10.1 **SERVICE:** 120/240v-1 phase-3W-60hz

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RELEASED SPECIFICATIONS
12 CLASSROOM BUILDING



- 10.2 **SUB-PANELS:** (12) 16 circuit, indoor flush mount with 100 AMP main breaker. RMD to install 2" EMT stubbed to above ceiling for Owner supplied service entrance.
- 10.3 **BREAKERS:** All breakers shall be plug in type.
- 10.4 **ENTRANCE:** By Owner.
- 10.5 **CROSSOVERS:** J-Boxes shall be installed above the ceiling for electrical crossovers.
- 10.6 **RACEWAY/
CONDUCTORS:** Minimum #12 AWG type THHN copper wire in concealed EMT conduit with set screw fittings.
- 10.7 **FLUORESCENT
LIGHTS:** (88) 4'-0" 120v-Four tube, recessed, fluorescent light.
- 10.8 **INCANDESCENT
LIGHTS:** (3) Double 60-watt incandescent drum lights in janitor and storage areas.
- 10.9 **EXIT LIGHTS:** Dual faced 120 volt ceiling mount exit light with back up battery power.
- 10.10 **EMERGENCY LIGHTS:** (2) Dual head emergency light with back up battery power in corridor.
- 10.11 **RECEPTACLES:** (62) 120v 20 AMP Duplex specification grade grounding type with matching plastic cover.
- 10.12 **G.F.C.I.:** (5) Wet area receptacles shall be provided with GFCI protection.
- 10.13 **SWITCHES:** 120v 20 AMP Specification grade toggle type with matching plastic cover.
- 10.14 **FIRE ALARM:** Install single gang wall box with 3/4" EMT to above ceiling with pull wire. Complete fire alarm system shall be site installed in accordance with approved plans by Owner.
- 10.15 **TELEPHONE JACKS:** Single gang wall box with 3/4" EMT to above ceiling with pull wire. Wiring shall be by Owner.

11.0 PLUMBING

- 11.1 **WATERLINES:** Type "L" copper with sweat copper fittings manifolded to one inlet beneath the building line. All fixtures shall be provided with shut-off valves.
- 11.2 **WASTELINES:** PVC-DWV-SCH-40 drain, waste and vent lines.
- 11.3 **WATERHEATER:** 1 (20) gallon 120v-electric with single watt element and T&P valve.
- 11.4 **WATER CLOSET:** White vitreous china tank type with open front seat and elongated bowl.

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drawers, doors and shelves. All cabinets shall be provided with all necessary hardware.

13.2 COUNTERS:

All counters shall be constructed of 45# density particle board with "Formica" or equal high pressure plastic laminate. All counters shall be provided with a 4" straight backsplash on all adjacent surfaces.

Manufacturer/Color shall be: _____

14.0 FURNISHINGS

14.1 TACKBOARDS:

Each classroom shall be equipped with (1) 4'-0"x4'-0" Series 33, tackboard with heavy duty satin finish anodized aluminum frames.

14.2 MARKER BOARD:

Each classroom shall be equipped with (2) 4'x8' deluxe white marker board with aluminum trim and trough.

15.0 DESIGN CRITERIA

15.1 FLOORS:

The floor systems shall be constructed to accommodate a live load of 50 psf in addition to the dead loads. The floor systems shall also be capable of supporting a 1000 pound concentrated load over a 2'-6"x2'-6" square area.

15.2 WALLS:

The exterior walls shall be framed, braced and secured in accordance with the requirements of the UBC.

15.3 ROOFS:

All structural components of the roof system shall be designed and erected to span their respective areas and carry a live load of 20 psf and a dead load of 10 psf.

15.4 HEATING:

The heating system shall be designed to maintain an interior temperature of 75 degrees + or - 2 degrees.

15.5 COOLING:

The cooling system shall be designed to maintain an interior temperature of 75 degrees + or - 2 degrees.

15.6 CODES:

The building shall be built in accordance with the latest edition of the following codes.

- A. Uniform Building Code, 1994
- B. International Plumbing Code, 1995
- C. Uniform Mechanical Code, 1994
- D. National Electric Code, 1996

16.0 FIELD ACTIVITIES

16.1 SITE PREPARATION:

No provision for site preparation shall be included. It is presumed that the site shall be cleared, ready for construction, and that the Owner shall handle any filling, back-filling, or grading required. Owner shall also be

responsible for extension of electrical and plumbing service and final connection.

16.2 FOUNDATION

Piers shall be installed down each I-beam side and down the center at maximum 8'-0" o.c. and at column locations. Piers shall consist of a 4"x16"x16" precast base pad with 8"x8"x16" concrete blocks placed atop. Each building shall be securely anchored to the ground using auger-type anchors.

16.3 ENTRY ASSEMBLIES:

A complete platform, and ramp assembly shall be constructed at one exterior door and one step and platform assembly at one exterior door. The ramp shall be constructed with a minimum slope not to exceed 1/12. All steps, platforms, and ramps are to be provided with handrails equipped with pickets at a maximum 4" spacing. The steps, platforms, ramps and handrails shall be constructed of wolmanized lumber with a pressure treated content no less than .40 CCA.

These specifications apply to this specific building. Any changes in the building dimensions may result in increases in the size of framing components; quality of electrical devices; air conditioning and heating requirements; roof pitch; overall height; or other items which affect the cost of this building.

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Dec-30-97 04:12P

WOODLAWN BUILDING CORPORATION

1001 Donaldson Avenue

San Antonio, Texas 78228

Phone (210) 736-3141

Fax (210) 736-3142

FASCIMILE TRANSMISSION

From: WILBER FITE
WOODLAWN BUILDING CORP.

To: TOD BURCHETT

Company: Family Fraise Center

Address: 1950 Bandera Rd.

Phone: 432-5775

Fax: 432-5789

Message:

The land adjacent to the property you are leasing at 1950 Bandera Road, at the rear of AutoZone and extending to East Broadview Dr is priced at \$3.00 per square ft. This property begins 200 ft. back from Bandera Rd. and extends back to the alley. There are 43,560 sq. ft. in an acre so this would be \$130,680.00 per acre or 261,360.00 for two acres. The land fronting on Bandera Road and extending back 200 feet is priced at \$5.00 per square Ft. Call us if you have any questions.

Number of pages including this cover sheet 1

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ATTACHMENT E
Proposed Budget
and
Business Plan

SCHOOL OF EXCELLENCE IN EDUCATION
PROPOSED BUDGET 1998-1999

Charter School Budget Categories Expenses	Function Code	Object Code	Total
Instruction:	11		
** Payroll Costs		6100	<u>142,920.00</u>
Professional and Contracted Services		6200	<u> </u>
Supplies and Materials		6300	<u>15,000.00</u>
Other Operating Costs		6400	<u> </u>
Debt Expense		6500	<u> </u>
Total Instruction			<u>157,920.00</u>
Instructional Resources and Media Services:	12		
Payroll Costs		6100	<u> </u>
Professional and Contracted Services		6200	<u> </u>
Supplies and Materials		6300	<u>10,000.00</u>
Other Operating Costs		6400	<u> </u>
Debt Expense		6500	<u> </u>
Total Instructional Resources and Media Services			<u>10,000.00</u>
Curriculum Development and Instructional Staff Development:	13		
Payroll Costs		6100	<u> </u>
Professional and Contracted Services		6200	<u>5,750.00</u>
Supplies and Materials		6300	<u> </u>
Other Operating Costs		6400	<u> </u>
Debt Expense		6500	<u> </u>
Total Curriculum Development and Instructional Staff Development			<u>5,750.00</u>
Instructional Leadership:	21		
Payroll Costs		6100	<u> </u>
Professional and Contracted Services		6200	<u> </u>
Supplies and Materials		6300	<u> </u>
Other Operating Costs		6400	<u> </u>
Debt Expense		6500	<u> </u>
			<u>0.75</u>

Total Instructional Leadership

School Leadership:

23

** Payroll Costs	6100	<u>71,460.00</u>
Professional and Contracted Services	6200	<u> </u>
Supplies and Materials	6300	<u> </u>
Other Operating Costs	6400	<u> </u>
Debt Expense	6500	<u> </u>

Total School Leadership

71,460.00

** Includes payroll taxes, health insurance and workmen's comp.

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Charter School Budget Categories (Continued)

	Function Code	Object Code	Total
Guidance, Counseling and Evaluation Services:	31		
Payroll Costs		6100	
Professional and Contracted Services		6200	
Supplies and Materials		6300	
Other Operating Costs		6400	
Debt Expense		6500	
Total Guidance, Counseling and Evaluation Services			
Social Work Services: (Optional)	32		
Payroll Costs		6100	
** Professional and Contracted Services		6200	59,550.00
Supplies and Materials		6300	
Other Operating Costs		6400	
Debt Expense		6500	
Total Social Work Services			<u>59,550.00</u>
Health Services:	33		
Payroll Costs		6100	
Professional and Contracted Services		6200	
Supplies and Materials		6300	
Other Operating Costs		6400	
Debt Expense		6500	
Total Health Services			
Student Transportation: (Optional)	34		
Payroll Costs		6100	
Professional and Contracted Services		6200	5,400.00
Supplies and Materials		6300	
Other Operating Costs		6400	
Debt Expense		6500	
			077

Total Student Transportation

5,400.00

Food Services: (Optional)

35

Payroll Costs

6100

**Professional and Contracted
Services**

6200

Supplies and Materials

6300

Other Operating Costs

6400

Debt Expense

6500

Total Food Services

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Charter School Budget Categories (Continued)

	Function Code	Object Code	Total
Co-curricular/Extracurricular Activities: (Optional)	36		
Payroll Costs		6100	
Professional and Contracted Services		6200	
Supplies and Materials		6300	
Other Operating Costs		6400	<u>2,000.00</u>
Debt Expense		6500	
Total Co-curricular/Extracurricular Activities			<u>2,000.00</u>
General Administration	41		
Payroll Costs		6100	<u>59,550.00</u>
Professional and Contracted Services		6200	
Supplies and Materials		6300	<u>2,405.00</u>
Other Operating Costs		6400	<u>12,000.00</u>
Debt Expense		6500	
Total General Administration			<u>73,955.00</u>
Plant Maintenance and Operations:	51		
Payroll Costs		6100	
Professional and Contracted Services		6200	<u>48,000.00</u>
Supplies and Materials		6300	<u>2,000.00</u>
Other Operating Costs		6400	<u>11,500.00</u>
Debt Expense		6500	
Total Plant Maintenance and Operations			<u>61,500.00</u>
Security and Monitoring Services: (Optional)	52		
Payroll Costs		6100	
Professional and Contracted Services		6200	
Supplies and Materials		6300	
Other Operating Costs		6400	

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Debt Expense	6500	<u> </u>	
Total Security and Monitoring Services			<u> </u>
Data Processing Services:	53		
Payroll Costs	6100	<u> </u>	
Professional and Contracted Services	6200	<u>15,000.00</u>	
Supplies and Materials	6300	<u>2,865.00</u>	
Other Operating Costs	6400	<u> </u>	
Debt Expense	6500	<u> </u>	
Total Data Processing Services			<u>17,865.00</u>

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Charter School Budget Categories (Continued)

	Function Code	Object Code	Total
Community Services: (Optional)	61		
Payroll Costs		6100 _____	
Professional and Contracted Services		6200 _____	
Supplies and Materials		6300 _____	
Other Operating Costs		6400 _____	
Debt Expense		6500 _____	
Total Community Services			_____
Fund Raising: (Optional)	81		
Payroll Costs		6100 _____	
Professional and Contracted Services		6200 _____	
Supplies and Materials		6300 _____	
Other Operating Costs		6400 _____	
Debt Expense		6500 _____	
Total Fund Raising			_____
TOTAL EXPENSES (All Functions)			<u>465,400.00</u>

Staff of the Office of School/Community Support

Gene E. Davenport, Ed.D.
Associate Commissioner for School/Community Support

Brooks Flemister
Senior Director

For further information, contact staff of the Office of Charter Schools
Texas Education Agency
1701 North Congress Avenue
Austin, Texas 78701

(512) 463-9575

SCHOOL OF EXCELLENCE IN EDUCATION

PROPOSED BUDGET 1998-1999

Projected Enrollment

120 students

REVENUES

Charter School Funds (120 students@\$3,800x95%ADA)	410,400.00
Grants	30,000.00
Food Service	25,000.00
TOTAL REVENUE	465,400.00

EXPENDITURES

INSTRUCTORS

**Instructional Staff	11-6100	142,920.00
**School Leadership	23-6100	71,460.00
**Social Worker/Counselor	31-6200	59,550.00
**Gen. Administrative	41-6100	59,550.00
**Includes Health Ins, Worker's Comp, Payroll Taxes		
SUBTOTAL		348,480.00

OPERATING EXPENSES

Instructional Supplies	11-6300	15,000.00
Instructional Resources/Media	12-6300	10,000.00
Professional Development	13-6200	5,750.00
General Admin. Supplies	41-6300	2,405.00
Equipment	41-6400	12,000.00
TRANSPORTATION	34-6200	5,400.00
CoCurricular (Field Experiences)	36-6400	2,000.00

PLANT MAINTENANCE & OPERATIONS

Building Lease	51-6200	48,000.00
Custodial Supplies	51-6300	2,000.00
Utilities	51-6400	11,500.00

DATA SERVICES

PROFESSIONAL/CONTRACT SERVICES	53-6200	15,000.00
Data Supplies and Materials	53-6300	2,865.00

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SCHOOL OF EXCELLENCE IN EDUCATION

PROPOSED BUDGET 1998-1999

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TOTAL BUDGET

465,400.00

Business Plan

The following is an plan of how the School of Excellence in Education will generate revenue to operate until September 30, 1998.

Upon being notified by the State Board of Education that a charter has been granted, the Superintendent will apply for a charter school grant from the U. S. Department of Education. This grant has been approximately \$35,000.00 in the past and it is expected that it will be no less than this amount.

Application will also be made to the Urban Systemic Initiative for science and math innovations. The amount of this grant could be as much as \$4,500.00.

Additionally, the School of Excellence in Education will apply for grants through local programs such as Drug-Free Schools, SAFE, and the Challenge Program which is an after school program.

Arrangements are made so that the first payment for the building will be October 1, 1998 and employees and other creditors such as Data Services will be duly notified of payments to be made October 1, 1998.

S. Todd Burchett, CPA

December 12, 1997

Dr. Linda Britton, President
 School of Excellence in Education, Inc.
 1950 Bandera Road
 San Antonio, TX 78228

This letter is to confirm my understanding of the terms and objectives of my engagement and the nature and limitations of the services I will provide. I hope to better meet your expectations of service by clearly identifying the particular services to be provided.

None of the services can be relied on to detect errors, irregularities, or illegal acts that may exist. However, I will inform you of any material errors that come to my attention and any irregularities or illegal acts that come to my attention, unless they are clearly inconsequential.

I have marked the services that I expect to provide. Please review the information below and notify me of any needed changes.

Bookkeeping Services	Monthly	Quarterly	Annually
Record Journals	X		
Post general ledger	X		
Post other ledgers	X		
Reconcile bank statements	X		
Prepare payroll checks - Semi-monthly	X		
Set-up payroll process	X		
Prepare payroll tax returns	X	X	X
Prepare W-2s/1099's			X
Monthly oversight of bookkeeping and financial records	X		
Financial Statements			
Compiled Financial Statements			
Balance Sheet			
Statement of cash flows			
Statement of income and retained earnings			
Supplementary information			
Reviewed Financial Statements			
Balance Sheet			
Statement of income and retained earnings			
Statement of cash flows			
Supplementary Information			
Special statements			

S. Todd Burchett, CPA

Tax Services	Monthly	Quarterly	Annually
Federal income tax return			X
State income tax return			
State franchise report			X
Other state returns			
Tax planning or consultations		X	
Other tax services - Application for Recognition of Exemption - 501(c)(3)			X
Other Services			
Management consultations	X		
Investment consultation			
Set up or revise accounting systems	X		
Accounting assistance	X		
Prospective financial statements			
Review internal control structure	X		
Review and revise policies and procedures	X		
Other services			

Fees will be based on \$35 per hour for bookkeeping services and a discounted rate of \$60 per hour for all other services. Services that address issues or needs outside of this engagement letter will be billed at my standard hourly rate of \$70 per hour.

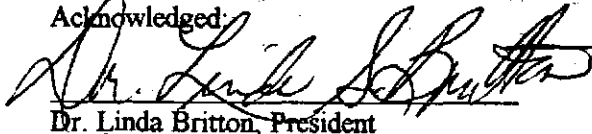
I would be pleased to discuss this letter with you at any time.

If the foregoing is in accordance with your understanding, please indicate your acceptance by signing below. If you have other special projects with which I can assist, please let me know.

Sincerely,


S. Todd Burchett, CPA

Acknowledged:



Dr. Linda Britton, President
School of Excellence in Education, Inc.

Dec. 17, 1997
Date

ATTACHMENT F
Professional Resumes

LINDA BRITTON

324 DORA

SAN ANTONIO, TEXAS 78212

(210) 736-5123

OBJECTIVE An administrative or supervisory position in education.

EDUCATION **UNIVERSITY OF TEXAS AT AUSTIN** Austin, Texas
Doctor of Philosophy, Education Administration, August 1993

UNIVERSITY OF TEXAS AT SAN ANTONIO San Antonio, Texas
Reading Specialist Certification, July 1988, Received Mid-Management Certificate May, 1992

WESTERN ILLINOIS UNIVERSITY Macomb, Illinois
Masters of Science in Education, Guidance and Counseling, June 1974

EAST TEXAS STATE UNIVERSITY Commerce, Texas
Bachelor of Arts, English, December, 1972

ACTIVITIES Girl Scout Leader; Leadership Development Institute; Youth Director -
Tried Stone Baptist Church; Co-Director of University Interscholastic
League; Coordinator, Rogers Middle School-Brooks Air Force Base
Mentor Program, Volunteer Texas Youth Commission at Giddings.

**RELEVANT
EXPERIENCE**
07/95-Present

EDISON HIGH SCHOOL, San Antonio, Texas

Instructional Guide

- ◆ Conducted Professional Development for faculty
- ◆ Performed classroom observations
- ◆ Modeled instructional strategies
- ◆ Conducted Cognitive Coaching sessions
- ◆ Reported to Instructional Steward formative and summative evaluations of Campus Improvement Plan
- ◆ Developed strategies to address student success in TAAS
- ◆ Assisted Instructional Leadership Team in the formation of Campus Improvement Plan
- ◆ Coordinated alignment activities with other district Instructional Guides
- ◆ Arranged for outside consultants for Professional Development

01/96-Present

HEALTH PROFESSIONS HIGH SCHOOL @ EDISON, San Antonio
Magnet School Coordinator

- ◆ Established and presided over an Advisory Board to assist in the development of the magnet school

- ◆ Maintained open communication with the community; developed collaboration agreements with post secondary health care institutions
- ◆ Prepared the budget, financial reports, supplies/equipment, requisitions and inventory of purchases
- ◆ Served as liaison with Transportation and Purchasing Departments for Magnet School matters
- ◆ Developed program objectives and conducted ongoing evaluation and modification of the program
- ◆ Assisted principal in selection of Magnet personnel
- ◆ Coordinated this program with the general instruction departments
- ◆ Designed inservice for teachers of Magnet school
- ◆ Compiled and maintained records of guest, speakers, and other resource persons
- ◆ Recruited prospective students; conferred with parents and middle school counselors
- ◆ Established criteria for identification and screening of qualified students
- ◆ Organized mentors for students from health care fields

08/93 - 05/95

NAVARRO ACHIEVEMENT CENTER, San Antonio, Texas

Member of Instructional Leadership Team

- ◆ Conducted needs assessment
- ◆ Designed campus plan
- ◆ Developed Wellness activities for faculty and students
- ◆ Coordinated community involvement activities
- ◆ Consultant for Teachers as Research Partners - Texas A&M
- ◆ Designed instructional strategies for coordinating wellness themes
- ◆ Reviewed student academic placement
- ◆ Recommended student behavior modification plans
- ◆ Coordinated advisory program for teachers and students

01/92 - 12/96

ST. PHILIP'S COLLEGE, San Antonio, Texas

Instructor-Reading

- ◆ Prepared course syllabi
- ◆ Coordinated remedial reading activities
- ◆ Instructed students in strategies to improve comprehension and reading speed

09/80 - 05/93

ROGERS MIDDLE SCHOOL San Antonio, Texas

Teacher

- ◆ Developing an interdisciplinary team for six grade students
- ◆ Coordinating lesson plans for various subjects including Science and Social Studies
- ◆ Preparing students for UIL competition

Linda Britton...3

English Language Arts/Reading Department Chairman

- ◆ Supervising English and Reading instructors
- ◆ Designing writing workshops
- ◆ Organizing school wide book fair
- ◆ Evaluating instructional staff

09/77 - 05/80

SAM HOUSTON HIGH SCHOOL San Antonio, Texas

Teacher

- ◆ Teaching History and English
- ◆ Writing lesson
- ◆ Counseling students

**ADDITIONAL
INFORMATION**

Designed a reading enrichment program for Chapter 1 students.
Assisted in the development of peer leadership council. Researched and
evaluated school programs for the Education Productivity Council -
University of Texas at Austin. Completing coursework for
superintendent's certificate-University of Texas at San Antonio.

REFERENCES

Available

S. Todd Burchett, CPA

Present Address:
P.O. Box 4991
San Antonio, TX 78280
210-520-5004

Personal:
Marital Status: Married
Birth Date: [REDACTED]
Activities: Sports, Music

EDUCATION: Oral Roberts University May 1986 Graduate
BS in Accounting Major GPA - 3.7/4.0

Certified Public Accountant with current licenses to practice in the states of Texas and Oklahoma.

SUMMARY OF QUALIFICATIONS:

- Experienced in development and implementation of accounting systems. Increased internal control and integrity of operations by setting up policies and procedures. Generated financial statements and reports for Owners, Corporate Boards and Management providing factual information for making decisions. Planned, implemented, and controlled budgets of up to \$1.6 million.
- Experienced in preparation of tax returns and estimates for individuals, small businesses and S-corporations. Generated corporate resolutions, board minutes, & amended corporate by-laws. Handled all tax reporting and payroll tax reporting requirements to state and federal agencies. Audited and managed accounting operations of health-care institutions.
- Skilled in organization and administration. Performed management consultation services. Centralized the business operations of two divisions, resulting in reduction of costs and more efficient operations. Guided corporate policy decisions. Proven supervisory ability in managing departments of up to six associates.

PROFESSIONAL EXPERIENCE:

S. Todd Burchett, CPA

CPA

Public practice work in tax preparation, write-up, personal financial planning management consulting, compilation, review, payroll processing, and bookkeeping.

Family Praise Center, Inc.

Financial Manager

A church with membership of approximately 500. Six employees. Annual budget - \$350 thousand.

Advanced Business Solutions, Inc.

Controller

A Xerox dealership, cellular phone/pager store, dental marketing company, and a printing business. Approx. 15 employees. Annual revenues - \$1.5 million.

Dillon Family & Youth Services, Inc.

Accounting Manager

A psychiatric hospital and treatment center for children and adolescents. Approx. 250 employees. Annual revenues - \$12 million

Life Christian Ministries, Inc.

Financial Manager

A non-profit organization consisting of a church with membership of 1,000, a school with over 400 students and a day care center. Approx. 60 employees. Annual budget - \$1.6 million.

Comprehensive Care Corporation

Internal Auditor

A publicly-held health-care corporation specializing in drug and alcohol rehabilitation and psychiatric care. Annual revenues - \$200 million.

REFERENCES:

Furnished upon request.

**NICHOLAS CORMIER JR.
5307 VISTA RUN
SAN ANTONIO, TX 78247
210-657-7919**

OBJECTIVE

To utilize my experience and training in order to obtain an administrative position a Charter School.

EXPERIENCE

**SAN ANTONIO INDEPENDENT SCHOOL DISTRICT
SPECIAL EDUCATION TEACHER, 1992 - PRESENT**

**UNITED STATES ARMY
TELECOMMUNICATIONS OFFICER 1962 -1991**

**PARK COLLEGE
ADJUNCT PROFESSOR 1991 - PRESENT**

ACCOMPLISHMENTS

. While teaching 6th 7th and 8th grade students, successfully utilized Cooperative Learning strategies such as Dr. K. C. Sacca's Heads Together, Think-pair-Share, PMI, and Classwide peer tutoring. First hand experience with Marie Carbo's Learning Styles in reading classes for three years. Use of these strategies is directly attributed to the improvement made by students to solve complex problems.

. In a self-contained special education setting, developed and utilized problem-based learning strategies that enhanced Emotionally Disturbed/Learning Disabled students abilities to solve complex problems.

. Successfully developed strategies for classroom management, curriculum development and discipline for special education students that created a positive learning environment for everyone. Use of these strategies led to the high rate of academic and social success of students in my classes. Every student in my self-contained classroom were able to be placed in regular, resource, or inclusion classes before the end of the 96/97 school year for at lease 50% of the school day.

. Consistently maintained excellent relationship with parents, teachers and the community.

- . Developed a comprehensive standardized instructional packet for substitute teachers. Many potential problems that substitute teachers have were eliminated with its use. This packet includes lesson plans, detailed instructions on procedures for referrals to counselors, the school nurse, and the assistant principals.
- . Provided sound recommendations while serving on the schools discipline committee that lead to a marked reduction in discipline problems.
- . Completed extensive research on In-School-Suspension programs and published an In-School-Suspension guide for In-School-Suspension programs.
- . Made timely recommendations, while serving on the school's campus improvement plan committee, on staff development for faculty and staff, attendance and drop out rate, and school climate that resulted in an overall improvement in each of those areas.
- . Instrumental in the development of strategies to improve student achievement which significantly increased TAAS scores, reduced discipline problems and increased the attendance rate.
- . As the Director of the Telecommunications Branch, planned and supervised the installation of a computer network which drastically improved customer service, and saved the U.S. government over \$100,000.

EDUCATION

UNIVERSITY OF TEXAS AT SAN ANTONIO SAN ANTONIO, TX
SUPERINTENDENT CERTIFICATION, 1997

SOUTHWEST TEXAS STATE UNIVERSITY SAN MARCOS, TX
MASTERS OF EDUCATION, 1994
MAJOR - SPECIAL EDUCATION
MINOR - PUBLIC SCHOOL ADMINISTRATION
MID-MANAGEMENT CERTIFICATION, 1995

BOSTON UNIVERSITY BOSTON, MASSACHUSETTS
MASTERS OF SCIENCE IN MANAGEMENT, 1978

PARK COLLEGE PARKVILLE, MISSOURI
BACHELOR OF ARTS, ECONOMICS AND BUSINESS ADMINISTRATION
MINOR - EDUCATION, 1974

ATTACHMENT G
Sample Assessment Sheets

School of Excellence in Education

Assessment Record Sheet

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Academic Standards	INDICATOR	Met Expectations	Exceeded	Did Not Meet	Year
			Expectations	Expectations	
	PASSING GRADES				
	English/Language Arts				1998-99
					1999-00
	Mathematics				1998-99
					1999-00
	Science				1998-99
					1999-00
	Social Studies				1998-99
					1999-00
	TAAS				
	Reading				1998-99
					1999-00
	Writing				1998-99
					1999-00
	Mathematics				1998-99
					1999-00
	Science				1998-99
					1999-00
	Social Studies				1998-99
					1999-00

SCHOOL OF EXCELLENCE IN EDUCATION

Assessment Record Sheet

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	A	B	C	D	E	F
1	FOCUS	INDICATOR	MET EXPECTATIONS	EXCEEDED	DID NOT MEET	YEAR
2				EXPECTATIONS	EXPECTATIONS	
3						
4	Professional Development	Educators have successfully completed professional development activities outlined in personal professional development plan.				1998-99
5						1999-00
6						2000-01
7						2001-02
8						2002-03
9						
10						
11	Parent Responsibility	Parents who have visited or assisted their child's school three or more times during the previous year.				1998-99
12						1999-00
13						2000-01
14						2001-02
15						2002-03
16						
17						
18	Mentor Program	Mentors who have visited mentee five or more times during the school year.				1998-99
19						1999-00
20						2000-01
21						2001-02
22						2002-03
23	Community Involvement/Service	Number of completed service projects; hours of community service (avg. per student)				1998-99
24						1999-00
25						2000-01
26						2001-02
27						2002-03
28	Student Use of Technology	Number of classrooms in which students used technology on a daily basis.				1998-99
29						1999-00
30						2000-01
31						2001-02
32						2002--3

Example: *History lesson - the construction of a Time Line*

660

LEVELS OF EXCELLENCE

CRITERIA	INDICATORS			
	Distinguished	Proficient	Limited	Attempted
Items chosen to be included	Items chosen were significant	Few or no inaccuracies	Some inaccuracies	Does not include required number of items
Scale used Sequence	Scale consistent and accurate Items important	Items in sequence Scale increments marked	Scale roughly drawn a few items out of sequence	No apparent scale - items out of sequence
Mechanics	Flawless	Few errors	Some spelling errors	Spelling errors
Presentation	Visually striking attention to detail	Clean and attractive	Legible	Illegible or messy

ATTACHMENT H
School of Excellence
in Education
Brochure

**5214 Prince Valiant
San Antonio, Texas 78218**

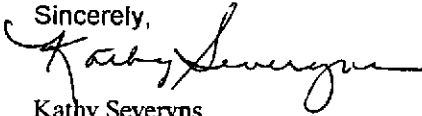
January 05, 1998

State Board of Education
1701 N. Congress
Austin, Texas 78711

Dear State Board Members,,

I am pleased to support the initiative to start an open enrollment charter school, the School for Excellence in Education at 1950 Bandera Road in San Antonio. As an educator at the middle school level, it is in the utmost interest of all students that this school and schools like them are created. Children have different needs and by allowing alternative means of education, these children who have extenuating circumstances can get the education that they, more than anyone, need.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kathy Severyns".

Kathy Severyns

BYLAWS OF SCHOOL OF EXCELLENCE IN EDUCATION

These Bylaws (referred to as the "Bylaws") govern the affairs of School of Excellence in Education, a nonprofit corporation (referred to as the "Corporation") organized under the Texas Non-Profit Corporation Action (referred to as the "Act").

ARTICLE 1 **OFFICES**

1.01. **Principal Office.** The principal office of the Corporation in the State of Texas shall be located at 1950 Bandera Road, San Antonio, TX 78228. The Corporation may have such other offices, either in Texas or elsewhere, as the Board of Directors may determine. The Board of Directors may change the location of any office of the Corporation.

1.02. **Registered Office and Registered Agent.** The Corporation shall comply with the requirements of the Act and maintain a registered office and registered agent in Texas. The registered office may, but need not, be identical with the Corporation's principal office in Texas. The Board of Directors may change the registered office and the registered agent as provided in the Act.

ARTICLE 2 **BOARD OF DIRECTORS**

2.01. **Management of the Corporation.** The affairs of the Corporation shall be managed by the Board of Directors.

2.02. **Number, Qualifications, and Tenure of Directors.** The number of Directors shall be a number determined by the Board of Directors that is not less than three and not greater than twelve. Directors shall be residents of Texas. Each director shall serve for a term of two years. The terms of the directors shall be staggered so that the terms of half of the directors shall begin in even-numbered years and the terms of half of the directors shall begin in odd-numbered years.

2.03. **Nomination of Directors.** At any meeting at which the election of a director occurs, a director may nominate a person with the second of any other director. In addition to nominations made at meetings, the Board of Directors may create a nominating committee which shall consider possible nominees and make nominations for each election of directors. The secretary shall include the names nominated by the nominating committee, and any report of any nominating committee, with the notice of the meeting at which the election occurs.

2.04. **Election of Directors.** A person who meets any qualification requirements to be a director and who has been duly nominated may be elected as a director. Directors shall be elected by the vote of the Board of Directors. Directors shall be elected at the annual meeting of the Board of Directors. Each director shall hold office until a successor is elected and qualified. A director may be elected to succeed himself or herself as director.

2.05. Vacancies. Any vacancy occurring in the Board of Directors, and any director position to be filled due to an increase in the number of directors, shall be filled by the Board of Directors. A vacancy is filled by the affirmative vote of a majority of the remaining directors, even if it is less than a quorum of the Board of Directors, or if it is a sole remaining director. A director elected to fill a vacancy shall be elected for the unexpired term of the predecessor in office.

2.06. Annual Meeting. The annual meeting of the Board of Directors will be held at the principal offices of the Corporation at 10:00 a.m. on the first Monday of August in each year, and in such case, will be held without notice other than these Bylaws. However, the annual meeting of the Board of Directors may be held at any other time or place as determined by the Board of Directors upon notice given as provided by these Bylaws.

2.07. Regular Meetings. The Board of Directors may provide for regular meetings by resolution stating the time and place of such meeting. The meetings may be held either within or without the State of Texas and shall be held at the Corporation's registered office in Texas if the resolution does not specify the location of the meetings. No notice of regular meetings of the Board is required other than a resolution of the Board of Directors stating the time and place of the meetings.

2.08. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the president or any two directors. A person or persons authorized to call special meetings of the Board of Directors may fix any place within Texas as the place for holding a special meeting. The person or persons calling a special meeting shall notify the secretary of the information required to be included in the notice of the meeting. The secretary shall give notice to the directors as required in the Bylaws.

2.09. Notice. Written or printed notice of any special meeting of the Board of Directors shall be delivered to each director not less than ten nor more than fifty days before the date of the meeting. The notice shall state the place, day, and time of the meeting, who called the meeting, and the purpose or purposes for which the meeting is called.

2.10. Quorum. A majority of the number of directors then in office shall constitute a quorum for the transaction of business at any meeting of the Board of Directors. The directors present at a duly called or held meeting at which a quorum is present may continue to transact business even if enough directors leave the meeting so that less than a quorum remains. However, no action may be approved without the vote of at least a majority of the number of directors required to constitute a quorum. If a quorum is present at no time during a meeting, a majority of the directors present may adjourn and reconvene the meeting one time without further notice.

2.11. Duties of Directors. Directors shall discharge their duties, including any duties as committee members, in good faith, with ordinary care, and in a manner they reasonably believe to be in the best interest of the corporation. Ordinary care is care that ordinarily prudent persons in similar positions would exercise under similar circumstances. In the discharge of any duty imposed or power conferred on directors, they may in good faith rely on information, opinions, reports, or statements, including financial statements and other financial data, concerning the corporation or another person that were prepared or presented by a variety of

persons, including officers and employees of the corporation, professional advisors or experts such as accountants or legal counsel. A director is not relying in good faith if the director has knowledge concerning a matter in question that renders reliance unwarranted.

Directors are not deemed to have the duties of trustees of a trust with respect to the corporation or with respect to any property held or administered by the corporation, including property that may be subject to restrictions imposed by the donor or transferor of the property.

2.12. Duty to Avoid Improper Distributions. Directors who vote for or assent to improper distributions are jointly and severally liable to the corporation for the value of the improperly distributed assets, to the extent that debts, obligations, and liabilities of the corporation are not thereafter paid and discharged. Any distribution made when the corporation is insolvent, other than in payment of corporate debts, or any distribution that would render the corporation insolvent is an improper distribution. A distribution made during liquidation without payment and discharge of or provision for all known debts, obligations, and liabilities is also improper. Directors present at a board meeting at which the improper action is taken are presumed to have assented, unless they dissent in writing. The written dissent must be filed with the secretary before adjournment or mailed to the secretary by registered mail immediately after adjournment.

A director is not liable if, in voting for or assenting to a distribution, the director (1) relies in good faith and with ordinary care on information, opinions, reports, or statements, including financial statements and other financial data, prepared or presented by one or more officers or employees of the corporation; legal counsel, public accountants, or other persons as to matters the director reasonably believes are within the person's professional or expert competence; or a committee of the Board of Directors of which the director is not a member; (2) while acting in good faith and with ordinary care, considers the assets of the corporation to be at least that of their book value; or (3) in determining whether the corporation made adequate provision for payment, satisfaction, or discharge of all of its liabilities and obligations, relied in good faith and with ordinary care on financial statements or other information concerning a person who was or became contractually obligated to satisfy or discharge some or all of these liabilities or obligations. Furthermore, directors are protected from liability if, in the exercise of ordinary care, they acted in good faith and in reliance on the written opinion of an attorney for the corporation.

Directors who are held liable for an improper distribution are entitled to contribution from persons who accepted or received the improper distributions knowing they were improper. Contribution is in proportion to the amount received by each such person.

2.13. Delegation of Duties. Directors are entitled to select advisors and delegate duties and responsibilities to them, such as the full power and authority to purchase or otherwise acquire stocks, bonds, securities, and other investments on behalf of the corporation; and to sell, transfer, or otherwise dispose of the corporation's assets and properties at a time and for a consideration that the advisor deems appropriate. The directors have no liability for actions taken or omitted by the advisor if the Board of Directors acts in good faith and with ordinary care in selecting the advisor. The Board of Directors may remove or replace the advisor, with or without cause.

2.14. Interested Directors. Contracts or transactions between directors, officers, or committee members who have a financial interest in the matter are not void or voidable solely because the director, officer or committee member is present at or participates in the meeting that authorizes the contract or transaction, or solely because the interested party's votes are counted for the purpose. However, the material facts must be disclosed to or known by the board or other group authorizing the transaction, and adequate approval from disinterested parties must be obtained.

2.15. Actions of Board of Directors. The Board of Directors shall try to act by consensus. However, the vote of a majority of directors present and voting at a meeting at which a quorum is present shall be sufficient to constitute the act of the Board of Directors unless the act of a greater number is required by law or these bylaws. A director who is present at a meeting and abstains from a vote is considered to be present and voting for the purpose of determining the decision of the Board of Directors. For the purpose of determining the decision of the Board of Directors, a director who is represented by proxy in a vote is considered present.

2.16. Proxies. A director may vote by proxy executed in writing by the director. No proxy shall be valid after three months from the date of its execution.

2.17. Compensation. Directors shall not receive salaries for their services. The Board of Directors may adopt a resolution providing for payment to directors of a fixed sum and expenses of attendance, if any, for attendance at each meeting of the Board of Directors. A director may serve the Corporation in any other capacity and receive compensation for those services. Any compensation that the Corporation pays to a director shall be commensurate with the services performed and reasonable in amount.

2.18. Removal of Directors. The Board of Directors may vote to remove a director at any time, for good cause. Good cause for removal of a director shall include, but not be limited to, the unexcused failure to attend three consecutive meetings of the Board of Directors. A meeting to consider the removal of a director may be called and noticed following the procedures provided in the bylaws. The notice of the meeting shall state that the issue of possible removal of the director will be on the agenda and the notice shall state the possible cause for removal. The director shall have the right to present evidence at the meeting as to why he or she should not be removed, and the director shall have the right to be represented by an attorney at or before the meeting. At the meeting, the Corporation shall consider possible arrangements for resolving the problems that are in the mutual interest of the Corporation and the director. A director may be removed by the affirmative vote of fifty percent of the Board of Directors.

ARTICLE 3 **OFFICERS**

3.01. Officer Positions. The officers of the Corporation shall be a president, a secretary, a vice president, and a treasurer. The Board of Directors may also elect one or more Assistant Secretaries and one or more Assistant Treasurers. The Board of Directors may create additional officer positions, define the authority and duties of each such position, and elect or

appoint persons to fill the positions. Any two or more offices may be held by the same person, except the offices of president and secretary.

3.02. Election and Term of Office. The officers of the Corporation shall be elected annually by the Board of Directors at the regular annual meeting by the Board of Directors. If the election of officers is not held at this meeting, the election shall be held as soon thereafter as conveniently possible. Each officer shall hold office until a successor is duly selected and qualified. An officer may be elected to succeed himself or herself in the same office.

3.03. Removal. Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors with or without good cause. The removal of an officer shall be without prejudice to the contract rights, if any, of the officer.

3.04. Vacancies. A vacancy in any office may be filled by the Board of Directors for the unexpired portion of the officer's term.

3.05. President. The president shall be the chief executive officer of the Corporation. The president shall supervise and control all of the business and affairs of the Corporation. The president shall preside at all meetings of the Board of Directors. The president may execute any deeds, mortgages, bonds, contracts, or other instruments that the Board of Directors have authorized to be executed. However, the president may not execute instruments on behalf of the Corporation if this power is expressly delegated to another officer or agent of the Corporation by the Board of Directors, the bylaws, or statute. The president shall perform other duties prescribed by the Board of Directors and all duties incident to the office of president.

3.06. Vice President. When the president is absent, is unable to act, or refuses to act, a vice president shall perform the duties of the president. When a vice president acts in place of the president, the vice president shall have the powers of and be subject to all the restrictions upon the president. If there is more than one vice president, the vice presidents shall act in place of the president in the order of the votes received when elected. A vice president shall perform other duties as assigned by the president or board of directors.

3.07. Treasurer. The treasurer shall:

(a) Have charge and custody of and be responsible for all funds and securities of the Corporation.

(b) Receive and give receipts for moneys due and payable to the Corporation from any source.

(c) Deposit all moneys in the name of the Corporation in banks, trust companies, or other depositories as provided in the bylaws or as directed by the Board of Directors or president.

(d) Write checks and disburse funds to discharge obligations of the Corporation. Funds may not be drawn from the Corporation or its accounts for amounts greater than \$500.00 without the signature of the president or a vice president in addition to the signature of the treasurer.

- (e) Maintain the financial books and records of the Corporation.
- (f) Prepare financial reports at least annually.
- (g) Perform other duties as assigned by the president or by the Board of Directors.
- (h) If required by the Board of Directors give a bond for the faithful discharge of his or her duties in a sum and with a surety as determined by the Board of Directors.

Any Assistant Treasurer shall have such powers and perform such duties as the Board of Directors, the President or the Treasurer may from time to time prescribe or delegate to him.

- (i) Perform all of the duties incident to the office of treasurer.

3.08. Secretary. The Secretary shall:

- (a) Give all notices as provided in the bylaws or as required by law.
- (b) Take minutes of the meetings of the Board of Directors and keep the minutes as part of the corporate records.
- (c) Maintain custody of the corporate records and of the seal of the Corporation.
- (d) Affix the seal of the Corporation to all documents as authorized.
- (e) Keep a register of the mailing address of each director, officer, and employee of the Corporation.
- (f) Perform duties as assigned by the president or by the Board of Directors.
- (g) Perform all duties incident to the office of the secretary.

Any Assistant Secretary shall have such powers and perform such duties as the Board of Directors, the President or the Secretary may from time to time prescribe or delegate to him.

ARTICLE 4 COMMITTEES

4.01. Establishment of Committees. The Board of Directors may adopt a resolution establishing one or more committees delegating specified authority to a committee, and appointing or removing members of a committee. A committee shall include two or more directors and may include persons who are not directors. If the Board of Directors delegates any of its authority to a committee, the majority of the committee shall consist of directors. The Board of Directors may establish qualifications for membership on a committee. The Board of Directors may delegate to the president its power to appoint and remove members of a committee that has not been delegated any authority of the Board of Directors. The establishment of a committee or the delegation of authority to it shall not relieve the Board of Directors,

or any individual director, of any responsibility imposed by the Bylaws or otherwise imposed by law. No committee shall have the authority of the Board of Directors to:

- (a) Amend the articles of incorporation.
- (b) Adopt a plan of merger or a plan of consolidation with another corporation.
- (c) Authorize the sale, lease, exchange, or mortgage of all or substantially all of the property and assets of the Corporation.
- (d) Authorize the voluntary dissolution of the Corporation.
- (e) Revoke proceedings for the voluntary dissolution of the Corporation.
- (f) Adopt a plan for the distribution of the assets of the Corporation.
- (g) Amend, alter, or repeal the bylaws.
- (h) Elect, appoint, or remove a member of a committee or a director or officer of the Corporation.
- (i) Approve any transaction to which the Corporation is a party and that involved a potential conflict of interest as defined in paragraph 5.04, below.
- (j) Take any action outside the scope of authority delegated to it by the Board of Directors.

4.02. Authorization of Specific Committees. The following committees, in addition to any others created by the Board of Directors shall be allowed: Nominating, Curriculum, Government Liaison, and Program Committees. The Board of Directors shall define the activities and scope of authority of each committee by resolution.

4.03. Term of Office. Each member of a committee shall continue to serve on the committee until the next annual meeting of the Board of Directors of the Corporation and until a successor is appointed. However, the term of a committee member may terminate earlier if the committee is terminated, or if the member dies, ceases to qualify, resigns, or is removed as a committee member. A vacancy on a committee may be filled by an appointment made in the same manner as an original appointment. A person appointed to fill a vacancy on a committee shall serve for the unexpired portion of the terminated committee member's term.

4.04. Chair and Vice-Chair. One member of each committee shall be designated as chair of the committee and another member of each committee shall be designated as the vice-chair. The chair and vice-chair shall be elected by the members of the committee. The chair shall call and preside at all meetings of the committee. When the chair is absent, is unable to act, or refuses to act, the vice-chair shall perform the duties of the chair. When a vice-chair acts in place of the chair, the vice-chair shall have all the powers of and be subject to all the restrictions upon the chair.

Notice of Meetings

4.05. Written or printed notice of a committee meeting shall be delivered to each member of a committee not less than ten nor more than fifty days before the date of the meeting. The notice shall state the place, day, and time of the meeting, and the purpose or purposes for which the meeting is called.

Quorum

4.06. One half of the number of members of a committee shall constitute a quorum for the transaction of business at any meeting of the committee. The committee members present at a duly called or held meeting at which a quorum is present may continue to transact business even if enough committee members leave the meeting so that less than a quorum remains. However, no action may be approved without the vote of at least a majority of the number of committee members required to constitute a quorum. If a quorum is present at no time during a meeting, the chair may adjourn and reconvene the meeting on time without further notice.

Actions of Committees

4.07. Committees shall try to take action by consensus. However, the vote of a majority of committee members present and voting at a meeting at which a quorum is present shall be sufficient to constitute the act of the committee unless the act of a greater number is required by law or the bylaws. A committee member who is present at a meeting and abstains from a vote is considered to be present and voting for the purpose of determining the act of the committee.

Proxies

4.08. A committee member may vote by proxy executed in writing by the committee member. No proxy shall be valid after three months from the date of its execution.

Compensation

4.09. Committee members shall not receive salaries for their services. The Board of Directors may adopt a resolution providing for payment to committee members of fixed sum and expenses of attendance, if any, for attendance at each meeting of the committee. A committee member may serve the Corporation in any other capacity and receive compensation for those services. Any compensation that the Corporation pays to a committee member shall be commensurate with the services performed and shall be reasonable in amount.

Rules

4.10. Each committee may adopt rules for its own operation not inconsistent with the bylaws or with rules adopted by the Board of Directors.

ARTICLE 5

TRANSACTIONS OF THE CORPORATION

Contracts

5.01. The Board of Directors may authorize any officer or agent of the Corporation to enter into a contract or execute and deliver any instrument in the name of and on behalf of the Corporation. This authority may be limited to a specific contract or instrument or it may extend to any number and type of possible contracts and instruments.

Deposits

5.02. All funds of the Corporation shall be deposited in to the credit of the Corporation in banks, trust companies, or other depositories that the Board of Directors selects.

Gifts

5.03. The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest, or devise for the general purposes or for any special purpose of the Corporation. The Board of Directors may make gifts and give charitable contributions that are not prohibited by the bylaws, the articles of incorporation, state law, and any requirements for maintaining the Corporation's federal and state tax status.

Potential Conflicts of Interest

5.04. The Corporation shall not make any loan to a director or officer of the Corporation. A director, officer, or committee member of the Corporation may lend money to and otherwise transact business with the Corporation except as otherwise provided by the bylaws, articles of incorporation, and all applicable laws. Such a person transacting business with the Corporation has the same rights and obligations relating to those matters as other persons transacting business with the Corporation. The Corporation shall not borrow money from or otherwise transact business with a director, officer, or committee member of the Corporation unless the transaction is described fully in a legally binding instrument and is in the best interest of the Corporation. The Corporation shall not borrow money from or otherwise transact business with a director, officer, or committee member of the Corporation without full disclosure of all relevant facts and without the approval of the Board of Directors, not including the vote of any person having a personal interest in the transaction.

Prohibited Acts

5.05. As long as the Corporation is in existence, and except with the prior approval of the Board of Directors, no director, officer, or committee member of the Corporation shall:

- (a) Do any act in violation of the bylaws or a binding obligation of the Corporation.
- (b) Do any act with the intention of harming the Corporation or any of its operations.

(c) Do any act that would make it possible or unnecessarily difficult to carry on the intended or ordinary business of the Corporation.

(d) Receive an improper personal benefit from the operation of the Corporation.

(e) Use the assets of this Corporation, directly or indirectly, for any purpose other than carrying on the business of this Corporation.

(f) Wrongfully transfer or dispose of Corporation property, including intangible property such as good will.

(g) Use the name of the Corporation (or any substantially similar name) or any trademark or trade name adopted by the Corporation, except on behalf of the Corporation in the ordinary course of the Corporation's business.

(h) Disclose any of the Corporation business practices, trade secrets, or any other information not generally known to the business community to any person not authorized to receive it.

ARTICLE 6

BOOKS AND RECORDS

Required Books and Records

6.01. The Corporation shall keep correct and complete books and records of account. The Corporation's books and records shall include:

(a) A file-endorsed copy of all documents filed with the Texas Secretary of State relating to the Corporation, including but not limited to, the articles of incorporation, and any articles of amendment, restated articles, articles of merger, articles of consolidation, and statement of change or registered office or registered agent.

(b) A copy of the bylaws, and any amended versions or amendments to the bylaws.

(c) Minutes of the proceedings of the Board of Directors, and committees having any of the authority of the Board of Directors.

(d) A list of the names and addresses of the directors, officers, and any committee members of the Corporation.

(e) A financial statement showing the assets, liabilities, and net worth of the Corporation at the end of the three most recent fiscal years.

(f) A financial statement showing the income and expenses of the Corporation for the three most recent fiscal years.

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(g) All rulings, letters, and other documents relating to the Corporation's federal, state, and local tax status.

(h) The Corporation's federal, state, and local information or income tax returns for each of the Corporation's three most recent tax years.

Inspection and Copying

6.02. Any director, officer, or committee member of the Corporation may inspect and receive copies of all books and records of the Corporation required to be kept by the bylaws. Such a person may inspect or receive copies if the person has a proper purpose related to the person's interest in the Corporation and if the person submits a request in writing. Any person entitled to inspect and copy the Corporation's books and records may do so through his or her attorney or other duly authorized representative. A person entitled to inspect the Corporation's books, and records may do so at a reasonable time no later than ten working days after the Corporation's receipt of a proper written request. The Board of Directors may establish reasonable fees for copying the Corporation's books and records. The fees may cover the cost of the materials and labor, but may not exceed twenty-five cents per page. The Corporation shall provide requested copies of books or records not later than ten working days after the Corporation's receipt of a proper written request.

ARTICLE 7

FISCAL YEAR

The fiscal year of the Corporation shall begin on the first day of September and end on the last day in August in each year.

ARTICLE 8

INDEMNIFICATION

When Indemnification is Required, Permitted, and Prohibited

8.01. (a) The Corporation shall indemnify a director, officer, committee member, employee, or agent of the Corporation who was, is, or may be named defendant or respondent in any proceeding as a result of his or her actions or omissions within the scope of his or her official capacity in the Corporation. For the purposes of this article, an agent includes one who is or was serving at the request of the Corporation as a director, officer, partner, venturer, proprietor, trustee, partnership, joint venture, sole proprietorship, trust, employee benefit plan, or other enterprise. However, the Corporation shall indemnify a person only if he or she acted in good faith and reasonably believed that the conduct was in the Corporation's best interests. In a case of a criminal proceeding, the person may be indemnified only if he or she had no reasonable cause to believe that the conduct was unlawful. The Corporation shall not indemnify a person who is found liable to the Corporation or is found liable to another on the basis of

improperly receiving a personal benefit. A person is conclusively considered to have been found liable in relation to any claim, issue, or matter if the person has been adjudged liable by a court of competent jurisdiction and all appeals have been exhausted.

(b) The termination of a proceeding by judgment, order, settlement, conviction, or on a plea of nolo contendere or its equivalent does not necessarily preclude indemnification by the Corporation.

(c) The Corporation shall pay or reimburse expenses incurred by a director, officer, committee member, employee, or agent of the Corporation in connection with the person's appearance as a witness or other participation in a proceeding involving or affecting the Corporation when the person is not a named defendant or respondent in the proceeding.

(d) In addition to the situations otherwise described in this paragraph, the Corporation may indemnify a director, officer, committee member, employee, or agent of the Corporation to the extent permitted by law. However, the Corporation shall not indemnify any person in any situation in which indemnification is prohibited by the terms of paragraph 8.01(a), above.

(e) Before the final disposition of a proceeding, the Corporation may pay indemnification expenses permitted by the bylaws and authorized by the Corporation. However, the Corporation shall not pay indemnification expenses to a person before the final disposition of a proceeding if: the person is named defendant or respondent in a proceeding brought by the Corporation; or the person is alleged to have improperly received a personal benefit or committed other willful or intentional misconduct.

(f) If the Corporation may indemnify a person under the bylaws, the person may be indemnified against judgments, penalties, including excise and similar taxes, fines, settlements, and reasonable expenses (including attorney's fees) actually incurred in connection with the proceeding. However, if the proceeding was brought by or on behalf of the Corporation, the indemnification is limited to reasonable expenses actually incurred by the person in connection with the proceeding.

Procedures Relating to Indemnification Payments

8.02. (a) Before the Corporation may pay any indemnification expenses (including attorney's fees), the Corporation shall specifically determine that indemnification is permissible, authorize indemnification, and determine that expenses to be reimbursed are reasonable, except as provided in paragraph 8.02(c), below. The Corporation may make these determinations and decisions by any one of the following procedures:

(i) Majority vote of a quorum consisting of directors who, at the time of the vote, are not named defendants or respondents in the proceeding.

(ii) If such a quorum cannot be obtained, by a majority vote of a committee of the Board of Directors, designated to act in the matter by a majority vote of all directors, consisting solely of two or more directors who at the time of the vote are not named defendants or respondents in the proceeding.

(iii) Determination by special legal counsel selected by the Board of Directors by the vote as provided in paragraph 8.02(a)(i) or 8.02(a)(ii), or if such a quorum cannot be obtained and such a committee cannot be established, by a majority vote of all directors.

(b) The Corporation shall authorize indemnification and determine that expenses to be reimbursed are reasonable in the same manner that it determines whether indemnification is permissible. If the determination that indemnification is permissible is made by special legal counsel, authorization of indemnification and determination of reasonableness of expenses shall be made in the manner specified by paragraph 8.02(a)(iii), above, governing the selection of special legal counsel. A provision contained in the articles of incorporation, the bylaws, or a resolution of the Board of Directors that requires the indemnification permitted by paragraph 8.01, above, constitutes sufficient authorization of indemnification even though the provision may not have been adopted or authorized in the same manner as the determination that indemnification is permissible.

(c) The Corporation shall pay indemnification expenses before final disposition of a proceeding only after the Corporation determines that the facts then known would not preclude indemnification and the Corporation receives a written affirmation and undertaking from the person to be indemnified. The determination that the facts then known to those making the determination would not preclude indemnification and authorization of payment shall be made in the same manner as a determination that indemnification is permissible under paragraph 8.02(a), above. The person's written affirmation shall state that he or she has met the standard of conduct necessary for indemnification under the bylaws. The written undertaking shall provide for repayment of the amount paid or reimbursed by the Corporation if it is ultimately determined that the person has not met the requirements for indemnification. The undertaking shall be an unlimited general obligation of the person, but it need not be secured and it may be accepted without reference to financial ability to make repayment.

ARTICLE 9

NOTICES

Notice by Mail, Telegram or Facsimile

9.01. Any notice required or permitted by the bylaws to be given to a director, officer, or member of a committee of the Corporation may be given by mail, telegram, or facsimile. If mailed, a notice shall be deemed to be delivered when deposited in the United States mail addressed to the person at his or her address as it appears on the records of the Corporation, with postage prepaid. If given by telegram, a notice shall be deemed to be delivered when accepted by the telegraph company and addressed to the person at his or her address as it appears on the records of the Corporation. If transmitted by facsimile, a notice shall be deemed to be delivered on the date shown by a facsimile confirmation sheet. A person may change his or her address by giving written notice to the secretary of the Corporation.

Signed Waiver of Notice

9.02. Whenever any notice is required to be given under the provisions of the Act or under the provisions of the articles of incorporation or the bylaws, a waiver in writing signed by a person entitled to receive a notice shall be deemed equivalent to the giving of the notice. A waiver of notice shall be effective whether signed before or after the time stated in the notice being waived.

Waiver of Notice by Attendance

9.03. The attendance of a person at a meeting shall constitute a waiver of notice of the meeting unless the person attends for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

ARTICLE 10

SPECIAL PROCEDURES CONCERNING MEETINGS

Meeting by Telephone

10.01. The Board of Directors, and any committee of the Corporation may hold a meeting by telephone conference-call procedures in which all persons participating in the meeting can hear each other. The notice of a meeting by telephone conference must state the fact that the meeting will be held by telephone as well as all other matters required to be included in the notice. Participation of a person in a conference-call meeting constitutes presence of that person at the meeting.

Decision Without Meeting

10.02. Any decision required or permitted to be made at a meeting of the Board of Directors, or any committee of the Corporation may be made without a meeting. A decision without a meeting may be made if a written consent to the decision is signed by all of the persons entitled to vote on the matter. The original signed consents shall be placed in the Corporation minute book and kept with the Corporation's records.

Action By Non-unanimous Written Consent

10.03. In accordance with the articles of incorporation, action may be taken by use of signed written consents by the number of directors, or committee members whose votes would be necessary to take action at a meeting at which all such persons entitled to vote were present and voted. Each written consent must bear the date of signature of the person signing it. A consent signed by less than all of directors, or committee members is not effective to take the intended action unless consents signed by the required number of persons are delivered to the Corporation within 60 days after the date of the earliest dated consent delivered to the Corporation. Delivery must be made by hand, by facsimile, or by certified or registered mail, return receipt requested. The Delivery may be made to the corporation's registered office, registered agent, principal place of business, transfer agent, registry, exchange agent, or an officer or agent

having custody of books in which the relevant proceedings are recorded. If the delivery is made to the Corporation's principal place of business, the consent must be addressed to the president or principal executive officer.

The Corporation will give prompt notice of the action taken to persons who do not sign consents. If the action taken requires documents to be filed with the secretary of state, the filed documents will indicate that the written consent procedures have been followed.

A telegram, telex, cablegram, or similar transmission by a director, or committee member, or a photographic, facsimile, or similar reproduction of a signed writing, is to be regarded as being signed by the director, or committee member.

Voting by Proxy

10.04. A person who is authorized to exercise a proxy may not exercise the proxy unless the proxy is delivered to the officer presiding at the meeting before the business of the meeting begins. The secretary or other person taking the minutes of the meeting shall record in the minutes the name of the person who executed the proxy and the name of the person authorized to exercise the proxy. If a person who has duly executed a proxy personally attends a meeting, the proxy shall not be effective for that meeting. A proxy filed with the secretary or other designated officer shall remain in force and effect until the first of the following occurs:

- (a) An instrument revoking the proxy is delivered to the secretary or other designated officer.
- (b) The proxy authority expires under the terms of the proxy.
- (c) The proxy authority expires under the terms of the Bylaws.

ARTICLE 11

AMENDMENTS TO BYLAWS

The bylaws may be altered, amended, or repealed, and new bylaws may be adopted by the Board of Directors. The notice of any meeting at which the bylaws are altered, amended, or repealed, or at which new bylaws are adopted shall include the text of the proposed bylaw provisions as well as the text of any existing provisions proposed to be altered, amended, or repealed. Alternatively, the notice may include a fair summary of those provisions.

ARTICLE 12

POLICY REGARDING DISCRIMINATION

The Corporation's admissions policies shall not discriminate against any student on the basis of that student's national origin, race, religion, ethnicity, academic achievement, athletic abilities, language proficiency, sex, disability, or socioeconomic status.

ARTICLE 13

MISCELLANEOUS PROVISIONS

Legal Authorities Governing Construction of Bylaws

13.01. The bylaws shall be construed in accordance with the laws of the State of Texas. All references in the bylaws to statutes, regulations, or other sources of legal authority shall refer to the authorities cited, or their successors, as they may amended from time to time.

Legal Construction

13.02. If any bylaw provision is held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision and the bylaws shall be construed as if the invalid, illegal, or unenforceable provision had not been included in the bylaws.

Headings

13.03. The headings used in the bylaws are used for convenience and shall not be considered in construing the terms of the bylaws.

Gender

13.04. Wherever the context requires, all words in the bylaws in the male gender shall be deemed to include the female or neuter gender, all singular words shall include the plural, and all plural words shall include the singular.

Seal

13.05 The Board of Directors may provide for a corporate seal. Such a seal would consist of two concentric circles containing the words "School of Excellence in Education", "Texas," in one circle and the word "Incorporated" together with the date of incorporation of the Corporation in the other circle.

Power of Attorney

13.06. A person may execute any instrument related to the Corporation by means of a power of attorney if an original executed copy of the power of attorney is provided to the secretary of the Corporation to be kept with the Corporation records.


Parties Bound

13.07. The bylaws shall be binding upon and inure to the benefit of the directors, officers, committee members, employees, and agents of the Corporation and their respective heirs, executors, administrators, legal representatives, successors, and assigns except as otherwise provided in the bylaws.

CERTIFICATE OF SERVICE

I certify that I am the duly elected acting secretary of School of Excellence in Education and that the foregoing Bylaws constitute the Bylaws of the Corporation. These Bylaws were duly adopted at a meeting of the Board of Directors held on the date written below.

DATED: 12/30/97


Bonny Sharpe, Secretary
of the Corporation.

CIVIL RIGHTS CERTIFICATE

ASSURANCE OF COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, SECTION 504 OF THE REHABILITATION ACT OF 1973, TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, AND THE AGE DISCRIMINATION ACT OF 1975

The applicant provides this assurance in consideration of and for the purpose of obtaining Federal grants, loans, contracts (except contracts of insurance or guaranty), property, discounts, or other Federal financial assistance to education programs or activities from the Department of Education.

The applicant assures that it will comply with:

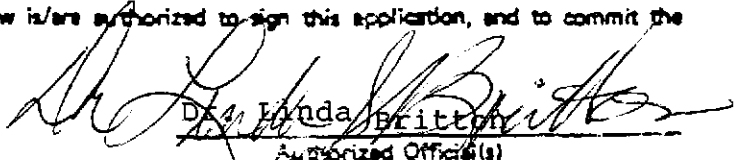
1. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d et seq., which prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance.
2. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, which prohibits discrimination on the basis of handicap in programs and activities receiving Federal financial assistance.
3. Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et seq., which prohibits discrimination on the basis of sex in education programs and activities receiving Federal financial assistance.
4. The Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 et seq., which prohibits discrimination on the basis of age in programs or activities receiving Federal financial assistance.
5. All regulations, guidelines, and standards lawfully adopted under the above statutes by the United States Department of Education.

The applicant agrees that compliance with this Assurance constitutes a condition of continued receipt of Federal financial assistance, and that it is binding upon the applicant, its successors, transferees, and assignees for the period during which such assistance is provided. The applicant further assures that all contractors, subcontractors, subgrantees or others with whom it arranges to provide services or benefits to its students or employees in connection with its education programs or activities are not discriminating in violation of the above statutes, regulations, guidelines, and standards against those students or employees. In the event of failure to comply the applicant understands that assistance can be terminated and the applicant denied the right to receive further assistance. The applicant also understands that the Department of Education may at its discretion seek a court order requiring compliance with the terms of the Assurance or seek other appropriate judicial relief.

The person or persons whose signature(s) appear(s) below is/are authorized to sign this application, and to commit the applicant to the above provisions.

8-5-98

Date


Linda Britton
Authorized Official(s)

School of Excellence in Education
Name of Applicant or Recipient

1950 Bandera

San Antonio, Tx. 78228
City, State, Zip Code

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Department of Education
Office for Civil Rights/PES
400 Maryland Avenue, S.W.
Switzer Building, Room 5312
Washington, D. C. 20202

For further information, please contact Office for Civil Rights Area Code (202) 205-8635

Explanation Of

HEW FORM 639 A (3/77), ENTITLED "ASSURANCE OF COMPLIANCE WITH TITLE IX OF THE EDUCATION AMENDMENTS OF 1972 AND THE REGULATION OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE IN IMPLEMENTATION THEREOF"

Section 901 of Title IX of the Education Amendments of 1972 provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Section 902 of Title IX authorizes and directs the Department of Health, Education, and Welfare (hereinafter the "Department") to effectuate the nondiscrimination requirements of section 901 by issuing rules, regulations, and orders of general applicability. Pursuant to section 902, the Department has issued 45 C.F.R. Part 86 (hereinafter "Part 86") which became effective on July 21, 1975.

Section 86.4 of Part 86 requires that every application for Federal financial assistance for any education program or activity shall, as a condition of its approval, contain or be accompanied by an assurance from the applicant satisfactory to the Director of the Office for Civil Rights (hereinafter the "Director") that each education program or activity operated by the applicant and to which Title IX of the Education Amendments of 1972 and Part 86 apply will be operated in compliance with Part 86.

Section 86.4 also provides that the Director will specify the form of the assurance required and the extent to which such assurance will be required of the applicant's subgrantees, contractors, subcontractors, transferees, or successors in interest. Under this authority, HEW Form 639 A, (3/77) has been specified as the form of assurance which shall apply to all recipients of and applicants for Federal financial assistance subject to the provisions of Title IX and awarded by the Department.

HEW Form 639 A, (3/77) constitutes a legally enforceable agreement to comply with Title IX and all of the requirements of Part 86. Applicants are urged to read Part 86 and the accompanying preamble. The obligation imposed by Title IX and Part 86 are independent of, and do not alter, the obligation not to discriminate on the basis of sex imposed by Title VII of the Civil Rights Act of 1964 (20 U.S.C. 2000e et seq.); Executive Order 11246, as amended; sections 799A and 855 of the Public Health Service Act (42 U.S.C. 295h-9 and 298b-2); and the Equal Pay Act (29 U.S.C. 206 and 206 (d)).

PERIOD OF ASSURANCE

HEW Form 639 A, (3/77) is binding on a recipient for a period during which Federal financial assistance is extended to it by the Department. With respect to Federal financial assistance used to aid in the purchase or improvement of real or personal property, such period shall include the time during which the real or personal property is used for the purpose of providing an education program or activity. A recipient may transfer or otherwise convey title to real and personal property purchased or improved with Federal financial assistance so long as such transfer or conveyance is consistent with the laws and regulations under which the recipient obtained the property and it has obtained a properly executed HEW Form 639 A, (3/77) from the party to whom it wishes to transfer or convey the title unless the property in question is no longer to be used for an education program or activity or the Federal share of the fair market value of such property has been refunded or otherwise properly accounted for to the Federal government.

An applicant or recipient which has submitted an HEW Form 639 A, (3/77) to the Director need not submit a separate form with each grant application but may, if the information contained therein remains accurate, simply incorporate by reference, HEW Form 639 A, (3/77), giving the date it was submitted. On the other hand, a revised HEW Form 639 A, (3/77) must be submitted within 30 days after information contained in the submitted form becomes inaccurate, even if no additional financial assistance is being sought.

OBLIGATION OF RECIPIENT TO OBTAIN ASSURANCES FROM OTHERS

As indicated in Article III, paragraph 2, of the Assurance, if a recipient subgrants to, or contracts, subcontracts, or otherwise arranges with an individual, organization, or group to assist in the conduct of an education program or activity receiving Federal financial assistance from the Department or to provide services in connection with such a program or activity, the recipient continues to have an obligation to ensure that the education program or activity is being administered in a nondiscriminatory manner. (See 45 C.F.R. 86.31.) Accordingly, the recipient must take reasonable steps to ensure that the individual, organization, or group in question is complying with Title IX and Part 86. These steps may include, but do not necessarily require, obtaining assurances of compliance from such subgrantees, contractors, and subcontractors in the form of, or modeled on, the HEW Form 639A, (3/77). These steps to require, however, such activities as may be reasonably necessary to monitor the compliance of these subgrantees, contractors, or subcontractors, regardless of whether they have submitted assurances to the recipient. If a recipient is unable to assure itself that any contractor, subcontractor, subgrantee, or other individual or group with whom it arranges to provide services or benefits to its students and employees does not discriminate on the basis of sex as described in Part 86, the recipient may not initiate or continue contracts, subcontracts, or other arrangements with that individual or group or make subgrants to it.

ADMINISTRATIVELY SEPARATE UNITS

If an educational institution is composed of more than one administratively separate unit, a separate HEW Form 639 A, (3/77) may be submitted for each unit or one may be submitted for the entire institution. If separate forms are submitted, the administratively separate unit for which the form is submitted should be clearly identified in the first line of HEW Form 639 A, (3/77). An "administratively separate unit" is defined as a school, department or college of an educational institution (other than a local educational agency) admission to which is independent of admission to any other component of such institution. See 45 C.F.R. 86.2(o).

STATE EDUCATION AGENCIES

State education agencies are generally not responsible for running pre-school, kindergarten, elementary or secondary programs. Such responsibility is generally left to local education agencies although some supervisory authority may be vested with the state education agency. Consequently, most state agencies should not check the boxes for "Pre-school," "Kindergarten," or "Elementary or Secondary" in Article I of HEW Form 639 A, (3/77). If the state agency runs special programs for the handicapped, including those on the pre-school, kindergarten, elementary, or secondary level, the box marked "Other" should be checked and the appropriate description inserted in the space provided.

Under Article III, paragraph 5, of HEW Form 639A, (3/77) a state education agency may be called upon from time to time to submit reports necessary to determine Title IX compliance by local education agencies within its jurisdiction. The form and content of such reports will be specified by the Director at the time the request is made.

RELIGIOUS EXEMPTION

Applicants or recipients which are educational institutions controlled by a religious organization are not covered by Part 86 to the extent that application of Part 86 would be inconsistent with the religious tenets of the controlling religious organization.

Section 86.12 of Part 86 requires an institution seeking an exemption to submit a written statement to the Director identifying the provisions of Part 86 which conflict with a specific tenet of the controlling religious organization. Such a statement must be signed by the highest ranking official of the educational institution claiming the exemption. An applicant or recipient claiming an exemption is not relieved of its obligations to comply with that portion of Part 86 not specified in its statement to the Director as being inconsistent with the tenets of the controlling religious organization.

Although 86.12 imposes no time restrictions when a recipient or applicant may claim an exemption, applicants or recipients are urged to make such claims when they initially submit HEW Form 639 A, (3/77) by checking the appropriate box in Article I of HEW Form 639 A, (3/77) and attaching thereto the statement required by 86.12(b). Such an approach will avoid misunderstandings on the part of both the Department and the applicant or recipient as to what, if any, action is required under Part 86.

An applicant or recipient will normally be considered to be controlled by a religious organization if one or more of the following conditions prevail:

- (1) It is a school or department of divinity; or
- (2) It requires its faculty, students or employees to be members of, or otherwise espouse a personal belief in, the religion of the organization by which it claims to be controlled; or
- (3) Its charter and catalog, or other official publication, contains explicit statement that it is controlled by a religious organization or an organ thereof or is committed to the doctrines of a particular religion, and the members of its governing body are appointed by the controlling religious organization or an organ thereof, and it receives a significant amount of financial support from the controlling religious organization or an organ thereof.

The term "school or department of divinity" means an institution or a department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects. (This definition is adopted from section 1201(1) of the Higher Education Act of 1965, P.L. 89-329.)

ASSURANCE OF COMPLIANCE WITH TITLE IX OF THE
EDUCATION AMENDMENTS OF 1972 AND THE
REGULATION ISSUED BY THE DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE IN
IMPLEMENTATION THEREOF

(PLEASE READ EXPLANATION OF HEW FORM 639 A (3/77)* BEFORE COMPLETING
THIS DOCUMENT)

Pursuant to 45 C.F.R. 86.4:

<u>SCHOOL of EXCELLENCE</u> (Name of Applicant or recipient)
<u>1950 BANDERA</u> (address)
<u>San Antonio, Tx. 78228</u> (city, state, zip code)
<u>015-806</u> (identifying code-FICE, OE, or IRS)

(hereinafter the "Applicant") gives this assurance in consideration of and for purpose of obtaining Federal education grants, loans, contracts (except contracts of insurance or guaranty), property, discounts, or other Federal financial assistance to education programs or activities from the Department of Health, Education, and Welfare (hereinafter the "Department"), including payments or other assistance hereafter received pursuant to applications approved prior to the date of this assurance.

ARTICLE I - TYPE OF INSTITUTION SUBMITTING ASSURANCE.

A. The Applicant is (check the following boxes where applicable):

1. () A state education agency.
2. (x) A local education agency.
3. () A publicly controlled educational institution or organization.
4. () A privately controlled educational institution or organization.
5. () A person, organization, group or other entity not primarily engaged in education. If this box is checked, insert primary purpose or activity of Applicant in the space provided below:

*HEW Form 639 A (3/77) This form supersedes HEW Form 639 (7/76). HEW Form 639 (7/76) submitted prior to this revision are valid and recipients need not submit a new assurance.

- B. () Claiming a religious exemption under 45 C.F.R. 86.12(b):
 (If religious exemption is claimed, attach statement by highest ranking official of Applicant identifying the specific provisions of 45 C.F.R. Part 86 which conflict with a specific religious tenet of the controlling religious organization.)
- C. The Applicant offers one or more of the following programs or activities (check where applicable):
- | | | |
|--|---|--|
| 1. <input checked="" type="checkbox"/> | Pre-school | 6. () Undergraduate (including junior and community colleges) |
| 2. <input checked="" type="checkbox"/> | Kindergarten | 7. () Vocational or Technical |
| 3. <input checked="" type="checkbox"/> | Elementary or Secondary | 8. () Professional |
| 4. <input type="checkbox"/> | Graduate | |
| 5. <input type="checkbox"/> | Other (such as special programs for the handicapped even if provided on the pre-school, elementary or secondary level). If this box is checked, give brief description below: | |

ARTICLE II-PERIOD OF ASSURANCE. This assurance shall obligate the Applicant for the period during which Federal financial assistance is extended to it by the Department.

ARTICLE III-TERMS AND CONDITIONS. The Applicant hereby agrees that it will:

1. Comply, to the extent applicable to it, with Title IX of the Education Amendments of 1972 (P.L. 92-318), as amended, 20 U.S.C. 1681, 1682, 1683, and 1685 (hereinafter, "Title IX"), and all applicable requirements imposed by or pursuant to the Department's regulation issued pursuant to Title IX, 45 C.F.R. Part 86 (hereinafter, "Part 86"), to the end that, in accordance with Title IX and Part 86, no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any education program or activity for which the Applicant receives or benefits from Federal financial assistance from the Department. (This assurance does not apply to sections 904 (proscribing denial of admission to course of study on the basis of blindness) and 906 (amending other laws) of Title IX, 20, U.S.C. 1684 and 1686.)

2. Assure itself that all contractors, subcontractors, subgrantees or others with whom it arranges to provide services or benefits to its students or employees in connection with its education program or activity are not discriminating on the basis of sex against these students or employees.

3. Make no transfer or other conveyance of title to any real or personal property which was purchased or improved with the aid of Federal financial assistance covered by this assurance, and which is to continue to be used for an education program or activity and where the Federal share of the fair market value of such property has not been refunded or otherwise properly accounted for to the Federal government, without securing from the transferee an assurance of compliance with Title IX and Part 86 satisfactory to the Director and submitting such assurance to the Department.

4. Submit a revised assurance within 30 days after any information contained in this assurance becomes inaccurate.

5. If the Applicant is a state education agency, submit reports in a manner prescribed by the Director under 45 C.F.R. 80.6(b) as to the compliance with Title IX and Part 86 of local education agencies or other education programs or activities within its jurisdiction.

ARTICLE IV-DESIGNATION OF RESPONSIBLE EMPLOYEE AND ADOPTION OF GRIEVANCE PROCEDURES. (Check the appropriate box.)

A. 1. () Pursuant to 45 C.F.R. 86.8, the Applicant has adopted grievance procedures and designated the following employee to coordinate its efforts to comply with Part 86 and has notified all of its students and employees of these grievance procedures and the following name, address and telephone number of the designated employee:

2. Maria Lopez
(name of employee)

3. 1950 Bandera San Antonio, Tx. 78228
(office address)

4. 210-431-9881
(telephone number)

B. 1. () The Applicant is not presently receiving Federal financial assistance subject to Part 86 and, consequently, has not designated a responsible employee or adopted grievance procedures pursuant to 45 C.F.R. 86.8 but will do so immediately upon award of such assistance and will immediately notify the Director, its students and employees of the name, office address, and telephone number of the employee so designated.

ARTICLE V - SELF-EVALUATION. (Check the appropriate box.)

A. () The Applicant has completed a self-evaluation as required by 45 C.F.R. 86.3(c) and has not found it necessary to modify any of its policies and practices or to take any remedial steps to come into compliance with Part 86.

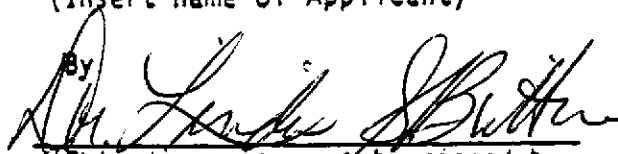
B. () The Applicant has completed a self-evaluation as required by 45 C.F.R. 86.3(c) and has ceased to carry out any policies and practices which do not or may not meet the requirements of Part 86 and is taking any necessary remedial steps to eliminate the effects of any discrimination which resulted or may have resulted from adherence to such policies and practices.

C. () The Applicant has not completed the self-evaluation required by 45 C.F.R. 86.3(c) but expects to have it completed by _____
insert date

D. (xx) The Applicant is not required to conduct a self-evaluation under 45 C.F.R. 86.3 since it did not receive any Federal financial assistance to which Part 86 applies prior to July 21, 1976.

Date: 8-5-98

School of Excellence in Educ.
(Insert name of Applicant)

By 

(This document must be signed by an official legally authorized to contractually bind the Applicant.)

Superintendent

(Insert title of authorized official.)

File School of Excellence
N700 Amendment
NOV 15 2000

INITIAL REPORT
OF
BENEFITS OR CAMPAIGN CONTRIBUTIONS CONFERRED
ON
MEMBERS OF OR CANDIDATES FOR THE STATE BOARD OF EDUCATION
For the period May 12, 2000, to the present

CHARTER SCHOOL:

Individual making report:

Dr. Linda S. Britton

Employer or Company represented:

School of Excellence in Education

Position:

Superintendent

Services rendered to SBOE or contract, grant, or charter issued by SBOE:

No contributions made to anyone.

Transaction 1.

DATE: _____ AMOUNT: _____

NAME OF PERSON(S) RECEIVING BENEFIT OR CONTRIBUTION:

DETAILED DESCRIPTION OF EXPENDITURE:

Transaction 2.

DATE: _____ AMOUNT: _____

NAME OF PERSON(S) RECEIVING BENEFIT OR CONTRIBUTION:

DETAILED DESCRIPTION OF EXPENDITURE:

Transaction 3.

DATE: _____ AMOUNT: _____

NAME OF PERSON(S) RECEIVING BENEFIT OR CONTRIBUTION:

DETAILED DESCRIPTION OF EXPENDITURE: _____



School of Excellence in Education
1950 Bandera Road
San Antonio, Texas 78228



HAPPY
"WHO-LIDAYS"
from the
U.S. Postal Service

130
OCT

Ann

Dr. Susan Barnes, Director
Charter Schools
1701 N Congress Ave

Austin, Texas 78701-1494

RECEIVED

78701+1494





TEXAS EDUCATION AGENCY

1701 NORTH CONGRESS AVENUE * AUSTIN, TEXAS 78701-1494 * 512/463-9734 * FAX: 512/463-9838

MIKE MOSES
COMMISSIONER OF EDUCATION

URGENT MEMO

TO: *Dr. Linda S. Britton* DATE: February 17, 1998
School of Excellence in Education

FROM: Brooks Flemister *BF*
 Senior Director

After review of the open-enrollment charter school application submitted by your organization, staff at the Texas Education Agency has determined that your application is incomplete or proposes a policy or practice that is inconsistent with State or Federal laws. **Your application is not eligible for consideration by the State Board of Education until the following items (indicated by a check mark) are supplied to the Agency. Except as provided below, the items must be addressed in writing and submitted to the Agency no later than 5:00 p.m., Tuesday, February 24, 1998.** The items, other than those requiring an original signature, may be faxed to the attention of Brooks Flemister at (512) 463-9732. Items requiring an original signature may be delivered to the above address. Applicants who have not yet submitted a signed lease agreement, as described below, or evidence of ownership of a facility may submit such agreement or evidence no later than 5:00 p.m., Friday, February 27, 1998.

Please supply the following:

_____ Assurance that the proposed charter school will provide a curriculum designed to address the requirements of Section 28.002, including Texas Essential Knowledge and Skills.

_____ Assurance that the applicant has the ability to compile baseline performance data for students served by the proposed open-enrollment charter school on the assessment instruments adopted under Chapter 39, Subchapter B, including the Texas Assessment of Academic Skills.

_____ Evidence that the sponsoring entity of the proposed charter is an organization that is exempt from taxation under Section 501(c)(3), Internal Revenue Code or has applied for such status. Note that the sponsoring entity must itself be tax exempt or have applied for such status. It is not sufficient that the sponsoring entity belongs to or be associated with a tax-exempt organization.

_____ A copy of the last tax return filed by the sponsoring entity.

_____ A list of the board members of the sponsoring organization. The list must identify the officers of the sponsoring organization.

✓ _____ Evidence that a facility has been secured for use by the proposed charter school. If the school will be housed in a leased facility, the applicant must supply a copy of a lease agreement signed by the owner of the facility, the president or chair of the governing body of the proposed open-enrollment charter school (if members of the governing body have been identified), and the chief operating officer of the proposed charter. Note that the agreement may be structured as an option to lease the facility upon award of a charter. Any agreement provided must, however, be enforceable. It must contain all essential terms of a lease agreement, including the location of the property, the rental amount, and the term of the lease (i.e., number of months or years.) If the charter school will be housed in a building owned by the sponsoring entity, the applicant must provide an enforceable agreement between the owner and the chief operating officer of the proposed charter providing for use of the facility by the school.

_____ Evidence of parent/community support.

_____ Four complete copies of the Assurances provided in the application packet, each with an original signature.

✓ _____ A description of the geographical area to be served. Note that this description must be specific and definite. For example, descriptions such as "the southwest portion of the city," or the "greater metropolitan area" are insufficient. Acceptable descriptions include those defining the area in terms of city or county limits, street names, boundaries of school districts, or zip codes.

✓ _____ Clarification that the proposed charter school will admit and fully serve eligible students with disabilities or handicapping conditions. This clarification must include an assurance that the charter school will provide transportation to a disabled student when required by the student's Individual Education Plan. This clarification must also include an assurance that certified teaching personnel would be employed when required by law.

✓ _____ Clarification that the admission policy of the proposed charter school will not discriminate on the basis of sex, national origin, ethnicity, religion, disability, academic or athletic ability, or the district the child would otherwise attend in accordance with the Texas Education Code.

___ Clarification that the policies of the proposed charter school will not provide for segregation or discrimination on the basis of sex except where required or allowed by federal law. (Title IX applies to open-enrollment charters)

___ Assurance that the admission policy of the proposed charter will not condition admission into the charter school on the promise of a student or parent that the student will meet certain attendance requirements.

___ Assurance that the admission policy of the proposed charter school will not favor students currently attending a predecessor or affiliated school. In other words, once a school or organization receives an open-enrollment charter, it may not give preference to students affiliated with the school or organization prior to the grant of the charter. A charter school may in its second year, however, give enrollment priority to students and siblings of students who attended the school in its first year of operation as a charter school.

___ Assurance that the proposed charter school will not withhold student records in violation of state or federal law.

___ Assurance that the proposed charter school will not charge tuition or impermissible fees, including fees charged as penalties for the failure of a student or parent to comply with the school's requirements.

___ Assurance none of the members of the governing body, personnel, or students of the proposed charter school will be required to subscribe to particular religious beliefs or belong to a particular church or denomination.

___ Clarification that the applicant assures compliance with the Texas Open Meetings Act and the Texas Public Information Act. Note that in some instances the applicant will be required to delete or revise statements in the application that are inconsistent with these acts.

___ Clarification that students will be provided due process prior to expulsion.

___ Completed application form (provided by TEA in application packet).

___ Assurance that the governing body of the sponsoring entity will retain authority to ensure that the policies and operation of the school comply with all applicable laws and requirements of the charter contract.

Texas Education Agency Review
Of
Applications for Approval of Open-Enrollment Charter Schools

Name of Proposed Charter School:

School of Excellence in Education

Checklist of requirements:

Four copies of application

^{at least 1} Four original signatures on Assurances

Evidence of parental/community support

Evidence of facility agreement

IRS application

Programmatic Review:

Curriculum based on TEKS

TAAS exam used + other standardized tests

4-MAT, Levin's Accelerated Schools Project

Core Knowledge (Ferd. Harsch)

W. Havens & notes

Reviewer/date

Legal Review:

① Boundaries not specific enough

② Clarify that charter will not discriminate on basis of academic ability

③ Facility - Need binding agreement

CM 2-12-98

④ Clarify will provide transportation for special ed. students when required

Reviewer/date

Financial Review:

Junction 11 appears to be too low.

The applicant should anticipate

some costs associated with Junction

31 (Guidance and counseling)

Reviewer/date

CONTRACT FOR CHARTER

This contract is executed the 29 day of MAY 1998 between the Texas State Board of Education (the "Board") and School of Excellence In Education ("Charterholder") for an open-enrollment charter to operate a Texas public school.

General

1. Definitions. As used in this contract:
 "Charter" means the open-enrollment charter, as provided by Subchapter D, Chapter 12, Texas Education Code (TEC), granted by this contract.
 "Charter school" means the open-enrollment charter school. Charterholder agrees to operate as provided in this contract. The charter school is a Texas public school.
 "Agency" means the Texas Education Agency.

2. The Charter. This contract grants to Charterholder an open-enrollment charter under Subchapter D, Chapter 12, TEC. The terms of the charter include: (a) this contract; (b) applicable law; (c) Request for Application #701-97-028; (d) any condition, amendment, modification, revision or other change to the charter adopted or ratified by the Board and (e) all statements, assurances, commitments and representations made by Charterholder in its application for charter, attachments or related documents, to the extent consistent with (a) through (d).

3. Authority Granted by Charter. The charter authorizes Charterholder to operate a charter school subject to the terms of the charter. Action inconsistent with the terms of the charter shall constitute a material violation of the charter.

4. Alienation of Charter. The charter may not be assigned, encumbered, pledged or in any way alienated for the benefit of creditors or otherwise. Charterholder may not delegate, assign, subcontract or otherwise alienate any of its rights or responsibilities under the charter. Any attempt to do so shall be null and void and of no force or effect; provided, however, that Charterholder may contract at fair market value for services necessary to carry out policies adopted by Charterholder or the governing body of the charter school.

5. Term of Charter. The charter shall be in effect from August 1, 1998 through July 31, 2003, unless renewed or terminated.

6. Renewal of Charter. On timely application by Charterholder in a manner prescribed by the Board, the charter may be renewed for an additional period determined by the Board. The charter may be renewed only by

7. Revision by Agreement. The terms of the charter may be revised with the consent of Charterholder by written amendment approved by vote of the Board. The commissioner of education ("the commissioner") may revise the charter on a provisional basis during an interim between Board meetings; however, such action shall expire unless ratified by the Board at its next regular meeting. Nothing in this paragraph limits the authority of the Board or the commissioner to act in accordance with other provisions of this contract.

Students

8. Open Enrollment. Admission and enrollment of students shall be open to any person who resides within the geographic boundaries stated in the charter and who is eligible for admission based on lawful criteria identified in the charter. Total enrollment shall not exceed 300 students. The charter school's admission policy shall prohibit discrimination on the basis of sex, national origin, ethnicity, religion, disability, academic or athletic ability, or the district the student would otherwise attend. Students who reside outside the geographic boundaries stated in the charter shall not be admitted to the charter school until all eligible applicants who reside within the boundaries have been enrolled.
9. Public Education Grant Students. Charterholder shall adopt an express policy providing for the admission of, and shall admit under such policy, students eligible for a public education grant under Subchapter G, Chapter 29, TEC.
10. Non-discrimination. The educational program of the charter school shall be nonsectarian, and shall not discriminate against any student or employee on the basis of race, creed, sex, national origin, religion, disability or need for special education services.
11. Children with Disabilities. The charter school is a "local educational agency" as defined by federal law. Charterholder must comply with the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §1401, et seq., and implementing regulations; Section 504 of the Rehabilitation Act of 1973 ("Section 504"), 29 U.S.C. §794, and implementing regulations; Title II of the Americans with Disabilities Act, 42 U.S.C. §12131-12165, and implementing regulations; Chapter 29, TEC, and implementing rules; and the many court cases applying these laws. For example:
 - (a) Child Find. Charterholder must adopt and implement policies and practices that affirmatively seek out, identify, locate, and evaluate children with disabilities enrolled in the charter school or contacting the charter school regarding enrollment, and must develop and implement a practical method to determine which children with disabilities are currently receiving needed special education and related services. For each

method to determine which children with disabilities are currently receiving needed special education and related services. For each eligible child, Charterholder must develop and offer an individualized education plan appropriate to the needs of that student.

- (b) Free Appropriate Public Education. Charterholder must provide a free appropriate public education to all children with disabilities otherwise eligible to enroll in the charter school. If the program, staff or facilities of the charter school are not capable of meeting the needs of a particular child, Charterholder must implement changes necessary to accommodate the child at the charter school. If reasonable accommodations would be insufficient to enable the child to benefit from the charter school's program, Charterholder must, at its own expense, place the child at an appropriate school.
- (c) Services to Expelled Students. Charterholder must continue to provide a free appropriate public education to a child with disabilities even after expelling or suspending the child for valid disciplinary reasons. This obligation to serve the child continues until the end of the school year.
- (d) Monitoring. The charter school's implementation of the laws governing education of children with disabilities will be monitored for compliance by the United States Department of Education, Office of Special Education Programs; the United States Department of Education, Office of Civil Rights; the Texas Education Agency; and others. This monitoring activity includes responding to complaints, random on-site inspections and other investigations by the enforcing agencies, and will result in corrective actions imposed on Charterholder by these agencies for all discrepancies found.
- (e) Due Process Hearings. The charter school's implementation of the laws governing education of children with disabilities will, in addition, be subject to court supervision via litigation against Charterholder brought by individuals affected by the actions of the charter school. The cost of this litigation can be substantial.

Notice: These are only a few of the charter school's legal responsibilities in this area, included here for illustrative purposes only.

- 12. Student Performance and Accountability. Charterholder shall satisfy Subchapters B, C, D, and G of Chapter 39 of the TEC, and related agency rules, as well as the student performance accountability criteria stated in its application for charter. Charterholder shall annually provide in a manner and form defined by the commissioner a written evaluation of the charter school's compliance with the statements, assurances, commitments and representations made by Charterholder in its application for a charter, attachments, and related documents.
- 13. Criminal History. Charterholder shall take prompt and appropriate measures if Charterholder or the charter school, or any of their employees or agents, obtains information that an employee or volunteer

of the charter school has a reported criminal history that bears directly on the duties and responsibilities of the employee or volunteer at the school. Charterholder further represents that the Board and the agency shall be notified immediately of such information and the measures taken.

14. Reporting Child Abuse or Neglect. Charterholder shall adopt and disseminate to all charter school staff and volunteers a policy governing child abuse reports required by Chapter 261, Texas Family Code. The policy shall state that no employee, volunteer or agent of Charterholder or the charter school can be required to report child abuse or neglect to Charterholder or the charter school. Rather, such reports must be made directly by the person suspecting child abuse or neglect to an appropriate entity listed in Chapter 261, Texas Family Code.
15. Notice to District. Charterholder shall notify the school district in which the student resides within three business days of any action expelling or withdrawing a student from the charter school.
16. School Year. Charterholder shall adopt a school year with fixed beginning and ending dates.

Financial Management

17. Fiscal Year. Charterholder shall adopt a fiscal year beginning September 1 and ending August 31.
18. Financial Accounting. Charterholder shall comply fully with generally accepted accounting principles ("GAAP") and the Financial Accountability System Resource Guide, Bulletin 679 or its successor ("Bulletin 679") published by the agency in the management and operation of the charter school.
19. Annual Audit. Charterholder shall at its own expense have the financial and programmatic operations of the charter school audited annually by a certified public accountant holding a permit from the Texas State Board of Public Accountancy. Charterholder shall file a copy of the annual audit report, approved by Charterholder, with the agency not later than the 120th day after the end of the fiscal year for which the audit was made. The audit must comply with Generally Accepted Auditing Standards and must include an audit of the accuracy of the fiscal information provided by the charter school through PEIMS. Financial statements in the audit must comply with Government Auditing Standards and the Office of Management and Budget Circular 133.
20. Attendance Accounting. To the extent required by the commissioner, Charterholder shall comply with the "Student Attendance Accounting Handbook" published by the Agency; provided, however, that

Charterholder shall report attendance data to the agency at six-week intervals or as directed by the agency.

21. Foundation School Program. Funds distributed to the charter school under Section 12.106, TEC shall be calculated and distributed by the agency at six-week intervals. Distribution of funds to the charter school is contingent upon charterholder's compliance with the terms of the charter. Charterholder is ineligible to receive Foundation School Program funds prior to September 1, 1998. Within 30 days of receiving notice of overallocation and request for refund under Section 42.258, TEC, Charterholder shall transmit to the agency an amount equal to the requested refund. If Charterholder fails to make the requested refund, the agency may recover the overallocation by any means permitted by law, including but not limited to the process set forth in Section 42.258, TEC.
22. Tuition and Fees. Charterholder shall not charge tuition and shall not charge a fee except that it may charge a fee listed in Subsection 11.158(a), TEC.
23. Assets of Charter. Charterholder shall not apply, hold, credit, transfer or otherwise make use of funds, assets or resources of the charter school for any purpose other than operation of the charter school described in the charter.
24. Indebtedness of Charter. Charterholder shall not incur a debt, secure an obligation, extend credit, or otherwise make use of the credit or assets of the charter school for any purpose other than operation of the charter school described in the charter.
25. Interested Transactions. All financial transactions between the charter school and (a) Charterholder; (b) an officer, director, or employee of Charterholder or of the charter school; or (c) a person or entity having partial or complete control over Charterholder or the charter school shall be separately and clearly reflected in the accounting, auditing, budgeting, reporting, and record keeping systems of the charter school. Charterholder shall not transfer any asset of the charter or incur any debt except in return for goods or services provided for the benefit of the charter school at fair market value.
26. Non-Charter Activities. Charterholder shall keep separate and distinct accounting, auditing, budgeting, reporting, and record keeping systems for the management and operation of the charter school. Any business activities of Charterholder not directly related to the management and operation of the charter school shall be kept in separate and distinct accounting, auditing, budgeting, reporting, and record keeping systems from those reflecting activities under the charter. Any commingling of charter and non-charter business in these systems shall be a material violation of the charter.

Governance and Operations

27. Non-Profit Status. Charterholder shall take and refrain from all acts necessary to be and remain in good standing as an organization exempt from taxation under Section 501(c)(3), Internal Revenue Code. If Charterholder is incorporated, it shall in addition comply with all applicable laws governing its corporate status. Failure to comply with this paragraph is a material violation of the charter, and the Board may act on the violation even if the Internal Revenue Service, Secretary of State, or other body with jurisdiction has failed to act.
28. Records Retention and Management. Charterholder shall implement a records management system that conforms to the system required of school districts under the Local Government Records Act, Section 201.001 et seq., Local Government Code, and rules adopted thereunder; provided, however, that records subject to audit shall be retained and available for audit for a period of not less than five (5) years from the latter of the date of termination or renewal of the charter.
29. PEIMS Reporting. Charterholder shall report timely and accurate information to the Public Education Information Management System (PEIMS), as required by the commissioner.
30. Conflict of Interest. Charterholder shall comply with any applicable prohibition, restriction or requirement relating to conflicts of interest. If an officer or board member of Charterholder or of the charter school has a substantial interest, within the meaning of Chapter 171, Local Government Code, in a transaction, such interest shall be disclosed in public session at a duly called meeting of the governing body prior to any action on the transaction.
31. Disclosure of Campaign Contributions. Charterholder shall adopt policies that will ensure compliance with the disclosure requirements of State Board of Education Operating Rule 4.3 or its successor.
32. Indemnification. Charterholder shall hold the Board and agency harmless from and shall indemnify the Board and agency against any and all claims, demands, and causes of action of whatever kind or nature asserted by any third party and occurring or in any way incident to, arising out of, or in connection with wrongful acts of Charterholder, its agents, employees, and subcontractors.
33. Failure to Operate. Charterholder shall operate the charter school for the full school term as described in the charter application in each year of the charter contract. Charterholder may not suspend operation for longer than 21 days without a revision to its charter, adopted by the Board, stating that the charter school is dormant and setting forth the date on which operations shall resume and any applicable conditions.

Suspension of operations in violation of this paragraph shall constitute abandonment of this contract and of the charter.

34. Charter School Facility. Charterholder shall have and maintain throughout the term of the charter a lease agreement, title or other legal instrument granting to Charterholder the right to occupy and use one or more facilities suitable for use as the charter school facilities described by the charter. During any period of dormancy granted by the Board, this requirement may be waived by the Board.

Enforcement

35. Agency Investigations. The commissioner may in his sound discretion direct the agency to conduct investigations of the charter school to determine compliance with the terms of the charter or as authorized in Sections 39.074 and 39.075, Subchapter D, Chapter 39, TEC or other law. Charterholder, its employees and agents shall fully cooperate with such investigations. Failure to timely comply with reasonable requests for access to sites, personnel, documents or things is a material violation of the charter.
36. Commissioner Authority. The commissioner in his sole discretion may take any action authorized by Section 39.131, TEC or Chapter 29, TEC relating to the charter school. Such action is not "adverse action" as used in this contract. Charterholder, its employees and agents shall fully cooperate with such actions. Failure to timely comply with any action authorized by Section 39.131, TEC or Chapter 29, TEC is a material violation of the charter.
37. Adverse Action. The Board in its sole discretion may modify, place on probation, revoke or deny timely renewal of the charter for cause ("adverse action"). Each of the following shall be cause for adverse action on the charter: (a) any material violation of the terms of the charter listed in paragraph 2; (b) failure to satisfy generally accepted accounting standards of fiscal management; or (c) failure to comply with an applicable law or rule.

This Agreement

38. Entire Agreement. This contract, including all referenced attachments and terms incorporated by reference, contains the entire agreement of the parties. All prior representations, understandings and discussions are merged into, superseded by and canceled by this contract.

39. Severability. If any provision of this contract is determined by a court or other tribunal to be unenforceable or invalid for any reason, the remainder of the contract shall remain in full force and effect, so as to give effect to the intent of the parties to the extent valid and enforceable.
40. Conditions of Contract. Execution of this contract by the Board is conditioned on full and timely compliance by Charterholder with: (a) the terms, required assurances and conditions of Request for Application #701-97-028; (b) applicable law; and (c) all commitments and representations made in Charterholder's application and any supporting documents (to the extent such commitments and representations are consistent with the terms of this contract).
41. No Waiver of Breach. No assent, express or implied, to any breach of any of the covenants or agreements herein shall waive any succeeding or other breach.
42. Venue. Any suit arising under this contract shall be brought in Travis County, Texas.
43. Governing Law. In any suit arising under this contract, Texas law shall apply.
44. Authority. By executing this contract, Charterholder represents that it is an "eligible entity" within the meaning of Section 12.101 (a), TEC. Charterholder shall immediately notify the Board of any legal change in its status which would disqualify it from holding the charter, of any violation of the terms and conditions of this contract, or of any change in the chief operating officer of the charter school or Charterholder. Charterholder further represents that the person signing this contract has been properly delegated authority to do so.

Entered into this 29 day of May, 1998.

Texas State Board of Education

Charterholder

Jack Christie
By Dr. Jack Christie
Chairman

School of Excellence In Education

By Linda S. Britton

Linda Britton
Typed Name