

TxDOT GEN-001

**Application for an Open-Enrollment Charter School - Seventh Generation  
Coversheet, page 1 of 2**

2001 FEB 15 AM 10:58

Type: <input checked="" type="checkbox"/> Open Enrollment	<input type="checkbox"/> DOCUMENT "75% Rule" <input checked="" type="checkbox"/>
(check ONLY one)	

Date of Submission:  
Thursday, February 15, 2001  
5:00 P.M. Central Time

Name of Proposed School: Vanguard AcademyMaximum Grade Levels to be served: PK-12Estimated 1st Year Enrollment 150 Max Enrollment 500Name of Sponsoring Entity: Vanguard Academy

Check one:  501 (c)(3) nonprofit organization  
 Governmental Entity  
 College or University

SBOE District: 9  
 ESC: 1  
 Opening Date: August 2001

Chairperson of Board of Sponsoring Entity: J. M. PerezChief Executive Officer of Sponsoring Entity: J. M. PerezChief Executive Officer of School: Robert L. OlivarezApplicant Mailing Address: P. O. Box 730, Pharr, Texas 78577

Physical Address of Proposed Administrative Offices:  
400 South "I" Road, Pharr, Texas 78577 (if different from above)

Contact Phone # 956.787.1737 Fax # 956.787.5369Contact Email Address: [REDACTED]

List below the physical address of the main school campus and any proposed satellite campus:

Main Campus 400 South "I" Road, Pharr, Texas 78577Satellite Campus None at this time

If necessary, attach additional satellite information.

Will the school require all teachers to be certified? NoWill the school require that all teachers be degreed with at least a bachelor's degree? YesWill the school allow an individual to serve as a paid employee of the School as well as a member of the governing board? YesWill the school allow members of the same family to serve on the governing board? NoWill the school require the business manager to be certified? NoWill the school require the accounting and/or business office personnel to be degreed with at least a bachelor's degree? Yes

00001

**Application for an Open-Enrollment Vanguard Academy- Seventh Generation  
Coversheet, page 2 of 2**

Has any member of the governing board or any professional person to be employed by the school-

No    Been convicted of a felony?      If YES to any of these areas,  
No    Been convicted of a misdemeanor? the applicant must give full  
No    Been involved in bankruptcy? disclosure and list all instances completely as required in other portions of the application.

**State law forbids someone convicted of a felony or misdemeanor involving moral turpitude from serving as an officer or member of the governing body of an open-enrollment Vanguard Academy.**

**Has the Sponsoring Entity been involved in**

No  Litigation?      No  Sanctions from any state regulatory agency?

If YES, explain completely as required in other portions of the application.

If the Sponsoring Entity already holds charters, have these charters been timely and accurate in reporting

N/A PEIMS information?  N/A annual audit?

N/A Participating in required annual evaluation?

I certify that I have the authority as the Chief Executive Officer of the Sponsoring Entity designated above to make application for an open-enrollment Vanguard Academy. I further certify all information contained in this application is complete and accurate, realizing that any misrepresentation could result in disqualification from the charter application process or revocation after award. I authorize the Texas Education Agency to investigate the references listed in this application.

**Signature of Chief Executive Officer Of Sponsoring Entity/date**

Signature of Application Preparer Was this person paid Yes  No

(BLUE INK)

02/13/01

(BLUE INK)

02/02/04

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**1. Evidence of eligibility of Sponsoring Entity (Reviewed by Agency)****Statement describing Sponsoring Entity**

The originating members of the sponsoring entity, **Vanguard Academy**, are all devoted educators who share a vision that they can make a difference in the lives of young people. We began by swapping stories about young people we knew or had read about. Some good, some bad, some heart rendering.

**Vanguard Academy**, located at 400 South "I" Road, Pharr, Texas 78577, is an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. Section 501(c)(3)). As a 501(c)(3) nonprofit organization, Vanguard Academy is eligible to sponsor this application. The organization was incorporated on September 19, 2000.

**501c3 determination letter from IRS or evidence of application for 501(c)(3) status**

501(c)(3) determination letter from IRS or evidence of application for 501(c)(3) status (See **ATTACHMENT 1** on page 119.)

**Articles of incorporation of Sponsoring Entity (Include as **ATTACHMENT 2**.)**

Articles of incorporation of Vanguard Academy (See **ATTACHMENT 2** on page 120.)

**Bylaws of Sponsoring Entity (Include as **ATTACHMENT 3**.)**

Bylaws of Vanguard Academy (See **ATTACHMENT 3** on page 127.)

**Biographical Affidavits for each member of the governing Board of the Sponsoring Entity**

Biographical Affidavits for each member of the governing board of the Vanguard Academy (See **ATTACHMENT 4** on page 131.)

**History of Sponsoring Entity**

*Vanguard Academy* was organized in October 19, 1999, at which time Jose M. Perez was voted to Chief Executive Officer of the organization. On April 4, 2000 Robert L. Olivarez was voted to Superintendent of the organization. The original organization consisted of eleven members meeting at 400 S. "I" Road, Pharr, Texas 78577. The first official meeting was held on April 21, 2000 at Templo Bethel A/G Church located at 400 S. "I" Road, Pharr, Texas 78577.

The 501(c)(3) Board of Vanguard Academy is composed of founders who are committed to public education and who believe the Charter School will benefit the children and parents who seek academic excellence in Pharr and the state of Texas. The board is composed of a combination of ethnically diverse, educators, students, and local successful business executives.

**Financial history of the entity**

Vanguard Academy is a new organization with no financial history to date.

**Credit report (Include as ATTACHMENT 5.)**

Vanguard Academy is a new organization with no credit history to date.

**Most recent IRS filing (Include as ATTACHMENT 6.)**

Vanguard Academy is a new organization and has not filed with the IRS.

**Disclosure of any liens**

Vanguard Academy has no existing liens.

**Litigation History**

Vanguard Academy has no litigation history.

**Sanctions from any state regulatory agency**

No sanctions have been issued for this organization.

**2. Governance of Sponsoring Entity (Reviewed by Agency)**

**Profile of the Founding Board and/or Initial Incorporators of the Sponsoring Entity**

Vanguard Academy is governed by a single Board comprised of three members that reflect the diverse ethnic composition of the community served by the organization. The Board governs the fiscal, educational, and staffing leadership for Vanguard Academy. The organizing group for the proposed Vanguard Academy is the same as the initial incorporators of Vanguard Academy.

With respect to Vanguard Academy, the Board of Vanguard Academy will hire the Superintendent of the Vanguard Academy and will be directly involved in evaluating the Superintendent's performance based on criteria established by the Board. In addition, the Vanguard Academy Board will review hiring and discharging

recommendations for faculty that may be made by the Superintendent. The Vanguard Academy's Mission Statement presented in this application was developed, reviewed and approved by the executive members of the Board of Trustees of Vanguard Academy and the Board's Advisory Committee.

The Board has established an Advisory Committee to provide input needed to guide decisions related to formation and implementation of the Charter. Members of the Advisory Committee reflect the ethnic composition of the community along with the needs and concerns of the community.

Vanguard Academy maintains liability insurance for the Board and its administrators and will comply with the Texas Education Code Chapters 551 and 552, the Open Meetings Act and the Open Records Act. Ms. Carol Thorne of Essential Support Services located in Plano, Texas will provide required Board training along with Region X ESC.

**Describe the organizing group of initial incorporators who are working together to apply for a charter, including the names of the organizers, their backgrounds and experiences and three references for each.**

When Vanguard Academy was initially founded in 2000, it formed a Board of Directors to ensure accountability of the organization. The members serving on the Vanguard Academy Board are the same as those serving on the School's Board of Trustees. (See below.)

In forming the VANGUARD Academy, a group of interested individuals led by Mr. J.M. Perez, CEO for Vanguard Academy, focused their efforts on developing the VANGUARD Academy. J.M. Perez, and the following individuals have worked together, and will continue to work together, to create a model public school that actively involves children in academic learning.

Mr. J. M. Perez, CEO of the Board of Vanguard Academy

**PROFILE FOR: JOSE (J.M.) PEREZ**

**FOUNDING BOARD MEMBER AND INITIAL INCORPORATOR**

**BIOGRAPHICAL DATA**

Name: Jose (J.M.) Perez  
Birthdate: [REDACTED]  
Marital Status: Delilah L.  
Children: Jason (23), Lesli (20)

My primary and secondary education was completed in Holland, Michigan where I graduated from Holland High School in 1973. I have attended Latin American Bible Institute in El Paso, TX, Grand Valley State University in Michigan, and Southwestern Assemblies of God University in Waxahachie, TX. I graduated from Southwestern Assemblies of God University in 1990 with a BA degree in Christian Education and also in Pastoral Ministries.

My employment history is quite varied, though for the last 25 years I have been involved in some form of pastoral care. I have worked for the U.S. Postal Service as a mail carrier (1980-84); I worked for Ottawa County Migrant Program in Holland, MI as a teacher for migrant students and taught E.S.L. in the High School (1974-76). I was appointed member of President Ronald Reagan's Task Force on Aging. For 3 1/2 years, I was the President of Latin American Bible Institute in San Antonio, TX (1992-96).

I am an ordained minister with the Assemblies of God and currently the Senior Pastor at Templo Bethel in Pharr, TX. I have had the privilege of ministry to the congregation of Templo Bethel for over 8 years.

The dream and desire to open a school has been a work in progress for about 15 years. The vision has developed from my predecessors up to the present time. Several options were explored and evaluated, and the decision was made that the best education could be offered by means of a Charter School. The purchase of 10 additional acres has been secured and the engineer plans have been drawn up to house the continued growth of not only Templo Bethel and its ministries, but also Vanguard Academy (charter school).

There is no substitute for a sound education, and we at Vanguard Academy are dedicated to bringing the best educational environment, the best faculty and tools to provide the best education to this community.

#### References for Mr. J.M. Perez:

Bernadino P. Espinoza, Jr. P.O. Box 388 Crystal City, TX 78839 (830) 374-5452	Samuel P. Molina 5330 Timberhurst San Antonio, TX 78250 (210) 681-8156	A.O. Martinez 10822 FM 1560 San Antonio, TX 78254 (210) 688-9247
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#### Mr. Robert L. Olivarez, Vice Chair of Vanguard Academy

#### Profile of Founding Board Member and Initial Incorporator:

Name: Robert Lee Olivarez

At present I am working as Associate Pastor, together with Rev. J.M. Perez and Rev. Ricardo Reyes, with enthusiasm and excitement meeting the challenge of starting Vanguard Academy. I resigned from State Farm Insurance, July 31, 2000. I began my

own business in 1988, building the business with one client at a time, to a successful business. Whereby I own my own commercial building and employed three full time staff. In my years with this company I have received numerous awards in sales, as well as accomplishing many trips, including to Rome, Italy and Paris, France. As President of my own corporation, I administrate a million dollars plus revenue annually.

From 1982 to 1988 my employment was with the Bridgeport/Spaulding Community School District. Under the Bilingual Program I worked as a school counselor for grades K-12. My position was designed to prevent the increasing High School dropout rate, increase grade point averages, and advise and direct Hispanics toward colleges. Duties involved numerous field trips to Colleges, Universities, local General Motor's plants, as well as family and student counseling.

From 1978 to 1982 my employment was with the Saginaw Public School District. The duties as a Bilingual Coordinator were designed to develop curriculum objectives, and activities for grades K-6. Other duties involved coordinating with the school principals, teachers from three to four elementary schools.

From 1978 to 1980 I also was employed by a Division of General Motors; Saginaw Steering Gear. Employed as a production worker.

My undergraduate work was done at Southwestern A/G University. I obtained a Bachelor of Science Degree (1978), with a Major in Christian Education and a Minor in Bible/Theology. My graduate work was done at Saginaw Valley State University where I obtained a Master of Arts Degree (1982), in Educational Supervision and Administration. Continued undergraduate work at Eastern Michigan University where I obtained a Teaching Certificate with a Major in Industrial Arts and a Minor in Vocational Education with an endorsement in Guidance Counselor, K-12 (1986). I continued graduate work at Easter Michigan University where I obtained a Master of Arts degree (1985) in Counseling.

I am forty-seven years old, married for twenty-eight years with two adult children [REDACTED]. My wife and I lived in Michigan for forty-seven years with the exception of four years of college. "A purpose in life, a reason for learning," has always been my theme for education, and for this reason I desire to return to this career. I have fulfillment when I am a part of helping others find their way in life and becoming successful. Therefore, it's an honor to accept this challenge, and to be part of establishing Vanguard Academy.

References for Mr. Robert Olivarez:

John D. Sanchez, CEO State Farm Insurance 4800 Fashion Square Blvd. Saginaw, Michigan 78604 (517) 792-9503	Salvador Flores, Director Mid-Michigan Teen Challenge P.O. Box 1020 Saginaw, Michigan 48606 (517) 249-8818	Ricardo Medina, Superintendent Bridgeport-Spaulding School District 1944 Iowa Saginaw, Michigan 48601 (517) 777-0440
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Mr. Ricardo Reyes., Additional Member of Vanguard Academy

**Profile of Founding Board Member and Initial Incorporator:**

Name: Ricardo Reyes

I am forty years old, married for nineteen years and the father of [REDACTED]. I have lived in the Rio Grande Valley for most of my life, with the exception of the four years that I lived in the San Antonio area.

I graduated from Rio Hondo High School in 1978. I enrolled at Sam Houston State University and graduated in 1982 with a B.Sc. Degree and my certification to teach Agricultural Science. Upon graduation, I became employed by the Donna I.S.D. I taught Agricultural Science, Agricultural Co-op and Horticulture. I also had an endorsement for Special Education Horticultural classes. I worked at Donna I.S.D. from 1982-1990.

I studied at Bethel Bible Institute from 1987-1990 and received my diploma and subsequently my minister's license to preach. I took my first pastorate in October of 1990 in Yoakum, Texas. I pastured there for four years. I later moved to San Antonio and taught at Latin American Bible Institute from 1994 to 1997. Most recently, I have been on staff at Templo Bethel since 1997.

Currently, I am working together with Rev. J.M. Perez and Rev. Robert Olivarez to organize a charter school. My involvement has been to look into the need for a charter school in the community and also trying to determine a specific need that could be addressed by a school like this. One of the many needs discovered is the vast number of students needing instruction with English as a Secondary Language.

**References for Mr. Ricardo Reyes:**

Richard F. Garza (210) 432-1854 3118 Maribelle San Antonio, Texas 78228	Gonzalo Cabello (361) 851-0372 4917 Moravian Corpus Christi, Texas 78415	Toribio Garza (956) 748-2477 P.O. Box 1078 Rio Hondo, Texas 78583
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**Describe what role each person will play and why he/she has chosen to support the application.**

Each member of the organizing group of initial incorporators who are working together to apply for a new charter for VANGUARD Academy has performed essential roles and duties in planning and organizing the new VANGUARD Academy. They have performed roles and duties related to visionary leadership, guidance and

direction in the early stages of planning the new VANGUARD Academy, and advocacy for the success of the new school. Some of their more important roles and duties include:

A VISIONARY ROLE that includes a duty to:

- promote the educational welfare of all children
- ensure creation and maintenance of a shared vision that promotes enhanced student achievement
- adopt a shared vision based on community beliefs to guide local education
- ensure that the vision of VANGUARD Academy reflects the present and future needs of the children and communities served by these schools

A GUIDANCE AND DIRECTION role that includes a duty to:

- provide guidance and direction to VANGUARD Academy in accomplishing its organizational vision.
- recognize and understand the respective roles of the legislature, the State Board of Education, the Texas Education Agency, and the local Boards in the governance of VANGUARD Academy.
- adopt a planning and decision making process consistent with state statute that uses participation, information, research, and evaluation to help achieve vision of the proposed VANGUARD Academy.
- ensure the planning and decision making process engaged in by Vanguard Academy enables all segments of the community, parents, and professional staff to contribute meaningfully to achieving the mission of the proposed VANGUARD Academy.

An ADVOCACY ROLE that includes a duty to:

- generally promote the Vanguard Academy organizational mission within communities served by school campuses operated by Vanguard Academy
- help build partnerships with community, business, and governmental leaders to influence and expand educational opportunities and meet the needs of students
- support children by establishing partnerships between VANGUARD Academy, parents, business leaders, and other community members as an integral part of the VANGUARD Academy's educational program
- promote School Board service as a meaningful way to make long-term contributions to the local community and society

Describe the following as it pertains to the sponsoring entity,  
Vanguard Academy:

The officer positions designated

The organizational chart found in ATTACHMENT 17 shows the relationship of the Board and the school for the new charter school. A description of each officer position is provided below.

Jose M. Perez of the Board of Trustees of Vanguard Academy--The responsibilities of the President of the Vanguard Academy Board shall be all inclusive. The Chair is responsible to the parents and to the State for the safety and well being of all children and employees of the VANGUARD Academy. The Chair leads other Board members in selecting, evaluating and rehiring or replacing the chief operation officer and Superintendent of the VANGUARD Academy. The Chair, with the assistance of the Superintendent and Board committee members sets the monthly Board meeting agenda items. The Chair conducts the Board meetings so that all parties involved in the VANGUARD Academy are given a fair opportunity to present their concerns.

Robert L. Olivarez of the Board of Trustees of Vanguard Academy - The Co-Chair shall have such powers and perform such duties as from time to time may be prescribed by the charter of Vanguard Academy or the Chair of the Vanguard Academy. In the absence of or disability of the Chair, the Co-Chair shall perform all the duties of the Chair, pending action by the Board. While so acting, the Co-Chair shall have the powers of, and be subject to all the restrictions on, the Chair.

Secretary—The Secretary shall see that all notices are duly given as required by law or by the Vanguard Academy charter. The Secretary will act as custodian of the minutes of the Vanguard Academy Board's meetings, its official record book, its other records, and any seal which it may adopt. In general, the Secretary will perform all duties incident to the office of Secretary, and such other duties that may be required by the Vanguard Academy charter.

Treasurer--The Treasurer shall have charge and custody of and be responsible for all funds and securities of the Vanguard Academy, including those funds in banks, trust companies, or other depositories as the Board of Trustees select. (S)he shall receive and give receipt for monies due and payable to the Vanguard Academy, and disburse or cause to be disbursed funds as may be directed by the Board of Trustees, taking proper vouchers for those disbursements.

#### The manner in which officers are selected and removed from office

All officers shall be elected by and hold office at the pleasure of the Board of Trustees, which shall fix the compensation and tenure, not to exceed three (3) years of all officers. The Board of Trustees of Vanguard Academy may delegate this power to appoint officers to any officer or committee, and such officer or committee shall have full authority over the officers they appoint.

Any officer may be removed, with or without cause, by vote of a majority of the Trustees at any meeting of the Board, or, except in case of an officer chosen by the Board of Trustees, by any committee or officer upon whom that power of removal may be conferred by the Board. Such removal shall be without prejudice to the contract rights, if any, of the person removed. Any officer may resign at any time by giving

written notice to the Board and its officers. Any resignation shall take effect upon receipt or at any later time specified therein. Unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

**The manner in which members of the governing body are selected and removed from office**

A member of the Vanguard Academy Board of Trustees, must be a United States citizen, at least 18 years of age, and a resident of Hidalgo County, Texas. He or she may not be engaged professionally in education in a public school district, be a member of a school district Board of Trustees, or be a member of the Board of Trustees of an institution of higher education.

**The manner in which vacancies on the governing board are filled**

Vacancies on the governing Board will be filled by a majority vote of the Board to either conduct a new election or appoint from the nomination list submitted by the nominating committee.

**The term for which members of the governing body serve**

The term in office for each position will be reviewed by the Vanguard Academy Board and a determination made for the terms to be served by each member during the first year of service. Thereafter, the designations for each positions will have been determined.

**Whether the terms are to be staggered**

The terms for parent, student, and staff shall be one year and subject to the individual being involved with the school (i.e. the parent should have a child enrolled at the school, the student should be enrolled at the school, and the staff member shall be employed by the school). The community member representatives shall hold office for a period of 3 years, but may be extended by a majority vote or resolution by the Board. The three founder positions will be lifetime positions. Mr. Robert L. Olivarez will not be a voting member as long as he is employed by the school unless a majority cannot be reached without his vote.

**Include any plans for further recruitment of founders or organizers of the school.**

The Vanguard Academy will increase membership on the Board of Directors from three to seven members. To increase the participation of the stakeholders, the Board will hold elections for positions to be held by a parent and staff member (excluding the Superintendent and Principal as voting members). The president of the student council shall be a member of the Board and the Board shall appoint two additional

members from the local business/community. The Board shall form an election committee to prepare a slate for the parent and staff positions.

**Explain the manner in which the charter school will conduct textbook selection.**

The proposed Vanguard Academy will adhere to the Texas Education Code (TEC) §28.002, Required Curriculum, for conducting textbook selection. The proposed school will offer textbooks related to both foundation and enrichment curricula. Foundation curriculum includes: English language arts, mathematics, science, and social studies, consisting of Texas, United States, and world history, government and geography. Enrichment curriculum includes languages other than English, health, physical education, fine arts, economics, with emphasis on the free enterprise system and its benefits, career and technology education, and technology applications. The charter school will utilize a textbook committee comprised of a board member, administrator, teachers, and parents when appropriate.

Vanguard Academy will incorporate teaching of the Texas Essential Knowledge and Skills (TEKS) for the foundation curriculum, as required of school districts and open-enrollment VANGUARD Academy's. As permitted by the Texas Education Code, the proposed school will incorporate the Texas Essential Knowledge and Skills only as a guideline for teaching the enrichment curriculum.

**School Management Board (if different from Sponsoring Entity board)**

**Biographical Affidavit for each member of the school management Board if different from Board of Sponsoring Entity**

Vanguard Academy will be governed by a single Board.

**Describe the following:**

**The officer positions designated**

Vanguard Academy will be governed by a single Board.

**The manner in which officers are selected and removed from office**

Vanguard Academy will be governed by a single Board.

**The manner in which members of the governing body are selected and removed from office**

Vanguard Academy will be governed by a single Board.

**The manner in which vacancies on the governing Board are filled**

Vanguard Academy will be governed by a single Board.

**The term for which members of the governing body serve**

Vanguard Academy will be governed by a single Board.

**Whether the terms are to be staggered.**

Vanguard Academy will be governed by a single Board.

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### **3. Community Support (Reviewed by Agency)**

**Provide information on the manner in which community groups are involved in the VANGUARD Academy planning process.**

As a fundamental strategy for ensuring diversity of perspective, the Vanguard Academy included community groups in the Vanguard Academy planning process. By consulting diverse groups, Vanguard Academy has ensured that issues in planning the Vanguard Academy were considered from multiple perspectives and that questioning, challenging, constructive arguing, monitoring and authentically useful feedback were an integral part of the planning process. Some of the specific activities used to involve community in planning the charter include:

- A public hearing was held on February 7, 2001 at Templo Bethel A/G Church, 400 S. "I" Rd., Pharr, Texas 78577 and was attended by approximately 140 community members, parents, students and local business leaders. The mission and vision of the school was reviewed and input was requested regarding goals and objectives of the proposed school. The meeting was well received by the community and participants added valuable information. The location of the school and the potential student population was discussed and assessed to be an asset to the community.
- Conducting a needs assessment of neighborhood schools
- Publicizing the planning effort before the Advisory Committee, an existing committee of the Vanguard Academy that is responsible for Community Awareness. Conducting 1 public meeting involving a total of 80 individuals from the community

**The applicant must hold a public hearing in the proposed VANGUARD Academy's geographic area stating a purpose to publicly review the application for the VANGUARD Academy. Any person may be present and participate in the meeting. The applicant shall provide for publication of notice of the meeting in a newspaper of general distribution in the geographic area proposed for the school. The applicant must include with this application a copy of the notice (ATTACHMENT 7), the registration log (ATTACHMENT 8), and a synopsis (ATTACHMENT 9) of a public hearing held to discuss the proposed VANGUARD Academy plan. The synopsis must identify presenters, a summary of their comments, and a list of questions from participants with responses provided by the presenters.**

**Discuss any business arrangements or partnerships with existing schools, educational programs, businesses, or non-profit organizations. (Include letters from each entity represented as ATTACHMENT 10.) Identify individuals who are affiliated with any of the other organizations AND serve on the school's board. Identify individuals who are affiliated with any of the other organizations AND are employed by the school.**

Vanguard Academy has made no business arrangements or partnerships with existing schools, educational programs, businesses, or non-profit organizations. Vanguard Academy has, however, letters of support from businesses and community organizations that are included in the attachments.

**List five persons who are not directly involved with the school as employees or as Board members, who will serve as references for the Sponsoring Entity. Provide phone numbers, addresses, and nature of experience with the Sponsoring Entity.**

References	Narrative
1. Tim Barker 2104 Robin Ave. McAllen, Texas. 78504 (956) 664-2775	Friend
2. Agapito Vargas 700 Coil Dr. San Juan, Texas. 78589 (956) 787-8763	Former Trustee of Templo Bethel
3. Rogelio Cantu 1928 Martin McAllen, Texas. 78504 (956) 687-5682	Trustee of Templo Bethel
4. Raul Martinez 1104 E. Alan St. Pharr, Texas, 78577 (956) 781-5284	Teacher at PSJA High School
5. Rey Hernandez 3501 N. 23 <sup>rd</sup> . Lane #104 McAllen, Texas. 78501 (956) 668-8850	Vice President, Rio National Bank

**Each applicant must publish a statement in a newspaper of general distribution in the geographic area proposed for the school. (Included as ATTACHMENT 11.) The statement must also be mailed to the city council and commissioner's court with jurisdiction over the geographic area. (Included as ATTACHMENT 12.)**

For evidence of newspaper publication, see **Attachment #11** where the announcement was published in the Monitor News. For evidence of mailing to the city

council and commissioner's court with jurisdiction over the geographic area, see Attachment #12 titled Notification to City Council and Commissioner's Court.

**4. School demographics (Reviewed by Agency)**

**What are the school's enrollment projections for the first five years? What is the school's maximum enrollment goal? What grades will be served? How many students are expected to be in each grade or grouping? What will be the maximum class size allowed? (Any increase in the grade levels served and maximum enrollment as specified on the coversheet of this application and any increase in maximum class size must be approved by the SBOE.)**

Year	P K	K	1	2	3	4	5	6	7	8	9	10	11	12	Total
2002-03															150
2003-04															200
2004-05															300
2005-06															350
2006-07															500

Student to teacher ratio shall never exceed a maximum class size of 20:1 without additional staff involved in the instructional setting (i.e. adding paraprofessionals to maintain the student ratio). However, the elementary grades are not expected to exceed 15:1 in the classroom without additional staff added. Although there are variables beyond the school's control (i.e. availability of staff, number of students per grade level, etc.), the Vanguard Academy will seek to overcome barriers that would prohibit smaller classes. Should class size exceed the optimum number of 15:1, additional paraprofessionals will be utilized to maintain the ratio whenever possible through Title I Part A or Compensatory Education funding until barriers to the smaller classrooms are overcome. The Vanguard Academy will not exceed the maximum class size as described by the SBOE. Currently, the maximum class size allowed is 20.

*Please note that these numbers reflect only projections based upon the data that was generated through the needs assessment. Vanguard Academy desires to structure the numbers per grade level based upon actual enrollment.*

During the first year, we expect 150 students to be enrolled at the school. Vanguard Academy retains the right to enroll the maximum of 500 students when there is a waiting list of students to be served and building capacity to serve them.

**Describe the community or region where the schools will be located**

Vanguard Academy will be located in Pharr, Texas. The zip codes and communities to be served by Vanguard Academy include:

- 78577 (Pharr, Texas, the location of our proposed charter school)
- 78516 (Alamo, Texas which is 3.9 miles distant from Pharr)
- 78572 (Mission, Texas which is 9.1 miles distant from Pharr)
- 78537 (Donna, Texas which is 8.5 miles distant from Pharr)
- 78557 (Hidalgo, Texas which is 10.7 miles distant from Pharr)

- 78589 (San Juan, Texas which is 1.8 miles distant from Pharr)
- 78501, 78503, 78504 and 78505 (McAllen, Texas which is 2.9 miles distant from Pharr)
- 78539 (Edinburg, Texas which is 7.7 miles distant from Pharr)
- 78596 (Weslaco, Texas which is 12.4 miles distant from Pharr)

The zip codes and towns listed above are all situated in the southern sector of Hidalgo County, in South Texas. Hidalgo County is bordered by Cameron County on the east, Brooks County on the north, Starr County on the west, and Mexico on the south. The county seat, Edinburg, is at the junction of U.S. highways 107 and 281 and some 7.7 miles distant from Pharr. Pharr is located just east of McAllen between McAllen and Weslaco along US Highway 83 less than 11 miles north of the Rio Grande River and the Gulf of Mexico. The communities of San Juan and Alamo, which together make up the Pharr-San Juan-Alamo ISD, are less than four miles distant from Pharr.

Hidalgo County comprises 1,596 square miles of the Rio Grande delta. In 1982, 91 percent of the land was in farms and ranches, with 52 percent of the farmland under cultivation. The primary crops were sorghum, cotton, corn, and vegetables. Hidalgo County led Texas counties in the production of cabbage, onions, cantaloupes, carrots, and watermelons. The primary fruits and nuts grown in the county were grapefruit, oranges, and pecans. Cattle, milk cows, and hogs were the primary livestock products. Natural resources included caliche, sand, gravel, oil, and gas.

According to the U. S. Census Bureau, the county population on July 1, 1999, was 534,907, an increase of 151,362 over the 1990 census. This means that Hidalgo County grew at a rate of 39.5% for the period compared to a statewide population growth rate of only 18.0%. With 36.6% of county residents under 18 years of age, this is a "young" county. Its citizens are primarily Hispanic, accounting for 88.5% of residents. White, non-Hispanics account for 11.1%. African American, American Indian or other racial identities account for less than 1% of the county's population. The McAllen-Edinburg-Mission, TX MSA accounts for most of the area's population growth. According to the U. S. Census Bureau, this is the third fastest growing MSA in the nation.

Educational attainment in the county is very low. In 1990, among residents aged 25 years and over, only 24.9% held a high school diploma and only 5.9% in that age group held a college degree. This compares to 44% of Texans aged 25 years and over who held at least a high school diploma in 1990 and 12% of Texans in that age group who held a college degree. (Source: U. S. Census Bureau: State and County QuickFacts)

In Hidalgo County, families tend to be large with an average of 3.67 persons per household. This compares to 2.73 persons in the average Texas household. Families in this county are significantly poorer than for Texas as a whole. According to 1997 model-based estimates from the U. S. Census Bureau, median household money income in 1997 was \$20,034 in Hidalgo County compared to \$34,478 for all Texas households.

This means that households in Hidalgo County earn 41.9% less than the state average household income. According to 1997 model-based estimates, 37.6% of persons in Hidalgo County lived below the poverty line compared to 16.7% statewide. Children in Hidalgo County are especially poor, with 47.9% living below the poverty line. This compares to 23.6% of Texas children who live below the poverty line.

Hidalgo County is one of four counties that comprise the Rio Grande Valley, Texas Empowerment Zone. By definition, an empowerment zone designation means that an area is experiencing unacceptably high poverty rates, high unemployment, economic disadvantage, and/or low educational attainment. Hidalgo County, including the zip codes the Vanguard Academy intends to serve, is experiencing all of these conditions. The poverty rate for the four-county Empowerment Zone is 52%. The unemployment rate is 30% and per capita annual income is only \$6,000. Over 53% of residents of the EZ lack a high school diploma.

Pharr, the site of our proposed school, was established in 1909 and named after Henry N. Pharr, a sugar planter from Louisiana. Now home to an estimated 40,000 permanent residents, the town is a major center for winter vegetables, citrus and cotton. "Snowbird" visitors also find modern RV resorts and tourist-related activities. The current estimated community unemployment rate is 17%. (Source: Texas Department of Economic Development). In school year 1999-2000 total enrollment in the Pharr-San Juan-Alamo ISD was 21,724 of which 98.3% of students were Hispanic, 1.4% white, non-Hispanic and less than 0.1% other racial identities. Some 88.5% of students were classified as economically disadvantaged in school year 1999-2000.

Both the towns of San Juan (zip code 78589) and Alamo (zip code 78516) are located just east of McAllen between McAllen and Weslaco along US Highway 83 near the Rio Grande River and the United States/Mexico border. The area produces abundant vegetables, citrus, boasts a winter resort-retirement area. Children from the towns of San Juan and Alamo attend schools in the Parr-San Juan-Alamo ISD.

The town of Donna was founded as a station on the St. Louis Brownsville and Mexico Railroad in 1906; and named for Donna Hooks, daughter of a townsite promoter. Today the town is a retail center for ranching and intensive agriculture in the Rio Grande Valley and hosts abundant winter visitors. The town is located west of Brownsville between McAllen and Weslaco along US Highway 83 on the banks of the Rio Grande River near the United States/Mexico border. In school year 1999-2000 Donna ISD had a student enrollment of 10,103 of which 98.6% of students were Hispanic, 1.2% white, non-Hispanic, and less than 0.2% of other racial identity. Some 84% of children in Donna ISD were classified as economically disadvantaged in 1999-2000.

The town of Mission (zip code 78572) was established in 1824 by Oblate Fathers on a site three miles south of the present town. Now home to some 43,195 residents, Mission advertises itself as "Home of the Grapefruit," the particular grapefruit being the famed Texas Ruby Red. The town is a commercial center for a vast citrus-truck-crop

industry and also boasts more than 30 industrial plants. Nowhere in Texas does the Christmas season blossom more colorfully than at the annual Poinsettia Show in Mission. Each December for more than 25 years, the city has hosted the only all-poinsettia show in the U.S., employing a permanent theme of "Tropical Christmas." In school year 1999-2000 Mission Consolidated ISD had a student enrollment of 12,216 of which 96.9% were Hispanic, 3% were white, non-Hispanic, and less than 1% were of other racial identity. In year 1999-2000 the school classified 82.4% of its students as economically disadvantaged.

Edinburg (zip code 78539), the county seat of Hidalgo County, is located just north of McAllen along Highway 281 near the Rio Grande River and the United States/Mexico border. The town functions as a western gateway to the Lower Rio Grande Valley and is the center of a vast vegetable and citrus industry. Other industries include food processing, furniture, foundry products, fertilizers, oil, and dairy products. Edinburg is home of the University of Texas-Pan American. The town also provides a large supplier industry for neighboring maquiladoras across the Rio Grande River in Mexico. With a current estimated population of 41,996, Edinburg is located within the third fastest growing MSA in the nation. Edinburg has a large available workforce with an estimated community unemployment rate of 11.5 % (Source: Texas Department of Economic Development). In school year 1999-2000 Edinburg ISD had a student enrollment of 21,113 of which 95.8% were Hispanic, 3.6% were white, non-Hispanic, and less than 1% were of other racial identity. In 1999-2000 83.4% of Edinburg students were classified as economically disadvantaged.

Located just east of McAllen between Pharr and Harlingen along US Highway 83 near the Rio Grande River and the United States/Mexico border, Weslaco (zip code 78596) is on the Eastern edge of Hidalgo County and only six miles north of Nuevo Progreso, Mexico. The permanent population of Weslaco in 1998 was 28,500 according to the census bureau. The estimated community unemployment rate is currently 22.1%. (Source: Texas Department of Economic Development) Weslaco is home to four state agriculture agencies at the A & M Research Center and to the South Texas Community College. Other 2- to 4-year colleges in nearby Edinburg, McAllen and Brownsville are just minutes away. The Weslaco ISD is comprised of two high schools, two alternative, two middle, three intermediate and eight elementary schools. In school year 1999-2000 the district had a student enrollment of 13,379 of which 96.9% were Hispanic, 2.7% were white, non-Hispanic, and less than 1% were of other racial identities. In school year 1999-2000 the district classified 87% of students as economically disadvantaged.

Located south of Corpus Christi between Rio Grande City and Harlingen along Highway 281 on the banks of the Rio Grande River near the U.S./Mexico border, the city of McAllen (zip codes 78501, 78503, 78504 and 78505) is part of the McAllen-Edinburg-Mission, TX MSA -- the third fastest growing MSA in the nation. The city is ranked number one in percentage of jobs created for the nation according to the U.S. Census Bureau. "Entrepreneur Magazine" ranked McAllen #4 in mid-sized cities to build a business. McAllen has a very proactive business climate and a very young and abundant workforce. The McAllen MSA is the retail, cultural, financial, medical and

educational center of the Lower Rio Grande Valley. The city's estimated community unemployment rate is currently 16.0 %. (Source: Texas Department of Economic Development) In school year 1999-2000 McAllen ISD had a total student enrollment of 21,482 of which 87.5% were Hispanic, 10.2% of students were white, non-Hispanics, and 2.3% were of other racial identities. In the 1999-2000 school year, McAllen ISD identified 61.2% of its students as economically disadvantaged.

**Why were these locations selected? Are there other alternative locations suitable to the needs and focus of the school?**

The Incorporators conducted a needs assessment which identified several important citizen and community characteristics that could be effectively addressed by the VANGUARD Academy. The Vanguard Academy's locations was selected based on the following characteristics:

- the area where the campus is located is rich with cultures and languages
- elementary, middle and secondary schools in the area are crowded with high student to teacher ratios
- parents desire safe and nurturing schools for their children and to be involved in their education
- English language development is highly desirable
- the community will support a school that promotes literacy and demonstrates results

In addition, the school campus was chosen because of its access to the community and the population that it desires to serve. The community although diverse is predominately Mexican-American families with low educational attainment and low socioeconomic. Vanguard Academy will serve as a gathering place for the community as well as educate the children who live there.

There may be other alternative physical locations suitable to the needs and focus of Vanguard Academy. However, based on a reasonable exploration of alternate sites for the proposed school campuses, the location selected has been determined to satisfy the identified needs and focus of the proposed Vanguard Academy and the community served by Vanguard Academy.

**5. Human Resource Information (Reviewed by Agency)**

**Describe your human resources policies governing salaries, contracts, hiring, and dismissal, sick and other leave, and benefits. Provide salary schedules (ATTACHMENT 13), sample contracts (ATTACHMENT 14), and copies of policies on other issues (ATTACHMENT 15).**

**Policy governing salaries – Vanguard Academy will hire and maintain high quality staff and teacher/educators by providing salary levels comparable with other school**

programs with the same type of job responsibility. All new-hire positions, including contractors, will be advertised in the local newspaper and other appropriate media. Job descriptions for each position will be in writing.

Policy governing contracts - All employees of the proposed Vanguard Academy will maintain "at will" contracts and will be subject to evaluation based on criteria established by the Board of Trustees. All educational staff will be awarded 10 month (207 days) "at will" contracts. The Board will design an appeals process to be followed in case of conflicts concerning employees based on Texas Workforce criteria and the Office of Civil Rights.

Policy governing hiring – To provide uniform employment practices throughout the organization and to conform with Equal Employment Opportunity and Affirmative Action Policies Vanguard Academy will adopt the pre-employment process used by Vanguard Academy and will implement this process in searching for job applicants. Application forms, job descriptions, and contracts will be jointly developed for each staff position by the Superintendent, the Board, and any Advisory Committees established by the Board prior to advertising available positions. Vanguard Academy will use both internal and external search mechanisms in the employment process.

Vanguard Academy will strongly encourage job applications from members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age or disability. It will make concerted efforts to hire qualified minorities at all levels. Members of underrepresented groups will be encouraged to apply and will receive strong consideration in the selection process if their skills and qualifications are equal to other candidates. The new school will also encourage applications from persons who have succeeded in overcoming the disadvantages like those of the population to be served.

The proposed Vanguard Academy will hire and maintain the appropriate number of employees to insure that students attending each school campus receive maximum educational and social benefits. Each teacher or educator must be skilled and experienced in working with school-age children on learning and enrichment activities. All program personnel, including teachers/educators, must pass a criminal background check prior to beginning work. A criminal check will be run through the Region I ESC on each applicant that will be hired by the school. Region I ESC will also conduct criminal background checks for all school volunteers.

The Board has been directly involved in the hiring of the Superintendent and will evaluate performance based on criteria established by the Board. In addition, the Board will review hiring and discharging recommendations for faculty that may be made by the Superintendent.

Policy governing dismissal – To create and maintain equity in employment, application forms, job descriptions, and contracts will be jointly developed for each

staff position by the Superintendent, the Board, and any Advisory Committees established by the Board prior to advertising available positions.

Employment decisions, including but not limited to employee dismissal, will be evaluated by the Superintendent, Lead Teacher, and peer review based on criteria to be determined by the Board before the hiring process. After the first year, the Principal will lead the evaluation process for educator staff.

Policy governing sick and other leave –Educators and other staff members will receive the same benefits (i.e. sick days, professional day, etc.) as teachers employed by the state in a public school.

Policy governing benefits - Educational staff will participate in decision-making processes with respect to insurance and other benefits. All staff members will have a choice about participating in the Teacher Retirement System or an alternative retirement system.

#### **Administrators**

**Provide a biographical affidavit for each administrator of the school.**

For a biographic affidavit for the proposed administrator of the Vanguard Academy, see **Attachment #16**.

**Explain the Powers and duties of each administrator.**

Only one administrator has been identified by the school at this time. Dr. Robert Olivarez will be the superintendent. He will handle duties and responsibilities normally associated with the superintendent. These duties will include reporting to TEA, discipline, and campus administration. Dr. Olivarez will supervise a campus principal when a candidate may be located.

**Who will be the school's Chief Executive officer?**

The Chief Executive Officer will be Mr. J. M. Perez who presently is Chairman of the Board and functions in this capacity as the CEO. Mr. Perez will not be paid with school funds. His duties are Board related.

**Describe the chain of command (Include organizational chart as ATTACHMENT 17.)**

The chain of command initiates with the Governing Board who will be responsible for over all operation of the school. The superintendent will supervise all professionals and paraprofessionals. Dr. Olivarez will be responsible for the overall administration of the school and will hire consultants who provide additional support in

the areas of finance, special education, and administration during the first 5 years of organization.

The chain of command is shown on the organizational charter found in **Attachment 17.**

**What experience has the proposed CHIEF EXECUTIVE OFFICER had in managing a school and/or business?**

Name: Robert Lee Olivarez, Superintendent

At present I am working as Associate Pastor, together with Rev. J.M. Perez and Rev. Ricardo Reyes, with enthusiasm and excitement meeting the challenge of starting Vanguard Academy. I resigned from State Farm Insurance, July 31, 2000. I began my own business in 1988, building the business with one client at a time, to a successful business. Whereby I own my own commercial building and employed three full time staff. In my years with this company I have received numerous awards in sales, as well as accomplishing many trips, including to Rome, Italy and Paris, France. As President of my own corporation, I administrate a million dollars plus revenue annually.

From 1982 to 1988 my employment was with the Bridgeport/Spaulding Community School District. Under the Bilingual Program I worked as a school counselor for grades K-12. My position was designed to prevent the increasing High School dropout rate, increase grade point averages, and advise and direct Hispanics toward colleges. Duties involved numerous field trips to Colleges, Universities, local General Motor's plants, as well as family and student counseling.

From 1978 to 1982 my employment was with the Saginaw Public School District. The duties as a Bilingual Coordinator were designed to develop curriculum objectives, and activities for grades K-6. Other duties involved coordinating with the school principals, teachers from three to four elementary schools.

From 1978 to 1980 I also was employed by a Division of General Motors; Saginaw Steering Gear. Employed as a production worker.

My undergraduate work was done at Southwestern A/G University. I obtained a Bachelor of Science Degree (1978), with a Major in Christian Education and a Minor in Bible/Theology. My graduate work was done at Saginaw Valley State University where I obtained a Master of Arts Degree (1982), in Educational Supervision and Administration. Continued undergraduate work at Eastern Michigan University where I obtained a Teaching Certificate with a Major in Industrial Arts and a Minor in Vocational Education with an endorsement in Guidance Counselor, K-12 (1986). I continued graduate work at Easter Michigan University where I obtained a Master of Arts degree (1985) in Counseling.

I am forty-seven years old, married for twenty-eight years with two adult children [REDACTED]. [REDACTED]. My wife and I lived in Michigan for forty-seven years with the exception of four years of college. "A purpose in life, a reason for learning," has always been my theme for education, and for this reason I desire to return to this career. I have

fulfillment when I am a part of helping others find their way in life and becoming successful. Therefore, it's an honor to accept this challenge, and to be part of establishing Vanguard Academy.

**What criteria will the founders use to choose the school's academic and financial leaders?**

The founders of the proposed school will choose the school's academic and financial leaders based on the following criteria:

**Education:** All academic staff (excluding paraprofessionals) will possess a minimum of a bachelor's degree (with exceptions as specified elsewhere in this document). Teachers must be qualified to execute instructional strategies, strategies for student growth and development, strategies for classroom management and organization, strategies for policy implementation, and possess good communication skills. Financial leaders will possess a bachelor's degree or higher with a major in business administration, finance or accounting.

**Experience:** All teaching staff will be experts in the field of students in at risk situations and will provide evidence of success with experience in the field. Financial leaders must have at least one year's experience in the field of accounting or finance.

**Evidence of certifications:** Teaching staff will be encouraged to seek Texas Teacher's Certification during employment, if they lack certification upon initial employment. Financial leaders may possess certifications such as CPA, but this will not be required for hiring.

**Desire and commitment:** We will seek teachers, administrators who can confirm qualities such as kindness, courtesy, enthusiasm, interest in teaching, as well as desire and experience in working with inner-city, at-risk, and low income youth.

**Provide a complete job description for the CHIEF EXECUTIVE OFFICER, school academic director, financial director, and other administrative personnel.**

**Chief Executive Officer (Superintendent)** –The Chief Executive Officer will serve as the curriculum leader of the proposed new school and be responsible for the duties of Superintendent during the first year and for the following duties:

- communicating and advising the Board
- directing hiring and discharging recommendations to the Board
- implementing directives from the Board
- interacting with all Advisory Committees established by the Board
- organizing and implementing fundraising activities
- establishing and implementing contracts
- expending and maintaining fiscal records
- evaluating program effectiveness

- dealing with discipline and mediating conflicts between parents, students, and teachers
- guiding the educational process of the staff and students and
- participating in the evaluation of school staff at the proposed Vanguard Academy

The Superintendent will report directly to the Board of Trustees and will provide administrative review and evaluation for the Principal who will direct and evaluate the educational staff after the first year.

### **Business Manager**

During the first year, the school will utilize an experienced school financial consultant to organize, set up and maintain the school's account and finances.

#### **General Summary**

Processes routine accounting transactions related to payment and receipt of money. Records transactions into the district's preferred accounting software. Applies principles of accounting to analyze financial information and prepare financial reports: Compiles and analyzes financial information to prepare entries to accounts, such as general ledger accounts, documenting business transactions. Analyzes financial information detailing assets, liabilities, and capital, and prepares balance sheet, profit and loss statement, and other reports to summarize current and projected school financial position. May establish, modify, document, and coordinate implementation of accounting and accounting control procedures with permission from the superintendent. May devise and implement computer-based system for general accounting with the district's approved/purchased software.

#### **Essential Job Functions**

- Processes and records routine accounting transactions.
- Codes transactions according to the Texas Charter School of Chart of Accounts.
- Selects correct fund accounts; posts, verifies, and balances debit and credit entries.
- Performs arithmetic calculations.
- Maintains records through filing, retrieval, retention, storage, compilation, coding, updating, and purging.
- Operates computer to enter data into spreadsheet and/or database to create requested reports.
- Preparation of a budget based on previous year's actuals to guide the budget process.
- Files monthly reports to the superintendent for Board analysis of school's financial status.
- Reconciles monthly bank statements.
- Oversees budget accounts once award(s) has been granted or contract(s) signed.
- Ensures that funds are expended according to sponsoring organization's stipulations.

- Complies with required reporting of expenditures to sponsoring organizations.
- Prepares documents for external audit.
- Confers with appropriate internal and external administrative offices to ensure that required procedures are followed.
- Provides instruction and answers questions relating to budget procedures and serves as liaison between finance, administration and the Board.
- Responsible for reporting PEIMS actuals in the appropriate format to the PEIMS Coordinator on or before November of the reporting year.
- Participates with school administrative staff and consultants to complete expenditure reports and annual evaluations.
- Performs all duties as assigned by the superintendent.

### Required Reports

#### Monthly

TRS --	Deposit and Forms due by 10th of the month following month-end
Fed --	Deposit due by 10th of the month following month-end
Quarterly -	Form 941 due by 15th of the month following quarter-end
Quarterly -	Workmen's Compensation due 10th of the month following quarter-end
Annually -	W-2 and Form 1099's due by 31st of January following year-end
Fin Stmt -	Due before board meeting each month. Usually the 2nd Thursday

#### Sample Types of Activities Required of the Business Manager:

- Payroll including set up of new employees, processing of time records, processing payments to personnel, reporting to TEA and IRS, preparing W-2 and 1099 forms.
- Accounting for daily operations, including coding expenditures and deposits in the TEA format, calculations for interest payments and depreciation and coding of entries for each.
- Requesting grant funds through WebER and keeping track of grant fund expenditures.
- Keeping cash balances of the operating, payroll, investment and food services bank accounts.
- Producing monthly financial statements including budget variances.
- Reporting to Government agencies.
- Maintaining confidential files.
- Communicating financial status on a regular basis to the superintendent and CFO.

#### Scope of Responsibility

- Knows the policies, procedures, and practices necessary to conduct the normal function of appropriate state accounting.
- Is aware of the role of the position and its potential impact on the school.

#### Authority

Does not direct the activities of staff or a function.

**Communication**

Exchanges routine information in an appropriate manner.

**Education**

B. S. in Business Administration or related degree.

**Experience**

**Experience or Knowledge Required:** Minimum of 3 years experience in office practices working with automated financial/accounting systems. Experience in interpreting rules, regulations, policies, and procedures. Extensive knowledge of word processing, spreadsheets, and other computer software, office equipment and accounting procedures. Ability to enter appropriate accounting codes, and prepare and edit concise monthly time reports for internal audit purposes. Prepares statements necessary to correct any deficient reports. Demonstrated ability to deal effectively with the staff.

**Certification:**

Required: No Requirements

*NOTE: This description is a general statement of required major duties and responsibilities performed on a regular and continuous basis. It does not exclude other duties as assigned. It does not exclude other duties as assigned.*

**Executive Secretary/PEIMS Coordinator (Administrative Personnel)** – The executive secretary answers to the Superintendent. This person handles the Superintendent's calendar, phone messages and correspondence. The executive secretary will keep the school Board minutes and all other related records. This person will be a liaison between the Superintendent and all persons both in the school system and outside the system.

**Major responsibilities include:**

- Collect and input data to be reported to PEIMS working closely with VANGUARD Academy staff, Region I ESC, and software vendors.
- Work closely with the Superintendent in monitoring the calendar as well as the school calendar.
- Keep records for the Board meetings and all reports that need to go to parents, TEA, banks, Principals and business director.

**How will administrative personnel be evaluated?**

Administrative personnel will be evaluated in accordance with provisions of Subchapter BB issued under the Texas Education Code, §21.354 and §39.054, and the commissioner's recommended or established standards under the Code. The new VANGUARD Academy will accept the commissioner's recommendations as its

method of evaluation for administrative personnel, which includes the following domains:

- Instructional management
- School or organization morale
- School or organization improvement
- Personnel management
- Management of administrative, fiscal, and facilities
- Student management
- School or community relations
- Professional growth and development
- Academic excellence indicators and campus performance
- School Board relations (for Superintendents only)
- A student performance domain shall be included in the appraisal of Principals and Superintendents

#### **What will be the salary range and benefits for administrative staff?**

Administrative staff will be added as the enrollment increases and the budget will sustain the additional personnel. The principal and the financial director will be employed as the number of students increase and funds are available in the budget. It is anticipated that these positions will be filled the first year. Both staff members will serve as consultants until the salaried positions are available. The salary range and benefits for administrative staff will be:

• Superintendent /Superintendent	\$45,000-\$82,000
• Principal	\$40,000-\$67,000
• Financial Director	\$29,000-\$33,000
• Executive Secretary	\$19,000-\$29,000

Benefits available to all administrative staff include:

- Educators and other staff members will receive the same benefits (i.e. sick days, professional day, etc.) as teachers employed by the state in a public school
- All staff members will participate in the Teacher Retirement System.

#### **Faculty and Staff**

##### **Include a description of the qualifications to be required for all classroom teachers and staff**

All teaching staff will possess a minimum of a bachelor's degree and will be encouraged to seek Texas Teacher's Certification during employment. It is anticipated that all teaching staff will be experts in the field of learning and will provide evidence of success with experience in the field. Exceptions may be made with Superintendent recommendations and Board approval when a degreed person is not available for employment and the educational process could be adversely affected. In which case,

a non-degreed employee would be considered if he/she had educational experience and expertise but would be required to attend approved courses leading toward a bachelor's degree at a college or university.

Teachers must be qualified to execute instructional strategies, strategies for student growth and development, strategies for classroom management and organization, strategies for policy implementation, and possess good communication skills.

Qualifications for non-teaching administrators and staff include possession of appropriate education and/or certifications and special knowledge and skills in their particular job position. Experience in the field may also be required as necessary.

**Describe the targeted staff size and teacher-to-student ratio.**

We will maintain a student to teacher ratio of 20:1 for grades 9 through 12. This student to teacher ratio will include additions of paraprofessionals to the classroom as student numbers increase or high numbers of special populations are enrolled. The need for hiring additional paraprofessional personnel will be determined by the Superintendent who will make recommendations for hiring such additional personnel.

**Identify the proposed faculty and staff if possible.**

All new faculty and staff will be new hires and cannot be identified at this time.

**Explain the method that will be used to evaluate the faculty and staff.**

A modified Professional Development and Appraisal System (PDAS) recommended by the Texas Education Commissioner will be used to evaluate teachers. The PDAS appraisal framework is considered especially appropriate for teachers because the PDAS criteria acknowledge broad-based tasks that teachers routinely perform that go beyond classroom teaching. The PDAS is not, however, intended to evaluate staff other than teachers. Professional staff such as speech pathologists, librarians, and counselors will not be evaluated under the PDAS (unless these positions also involve teaching). Non-teaching, administrative staff members will be evaluated in accordance with provisions of Subchapter BB issued under the Texas Education Code, §21.354 and §39.054, and the commissioner's recommended or established standards under the Code.

Each teacher will be appraised each school year. Whenever possible, an appraisal will be based on the teacher's performance in fields and teaching assignments for which he or she is certified.

Domains of the PDAS instrument for teacher evaluation include:

- Domain I: Active, Successful Student Participation in the Learning Process
- Domain II: Learner-Centered Instruction

- Domain III: Evaluation and Feedback on Student Progress
- Domain IV: Management of Student Discipline, Instructional Strategies, Time, and Materials
- Domain V: Professional Communication
- Domain VI: Professional Development
- Domain VII: Compliance With Policies, Operating Procedures and Requirements
- Domain VIII: Improvement of Academic Performance of All Students On The Campus (Based on Indicators included in the AEIS)

**Provide complete job descriptions of all Charter School faculty and staff, including instructional and non-instructional duties.**

**Teacher Qualifications** - All teaching staff will possess a minimum of a bachelor's degree and will be encouraged to seek Texas Teacher's Certification during employment. We anticipate that all teaching staff will be experts in the field of students who are in at risk situations and will provide evidence of success with experience in the field. Exceptions may be made with Superintendent recommendations and Board approval when a degreed person is not available for employment and the educational process could be adversely affected. In which case, we would consider a non-degreed employee who had early childhood experience and expertise. That person would be required to attend approved courses leading toward a bachelor's degree at a college or university. Intense professional development activities will be required during the school year as well as parent meetings at the end of each grading period. Starting with the first year of operation and continuing thereafter, the school will hire an appropriate number of teachers to ensure a student to teacher ratio of 15:1 at the Grade K through 4 level and 20:1 at the Grade 5 through 12 level.

**Paraprofessional Qualifications** - The paraprofessional staff will possess a minimum of a high school diploma and possess experience in the field of early childhood development, education, and/or childcare. The duties and responsibilities of the paraprofessional will be to provide direct and indirect services to students and teachers. The Lead Teacher will supervise and evaluate all paraprofessional staff. Paraprofessionals will attend all professional development activities with the teachers. Starting in Year 1 and continuing thereafter, paraprofessionals will be hired as needed to assist the teaching staff.

*A more thorough job description of all faculty and staff of the proposed VANGUARD Academy, including instructional and non-instructional duties are included in the Human Resource Policies (Attachment 15).*

#### **Code of Conduct**

**Describe in detail your school rules or guidelines governing student behavior.**

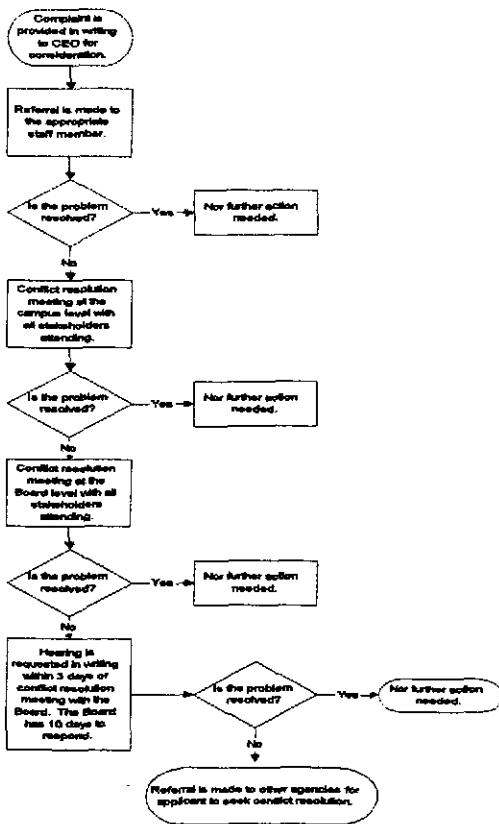
The VANGUARD Academy will create and implement a "School Handbook of Policies and Procedures" that sets forth a code of conduct for students at the school campuses. Preliminary efforts are included in this narrative for the Student Code of Conduct.

Our disciplinary focus will be toward restoring and directing the offending student to behavior that is acceptable to our school, rather than toward harsh punishment such as expulsion. The most austere punishment (suspension and expulsion) will be reserved for offenses that are persistent and serious violations of the school's code of conduct and other rules. For example, violation of the "no weapons" code of conduct will be cause for student suspension on the first occurrence of the violation. Although it is unlikely that students will be suspended or expelled from VANGUARD Academy, a procedure will be developed to accommodate educational services beyond our school for those student's who are suspended for more then 10 days per semester or expelled from our school. A detailed response to this concern is outlined in the Special Needs Students/Programs section of this application on page 49, 50.

Due process procedures involving student expulsion or suspension are fully described in the next section of this narrative on page 35, 36. School rules to be identified in our Handbook include, but are not necessarily limited to:

- With respect to academic dishonesty, a student committing a first offense (during a school semester) will be assigned a grade of zero on any assignment or test in which the student has participated in academic dishonesty. Parents/guardians will be contacted upon the first offense. We will provide procedural due process for all offenses mandating a suspension as noted in Item 2 below.
- A student committing a second offense (during a school semester) will be assigned a grade of zero on any assignment or test in which the student has participated in academic dishonesty and given a 1-day suspension from school.
- A student committing a third offense (during a school semester) will receive a grade of zero and given a 3-day suspension.
- A student committing a fourth offense (during a school semester) will receive a grade of zero and given a 3-day suspension.
- Illegal Activities on Campus – Possession or use of alcohol or other illegal substances on campus will result in a 1-day suspension and mandatory parent conference.
- Gambling on campus will not be tolerated. A first offense will result in a 1-day suspension and parent conference.
- Dress Code – A school dress code will be adopted and communicated to all parents. If a child violates the school dress code on campus, the parent must be called to pick the child up, correct the dress code violation, and return the child to campus
- Conduct and Behavior on Campus - Teachers are in charge of the classroom at all times; pupils must obey the rules and requests of teachers. Substitute teachers are in charge in place of absent teachers; students are expected to obey substitute teachers in the same way as if he/she were their regular classroom teacher.
- While attending student assemblies, students must enter the area quietly and listen for instructions.

- Students must show respect for all adults and for other children. School and classroom behavior should exemplify respect for everyone's right to learn. Physical fighting is not allowed at any time for any reason at school and will not be tolerated.
- Pupils walking in the halls between bells must have a hall pass.
- Students using our play areas are expected to treat other children as they would want to be treated. Students will share playground equipment, not fight or throw rocks or dirt, and they will line up quietly and listen to the teacher. Children may not bring toys or electronic equipment of any kind to the school.
- Children may not possess electronic devices such as mobile phones, pagers, and radios on campus. School administrators or teachers will confiscate such devices and notify parents of the infraction.
- Homework - With respect to homework (given on four nights each week), students are expected to complete and return the work on the following day.
- Students are expected to work through classroom problems with their teacher. They may bring their problems to the attention of a school administrator AFTER they have shown an effort to reach a solution with the teacher.
- Profanity is not allowed. Appropriate language for the school environment is expected at all times. All children are expected to use proper manners at all times while at school (excuse me, please, thank you, listening when others are speaking, etc.)
- Weapons on Campus - No weapons of any kind (real or play) can be brought to the VANGUARD Academy campus. Students must alert a teacher or other adult if they know of any weapons that are on campus. Toy weapons or other weapons such as knives will be removed from students. Violation of the "no weapons" code of conduct will be cause for student suspension.
- Food on Campus - No food shall be eaten outside on the school grounds. Candy and gum are not permitted in the school.
- Access to Telephones - Students may use the school's telephones only for emergency situations.



**Describe your school's policies regarding student expulsion and suspension. Include a description of procedures that satisfy due process requirements.**

Policies governing administrative actions taken to prevent a student's expulsion and suspension will be identified in our "School Handbook of Policies and Procedures" Handbook (to be developed). These include requiring parents to attend a conference with the Principal or assistant Principal for intolerable school behavior by their student. Students placed on a parent conference may not return to class until the parent conference has been completed.

Students may be "emergency removed" from school for disruptive behavior from one through three days for disruptive behavior. Students may not return to school until the emergency removal days have been served. If students who are emergency removed from school report to school, parents will be called to pick them up. **Students may be suspended for persistent and serious violations of the school's code of conduct and other rules.** Violation of the "no weapons" code of conduct will be cause for student suspension.

**and serious violations of the school's code of conduct and other rules.** Violation of the "no weapons" code of conduct will be cause for student suspension.

VANGUARD Academy's Handbook of Policies and Procedures (to be created) will set forth the school's procedures for expulsion and suspension of students. Our procedure will be structured as follows:

Pending a hearing, the student may be placed on suspension for up to three consecutive days. Suspension periods pending hearings can be out-of-school, in-school, or placement in an AEP. Written notice of the time and location of the expulsion hearing will be provided. The student's parents, guardian, or another adult who is not an employee of the VANGUARD Academy must represent the student at the hearing. If the decision to expel is made by the Board's designee, the decision may be appealed to the Board.

A student shall be expelled by written order setting the term of the expulsion. Before the expulsion, the School's Superintendent will provide the student a hearing at which the student is afforded due process, which shall include the following:

- Prior notice of the charges and the proposed sanctions so as to afford a reasonable opportunity for preparation
- Right to a full and fair hearing before the Board or its designee
- Right to an adult representative or legal counsel
- Opportunity to testify and to present evidence and witnesses in his or her defense

- Opportunity to examine the evidence presented by the school administration and to question the administration's witnesses

The notice shall be in writing and shall advise of the nature of the evidence and the names of any witnesses whose testimony may be used against the student. The student will be notified of the date of the hearing. The decision will be based exclusively on evidence presented at the hearing. The final decision will be communicated promptly to the student and parent.

Notice of expulsion will be made to the county juvenile court within two business days after the expulsion hearing is held. The Vanguard Academy will inform each teacher of the expelled student of the offense that caused the expulsion. Teachers so informed will be required to keep all expulsion information confidential.

The Vanguard Academy's Handbook of Policies and Procedures will set forth the school's procedures for **appeals** of expulsion and suspension of students. The appeals procedure will be structured as follows:

A decision by the Superintendent to expel a student may be appealed to the Board. A handicapped student shall not be excluded from his or her current placement pending appeal to the Board for more than 10 days without ARD committee action to determine appropriate services in the interim. Pending appeal to a special education hearing officer, unless the VANGUARD Academy and parents agree otherwise, a handicapped student shall remain in the present education setting.

**Describe your school's mandatory student attendance plan and its fit with the code of conduct and the mission of the school.**

Students will be expected to attend school every day (all 180 days assigned by the Texas Education Agency). Students must bring a note from their parent following every absence. The procedures outlined in the *Student Attendance Accounting Handbook* will be followed regarding the recording of ADA. Tardies will not be permitted to determine ADA, however, tardies may be recorded for monitoring purposes. This mandatory policy is provided in writing in the VANGUARD Academy's Handbook of Policies and Procedures. This policy manual will be provided to each parent or guardian of children enrolled in VANGUARD Academy.

Vanguard Academy's mandatory student attendance plan will be consistent with and support its code of conduct and the mission of the school in the following ways:

- It supports the school's conduct guidelines that urge students to "do your best at all times" (children must be present to "do their best.")
- It supports the school's conduct guidelines that urges students to develop the "I Can" attitude; poor attendance would undermine our attempts to develop this attitude)
- It supports the school's mission to educate children in basic skills and core content (children must be present to be educated)

- It supports the school's mission that children will adhere to behavioral guidelines (attendance is a behavior that we wish to encourage and enforce)
- It supports the school's mission to provide opportunities for children to express their special talents and to maintain and enrich their own unique cultural heritage (children must "show up" to accomplish these goals)

**Note:** Student attendance accountability is fully described in the Business Plan section below describing Student Attendance Accounting on page 46.

## 6. Business Plan (Reviewed by Agency)

### Financial Management

#### Describe sources and projected amounts of start-up funding.

As reported in the Startup Budget, \$50,000 will be raised through gifts once the charter is awarded. We anticipate that the majority of start-up funding will be provided by the Title X Startup Grants through the TEA (\$70k). The majority of funds to be secured by the school will be used for the following purposes:

- making the necessary improvements open the school
- purchasing instructional supplies and materials
- contracting with individuals that will set up special education programs, finance, and administration services
- contracting with individuals who will serve the school once it is open

A set aside amount of \$13,000 has been reserved for the amount needed to balance the budget for the first year as well as a reserve operating fund that will provide the school with a resource for unforeseen costs.

**Provide supporting letters of credit and documentation verifying private sources of funds. (Included as ATTACHMENT 18)**

Presently Vanguard Academy is too new to establish a credit history.

**Develop a preliminary startup budget, covering only the planning and capital expenses necessary before school opening (ATTACHMENT 19). Present a three (3)-year budget (ATTACHMENT 20) covering all projected sources of revenue, both public and private, and planned expenses (BUDGETS MUST BE COMPLETED ON STATE-PROVIDED TEMPLATE IN APPENDIX VI AND FOUND AT**

**<http://www.tea.state.tx.us/school.finance/audit/budgetcs.xls>**

**Note: The estimate of State Aid (ESA) for budget purposes should be based on Average Daily Attendance (ADA). ADA is equal to average daily enrollment multiplied by the percent of attendance.  $ESA = ADA \times \$4000$ . A realistic estimate for rate of attendance for at-risk students would be 85%.**

**See Attachment 19, for preliminary startup budget**

For a three (3)-year budget covering all projected sources of revenue, both public and private, and planned expenses see Attachment #20 titled Three Year Budget. Please note that only 199 funds (M&O unrestricted funds) have been projected. Additional staff members and other expenses will be funded through other funding sources such as Special Education, Title I Part A, ESL, etc. The three year budget is based on continued growth beginning with 150 students and achieving capacity by the third year with 300 students.

**Present a three (3) year cash flow projection (ATTACHMENT 21) showing monthly cash in flows from all sources by month, including loans and all monthly cash outgoes for all purposes, including loans. Discuss the school's projected revenues and expenditures identified in the cash-flow projection.**

For a three (3) year cash flow projection showing monthly cash inflows from all sources by month, including loans and all monthly cash outgoes for all purposes, including loans, see Attachment #21 titled Three Year Cash Flow Projection.

In order to prepare the cashflow projection, it was necessary to study successful charter schools that are now operating and their revenues and expenditures. A model was developed with variables that enabled the applicant to project expenses beyond the first year. The variables included 75% for salaries and wages; 15% facilities and operations; 5% for instructional materials and office supplies; and 5% for unforeseen costs. This model also allowed the applicant to know the extent and commitment of funds for future projects. Please note the set aside amounts needed to insure success. These funds will eventually be invested to provide additional funds for the charter school.

**Discuss any fundraising efforts to generate capital or to supplement the per pupil allocations (ADA) that are planned**

VANGUARD Academy will conduct fundraising efforts to generate capital and to supplement the per pupil allocations (ADA). The mission for fundraising at VANGUARD Academy will promote internal and external constituencies and create a climate with external constituencies that will generate maximum financial support for the new school. The development function at VANGUARD Academy will be organized as follows to better fulfill its mission:

- Special Events
- Grant Writing
- Direct Mail Solicitation
- Media Relations
- Data Services

Through a comprehensive process of identification, solicitation and stewardship, the development staff will secure financial support for the proposed school's programs

and provide opportunities for involvement with the school's overall leadership, programs, fundraising activities and special events. The school's incorporators realize the need to balance good business with good policy regarding public money. This responsibility remains a priority.

**Discuss the ways that the school will address anticipated growth in the areas of personnel, facility, and equipment expenditures.**

The charter school leadership is aware of available funds for growth. In regard to funding, there are experienced staff members and/or consultants who understand how funds may be used to benefit the school and this is a planned event. Anticipated growth in personnel may be dealt with through understanding the funding entities and how they may provide support such as Title I Part A and knowing that there may need to be a shift of 25% in the budget. Planning is an essential component. Planning for the worst and the best has been determined by this board to be the most progressive type of planning. Although progressive, proactive planning may not be traditional with public schools, it appears to be traditional with charter schools. Vanguard Academy will submit six-week reports to the TEA for the first five years to monitor and adjust revenue so that balance will be maintained. Additional projections may be made after a history is established. The Board will decide how to receive funds after the five-year period.

**Provide a copy of the current and/or proposed business procedures handbook (ATTACHMENT 22) the school will be using, describe the policies, procedures, and forms for the daily business operation.**

**Discuss the way that the school will address any unanticipated expenditures or loss of revenue and any negative net asset balances.**

The following paragraphs describe the policies, procedures, and forms for the daily business operation. With respect to ACCOUNTING SYSTEMS and ACCOUNTING REPORTS, Vanguard Academy will use the following procedures.

Vanguard Academy will adopt and install PeachTree or QuickBooks as its standard school fiscal accounting system. The present availability of software from the ESC is either DOS based or Access-based which we have determined is not in the best interest of the school. Both systems will accommodate an accounting system that will conform to generally accepted accounting principles and will report information for the new school as well as the 501(c)(3). The information and system is subject to review and comment by the state auditor.

A record will be kept of all revenues realized and of all expenditures made during the fiscal year for which a budget is adopted. A report of the revenues and expenditures for the preceding fiscal year will be filed with the agency annually through submission of Actuals to PEIMS.

The accounting system used by Vanguard Academy will provide management, cost accounting, and financial information in a format prescribed by the state Board

and in a manner sufficient to enable the state Board to monitor the funding process and determine educational system costs, including costs of specific programs, Vanguard Academy.

The Board, on behalf of Vanguard Academy, may acquire computers and computer-related equipment, including computer software, through the General Services Commission under contracts entered into in accordance with Chapter 2157, Government Code. Vanguard Academy may conduct phone bids to acquire information needed for planning and may present these to the School Management Board for approval should the amount exceed \$5,000. These costs are related to unrestricted funds only. When an restricted account is utilized, the administrators must follow the budget approved by the funding entity. In addition, reoccurring costs such as rent, utilities, salaries, etc. will not require Board approval. For the purposes of this application, telephone bids are acceptable to present to the Board to determine competitive pricing.

Vanguard Academy may purchase an item that is available from only one source without following the competitive bidding guidelines.

The proposed school will maintain adequate documentation to support detailed financial transactions. The school will insure that financial management standards are:

- accurate, current, and complete disclosure of the financial results of each program;
- accounting records which identify the source and use of funds;
- effective control and accountability for all funds, property, and other assets;
- comparison of expenditures with budget amounts for each grant;
- source documentation to support accounting records such as canceled checks, paid bills, payrolls, time and attendance records, contract and grant award documents;
- procedures to minimize the time elapsing between receipt of funds and disbursement of funds;
- procedures for determining reasonableness, allowability, and allocability of costs in accordance with OMB Circular A-122 for non-profit organizations and the Department of Education regulations.

The proposed school will establish a line of credit which will address all emergency needs that are addressed by the school. The bank that is awarded the contract for the proposed school will provide \$100k in the form of credit should the school need additional funds.

**Provide a copy of the current or proposed monthly budget status report (ATTACHMENT 23) to the Board of Directors that will be used.**

For a copy of the current or proposed monthly budget status report to the Board of Directors that will be used, see **Attachment #23**.

**Describe the financial accounting and payroll accounting system to be used and the system's capacity to use the state mandated financial accounting system in the Public Education Information Management System (PEIMS).**

**Preparation of Budget.**

- On or before August 31 of each school year, the Superintendent/ Superintendent shall prepare, or cause to be prepared, a proposed budget covering all estimated revenue and proposed expenditures of the Vanguard Academy for the following fiscal year.
- The budget must be prepared according to generally accepted accounting principles, rules adopted by the State Board of Education, and adopted policies of the Board of Trustees of Vanguard Academy.

**Records and Reports**

The Superintendent/ Superintendent shall ensure that records are kept and that copies of all budgets, all forms, and all other reports are filed on behalf of the Vanguard Academy at the proper times and in the proper offices as required by this code.

**Budget Meeting; Budget Adoption.**

- When the budget has been prepared under Section 44.002, the President shall call a meeting of the Board of Trustees, stating that the purpose of the meeting is the adoption of a budget for the succeeding fiscal year.
- The President shall provide for the public notice to be given.
- The Board, at the meeting called for that purpose, shall adopt a budget to cover all expenditures for the Vanguard Academy for the next succeeding fiscal year. Any constituent of the Vanguard Academy may be present and participate in the hearing.

**Filing of Adopted Budget.**

- The budget will be reported to TEA through the first submission of PEIMS.

**Effect of Adopted Budget; Amendments.**

Public funds of the Vanguard Academy may not be spent in any manner other than as provided for in the budget adopted by the Board of Trustees, but the Board may amend a budget or adopt a supplementary emergency budget to cover necessary unforeseen expenses. Any amendment or supplementary budget must be prepared and filed according to rules adopted by the State Board of Education.

**Accounting System; Report.**

- The standard school fiscal accounting system that will be adopted and installed by the Vanguard Academy will be PeachTree or QuickBooks. The accounting system will conform with generally accepted accounting principles and will report information for the school as well as the 501 (c) (3). The information and system is subject to review and comment by the state auditor.

- A record will be kept of all revenues realized and of all expenditures made during the fiscal year for which a budget is adopted. A report of the revenues and expenditures for the preceding fiscal year shall be filed with the agency on through submission of Actuals to PEIMS.
- The Vanguard Academy, as part of the report required by this section, will include management, cost accounting, and financial information in a format prescribed by the State Board and in a manner sufficient to enable the State Board to monitor the funding process and determine educational system costs by Vanguard Academy, campus, and program.

Annual Audit; Report.

- The school's Board of Trustees shall have the Vanguard Academy fiscal accounts audited annually at Vanguard Academy expense by a certified or public accountant holding a permit from the Texas State Board of Public Accountancy. The audit must be completed following the close of each fiscal year. The independent audit must meet at least the minimum requirements and be in the format prescribed by the State Board of Education, subject to review and comment by the state auditor. The audit shall include an audit of the accuracy of the fiscal information provided by the Vanguard Academy through the Public Education Information Management System (PEIMS).
- Each treasurer receiving or having control of any school fund of the Vanguard Academy shall keep a full and separate itemized account with each of the different classes of its school funds coming into the treasurer's hands. The treasurer's records of the Vanguard Academy's itemized accounts and records shall be made available to audit.
- A copy of the annual audit report, approved by the school's Board of Trustees, shall be filed by the Vanguard Academy with the Agency not later than the 120th day after the end of the fiscal year for which the audit was made. If the Board of Trustees declines or refuses to approve its auditor's report, it shall nevertheless file with the Agency a copy of the audit report with its statement detailing reasons for failure to approve the report.

Financial Reports to Commissioner or Agency; Forms.

- All financial reports made by or for the Vanguard Academy or by their officers, agents, or employees, to the commissioner or to the agency, shall be made on forms prescribed by the agency, subject to review and comment by the state auditor.
- Vanguard Academy will collect and submit data for the Public Education Information Management System (PEIMS) in compliance with the Texas State Board of Education requirements. Data collection will include the following areas:
  - student demographic and academic performance
  - personnel
  - financial
  - organizational information
- Vanguard Academy will adhere to all formats and procedures outlined in the Data Standards and will contract with the CCMS for Internet based software application

for submission, training, and services to obtain skills and competencies required for PEIMS data submission. Computer systems will be acquired that have the capacity to run the software and store the required information. All contractual agreements and equipment are reflected in the proposed budget. In addition, a PEIMS Coordinator and other appropriate school staff will be identified who will attend all training sessions provided by the Region I Education Service Center.

- Further, Vanguard Academy will follow the required delivery schedules and record format in accordance to the Region I ESC's specifications. Efforts will be made to train staff members on the use of the Edit+ system in order to submit the required records in a timely manner. All records will be stored in a secured environment to insure confidentiality of records and files. The Superintendent of Vanguard Academy will certify that the data submitted to the ESC is accurate and authentic.

## **Facility Management**

### **Description of and address for the physical facility.**

Vanguard Academy will be located at 400 S. "I" Road, Pharr, Texas, 78577. It is geographically located in the eastern part of the city. Three cities, Pharr, San Juan, and Alamo are neighboring cities and make up one school district. (PSJA Independent School District)

Vanguard Academy will lease the educational facilities of Templo Bethel A/G Church, which contains administrative offices, Pre-K classrooms, nursery, cafeteria, a patio area, nine classrooms, and an auditorium. In addition, it contains three laboratories (one for administration, one for boys and one for girls). Each classroom contains an air conditioner, and three furnaces units that heat the cafeteria and classrooms. Each classroom is equipped with tables, chairs, and chalkboards. The total facility is equipped to maintain 500 people, with fire exits, sanitary equipment, heating, air conditioning and water supply, which meets Fire Marshall code. A fenced in playground will be constructed with equipment. To insure safety, on the playground, entering and exiting the facility, students will be supervised by faculty or staff, in addition the Pharr Police Department, upon request. The cafeteria can maintain approximately 300 people, for cooking, serving and sitting. The facilities was built in 1984 and is approximately 10,700 total square feet, it also includes a parking lot for 150 vehicles.

Templo Bethel A/G Church has been in existence since the 1930's with a small group in attendance. Currently it has 500 in attendance with 300 in membership. This is the supporting group to establish Vanguard Academy. Committed to meet the needs of the community, Templo Bethel employed a full time Director on August 20, 2000 to establish a charter school. Vanguard Academy has incorporated, established By Laws on September 19, 2000. The Academy has received a Federal identification number, 74-291562. Vanguard Academy has also applied for the 1023-501-C-3 form on November 1, 2000 and received an acknowledgement of its request.

Templo Bethel has purchased ten acres of property for the purpose of building its educational facility in behalf of Vanguard Academy. The facility will be 61,059 square feet, with two levels, 27 class rooms, gymnasium with locker rooms and showers, computer laboratories, a track with a football and soccer field, playground, administrative offices, conference room, a library, and a parking lot to accommodate 150 vehicle's. Tentative construction date is 2002. (See Attachment #18)

In addition, liability insurance for the building has been provided for in the budget. For a copy of the first year least agreement, see Attachment #24 titled Lease Agreement. Lease: Rent will be abated for the first three months for the purpose of tenant construction.

**Explain why this site would be a suitable facility for the proposed school campuses. Address the necessity of renovation of the facility and compliance with applicable building codes. Describe the services of the facility including heating, ventilation, and lighting, sanitary conditions and water supply. Describe how all federal, state, and local safety and health requirements will be met.**

The present location offers suitable facilities for use as a school campus and is in proximity to and have easy access to major thoroughfares (Interstate Highway 281 and Interstate Highway 83).

The Vanguard Academy will donate \$7,500 for the necessary build outs required to bring the facilities at the school campus into compliance and for the additional requirements needed for building codes for public schools.

There is adequate heating, ventilation, lighting, bathroom facilities, and water supply to serve the numbers projected to be enrolled. The facilities at the school campus have access to approved city water supply. The facilities are maintained by the church sufficiently to provide clean and sanitary conditions for the students.

The floor space to be utilized by the school is asbestos-free and the bathrooms meet asbestos codes. (Funds have been allocated in the budget to provide the assessment required for the Asbestos Abatement Plan and to insure that all building codes are met.)

The facilities to be utilized by the campus meet all requirements of the Americans With Disabilities Act of 1990, Title III (ADA) for access to the building and bathrooms.

Describe how all federal, state, and local safety and health requirements will be met.

Federal requirements are addressed through the access to the building and

bathrooms specifically designed to serve special populations served through ADA. Furthermore, all requirements regarding occupancy, special use permits, and fire safety and health requirements will be addressed by the school to insure safety and health requirements. The school will initiate the process for an asbestos inspection upon approval from the SBOE. Before beginning classes at the site, the fire marshal and health inspector will be contacted to inspect the premises for potential safety and health issues. In addition, all exits will be clearly marked and evacuation maps displayed in classrooms and hallways. The school will develop a disaster plan and emergency plan before opening the school which will include such topics as tornado, fire, bomb threats, etc.

**Describe special use areas of the facility including playground/athletic areas, cafeteria, laboratories, general assembly areas, etc.**

**Description of special use areas at Vanguard Academy**

The Vanguard Academy campus will provide a large, fenced playground area by the end of the first school year. It will contain playground equipment that can also be used by the church. As additional playground provisions are needed, the church and/or the school will raise funds to buy additional equipment for motor development and play. A new gymnasium at this site provides excellent facilities for athletic activities, as well as a natural meeting place where Vanguard Academy students, parent organizations, and other community supporters can assemble in comfort.

The campus includes a fully equipped kitchen and adequate space for a cafeteria and will provide a nourishing and appealing breakfast, lunch, and snacks. We anticipate that more than 50% of the student population at the school's campus will qualify for the free or reduced lunch program. It is anticipated that Breakfast and lunch will be contracted out until such time as inspections can be made and staff trained to maintain the records and prepare the meals according to the regulations. Afternoon snacks for the after school program may be prepared by the staff in the kitchen located in the facility. **All federal and state mandates will be followed with respect to food service.**

The school's campus will provide adequate space to meet state mandates regarding science labs for elementary students. The sanctuary at this site provides a natural meeting place where Vanguard Academy students, parent organizations, and other community supporters can meet in comfort.

**Discuss any progress, partnership developments or future steps toward acquisition of a facility/land.**

The Applicant plans to build a new school facility within its fourth year. Trustees have purchased the land that lies south of the existing church building on 400 S. "I" Rd. The proposed plans are to build a school facility that will include: 27 classrooms,

two large computer labs, four administrative offices, a cafeteria, teacher's lounge, and library.

**Attach a copy of a lease agreement, deed to property or purchase agreement as applicable (ATTACHMENT 24).**

For copy of lease agreement(s), see Attachment #24 titled Lease Agreement.

### **Student Attendance Accounting**

**Describe your school attendance accounting procedures. The TEA Student Attendance Accounting Handbook must be followed. (Copies of this handbook can be obtained from publications department of TEA). Indicate name of computer program to be used for student accounting purposes and describe the capacity of that program to keep track of student related data required in PEIMS.**

Vanguard Academy will adhere to all accountability requirements as described in the *TEA Student Attendance Accounting Handbook* which provides the Vanguard Academy's with the Foundation School Program (FSP) eligibility requirements of all students and the minimum requirements of all student attendance accounting systems.

The proposed school campus will submit attendance information through the Public Education Information Management System (PEIMS) data as required of all public school districts. Student attendance and contact hours will again be reported at the student detail level, for the entire school year, through PEIMS. In addition, Vanguard Academy will maintain auditable documents that substantiate the data submission.

The proposed school campus will comply with the following responsibilities:

- Ensure that the basis used to record and process attendance accounting data meets this standard through an approved automated system. 19 TAC §129.21(e)
- Adopt an attendance accounting system, both manual and automated, which includes procedures that ensure the accurate taking, recording, and reporting of attendance accounting data. TEC §42.006(b)
- Report attendance and contact hours on the student level for the entire school year through the Public Education Information Management System (PEIMS).
- Be responsible for safekeeping of all attendance records and reports and certify these documents upon submission to PEIMS.
- Determine how to properly store records to be readily available for audit by the School Financial Audits Division of the Texas Education Agency. TEC §42.255, 19 TAC §129.21(m)
- Contract with a reputable automated system or a Regional ESC that will provide error free submissions to PEIMS.

- Include attendance accounting in the annual audit to be reported to TEA.
- Maintain records to reflect the average daily attendance (ADA) for the allocation of FSP funds and other funds allocated by the Texas Education Agency. 19 TAC §129.21(a)
- Report all eligible students that are entitled to the benefits of the FSP. All eligible attendance will be reported according to provisions established by the Texas Education Agency and only those students who are eligible for special funding will be included in the ADA report. TEC §42.006

In addition, Vanguard Academy will submit timely six weeks reports to the Texas Education Agency to determine student eligibility.

A paper copy of all required attendance records will be retained for five years signed in ink and with any corrections initialed. The proposed Vanguard Academy will also retain the hardware and software (attendance program) necessary to access and reproduce the attendance data in an acceptable format. For system control purposes both paper and electronic data will be maintained.

The school will adhere to the following attendance requirements:

- A student must be served at least two hours of instruction per day to be included in membership. Students must be in membership before they are eligible for attendance. Students with disabilities follow the same two-hour-per-day eligibility rule. Absences for students who do not meet the two-hour-per-day minimum to be included in membership are not required to be recorded. However, the demographic and special program information must be maintained in the accounting system for all students served, in accordance with the applicable coding instructions.
- Students must meet all eligibility requirements described in the Student Attendance Accounting Handbook before they can generate funding. Students served at least two but less than four hours of instruction per day are eligible for half-day attendance (ADA eligibility code 2). Students served at least four hours of instruction per day are eligible for full-day attendance (ADA eligibility code 1).
- Students served in Elementary Education and Pre-Kindergarten classes are eligible for half day services until previously approved for full day programs.
- Students are either present or absent at the time the official attendance roll is taken. The snap shot will be taken during the second period as defined by the local Board policy. The central attendance staff will adjust an absence for a student who was with authorized school personnel (nurse, counselor, Principal, etc.) and was recorded absent at the time the official attendance roll was taken. The change must be documented, and an audit trail will be established and will be maintained to support any changes to posted absences.
- For official attendance accounting and Foundation School Program (FSP) purposes, "Tardies" do not exist. However, locally-designed codes will be implemented which indicate:

1. a student arrived late to class before official roll call and was counted present for ADA and FSP purposes, or
2. a student arrived late to class after official roll call and was counted absent for ADA and FSP purposes.

**NOTE: Adequate documentation which defines all locally-designed codes will be retained with all other auditible records.**

- Attendance and contact hour eligibility begins the first day of school and continues for the entire school year.
- Student Detail Reports will be generated each six-week reporting period and reviewed at the end of each six-week reporting period for reasonableness by campus personnel who are responsible for ensuring student attendance accounting codes are correct. The Superintendent and the person recording the information will certify information submitted to the TEA.
- All required, documentation which is stored electronically must be reproduced in an acceptable format at the time of an audit. The documentation will be complete and will be scannable by the human eye.

The proposed Vanguard Academy recognizes that in order to receive funding for students qualifying for special programs that each student must meet the eligibility requirements as described by the program. Therefore, the eligibility requirements have been reviewed and described within this narrative. Review of the *Student Attendance Accounting Handbook* has revealed coding procedures that will be followed by Vanguard Academy.

The school will adhere to the following requirements for coding information for special programs:

Students must be eligible for attendance and must meet all requirements for special programs before their attendance may be counted for funding. Complete documentation will be on file to support eligibility.

The proposed Vanguard Academy will not claim funds for special programs prior to filing all required documentation. Early identification and documentation for all students will be filed as soon as possible.

When appropriate, Special Education and Bilingual/ESL staff or teachers shall provide attendance personnel with names and coding information of students who are eligible, who are being served, and whose documentation is in order. Attendance personnel will be notified of any change in a student's special program service and the effective date of such change before changes are recorded in the attendance records.

The use of codes provided by the special program staff or teachers, attendance personnel will accurately record appropriate program codes for each student enrolled in special programs. Paper copies summarizing special program participation, by

student, will be generated, reviewed, and verified by the special program staff member in charge.

The proposed Vanguard Academy will retain gradebooks for basic education and special program courses for the full five-year retention period.

**Attach a school calendar (ATTACHMENT 25) and identify the hours of school operation including a description of teacher/student contact hours.**

See Attachment #25 for the preliminary 2002-2003 school calendar. The school's hours of operation are from 8:00 a.m. to 4:00 p.m. Students will serve at least four hours of instruction per day to be eligible for full-day attendance (ADA eligibility code 1).

**Provide a draft of a Board policy (ATTACHMENT 26) providing for the admission of students eligible for a public education grant (PEG) under Texas Education Code, Chapter 29, Subchapter G. Describe how the school will implement the policy.**

A draft of a Board policy concerning PEG is included as Attachment 26. Vanguard Academy will implement the PEG policy through the PEIMS Coordinator to locate students who are from the low performing campuses to be coded on the appropriate PEIMS record. A student enrolled in a school identified under the PEG program has the right to request a transfer to another school in his/her current district or in a charter school. Students seeking enrollment in Vanguard Academy shall follow the same procedures for enrollment as other applicants and will be considered on a first-come, first-served basis. When the capacity for the facility has been met, students will be placed on a waiting list and a lottery will be conducted for future openings.

#### **Transportation and Food Service**

**Describe provision for transportation for students served by the Vanguard Academy. Pursuant to federal law, the school must provide transportation to students eligible for special education services as required by their Individualized Education Plan (IEP).**

Vanguard Academy will provide transportation only to students eligible for special education services as required by their IEP's. Such transportation may be provided by parents and/or the public transportation system. Funds have been allocated in the proposed new school's budget for this purpose. The Board of Trustees will consider additional transportation options based upon identified needs assessed through student enrollment data during the first year.

In addition, church buses/vans and public transport will be used for field trips and other school-sponsored activities. Funds for such transportation have been allocated

in the budget.

**Describe provision for food service, if any, for students served by the Vanguard Academy, include plans for free or reduced lunch and breakfast programs. (If 10% of your students qualify for free or reduced lunch you are required to provide a breakfast program for those students).**

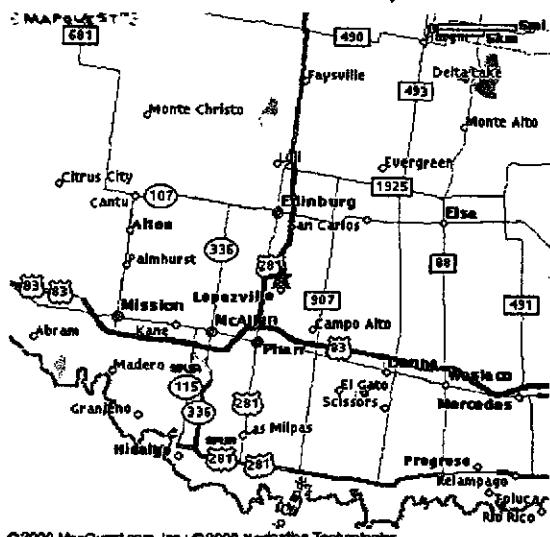
Vanguard Academy anticipates that more than 50% of the student population, will qualify for the free or reduced lunch program. Therefore, the Trustees will issue an RFP and contract with outside vendors to provide breakfast and lunch to qualifying students until the school's kitchen meets NSLP standards. All federal and state mandates will be followed with respect to food service.

## 7. Geographic Boundaries and Statements of Impact (Reviewed by Agency)

### Geographic Boundaries

Describe the geographic area to be served by the school. Include a map (ATTACHMENT 27) showing boundaries clearly marked. Include a written description that clearly explains the area to be served.

**NOTE:** This description must be specific and definite. For example, descriptions such as "southwest portion of the city" or "the greater metropolitan area" are insufficient. Acceptable definitions include those identifying the area in terms of city or county limits, street names, and boundaries of school districts or zip codes.



The geographic area to be served by Vanguard Academy is the county limits of Hidalgo County and school districts in adjoining counties within a 30 mile radius of the school. The school districts from which students will be attending are listed below.

Provide a list of all districts within the geographical area that may be affected by the Charter School, including those districts from which the Charter School will accept transfers.

#### List of districts receiving impact statements.

Donna Independent School District  
116 North 10<sup>th</sup> Street  
Donna, Texas 78537

Edinburg Consolidated Independent School  
101 North 8<sup>th</sup> Avenue  
Edinburg, Texas 78539

Hidalgo Independent School District  
324 East Flora  
Hidalgo, Texas 78557

McAllen Independent School District  
2200 Tamarack Ave.  
McAllen, Texas 78501

Mission Consolidated Independent School District  
201 Bryce Drive.  
Mission, Texas 78572

Pharr – San Juan – Alamo Independent School District  
804 East Highway 83  
Pharr, Texas 78577

Sharyland Independent School District  
1106 North Shary Road  
Mission, Texas 78572

Weslaco Independent School District  
319 West 4<sup>th</sup>  
Weslaco, Texas 78596

#### **Statements of Impact**

**The Sponsoring Entity must send a copy of the form in Appendix IV, *Statement of Impact*, to the superintendents of all school districts that are likely to be affected by the establishment of the Charter School, including those districts from which the Charter School will accept. The purpose of the form is to document any adverse impact on the affected district or any potential enrollment shift that may impede a district's ability to comply with a court order affecting the district. The form must be sent to all districts in the geographical area from which the school will draw students. A copy of the Charter School application and a letter from the Vanguard Academy must accompany the form, requesting the Superintendent of the affected district to submit the signed and completed form to the Texas Education Agency.**

**The Statement of Impact form and the completed application (excluding only ATTACHMENT 28) should be sent to all affected districts no later than the date the application was submitted to TEA.**

**The Charter School application must include a list of the districts to which a *Statement of Impact* form and application were sent. Submit with your application a copy of the return receipt (ATTACHMENT 28) from the post office showing the date the forms were sent to the districts.**

**See Attachment 28 for a copy of the return receipt from the post office showing the date the form was sent.**

**The Superintendent *may* complete the *Statement of Impact* form and submit it to the Texas Education Agency by the date of submission of the application to the State Board of Education. Upon receipt of each Charter School application, Agency staff will determine whether all districts likely to be affected by the establishment of the proposed Charter School received a *Statement of Impact*.**

## 8. Statement of need (Scored by Review Committee)

**Why is there a need for this type of school? What evidence exists that there is a sufficient demand for the educational program you are proposing?**

According to the U. S. Census Bureau, the county population on July 1, 1999, was 534,907, an increase of 151,362 over the 1990 census. This means that Hidalgo County grew at a rate of 39.5% for the period compared to a statewide population growth rate of only 18.0%. With 36.6% of county residents under 18 years of age, this is a "young" county. Its citizens are primarily Hispanic, accounting for 88.5% of residents. White, non-Hispanics account for 11.1%. African American, American Indian or other racial identities account for less than 1% of the county's population. The McAllen-Edinburg-Mission, TX MSA accounts for most of the area's population growth. According to the U. S. Census Bureau, this is the third fastest growing MSA in the nation.

Educational attainment in the county is very low. In 1990, among residents aged 25 years and over, only 24.9% held a high school diploma and only 5.9% in that age group held a college degree. This compares to 44% of Texans aged 25 years and over who held at least a high school diploma in 1990 and 12% of Texans in that age group who held a college degree. (Source; U. S. Census Bureau: State and County QuickFacts)

In Hidalgo County, families tend to be large with an average of 3.67 persons per household. This compares to 2.73 persons in the average Texas household. Families in this county are significantly poorer than for Texas as a whole. According to 1997 model-based estimates from the U. S. Census Bureau, median household money income in 1997 was \$20,034 in Hidalgo County compared to \$34,478 for all Texas households. This means that households in Hidalgo County earn 41.9% less than the state average household income. According to 1997 model-based estimates, 37.6% of persons in Hidalgo County lived below the poverty line compared to 16.7% statewide. Children in Hidalgo County are especially poor, with 47.9% living below the poverty line. This compares to 23.6% of Texas children who live below the poverty line.

The TEA State Academic Education Indicator System (AEIS) indicates that public education in Texas is comprised of almost 40% Hispanic children. This group is the highest ethnic group in the state next to Caucasian which is at 43%. Further review of the AEIS reveals that this group attends school less often than other ethnic groups and reports 2.3% dropout rate at a state level. When compared with the .8% of Caucasians dropping out in Texas, the number of Hispanic children not in school is alarming. In McAllen ISD, the AEIS reports that children taking the test in Spanish are performing poorly (<18% at some grade levels) in most academic areas and the high school drop out rate for Hispanic youth is approaching 14% in a four year course of study. If the percentages were assigned a value, out of the 5,490 Hispanic youth in high school at McAllen ISD, 14% represents 768 Hispanic young people not completing high school.

	Pharr, SJ, A ISD *(Grades 1-8 only)	McAllen ISD	Edinburg ISD
Not Tested	12.8%	10%	9.3%
Dropout Rate	1.6%	2.3%	1.9%
% Not Completing 4 year program	11.6%	13.8%	8.1%
#Hispanic not completing high school	*	768	400

Texas Education Website-1999 AEIS Results

The community in which the Vanguard Academy will provide educational services supports this application as evidenced by the number of community members who attended the public meeting and voiced support. It is evident from the research that early intervention is needed in order to promote high school completion. It is evident that Hispanic youth must enter into an educational environment that is respectful and encourages parent participation in their children's education. It is evident that Vanguard Academy with its focus on Core Knowledge, small classrooms and small schools, research-based and successful strategies, safety, and the focus on "Success For All" will reduce the number of Hispanic youth dropping out of school early in the child's school career and increase the educational attainment of the community.

**Explain why the Charter School model is the appropriate vehicle to address this need.**

The Vanguard Academy model is the appropriate vehicle to address this need because this type school can offer a "positive school climate" that will focus strongly on serving and empowering educationally-disadvantaged children and children who are in at risk situations and their families. Schools of this charter school type provide the kind of supportive environment that can transform efforts to improve education. The model presented here is for less fortunate youth who are at risk of dropping out of school or will drop out of school. Furthermore, it is based on a model that has been available to other state and has demonstrated academic success as reported to the state.

The "positive school climate" provides personalized, comprehensive and compassionate services based on traditional values. This climate, or atmosphere, results from the interactions and interrelations of people in the school. It consists of the elements of the school and the character of the people in the school which, when combined, create an atmosphere conducive to learning. Schools with positive climates are more cohesive places where there is a union of faculty, staff, and students working toward common goals. Such schools are responsive to human needs. Procedures, rules, and regulations serve the people in these schools – not the other way around. Given these special attributes, Vanguard Academy can:

- Help students increase productivity, the attainment of goals, academic achievement, and social development.
- Provide a stimulating, challenging, productive environment to enhance the academic, social, emotional, and physical development and all children
- Provide a pleasant place for children to live and learn and for people to work
- Help students, and others associated with the school, display the attributes of caring, trusting and respecting one another
- Help students and school personnel demonstrate a sense of pride and ownership in the school
- Increase the likelihood that students will experience educational success
- Help diverse social groups communicate with one another, respect one another, and work with one another for school improvement

Vanguard Academy can also:

- Help raise academic expectations of both students and parents by focusing on developmentally appropriate, rigorous academic content
- Ensure that students don't get behind and stay behind academically by offering individual education plans (IEPs)
- Help remove the aspect of student "anonymity" associated with large school campuses by offering "small school" environments, leading to increased self-esteem among students

## 9. Vision of school

**Describe the long-range vision of the school specifically addressing how that vision supports student learning of the Texas Essential Knowledge and Skills.**

Vanguard Academy is about recommitting ourselves to the highest stands of education rather than minimum skills. The school will serve students grades pre-kindergarten through 12.

Our vision focuses around the following quote:

*"A purpose in life, a reason for learning."*

### Our vision for Students

Our vision incorporates the passion for learning where students take pride in their school and will respect the dedicated teachers and staff who commit their lives to education. Students will hold themselves to high standards of achievement and academic excellence. They will be grateful for the privilege of receiving an education and they will strive to the best of their ability, to accomplish their educational goals. All students will have an equal opportunity to receive a quality education.

Vanguard Academy school graduates will

- be well prepared for the work place or for post secondary training.
- model citizenship, character, and ethics.
- be proficient in technology and a second language.
- possess verbal and written communication skills.
- demonstrate a mastery of reading, writing, math, and technology.

#### Our Vision for Parents

Our vision includes parents who will have the right to participate and will be encouraged and expected to get involved in their school, including the governance of their school. Parents will support the teachers and the administration of the school. They will follow through at home to make certain their children live up to their school commitments and obligations. Our school will respect the diverse cultures and faiths of parents and students and our school will be a place of tolerance, respect, and understanding.

#### Our Vision for Faculty and Staff

The faculty and staff of our school will be competent and caring professionals, who will work as teams to teach, coach, and motivate students to learn. They will continuously strive to increase their skills, to be proficient in the latest educational technologies and to be prominent role models for students. The faculty and staff will be mentors and advisors to students. They will be aware of the personal educational needs of each of their students. They will bear the responsibilities and live up to the high expectations of their profession and will take an active role in their communities and in their school.

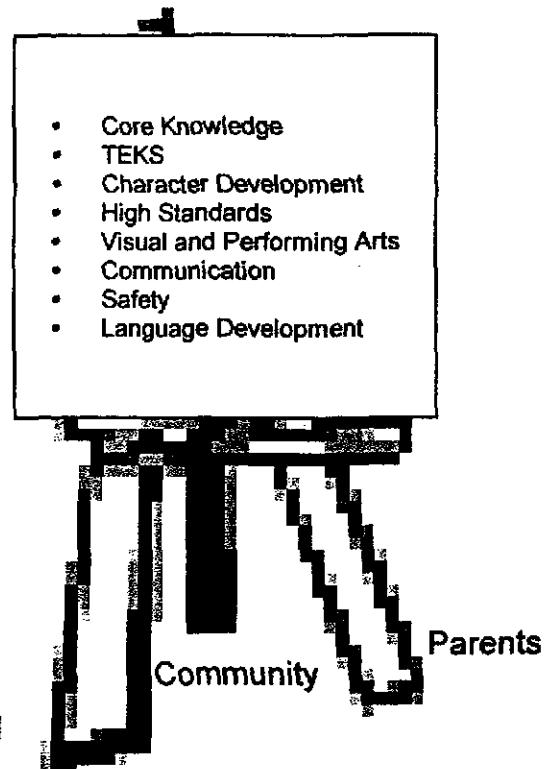
Our mission includes partnering with parents and the community to establish a viable learning community providing children a reason for learning in a safe and friendly environment. Vanguard Academy's purpose will be to prepare students to be successful life long learners, to create positive learning habits and work ethics, to prepare students to be successful in their careers, to celebrate all cultures especially their own, and to teach and model responsibility and respect.

Vanguard Academy recognizes that its student body is "at-risk or high risk" because its students come from families with little to no tradition of having completed high school. A major challenge we will face is to help instill within our students and their families a value in the attainment of a high school diploma and a commitment to seek education and training beyond the secondary level.

Incorporated in the vision is the mastery of the Texas Essential Knowledge and Skills (TEKS). The foundation of the vision depends on students acquiring the needed knowledge and skills defined in Texas Administrative Code (TAC) 19 Chapter 74 as revised by the State Board of Education in May 1998. The TEKS will be the foundation curriculum taught at the school.

**In succinct terms, describe the educational philosophy or pedagogy of the proposed school.**

Vanguard Academy will utilize the Success for All (SFA) model developed by Dr. Robert Slavin. The SFA is an elementary school restructuring program designed to deliver intensive academic assistance to student populations at risk of school failure. Developed in the mid-1980s by Dr. Robert Slavin, a researcher at Johns Hopkins University, SFA will be in place in more than 750 (mostly high-poverty, Title I) schools across the country. Because learning to read has been shown to be critical for academic success, the program was built around research into the most effective ways to teach reading and strategies to catch and correct problems early. As Vanguard Academy expands to include secondary classes, this model will be utilized for older students. Vanguard Academy anticipates that new students will need the reading and oral language development even at the secondary level.



This combined with the small schools model described by the Annie E. Casey Foundation where their studies demonstrated that both students and teachers in small schools around the country enjoy a greater sense of belonging. Teachers had more time for each student, so they could better address a child's strengths and weaknesses. Students became active learners, ready to tackle complex problems and challenging coursework. Data showed that females, non-whites, and lower income children performed better in small schools, as did most special-needs students. The foundation recommends that a school enroll no more than 700 for optimum education service delivery for students. The maximum that Vanguard Academy will enroll at this site will be 500.

**Fine Arts Integration into the Curriculum**

Every child has the innate urge and capacity to be artistically expressive. Arts education requires students to draw upon their creative abilities and to deepen them, as well. The benefit is that creative thinking, once learned early, lasts for a lifetime and can be applied in other endeavors. Vanguard Academy will utilize the innate talents and

abilities of the students to create a unique learning environment that emphasizes the vibrant culture of the student population.

The arts can transform the classroom environment, making learning a lively, invigorating experience. With their emphasis on creative discovery and their ability to stimulate a variety of learning styles, the arts engender enthusiasm and motivation for learning. The arts also teach discipline, the value of sustained effort to achieve excellence, and the concrete rewards of hard work. All these factors can encourage higher attendance and decrease drop-out rates.

Many students find that the arts help them master academic skills. Drawing helps writing. Song and poetry make facts memorable. Drama makes history more vivid and real. Creative movement makes processes understandable. This is doubly true for the high-risk student, who often excels for the first time in an arts program.

Sometimes, the student who is not doing well in traditional academics might have an artistic talent that has not yet flowered. As the writers of *The Fourth R* point out:

*"Imagine what might happen to Leonardo da Vinci today if he were placed in the average American public school. This illegitimate son of a poor woman, a left-handed writer who loved to draw and challenge conventional thought, would be labeled an at-risk special education candidate..."*

Schools with an integrated arts curriculum might be better able to address the needs of students like da Vinci.

Based on what we know, what do students need in order to do well in school? Belief that success in school is possible is one of the most important factors for students. Positive self-perceptions have been shown repeatedly to aid the development of skills and learning.

Projections about the demographic composition of the United States in the next 40 years show that the "minority" population will soon be the majority population. These projections have profound implications for educators, as they prepare our children for tomorrow's world.

Related to self-concept is an understanding of others. Cultural studies challenge students to respond to the world, to look beyond themselves and to see the connectedness of human society. The arts foster understanding of other cultures, their histories, symbols, myths, values and beliefs. Many studies document the role of the arts in improving basic skills, the 3'Rs. Because of the mounting evidence linking the arts to basic learning, some researchers refer to the arts as "The Fourth R."

The arts have far-reaching potential to help students achieve education goals. The groundbreaking theory of multiple intelligences, developed by Howard Gardner of

Harvard University, broadens our view of how humans learn and realize their potentials. It shows that the arts can play a crucial role in improving students' ability to learn because they draw on a range of intelligences and learning styles, not just the linguistic and logical-mathematical intelligences upon which most schools are based.

Schools that incorporate music, art, drama, dance, and creative writing into the basic curriculum have found that teaching the arts has a significant effect on overall success in school. Because the arts are closely associated with important ideas and events in history, students who have a good background in the arts are likely to have a richer source of information and insight to draw upon, compared to those who do not study the arts.

It has also been documented that the arts have the potential to aid learning in specific areas, such as reading, writing, math and creativity. Each study has its own context and complexities that cannot be presented in this brief format. Readers are encouraged to seek more information.

For example, students of the arts continue to outperform their non-arts peers on the Scholastic Assessment Test, according to The College Entrance Examination Board. In 1995, SAT scores for students who studied the arts more than four years were 59 points higher on the verbal and 44 points higher on the math portion than students with no coursework or experience in the arts. The College Board, Profile of SAT and Achievement Test Takers, 1995

Students improved an average of one to two months in reading for each month they participated in the "Learning to Read Through the Arts" program in New York City. Students' writing also improved, the study revealed. "Learning to Read Through the Arts," an intensive, integrated arts curriculum, has been designated a model program by the National Diffusion Network and has been adopted by numerous schools and districts across the country. Chapter 1 Developer/ Demonstration Program: Learning to Read Through the Arts, 1992-93; Office of Educational Research, New York City Board of Education, 1993, 1981, 1978

The most gains in total reading, reading vocabulary and reading comprehension were made by elementary students in the "Spectra+" arts program in Ohio, compared to the control group. The students also scored better in math comprehension. The Schooled Mind: Do the Arts Make a Difference? An Empirical Evaluation of the Hamilton Fairfield SPECTRA+ Program, 1992-93, by Richard L. Luftig, 1994

Vocabulary and reading comprehension were significantly improved for elementary students in the "Arts Alternatives" program in New Jersey. A strong connection between drama skills and literacy was found in this program, which involved role-playing, improvisational techniques and story writing activities. The Impact of an Improvisational Dramatics Program on Student Attitudes and Achievement, by Annette F. Gourgey, Jason Bosseau, and Judith Delgado, 1985

The writing quality of elementary students was consistently and significantly improved by using drawing and drama techniques, compared to the control group, which used only the discussion approach. Drama and drawing techniques allowed the student writer to test-out, evaluate, revise and integrate ideas before writing begins, thus significantly improving the results. *Drama and Drawing for Narrative Writing in Primary Grades*, by Blaine H. Moore and Helen Caldwell, 1993

Students made significant gains over the control group in language mechanics, total language and writing on the California Achievement Tests after participating in a special music and poetry program. *The Cognitive and Behavioral Consequences of Using Music and Poetry in a Fourth Grade Language Arts Classroom*, by Carolyn Carter Hudspeth, 1986.

Vanguard Academy's pedagogy will be delivered utilizing additional research-based methods and strategies that are specifically linked to success for students who have been identified as at risk. These components include the following strategies:

- **Core Knowledge**— A School Reform Movement . . . taking shape in hundreds of schools where educators have committed themselves to teaching important skills and the Core Knowledge content they share within grade levels, across districts, and with other Core Knowledge schools across the country.

#### Core Knowledge IS Solid

Many people say that knowledge is changing so fast that what students learn today will soon be outdated. While current events and technology are constantly changing, there is nevertheless a body of lasting knowledge that should form the core of a Preschool-Grade 8 curriculum. Such solid knowledge includes, for example, the basic principles of constitutional government, important events of world history, essential elements of mathematics and of oral and written expression, widely acknowledged masterpieces of art and music, and stories and poems passed down from generation to generation.

#### Core Knowledge IS Sequenced

Knowledge builds on knowledge. Children learn new knowledge by building on what they already know. Only a school system that clearly defines the knowledge and skills required to participate in each successive grade can be excellent and fair for all students. For this reason, the Core Knowledge Sequence provides a clear outline of content to be learned grade by grade. This sequential building of knowledge not only helps ensure that children enter each new grade ready to learn, but also helps prevent the many repetitions and gaps that characterize much current schooling (repeated units, for example, on pioneer days or the rain forest, but little or no attention to the Bill of Rights, or to adding fractions with unlike denominators).

#### Core Knowledge IS Specific

A typical state or district curriculum says, "Students will demonstrate knowledge of people, events, ideas, and movements that contributed to the development of the United States." But which people and events? What ideas and movements? In

contrast, the Core Knowledge Sequence is distinguished by its specificity. By clearly specifying important knowledge in language arts, history and geography, math, science, and the fine arts, the Core Knowledge Sequence presents a practical answer to the question, "What do our children need to know?"

#### Core Knowledge IS Shared

Literacy depends on shared knowledge. To be literate means, in part, to be familiar with a broad range of knowledge taken for granted by speakers and writers. For example, when sportscasters refer to an upset victory as "David knocking off Goliath," or when reporters refer to a "threatened presidential veto," they are assuming that their audience shares certain knowledge. One goal of the Core Knowledge Foundation is to provide all children, regardless of background, with the shared knowledge they need to be included in our national literate culture.

- **Character Development**-- One of the major goals of schools has always been to affect the values, habits, and social behavior of students. Indeed, Aristotle believed that the development of good character was the primary purpose of education; this priority on character over intellect has been shared by schools associated with certain religions, by military academies, and by some private schools. Education, in great measure, forms the moral characters of men, and morals are the basis of government. Early American educators believed that public schools could form the characters of students, and that positive effects on character would ensure that the republic would survive the many stresses and strains to which it was subjected

Today there is a renewed interest in character education, as the perception grows that many American youth are getting out of control. This is particularly true among at risk youth. Drugs and gangs, teenage pregnancy and suicide, and the breakdown of school discipline, have led many educators and political leaders to once again look to the schools to educate not only the minds by the consciences of children. Vanguard Academy will implement Character Development in order to insure that the students will develop the skills needed for success in their future.

- **Multiple Intelligences**-- Howard Gardner of Harvard University has identified different KINDS of intelligence we possess. This has particularly strong ramifications in the classroom, because if we can identify children's different strengths among these intelligences, we can accommodate different children more successfully according to their orientation to learning. Thus far Gardner has identified nine intelligences. He speculates that there may be many more yet to be identified. These are the paths to children's learning teachers can address in their classrooms right now by identifying and using Multiple Intelligences to guide instruction. Vanguard Academy will incorporate the identification of multiple intelligences into the teaching strategies to be employed.

- **Learning Styles**— The Learning styles model to be utilized will be the Dunn & Dunn model which has been in existence since 1965. The Dunn & Dunn model is not a method, it is a means for choosing methods. It is consistent with other models to be utilized and guides instruction through the way children. The Dunn & Dunn model is the single most researched model ever introduced in education (researchers at 115 institutions of higher education [worldwide] have conducted studies using the Dunn & Dunn model). Use of learning styles approaches have reported statistically higher standardized achievement and aptitude scores among average, poorly achieving and Special Education students. The Dunn & Dunn model, when used properly, consistently reduces discipline problems & increases positive attitudes about school. Research indicates that the Dunn & Dunn learning styles model may be the most cost effective teaching and learning model in existence. Learning styles can be adapted to any curriculum. Emerging brain research is beginning to explain why the model works. The Dunn & Dunn learning styles method recognizes and prescribes based upon individual student needs. Linked with the multiple intelligences model, this strategy will be enhanced to provide instruction based upon the student's strengths rather than providing remediation of weaknesses.
- **Technology**-- Computers are dynamic learning tools. They can offer students a variety of real-world and interactive learning experiences that cannot be replicated by other classroom tools. Such an observation does not suggest that books, microscopes, or other classroom tools be subordinated to computers. Rather it is an invitation to use computers in concert with other resources to engage students in active construction of knowledge and authentic problem-solving. In addition, technology is considered the "great equalizer" that crosses all barriers including cultures and disabilities. Vanguard Academy will utilize technology to compliment and support the curriculum. Educational software, the Internet, and software applications will be available for students and staff. It is anticipated that as the school expands so will the availability of technology.
- **Language Development**--A dual-immersion or two-way program will be used to provide language enrichment for both native English speakers and native speakers of another language specifically Spanish as the demographics of the students dictate. Students typically stay in dual-immersion programs throughout elementary school with the program promoting bilingualism and biliteracy for all the students. Classes may be taught by a single teacher who is proficient in both languages or by two teachers, one of whom is bilingual. However, this program will teach both languages as a foreign language and provide instruction in English with support from Spanish speaking and English speaking paraprofessionals. In order to facilitate biliteracy, instruction will be intermittent in both languages so that students can request clarification during the learning process. It has been noted that almost all dual-immersion programs divide the classroom 50/50 between English speaking and the language of the minority students. However, since English development is the primary outcome, there will be no requirements regarding how much of the lesson is taught in a particular language. The needs of the students will determine the process. Lessons will be

presented in English and supported by the child's primary language to encourage English language development. The children's need to know and understand the content will drive the process. The ultimate goal is to provide dual language instruction for all students.

**Discuss the educational innovations that will distinguish this school from other schools.**

Vanguard Academy will provide several innovative strategies that will distinguish it from other schools:

- The school will strongly encourage teachers to apply innovative educational practices and recognize teachers for applying innovative strategies.
- The school will focus intensely on supporting children by establishing partnerships between Vanguard Academy, parents, business leaders, and other community members as an integral part of the Vanguard Academy's educational program
- The school offers the innovative curriculum model articulated by Robert Slavin. This pedagogy is consistent with an active learning perspective and emphasizes standards of intellectual quality, rather than teaching techniques or processes. This model, we believe, can enhance student learning because it promotes adaptation of the learning process to fit the needs of learners and because it supports individualized or "personalized" instruction often needed by students at risk for educational failure.

**10. Student Goals: Improvement and Attainment (Scored by Review Committee)**

**What are the school's academic goals for student learning for the first 5 years? This section should convey how the Charter School addresses requirements relative to the Texas Essential Knowledge and Skills. Note: The goals must identify performance standards that meet or exceed the level of student performance required under the state accountability system (i.e. TAAS; the school may also identify goals for pre/post testing, passing rates, courses passed, end-of-course exams, and other measures). TAAS goals should also be expressed in terms of TLI (Texas Learner Index) improvements. Goals for student performance that are unique to the Charter School should also be described.**

The school's academic goals for student learning during the first five years are:

**Academic Goal #1: To create a school environment that leads to success in student learning as measured by TAAS testing**

**Academic Goal #1/Objective #1:** At each TAAS testing, student performance on the TAAS test will equal or surpass state standards within the alternative accountability system.

**How will progress be measured relative to this objective?** The school will measure progress on this objective by comparing the Vanguard Academy's overall TAAS scores to state standards.

**Assessment Instrument to be used:** TAAS Test

**Timeline for reporting progress on this objective** - Annual. Aggregated data will be reported through the annual charter school evaluation report available to the public through web sites and publications and presented to the Board.

**Academic Goal #1/Objective #2:** Each grade level will show a 10% gain in TAAS reading scores compared to prior grade level performance

**How will progress be measured relative to this objective?** - Achievement of this objective will be measured by comparing each grade cohort's TAAS reading scores from one year to the next.

**Assessment Instrument to be used:** TAAS Test

**Timeline for reporting progress on this objective** - Reporting on this objective will be annually after TAAS scoring is completed through the annual charter school evaluation report available to the public through web sites and publications and presented to the Board.

**Academic Goal #1/Objective #3:** Each grade level will show a 10% gain in TAAS writing scores compared to prior grade level performance

**How will progress be measured relative to this objective?** - Achievement of this objective will be measured by comparing each grade cohort's TAAS writing scores from one year to the next.

**Assessment Instrument to be used:** TAAS Test

**Timeline for reporting progress on this objective** - Reporting on this objective will be annually after TAAS scoring is completed through the annual charter school evaluation report available to the public through web sites and publications and presented to the Board.

**Academic Goal #1/Objective #4:** Each grade level will show a 10% gain in TAAS math scores compared to the prior grade level

**How will progress be measured relative to this objective?** - Achievement of this objective will be measured by comparing each grade cohort's TAAS math scores from one year to the next.

**Assessment Instrument to be used:** TAAS Test

**Timeline for reporting progress on this objective** - Reporting on this objective will be annually after TAAS scoring is completed through the annual charter school evaluation report available to the public through web sites and publications and presented to the Board.

**Academic Goal #1/Objective #5:** By the end of Year 5, the school's TAAS Passing Rate will be at least 80%, putting the school in at least the state's "recognized" category on the TASS Passing Rate

**How will progress be measured relative to this objective?** - Achievement of this objective will be measured by the school's overall achievement on TAAS testing

**Assessment Instrument to be used:** TAAS Test

**Timeline for reporting progress on this objective** – TAAS Passing Rates for each school in the state will be announced by TEA annually after TAAS scoring is completed through the annual charter school evaluation report available to the public through web sites and publications and presented to the Board.

**Academic Goal #2:** To produce high rates of student attendance and retention and low rates of expulsion and suspension

**Academic Goal #2/Objective #1:** To produce at least a 94% student attendance rate each year

**How will progress be measured relative to this objective?** The school will maintain student attendance accounting records in accordance with state requirements.

**Assessment Instrument to be used:** PEIMS Attendance Accounting

**Timeline for reporting progress on this objective** – Annually through the annual charter school evaluation report available to the public through web sites and publications and presented to the Board.

**Academic Goal #2/Objective #2:** To ensure that no student drops out of attendance during the year (students transferring to another school are not considered to have "dropped out")

**How will progress be measured relative to this objective?** The school will maintain confidential records of students who leave the school tracking their entry into other schools or educational programs or dropping out.

**Assessment Instrument to be used:** PEIMS Leaver Record Accounting

**Timeline for reporting progress on this objective** – Six weeks monitoring through attendance collection (PEIMS) and reporting to the state through September PEIMS submission of leaver records annually and reported through the annual charter school evaluation report available to the public through web sites and publications and presented to the Board.

**Academic Goal #2/Objective #3:** To ensure student expulsion rates no higher than 1% of student enrollment during each year

**How will progress be measured relative to this objective?** The school will maintain a full record related to each student expulsion, including services to support expelled students and a record of all notifications given, due process procedures applied, and appeals of the process.

**Assessment Instrument to be used:** PEIMS Discipline Record Accounting

**Timeline for reporting progress on this objective** - School records of expelled students will be maintained on an on-going basis through data collection of PEIMS. Information will be aggregated to protect confidentiality and will be reported annually

through the annual charter school evaluation report available to the public through web sites and publications and presented to the Board. All confidentiality requirements will be adhered to in reporting progress on this objective.

**Academic Goal #3: To show improvement in TAAS reading and mathematics testing on the Texas Learning Index**

**Academic Goal #3/Objective #1** – To consistently improve individual TLI scores to demonstrate that students are acquiring skills and knowledge to indicate one year's growth.

**How will progress be measured relative to this objective?** – Student TLI scores will be individually compared over the 5 year period to determine gains made on TAAS tests in reading and math.

**Assessment Instrument to be used:** TAAS Test

**Timeline for reporting progress on this objective** – Individual achievement will be tracked annually through the development of a matrix that will follow the student each year to his/her classroom over a 5-year period to determine gains made on TAAS tests in reading and math. Aggregated data will be reported through the annual charter school evaluation report available to the public through web sites and publications and presented to the Board.

**Academic Goal #3/Objective #2** – To improve subgroup's TLI scores to demonstrate that students are acquiring skills and knowledge to indicate one year's growth.

**How will progress be measured relative to this objective?** Student TLI scores will be individually compared over the 5-year period to determine gains made on TAAS tests in reading and math.

**Assessment Instrument to be used:** TAAS Test

**Timeline for reporting progress on this objective** – Individual achievement will be tracked annually through the development of a matrix that will follow the student each year to his/her classroom over a 5-year period to determine gains made on TAAS tests in reading and math. Aggregated data will be reported through the annual charter school evaluation report available to the public through web sites and publications and presented to the Board.

**Academic Goal #3/Objective #3** – To compare TLI and ITBS scores with performance to determine academic progress

**How will progress be measured relative to this objective?** Progress will be measured through a matrix maintained on each individual student reporting scores and grades to determine academic growth and or needs.

**Assessment Instrument to be used:** TAAS Test

**Timeline for reporting progress on this objective** – Aggregated data will be reported annually in the Annual Vanguard Academy Evaluation Report. Disaggregated data will be utilized by teachers to report growth and improvement to parents. Progress will be charted annually in order to develop future educational plans. Aggregated data will be reported through the annual charter school evaluation report available to the public through web sites and publications and presented to the Board.

## 11. School goals (Scored by Review Committee)

**Describe the goals of the school as an entity for the next five years.  
(growth, facilities development, etc.)**

Vanguard Academy will adopt the following institutional goals for the school as an entity for the next five years:

**Five-Year School Goal #1 – To ensure that major constituents other than students (school personnel, parents and guardians, and community partners) are satisfied with the school's overall service delivery to its students (based on measures such as grades, attendance, participation in enriched learning activities, and decreased disciplinary actions, etc.)**

**Five-Year School Goal #1/Objective #1:** By end of Year 1 and continuing each year thereafter, 85% of school personnel (teachers and faculty) will rate the school's overall service delivery to students as satisfactory (service delivery includes things such as grades, attendance, participation in enriched learning activities, and decreased disciplinary actions, etc.)

**How will progress be measured relative to this objective?** The school will conduct a survey of teachers and administrators each year to determine the extent to which these personnel are satisfied with the school's overall service delivery to students.

**Assessment Instrument to be used:** Locally developed staff satisfaction survey  
**Timeline for reporting progress on this objective –** Survey will be conducted and results reported each annually through the annual charter school evaluation report available through the web site or publications and reported to the Board.

**Five –Year School Goal #1/Objective #2:** By end of Year 1 and continuing each year thereafter, 90% of parents and guardians will rate the school's overall service delivery as beneficial to students (based on measures such as grades, attendance, participation in enriched learning activities, and decreased disciplinary actions, etc.)

**How will progress be measured relative to this objective?** The school will conduct a survey of parents and guardians each year to determine the extent to which parents and guardians are satisfied with the school's overall service delivery to students.

**Assessment Instrument to be used:** Locally developed parent satisfaction survey  
**Timeline for reporting progress on this objective –** Survey will be conducted and results reported annually through the annual charter school evaluation report available through the web site or publications and reported to the Board.

**Five-Year School Goal #1/Objective #3:** By end of Year 1 and continuing each year thereafter, 90% of community partners will rate the school's overall service delivery as beneficial to students (based on measures such as grades, attendance, participation in enriched learning activities, and decreased disciplinary actions, etc.)

How will progress be measured relative to this objective? The school will conduct a survey of its community partners to determine the extent to which these partners are satisfied with the school's overall service delivery to students.

Assessment Instrument to be used: Locally developed community satisfaction survey  
Timeline for reporting progress on this objective – Survey will be conducted and results reported annually through the annual charter school evaluation report available through the web site or publications and reported to the Board.

**Five-Year School Goal #2 - To support students by establishing partnerships with other local education agencies (LEAs), businesses or business leaders, governmental agencies or leaders, and other community members capable of influencing or expanding educational opportunities and meeting needs of students**

**Five-Year School Goal #2/Performance Objective #1:** During each school year, to create at least one new partnership with a business or business leader, or governmental agency or governmental leader, that is capable of influencing or expanding educational opportunities and meeting needs of Vanguard Academy students

How will progress be measured relative to this objective? The school will maintain regular records of all partnerships, both new and continuing, with business or business leader, or governmental agencies or governmental leaders, including a description of how such relationship influences or expands educational opportunities and meets the needs of students.

Assessment Instrument to be used: List of established partnerships  
Timeline for reporting progress on this objective – The Chief Executive Officer will furnish the school's Board an annual report listing all school partnerships with community leaders, business or business leaders, or governmental agencies or government leaders and the nature of the partnership relationship.

**Five-Year School Goal #2/Performance Objective #2:** During each school year, to create at least one new partnership, or to maintain an existing partnership, with another public or private school in the area that will expand educational opportunities and meet needs of Vanguard Academy's students

How will progress be measured relative to this objective? The school will maintain regular records of all partnerships, both new and continuing, with public or private schools, including a description of how such relationship influences or expands educational opportunities and meets the needs of students.

Assessment Instrument to be used: List of established partnerships  
Timeline for reporting progress on this objective – The Chief Executive Officer will furnish to the Board an annual report listing all new and continuing partnerships with LEA's and describing the nature of the partnership with such schools.

**Five-Year School Goal #2/Performance Objective #3:** During each school year, to create at least one new partnership with a community leader (who is not a business or business leader or governmental agency or governmental leader) that is capable of

influencing or expanding educational opportunities and meeting needs of Vanguard Academy students

How will progress be measured relative to this objective? The school will maintain regular records of all partnerships with community leaders, both new and continuing, including a description of how such relationship influences or expands educational opportunities and meets the needs of students.

Assessment Instrument to be used: List of established partnerships

Timeline for reporting progress on this objective – The Chief Executive Officer will furnish the school's Board an annual report listing all school partnerships with community leaders (who are not a business or business leader or governmental agency or governmental leader) and the nature of the partnership relationship.

**Five-Year School Goal #3 – To ensure that the school reflects the communities it serves**

**Five-Year School Goal #3/Objective #1:** By the end of Year 1 and continuing thereafter, the composition of the school's student body will reflect that of the communities served by the school

How will progress be measured relative to this objective? The school will maintain regular personnel records that provide an aggregated description of the school's student body. These aggregated descriptions will be compared on an annual basis to demographic profiles of the communities served by the school.

Assessment Instrument to be used: PEIMS reporting for student and staff demographics

Timeline for reporting progress on this objective – By the end of Year 1 and continuing each year thereafter, the school's Chief Executive Officer will provide an annual report of progress on this objective to the school's Board.

**Five-Year School Goal #3/Objective #2:** By the end of Year 1 and continuing thereafter, the composition of the school's faculty and staff will reflect that of the communities served

How will progress be measured relative to this objective? The school will maintain personnel records that provide an aggregated description of the school's faculty. These aggregated descriptions will be compared on an annual basis to demographic profiles of the communities served by the school.

Assessment Instrument to be used: PEIMS reporting for student and staff demographics

Timeline for reporting progress on this objective – By the end of Year 1 and continuing each year thereafter, the school's Chief Executive Officer will provide an annual report of progress on this objective to the school's Board.

**Five-Year School Goal #3/Objective #3 -** By the end of Year 1 and continuing thereafter, the composition of school committees (such as Advisory Committees) will reflect that of the communities served by the school

How will progress be measured relative to this objective? The school will compare, on an ongoing basis, the ethnic, racial and gender composition of various committees serving the school to the demographic profile of people in the communities served.

Assessment Instrument to be used: List of Advisory Committee Members

Timeline for reporting progress on this objective – By the end of Year 1 and continuing thereafter, the school's Chief Executive Officer will provide an annual report of progress on this objective to the school's Board.

**List measurable performance objectives for each goal listed above.**

For clarity and improved readability, measurable performance objectives for each goal listed above are shown directly beneath the goal statement.

**Clearly state how progress will be measured relative to each of these objectives. Name assessment instruments to be used.**

The assessment instruments have been included in the narrative above for clarity and improved readability of the objective and its relationship to the evaluation criteria.

**Clearly state when and how annual progress in meeting objectives will be reported to the SBOE, agency, and the public.**

For clarity and improved readability, the manner in which progress in meeting objectives have been included in the section above as to who the recipient of the information will be.

## **12. Educational plan**

**Describe the educational program planned for the school. Indicate clearly how these areas will be strengthened over time.**

**Tell how the program will incorporate the required minimum curriculum as provided by Section 28.002, Texas Education Code. Describe the scope and sequence of the curriculum as delivered by the Charter School with particular attention to the core curriculum, i.e., reading, mathematics, science and social studies.**

Goals, objectives, and content in all subject areas and grade levels under the TEKS curriculum have been established by TEA and codified in the Texas Administrative Code, Title 19 (19 TAC), Chapters 110-128. The Vanguard Academy embraces all the state's goals and objectives related to curriculum. Educational programs mirror and support the state's aims through:

- selecting textbooks and other instructional materials that are aligned to the TEKS curriculum

- maintaining updated information provided by TEA related to the TEKS curriculum requirements
- requiring curriculum for each content area and grade level that is consistent with the state's TEKS curriculum
- ensuring rigor in the school's curriculum
- articulating to parents, students and others in the community what students should know and be able to do at each grade level
- ensuring that knowledge and skills meet the learning needs of all students
- providing professional development to teachers and others related to the state's TEKS curriculum (from resources provided by the regional ESC, the Texas Center for Reading and Language Arts, and other appropriate sources)
- ensuring student assessment measures that are aligned with the TAAS and TEKS.

The core curriculum will be integrated and will require mastery and skill development in the areas of reading, writing, oral language, mathematics, social studies and science. We will use strategies predicated on a research-based eclectic approach in that the age and individual learning preferences will determine the way skills are taught (Learning Styles and Multiple Intelligences). All students will learn together. Special needs students and students speaking other languages will learn along with peers and will not be segregated to learn a second curriculum. Additional services will be contracted to provide a comprehensive program for identified special learners (i.e. special education, ESL, etc.) Oral and written language activities will be embedded in the curriculum along with discovery projects, technology, art, music, movement, drama, dance, and games.

High academic standards and continuous assessment for mastery of objectives constitute the cornerstone of success for students attending the proposed new school. The students' natural curiosity and desire for learning will be fostered to develop the innate skills, abilities, and talents of each student. Vanguard Academy will adopt the model developed by Slavin's *Success for All*.

The Vanguard Academy will serve the community by preparing students to function in a productive manner for the betterment of society. A four part foundation is vital to the success of the students: Basic Skills, Thinking Skills, Personal Qualities, and Technology.

- Basic Skills requires that the student be literate in the areas of reading, writing, arithmetic, listening, and speaking.
- Thinking Skills requires that the student think creatively, make decisions, solve problems, visualize, reason and know how to learn.
- Personal Qualities are those that display responsibility, self-esteem, sociability, self-management, integrity and honesty.
- Dual language (language immersion) acquisition will provide the students with optimum opportunities to participate in the Texas culture and additional success in their chosen vocations.

- Visual and performing arts integrated into the curriculum will provide an avenue of cultural expression and enrich the educational environment making learning fun and furthering talents while developing skills.
- Technology will equip the student with keyboarding skills, software application knowledge and use, program development, and creativity.

The proposed charter school will provide "before" and "after" school services to facilitate working households and single parent homes. The programs will enrich the educational offerings of the day school and extend the learning time for the students in an atmosphere that is both relaxed and supportive. Students will experience situations that are both structured and student driven. The school will be open from 7:00 a.m. to 5:00 p.m. The school will offer the following educational settings:

- multi-age grouping when appropriate
- integration of the visual and performing arts into the curriculum
- Character Education
- Core Knowledge
- Learning Styles
- Multiple Intelligences
- placement in appropriate learning groups based on assessment
- individualized instruction
- developmentally appropriate practices
- parent and community education
- technology
- intensive English and oral language development

The academic staff will pay close attention to the sequence of courses taken and place the students in courses in a logical order based on the cumulative nature of certain core subjects. The use of the Core Knowledge Curriculum will provide the sequential

Using TEKS as a foundation, teachers will have curricula for each course that meets all of the objectives through written assignments, projects, group discussions, formal instruction, peer tutoring, or computer assignments. Many resources will be used such as Core Knowledge, state-adopted textbooks, other educational materials, teacher-created lessons, and the educational software systems.

How we will strengthen our educational plan over time.

The educational plan will be strengthened over time through the following activities designed for continuous improvement in educational service delivery:

- Professional development activities provided by Region I ESC will enhance the knowledge base of instructional staff, thereby providing additional strategies and classroom activities that add value.

- Regional, state, and national conferences and seminars attended by administrators and staff members will provide additional resources to increase the academic services.
- Retention of qualified staff members will insure that continuous improvement in the educational plan occurs. As experience increases so will quality services.
- Onsite professional development for both administrators and instructional staff will broaden the knowledge base and add value to the educational services.
- The utilization of technology and the Internet will offer unlimited resources for instructional staff.
- Annual evaluations regarding academic progress, parent satisfaction, and teacher satisfaction will provide feedback that will strengthen the educational plan.

**Describe any unique curricular experiences to be offered by the charter school that will enhance student success beyond the minimum curriculum.**

The *Success for All* Concept chosen by Vanguard Academy will offer children in the proposed service area a unique curricular experience. The model is based on an "active learning" perspective and emphasizes standards of intellectual quality, rather than teaching techniques or processes. It promotes adaptation of the learning process to fit the needs of learners, promotes assessment linked to curriculum, integrates the visual and performing arts into the curriculum, and allows larger amounts of feedback to students. It also strongly emphasizes parental participation in the educational process as well as making school fun. This pedagogical model, based on the work of school reform specialist Dr. Robert Slavin is more fully described above at page 75 along with strategies that will be employed in the educational setting to insure student success.

**Describe how the program will incorporate the Texas Essential Knowledge and Skills (TEKS) into the curriculum and address goals, objectives, and content in all subject areas and grade levels.**

The TEKS curriculum components are described above at page 70. In addition, within each subject area, teachers will create curriculum based on the TEKS objectives, textbook guides, and other materials that add interest to the classes. This curriculum will include book-work, projects, discussion activities, group or peer tutoring, and teacher-led instruction.

Over the next five years, the Vanguard Academy will comply with all changes in TEKS objectives to satisfy appropriate requirements.

**Describe the connection between the TEKS, classroom instruction, and assessing student progress.**

Teachers will assess student progress in a variety of ways. For the majority of courses, teachers will develop tests for periodic administration to let students demonstrate their knowledge and understanding. Students may also be asked to demonstrate their knowledge by participating in discussions, demonstrations, or by successfully completing written assignments. Regardless of the method of assessment, the goal is to connect classroom instruction with what is tested. Because the instruction is designed to meet the expectations of TEKS, the assessments will be as well.

TAAS scores are also an important indicator of student progress, since the TAAS test addresses TEKS objectives. Over the next five years, the Vanguard Academy will make changes as necessary to comply with state mandates. The Vanguard Academy is aware of adjustments in curriculum to meet the standards set by TAAS II that will begin in 2002-2003. Therefore, the school will develop its curricula to meet TAAS II standards in a timely manner. The staff will continuously alter classroom instruction and assessment to fit the changing needs of our students.

**Describe how the program will prepare students to meet state graduation requirements.**

Each high school student when the school expands to include high school will take in developmental sequence:

- 4 years of English Language Arts (English I, II, III, IV)
- 2 years of Computer Applications and Technology ( one unit course selected from Computer Mathematics, Business Computer Applications I and II, Business Computer Programming I and II, Computer Applications, Industrial Technology Computer Applications, or Computer Science I and II).
- 3 ½ years of Social Studies(United States History, World History Studies, United States Government, World Geography Studies)
- 3 years of Math ( option for additional math study)(Algebra I, Algebra II, Geometry, and Pre-Calculus. (Trigonometry and either Elementary Analysis or Analytic Geometry may be offered in lieu of Pre-Calculus).
- 3 years of Science (option for additional science study)(Biology I, Chemistry I, Physics I, Physical Science or Science III) Such courses must be at least 40% hands on laboratory investigations and field work using appropriate scientific inquiry.
- 2 years of Fine Arts/Communications (Courses selected from at least two of the four fine arts areas i.e., art, music, theater and dance)
- ½ year of economics/marketing in the free enterprise system
- 1 year of health/family living(Health Education)
- year internship/cooperative training(3 courses selected from the 8 career and technology areas (agriculture science and technology education, business education, career orientation, health science technology education, home economics education, industrial technology education, marketing education and trade and industrial education)taught on a campus in the District with

provisions for contracting for additional offerings with programs or institutions as may be practical.

- 1 year work program (in lieu of physical education requirement)
- Speech --- at least one of the following: Introduction to Speech Communications, Public Speaking, Debate, or Oral Interpretation

Students shall be given the opportunity each year to select courses in which they intend to participate from a list that includes all courses cited above. If the District is not going to offer all required courses every year, but will offer particular courses only every other year, it shall give notice of such fact to all enrolled students.

The school shall teach any course a student is required to take for graduation or any course in which ten or more students indicate they will participate. For those courses where fewer than ten students indicate that they will participate, the District shall use alternative delivery systems to provide the course and shall maintain evidence thereof. 19 TAC 74.3

**Describe teaching methods to be used. Tell how this pedagogy enhances student learning. Include information about materials, strategies, techniques and procedures to be used to meet the needs of the student population.**

**Reading and Writing Program**—The core of *Success for All* is a reading intensive curriculum that incorporates research-based instructional practices, including cooperative learning, learning styles, multiple intelligences, and other successful practices. In kindergarten and grade 1, the program emphasizes reading readiness and the development of oral language. Oral language development is highly desirable as the predominate ethnic group will be Hispanic. Students work on phonemic awareness activities to help develop auditory discrimination; become familiar with books, letters and phonetically regular words; and listen to, retell, and dramatize children's literature and thematic units based in science and history. In addition to receiving direct instruction from teachers in reading comprehension and writing, students engage in cooperative learning activities built around oral reading in pairs, structured discussion, summarization and retelling of stories, vocabulary building, decoding practice, and story-related writing.

Detailed teachers' manuals and support materials, through grade 6, are built around children's literature and the most widely used basals and anthologies. Classroom libraries of trade books at the students' reading level will be provided to each teacher, along with support materials. This competency-based program will extend to other subjects as well utilizing Core Knowledge through the 8<sup>th</sup> grade as the base curriculum. The Core Knowledge curriculum includes fine arts in delivery of educational services which will extend the student population beyond their own culture. However, students will be engaged through the fine arts from their culture and beyond their culture which will link their history to their present.

Reading Groups--Although heterogeneous age-grouped classes are conducted most of the day, students in grades 1-3 (and sometimes 4-5 or 4-6) are regrouped for reading. A common 90-minute reading period is established across grades, during which students are regrouped by reading performance level. By establishing a common period and using all certified staff (including tutors, librarians, art teachers, etc.), class size for these groups is substantially below the size of homeroom classes. By eliminating the need for multiple reading groups, direct instruction time is increased and student busywork is decreased, thus accelerating the pace of learning.

Frequent Assessments--Every eight weeks, teachers assess student progress using personal observations and curriculum-based and formal measures. Teachers use the results of these assessments to identify students who are falling behind and need extra help and tutoring, as well as those who are progressing quickly and should be placed in a higher performance group. At the same time, teachers attempt to identify students who need other types of assistance, such as family interventions or screening for hearing or vision problems.

Tutors--Another important element in the program is the use of one-on-one tutoring, the most effective form of instruction for students with reading problems. Tutors are certified teachers who are reading specialists or have experience teaching Title I or special education students. Trained paraprofessionals may also be used for students with less severe reading difficulties, under direction of the certified tutor. Children with reading difficulties are tutored during a 20-minute period during the day when neither reading nor math is being taught in class. To prevent problems from developing and to minimize the number of older students needing remediation, first-grade students are given priority for tutoring. Certified tutors also act as regular reading teachers during the 90-minute reading periods.

Program Facilitator--Another key element of the program is the use of a program facilitator at each school. The superintendent will function as the facilitator for the first five years. He will work to oversee the details of implementation, including scheduling changes and professional development arrangements. The facilitator also monitors the implementation of the curriculum in the classroom and is available to assist/coach individual teachers and tutors through any problems. He also helps deal with student behavior problems and acts as a liaison between the staff and the family support team.

Training--The professional development may be provided by Success for All or an individual that is competent to train in the model. It includes a brief orientation and training period, in-class coaching and assistance, and periodic inservice workshops and discussion groups. In the first year of implementation, three days of inservice training are provided for all teachers, tutors, and classroom paraprofessionals at the beginning of the school year.

Family Support Team--The family support team consists of the facilitator, parent liaison (if any), counselor (when hired), principal, and any other staff the school deems appropriate. The team promotes parental involvement in the school--providing

information, organizing school-related activities, and conducting workshops for parents. It also intervenes to help solve behavior and other problems, acts as a resource for teachers and parents, and helps coordinate services with community-based health, social service, and juvenile justice agencies.

In addition to the strategies that are utilized by SFA, the school will utilize additional methods and strategies described in detail on page 74:

- Fine arts integrated into the curriculum
- Core Knowledge
- Multiple Intelligences
- Learning Styles
- Dual Language Immersion
- Character Education

In the next five years, the staff will continue to research best practices and apply these practices as they fit with our model of positive, active learning.

**Describe the planned assessment of individual student performance in the core academic areas. Describe the instruments to be used and instructional planning that will result from early assessment of reading in grades K-2, if applicable. Include the process to be used to determine the baseline of achievement levels of students, the results to be achieved, and the methods of measurement to be used.**

The school will utilize the following types of assessment instruments:

- State Mandated Testing (TAAS, RPTE, and End of Course)
- Curriculum Testing (based on the TEKS)
- SAT9 Testing

The school will use the Texas Assessment of Academic Skills (TAAS) test and end-of-course examinations to assess individual student performance in the core academic areas. The goal of TAAS is to measure student progress toward achieving academic excellence. Its purpose is to provide an accurate measure of student achievement in the areas of reading, writing, mathematics, social studies, and science. Test results are used as a gauge for institutional accountability. The Vanguard Academy will require students to participate in TAAS exams to the same extent as all other public school students in Texas.

The school will administer reading proficiency tests in English (RPTE) to limited English proficient (LEP) students. These tests will be used along with TAAS to provide a comprehensive assessment system for LEP students. RPTE is given annually to LEP students to measure annual growth in English reading proficiency. The TAAS scores are not used to determine grade level placement (although TAAS can be used to identify students who are in an at-risk situation). Students will be given practice TAAS tests to determine TAAS readiness.

The Vanguard Academy will use a standardized group instrument such as the SAT9 to determine baseline data and academic growth. Students are tested upon entrance to the school and at the end of each year. The Academy will track mastery of TEKS curriculum objectives throughout the student's school career.

Over the next five years the school will use an alternative assessment to assess special education students who are receiving instruction in the Texas Essential Knowledge and Skills (TEKS) but for whom TAAS is an inappropriate measure of their academic progress. This test will assess the areas of reading, writing, and mathematics. Students will be assessed at their appropriate instructional levels, as determined by their ARD committees, rather than at their assigned grade level. The alternative assessment will be administered on the same schedule as TAAS and will be designed to measure annual growth based on appropriate expectations for each student as decided by the student's ARD committee. The alternative assessment will be designed in such a way as to bridge into TAAS and is expected to become a part of the school accountability system in the 2002-2003 school year.

**Describe the methods to be used to identify the educational strengths and needs of individual students.**

The Vanguard Academy staff will conduct a variety of initial assessments for each student. The staff will administer the Stanford Achievement Test (SAT9) to determine functional levels in core curriculum areas (math and reading comprehension). In addition, staff will evaluate student transcripts and records for purposes of placing the student into the appropriate curriculum. Upon enrollment into the Vanguard Academy, each student will participate in an individual conference with staff to discuss graduation requirements, behavior and attendance codes, etc. In addition to formal measures, informal assessments will be conducted to determine learning styles and multiple intelligences. Since these types of assessments occur over a period of time, it will be necessary to maintain a dynamic profile for each student. Teachers will maintain the profile complete with checklists, observations and narrative descriptions of student strengths and optimal learning situations. Students will be assigned to appropriate grade levels and/or classrooms based on the collected information from the teacher, parents (guardians), and formal assessments.

**Describe how student evaluation results will be used by the school to improve instructional programs.**

TAAS testing scores from each spring administration will be used to identify the educational strengths and needs of individual students and the extent to which educational goals and performance standards are being met. This information will be used to identify areas in which the majority of students failed, thus indicating a need for improvement in instruction.

Course grades will also be used to identify whether students are failing in particular subject areas or course objectives. The administration will then work with teachers to adjust delivery methods or provide staff development to improve teaching skills.

Student surveys will be used to gather information and suggestions for improving classroom instruction, the overall school environment, and services.

**Describe professional development opportunities that will be offered to support the mission of the school.**

Education staff members will be required to attend professional development activities designed to meet the needs of the staff as curriculum is developed and as additional skills are needed to serve the student body. Staff will evaluate these sessions for effectiveness, and the results of these evaluations will provide the basis for designing professional development activities. The budget provides for contractual resources and supplies for staff development. The school will encourage staff members to make recommendations for future development activities. Teachers and counselors will be asked to attend staff development in the following areas: developmentally appropriate practices, learning styles/instructional strategies, the integration of technology into curriculum and instruction, conflict resolution and parent conferences, and curriculum development.

Region I Education Service Center and other experts will provide professional development on TEKS-based foundation and enrichment curriculum. The ESC will provide workshops, consultation, materials, and expertise in a variety of areas. Every teacher will be given the opportunity to attend at least one workshop or conference off-campus, with selected staff members attending the annual charter school conference. Administrative staff will be given the opportunity to participate in leadership and supervision workshops and/or conferences. Staff members at all levels will be expected to share their new knowledge with each other at subsequent meetings.

The following chart will guide the professional development topics of the charter school. However, it should be noted that in the SFA model, staff must have input into the types of training that are conducted. Therefore, the Vanguard Academy will provide mandatory training as defined by statute, but will accommodate its instructional staff needs as well. Please note that the duration may not be in a setting that is in a large group format, but may include individual study groups or small group settings. Staff development may be determined by investments of the individual in college education courses that will be included in the final evaluation of the professional development.

Topic	Duration	Years
The Charter	40 hours	1,2,3,4,5
Success for All Model	40 hours	1,2,3,4,5
Special Populations	10 hours	1,2,3,4,5
Student Assessment (including TAAS, SAT9, teacher-made tests)	8 hours	1,2,3,4,5
Emergency and Disaster Plans	4 hours	1, 2, 3

Campus Improvement Plans	40 hours	1, 5
Technology and Its Use	8 hours	1,2,3,4,5
Classroom Management	8 hours	1,2,3,4,5
Successful Strategies and Methods (Learning Styles, Multiple Intelligences, etc.)	8 hours	1,2,3,4,5
Continuing Education (Seeking certification or additional skills)	Ongoing	1,2,3,4,5
Safe and Drug Free Schools	Ongoing	1,2,3,4,5
Evaluating Program Success	8 hours	1,2,3,4,5
Curriculum Development (TEKS, Core Knowledge)	40 hours	1,2,3,4,5

## Special Needs Students/Programs

**Describe in detail how your school accommodates students with SPECIAL EDUCATION needs. Address the following:**

### Child Find

Child Find NOTE: A charter holder must adopt and implement policies and practices that affirmatively seek out, identify and evaluate children with disabilities enrolled in the Vanguard Academy or contacting the Vanguard Academy regarding enrollment.

As the state's educational agency, TEA is responsible for ensuring that a Free Appropriate Public Education (FAPE) is provided to all students with disabilities residing in the State of Texas and that all requirements of IDEA, Part B, are met, pursuant to 34 CFR, §300.600. A FAPE means special education and related services that are provided at public expense under public supervision; meet the state standards which include the requirements of IDEA, Part B; include preschool, elementary, and secondary school education; and are provided in conformity with an individual education plan, pursuant to 20 USC, §1401(a)(18).

In general, local school districts in Texas have the direct responsibility of providing FAPE to students with disabilities whom the schools are obligated to serve under Texas Education Code, §25.001. TEA is responsible for ensuring that schools comply with all state and federal requirements concerning the provision of FAPE.

Within this general responsibility to assure FAPE, TEA specifically assures that each child with a disability, regardless of severity, residing within a school's jurisdiction will be identified, located, and evaluated in accordance with IDEA and its implementing regulations. To meet this responsibility, TEA requires schools to establish policies and procedures to identify, locate, and evaluate students with disabilities residing within their jurisdictions. Activities done pursuant to these policies and procedures are commonly referred to as "child find" activities because schools actively search for students with disabilities residing within their jurisdictions.

In accordance with the rules and responsibilities identified in this Application, and with any and all TEA rules or regulations, Vanguard Academy has established policies and procedures that affirmatively seek out, identify and evaluate children with disabilities, birth through twenty-one years of age, regardless of their enrollment status at the school. Dissemination of availability of information to the public concerning

services offered to all individuals with disabilities includes:

1. Participation in a network of public information dissemination which includes the education service center, other agencies, communities and facilities providing services to the handicapped;
2. Providing information regarding availability of services;
3. Determining which individuals are currently receiving needed special education and related services and which individuals are not currently receiving needed special education and related services;
4. Identifying and referring individuals with disabilities who may or may not be in school and who may need special education;
5. Referring individuals ages 0-3 to a local early childhood intervention program for evaluation;
6. Reviewing this process on a yearly basis, updating staff as to on-going "child find" activities implemented in the community;
7. Maintaining confidentiality of all personally identifiable information used and collected in this system in the same manner that special education records are maintained;

A. Responsible staff – The school administrator is responsible for implementation and direction of the Child Find program, as well as identifying any other staff members, annually, who will participate in the organization and implementation of this program.

B. Referral – Any students of an age addressed by the school program who are screened and found to be potentially eligible for services under the Individuals with Disabilities Act are referred for possible special education or early intervention services within the school, using referral procedures adopted by the school.

C. Compliance – All federal and state regulations governing the confidentiality of records, timelines and implementation of programs for students eligible for services will be adhered to in this program.

### **Special Education**

Prior to referral for special education services, students experiencing difficulty in the regular classroom will be considered for all support services available to all students, such as tutorial, remedial, compensatory, and other services. A referral for assessment may be initiated by school personnel at Vanguard Academy, the student's parents or legal guardian, or another person involved in the education or care of the student.

For students suspected of learning disabilities; Vanguard Academy will contract with a licensed educational diagnostician to conduct ARD's; complete IEP modification plans, behavior modifications plans; and to coordinate any special requirements that need to be communicated to the staff and counselors.

All State forms and procedures will be followed with students who indicate they have been eligible for Special Education in previous school districts. An ARD determines the need for further testing by a certified professional (i.e., psychologist, speech therapist, occupational therapist) referrals are made to outside sources. IEP's and all special plans will be kept in each classroom where teachers will be able to check the student's program.

Vanguard Academy will admit and fully serve eligible students with disabilities and/or handicapping conditions. In addition, transportation services that are identified on the Individual Education Plan (IEP) will be provided. Certified personnel will be sought and employed to deliver a free and appropriate public education for the identified student(s) served by the school. Technical assistance from the Region I ESC will be utilized as a resource and on all special education issues that require assistance.

Vanguard Academy will comply with all requirements provided for in the Individuals with Disabilities Education Act Amendments of 1998, and will implement the following:

- place the emphasis on what is best educationally for children with disabilities rather than on paperwork for paperwork's sake;
- give professionals, especially teachers, more influence and flexibility;
- enhance the input of parents of children with disabilities in the decision making that affects their child's education;
- make the school a safe place; and
- consolidate and target discretionary programs to strengthen the capacity of the school to effectively serve children, and when appropriate, including infants and toddlers when appropriate, with disabilities.

The Vanguard Academy will adhere to all open enrollment policies as defined by the State Board of Education and will not prohibit or discriminate in admission policy based on sex, national origin, ethnicity, religion, disability, academic or athletic ability, or the district the child would otherwise attend. (Section 504, Part 104; Section 12.111) Furthermore, all special education data collection for PEIMS as required by the Texas Commissioner of Education will be reported in the format and at the scheduled dates to Region I ESC.

#### **Confidentiality**

Vanguard Academy maintains the confidentiality of all special education records and has developed and implemented confidentiality requirements consistent with federal regulations. Parents or adult students are advised of their rights pertaining to student records at least once annually.

**A. Parent access** – The parent or a representative of the parent has access during school business hours to any education records pertaining to the identification, evaluation, and placement of their child only and the provision of FAPE to the child.

The school will provide the parents, upon request, a list of the types and locations of education records collected, maintained or used by the school.

**B. Availability** – Records will be made available to the parent (or adult student) without any unnecessary delay and before any meeting regarding an individual education plan (IEP), or any hearing related to the placement of the student, or the provision of FAPE and in no case more than 45 days after a request has been made.

**C. Copies** – Parents (or adult students) have the right to request copies of any documents in the student's records as well as the right to a response for any explanation or interpretation of the records. The parent (or adult student) may have a representative inspect or review records.

**D. Cost of copies** - Vanguard Academy maintains the right to charge a fee for copies of records but not if it will prevent parent access to the copies or from exercising their right to inspect and review their child's records. No fee will be charged to search or retrieve any information to which the parent (or adult student) has a right.

**E. Maintenance** – Records are to be kept in a locked cabinet in the special education office. Access to this file cabinet and the records therein is monitored and recorded by the designee. A listing of individuals who have access to the student files is maintained in full public view. An access record is maintained in the cabinet which includes the name and position of any authorized party accessing the records and the purpose for which the party is authorized to access the records as well as the date access occurred.

**F. Consent** – Consent of the parent is obtained before any confidential information is disclosed to anyone other than officials of participating agencies or is released to any participating agencies except when release of information without consent is permitted by the rules in FERPA.

**G. Amendment** – The parent may request an amendment to any information in the education record. The school principal and special education personnel will meet to determine whether to amend the information in accordance with the request. Vanguard Academy will reply in a reasonable time period with a refusal or amendment. If the parent (or adult student) still disagrees, the principal will advise the parents of their right to a hearing under 34CFR 300.568 when the district refuses to amend the information in accordance with the parents' request. The school will provide, upon request, an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the child. Any information placed in the record as a result of a hearing will be maintained by the school as part of the record for as long as the school maintains the record, and will be included whenever the record is disclosed by the district to a third party. The process through which a hearing will be conducted is as follows:

1. the hearing will be held within a reasonable time after receiving a request for a hearing from the parent
2. notice of the date, time and place will be provided to the parent within 10 days of the hearing

3. the hearing will be conducted by the school superintendent; if there is a conflict of interest, an official of the district with no direct interest in the outcome of the hearing will conduct the hearing
4. the parent may, at their own expense, be assisted or represented by one or more individuals of his/her own choice, including an attorney
5. the parent will have full and fair opportunity to present evidence relevant to the amendment of the record during the course of the hearing
6. the school will make its decision within 10 working days of the hearing and provide the decision in writing to the parent
7. the decision made by the school will be based solely on the evidence presented at the hearing, and a written report of the decision including reasons for the decision will be completed within 10 working days of the hearing
8. information contained in the records will be amended and the parent informed in writing of the amendment if the decision is that the information in the record is inaccurate, misleading or otherwise in violation of the privacy or other rights of the child
9. if the information contained in the records is determined by the school as a result of the hearing not to be inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, the school will inform the parent of the right to place in the records of their child a statement commenting on the information or a statement of disagreement with the decision

H. Destruction of records – Parents (or adult students) are notified when confidential records are no longer necessary to provide educational services to the child and can request destruction of the records, which will be carried out by the designee and in accordance with state and federal requirements. However, a permanent record of the student's name, address, phone number, grades, attendance, classes, and completion information may be maintained without time limitation. Additionally, the school will remind the parents that the records may be needed by the child or the parents for social security benefits or other purposes.

### **Procedural safeguards**

Vanguard Academy will develop a Handbook of Policies and Procedures that fully addresses procedural safeguards for students, parents and all other school stakeholders. With respect to employees, the school's Board will adopt policies that ensure equity in the employment relationship.

The school will adhere to all required procedural safeguards required by the state or federal government including, but not limited to, those described below.

In accordance with the requirements of 34 Code of Federal Regulations (CFR), §300.504 and §300.505, the school will give a written notice that includes a full explanation of all procedural safeguards to the parents a reasonable time before the school conducts an assessment for special education services. The Explanation of Rights and Procedural Safeguards of a Parent with a Child with Disabilities in School will be provided to each parent explaining the rights as outlined in federal and state

law. Certified staff will review this document with parents and additional information will be made available upon request in the parents' native language in writing or through an interpreter. Vanguard Academy will provide information to parents for the following purposes:

- upon initial referral for evaluation
- upon each notification of an admission, review, and dismissal committee (ARD) meeting
- upon each reevaluation, and
- upon a school district's request for a "due process hearing" about their child
- when any information that specifically identifies the student is no longer needed

Vanguard Academy's proposed Handbook of Policies and Procedures will set forth fully the school's policies regarding student expulsion and suspension of students.

#### **Notice of Admission, Review and Dismissal (ARD) Committee Meetings**

Vanguard Academy will adopt the following policy with respect to notice of admission, review and dismissals (ARD's) and to ARD committee meetings.

The admission, review, and dismissal (ARD) committee shall make its decisions regarding students referred for the first time within 30 calendar days from the date of the completion of the written assessment report (with certain exceptions identified by TEA rules). The proposed Vanguard Academy will establish at least one ARD committee that shall make decisions concerning eligibility determinations, development of the IEP, consideration of assistive technology, development of the behavior management plans, and placement of a student referred for consideration for special education services in accordance with 34 Code of Federal Regulations (CFR), §§300.308, 300.342-300.349, 300.533, and 300.550-300.554, and Part 300, Appendix C, state statute; and State Board of Education (SBOE) rules.

The teacher that participates in the ARD committee meeting, in accordance with 34 CFR, §300.344(a)(2), must be certified in the child's suspected areas of disability. When a specific certification is not required to serve certain disabilities categories, then the teacher must be qualified to provide the educational services the child may need. Vanguard Academy will follow all rules and regulations to ensure that the appropriate teacher participates in the ARD Committee meeting.

The written report of the ARD committee will document the findings, including the date, names, positions, and signatures of the members participating in each meeting in accordance with 34 CFR, §§300.344, 300.345, 300.348, and 300.349. The report will also indicate each member's agreement or disagreement with the committee's decisions. The Vanguard Academy will obtain written consent in accordance with the requirements of 34 CFR, §300.500 and §300.504(b), before initial placement occurs.

For a student who is new to the Vanguard Academy, the ARD committee may meet when the student registers and the parents verify that the student was receiving special education services in the previous school district, or the previous school district verifies in writing or by telephone that the student was receiving special education services. In this case, special education services will be temporary, contingent upon either receipt of valid assessment data from the previous school district or the collection of new assessment data. A second ARD committee meeting will be held within 30 school days from the first ARD committee meeting to finalize or develop a new IEP based on the assessment data.

All disciplinary actions regarding students with disabilities will be in accordance with federal requirements and modeled after the Texas Education Code (TEC), Chapter 37, Subchapter A (relating to Alternative Settings for Behavior Management). The ARD committee shall determine the instructional and related services to be provided during the time of expulsion. The student's IEP will include goals and objectives designed to assist in returning the student to school and preventing significant regression.

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

When mutual agreement about all required elements of the IEP is not achieved, the party (the parents or persons standing the role of parent) who disagrees will be offered a single opportunity to have the committee recess for a period of time not to exceed ten school days. This recess is not required when the student's presence on the campus presents a danger of physical harm to the student or others or when the student has committed an expellable offense or an offense which may lead to a placement in an alternative education program (AEP).

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

The date, time, and place for continuing the ARD committee meeting will be determined by mutual agreement prior to the recess.

If a ten-day recess is implemented (as described above) and the ARD committee still cannot reach mutual agreement, the school will implement the IEP that it has determined to be appropriate for this student.

When mutual agreement is not reached, a written statement of the basis for the disagreement will be included in the IEP. Committee members who disagree will be offered the opportunity to write their own statements.

Should the Vanguard Academy implement an IEP with which the parents disagree, the school will provide prior written notice to the parents as required in 34 CFR, §300.504 and §300.505. Parents shall have the right to file a complaint, request mediation, or request a due process hearing at any point when they disagree with decisions of the ARD committee.

An interpreter will be available to staff to interpret ARD's, testing and translate forms for parents.

#### **Assessment of children to determine eligibility**

In accordance with the policy of Vanguard Academy Board, a full and individual evaluation is conducted of each student's education needs before initiation of special education services. In addition to standardized tests and other evaluation materials used in the evaluation, the school draws upon information from a variety of sources in making the determination of eligibility for special education services.

##### **A. Initial Evaluation**

The first completed assessment of a student to determine if he or she has a disability under IDEA is composed of:

1. Various sources – Aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, adaptive behavior, primary language determination and state or other competency testing are all sources of information to be made a part of the Comprehensive Individual Assessment.
2. Consent and notice – obtained and given by and to parent (notice given a reasonable time before the assessment is conducted).
3. Formal evaluation by clinician – all standardized tests and any other evaluation materials are validated for the specific purpose for which they are used, including those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.
4. Certifications of clinician – assessment instruments and interpretations are administered by trained and knowledgeable personnel in accordance with any instructions provided by the producer of the tests.
5. Language – the student's language dominance and most proficient method of communication (expressively and receptively) are identified; the testing is conducted in the student's native language or other mode of communication. When appropriate, language dominance is determined through formal and/or informal assessment of oral expression, listening comprehension, reading comprehension, and written language. Proficiency in both English and the other language(s) are addressed for limited English proficient students, providing a comprehensive description of the student's strengths and weaknesses.
6. Areas assessed – the student is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, adaptive physical education, social and emotional status, general intelligence, academic performance,

adaptive behavior, communicative status, need for assistive technology, and motor abilities.

7. Multidisciplinary Team – the evaluation is made by a multidisciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of suspected disability. For a student suspected of having a learning disability, the multidisciplinary evaluation team includes:

- a. The student's regular teacher or a regular classroom teacher
- b. For a student of less than school age, a person qualified to teach a student of his/her age
- c. At least one person qualified to conduct individual diagnostic examinations (school psychologist, speech-language pathologist, or remedial reading teacher)

8. Intelligence testing – any student meeting the eligibility criteria for mental retardation and learning disability are individual administered an intelligence test. However, an informal assessment of intelligence is used to determine intellectual functioning as a part of eligibility for a visual impairment, orthopedic impairment, or deaf-blindness (achievement test results, teacher observations, adaptive behavior and grades). Also, developmental scales are used to assess the intellectual functioning of students whose disabilities impeded adequate communication for those students with severe sensory impairment.

### **B. Assessment Report**

The assessment report includes the source of data for all areas assessed:

1. the nature and extent of special education and related services required;
2. the report is within 60 calendar days after the date of the signature by the parent on the consent form;
3. Learning competencies identifying the need for any related services, documentation that the service will enable the student to benefit from instruction and recommendations for specific services to be offered are made a part of the final report.

### **C. Re-evaluation**

Once a child has been fully evaluated for the first time, a decision has been rendered that a child is eligible under IDEA, and the required services have been determined, any subsequent evaluation of a child would constitute a re-evaluation. A re-evaluation is done, upon ARD committee recommendation, every three years. However, in some instances (such as students exhibiting a profile and educational performance consistent with previous evaluations), the committee may agree that the observation of the student by the classroom teachers, the student educational performance records and standardized or competency testing support the continued eligibility of the student without need for additional evaluation. This determination is made by ARD committee recommendation only. Parents will be notified of the determination that no additional evaluation is needed, and given the opportunity to request that additional evaluation is conducted. In that instance, the ARD committee will make recommendations as to which evaluations are appropriate.

#### **D. Eligibility Reports**

A written assessment report indicating the student's eligibility under the criteria defined by the state education agency guidelines for each handicapping condition is completed prior to the ARD committee meeting to determine eligibility. Additionally, an eligibility report for each related service must stipulate learning competencies identifying the need for the related service, documentation that the service will enable the student to benefit from instruction, and recommendations for the specific service to be offered. The criteria defined by the state for each handicapping condition is as follows:

1. AUTISM
2. DEAF-BLINDNESS
3. AUDITORY IMPAIRMENT
4. MENTAL RETARDATION
5. MULTIPLE DISABILITIES
6. PHYSICAL DISABILITY
  - a. Orthopedic Impairment
  - b. Other Health Impairment which adversely affects the student's educational performance.
    - Asthma
    - attention deficit disorder
    - attention deficit with hyperactivity disorder
    - a heart condition
    - rheumatic fever
    - nephritis
    - sickle cell anemia
    - hemophilia
    - epilepsy
    - lead poisoning
    - leukemia
    - or diabetes
7. EMOTIONAL DISTURBANCE
8. LEARNING DISABILITY

#### **Criteria for Determining the Existence of a Specific Learning Disability (34 CFR §300.541)**

A team may determine that a student has a specific learning disability if:

- a. The student does not achieve commensurate with his or her age and ability levels in one or more of the areas listed below if provided with learning experiences appropriate for the child's age and ability levels: and

b. The team finds that a child has a severe discrepancy between achievement and intellectual ability in one or more of the following areas:

1. oral expression,
2. listening comprehension,
3. written expression,
4. basic reading skill,
5. reading comprehension,
6. mathematics calculation, and/or
7. mathematics reasoning.

c. The team may not identify a student as having a learning disability if the severe discrepancy between ability and achievement is primarily the result of:

1. a visual, hearing, or motor impairment;
2. mental retardation;
3. emotional disturbance;
4. environmental, cultural or economic disadvantage.

d. A severe discrepancy exists when the student's assessed intellectual ability is above the mentally retarded range, but the student's assessed educational achievement in areas in B. above is more than one standard deviation below the student's intellectual ability.

#### **Multidisciplinary Team Members (34 CFR §300.540)**

The determination of whether a student suspected of having a specific learning disability is a student with a disability as defined in federal law, must be made by the student's parents and a team of qualified professionals which must include:

- a) classroom teacher
  1. child's regular teacher; or
  2. if the child does not have a regular teacher; a regular classroom teacher qualified to teach a child of his or her age; or
  3. for a child of less than school age, an individual qualified by TEA to teach a child of his or her age;
- b) at least one person qualified to conduct individual diagnostic examinations of children such as a licensed specialist in school psychology, educational diagnostician or speech-language pathologist.

#### **Observation (34 CFR §300.542)**

At least one team member other than the child's regular teacher shall observe the child's academic performance in the regular classroom.

If the child is not in school, a team member shall observe the child in an environment appropriate for a child of that age.

**Method 2 §89.1040**

If the multidisciplinary assessment team cannot determine a severe discrepancy in accordance with eligibility requirements identified above because of lack of appropriate assessment instruments, or if the team believes a severe discrepancy exists in spite of assessment data disproving criteria has been met, the team may determine that a discrepancy does exist, and must document such in a written report. The report shall include a statement of the degree of the discrepancy between intellectual ability and achievement.

A comparison of the intellectual ability and educational achievement will be established using the following sources:

- a. standardized assessment instruments
- b. reports from parents
- c. observation of classroom performance
- d. student work samples
- e. other items as needed.

- 9. SPEECH IMPAIRMENT
- 10. TRAUMATIC BRAIN INJURY
- 11. VISUAL IMPAIRMENT
- 12. NONCATEGORICAL EARLY CHILDHOOD (34 CFR §300.7)

**Development and Implementation of the Individual Educational Plan (IEP)**

The individual educational plan (IEP) developed by the admission, review, and dismissal (ARD) committee for each student with a disability will include the following:

- information in addition to the requirements of 34 Code of Federal Regulations (CFR), §300.346, and Part 300, Appendix C including (1) information to allow for determining the student's eligibility for participation in extracurricular activities; and (2) a statement addressing non-exemption, modification/ accommodation, or exemption from some or all of the basic skills assessment instruments, as appropriate.
- Modifications/accommodation of regular classroom procedures which are provided for students by the Vanguard Academy as specified in the student's IEP will be provided during the testing process and goals and objectives will be specified if extended year services are included in the IEP.
- For students with visual impairments, the IEP will also meet the requirements of Texas Education Code (TEC), §30.002(e).

The teacher that participates in the ARD committee meeting, in accordance with 34 CFR, §300.344(a)(2), must be certified in the child's suspected areas of disability. When a specific certification is not required to serve certain disabilities categories, then the teacher must be qualified to provide the educational services the child may need. Vanguard Academy will follow all rules and regulations to ensure that the appropriate teacher participates in the ARD Committee meeting.

The school will use procedures that ensure that each teacher involved in a student's instruction has the opportunity to provide input and request assistance regarding the implementation of the student's IEP. These procedures include methods for a student's regular or special education teachers to submit requests for further consideration of the student's IEP or its implementation. In response to this request, the school's procedures will include a method to determine whether further consideration is necessary and whether this consideration will be informal or will require an ARD committee meeting. If the school determines that an ARD committee meeting is necessary, the student's current regular and special education teachers shall have an opportunity to provide input. The school will also ensure that each teacher who provides instruction to a student with disabilities receives relevant sections of the student's current IEP, such as goals and objectives, modifications/accommodations, and adaptations.

IEP's and all special plans will be kept in each classroom where teachers will be able to check the student's program.

### **Related Services**

An eligibility report for each related service must stipulate learning competencies identifying the need for the related service, documentation that the service will enable the student to benefit from instruction, and recommendation for the specific service to be offered. The eligibility report is based on a written assessment for each related service recommended, and must indicate skills and/or behaviors related to the service that the student can and/or cannot perform.

### **Least restrictive environment (LRE) placement**

Vanguard Academy offers educational programming through a continuum of services and opportunities to students with disabilities within the regular program and curriculum to the greatest extent possible and with individuals who are not disabled.

- A. Consideration for Instructional Arrangement** - The IEP meeting includes consideration that each special education student shall be offered an instructional arrangement that is:
  1. in the regular educational environment with students without disabilities to the maximum extent appropriate to his or her needs, unless it can be demonstrated by the school that the nature or severity of the student's disability is such that his or her education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily, and

2. in the school in which he or she would attend if not disabled, unless his or her IEP requires some other arrangement. If some other arrangement is required, the student is placed in the appropriate educational program that is as close to the student's home as is reasonably possible.

These placement provisions also apply to special education students in public or private institutions or other care facilities.

#### **B. Nonacademic and Extracurricular Services**

Each student with disabilities shall be provided nonacademic and extracurricular services and activities conducted by the school (e.g. meals and recess) with students without disabilities to the maximum extent appropriate to the needs of the student.

Nonacademic and extracurricular services and activities may also include:

- counseling services
- athletics
- transportation
- health services,
- recreational activities
- special interest groups or clubs sponsored by the school
- referrals to agencies that provide assistance to individuals with disabilities
- employment of students, including both employment by the district and assistance in making outside employment available.

#### **Daily Schedule**

Each student will have available the same instructional regular school day as is provided all other students. The regular school day is determined appropriate by the admission, review, and dismissal (ARD) committee for a student whose individual educational plan (IEP) specifies a shortened day; The ARD (Admission, Review, and Dismissal) Committee may determine a student's instructional day should be shortened based on the individual educational plan (IEP).

**Instructional Arrangements – the ARD committee will consider, based on the assessment and evaluation data, the most appropriate instructional arrangement to serve the needs of the student:**

1. **Mainstream** is an instructional arrangement for providing special education services according to individual education plans to eligible students with disabilities whose instruction is provided in the regular classroom setting with necessary special education support. Support in this setting may include team teaching between a certified special education teacher and a regular or mainstream teacher, monitoring of progress by a certified special education teacher, use of adaptive technology or assistive equipment, instructional modifications or specialized curriculum or materials. The objective of the

support will be to insure that the student's individualized education plan is implemented in the classroom.

2. Resource is a supportive and assistive program offered to students with disabilities when the ARD committee determines that it is appropriate to serve the needs of the student for certain subject (s) in other than the mainstream classroom. A resource classroom is staffed and/or supervised by certified special education personnel who address the individual needs of each student in a reduced class student/teacher ratio using specialized teaching methods, materials, curriculum and strategies specific to the student's IEP for less than 50% of the school day.

#### **Transition planning**

Chapter 29, Subchapter A of the Texas Education Code provides that each school district must develop and annually review an individual transition plan (ITP) for each student enrolled in a special education program who is at least 16 years of age. Since the proposed Vanguard Academy expects to serve students who are at least 16 years of age, some of whom may be enrolled in special education, the school will provide transition planning as follows:

As specified under the Texas Education Code, §29.011, Transition Planning, we will establish MOU (Memoranda of Understanding) with appropriate agencies serving persons with disabilities for the purpose of confirming "the respective responsibility of each agency for the provision of services necessary to prepare students enrolled in special education programs for a successful transition to life outside the public school system." MOU's will be established with the following state agencies:

- Texas Commission for the Blind;
- Texas Department of Human Services;
- Texas Department of Mental Health and Mental Retardation;
- Texas Education Agency;
- Texas Employment Commission;
- Texas Rehabilitation Commission; and
- Texas Department of Protective and Regulatory Services.

These MOUs will describe implementation of the transition requirements contained in the Individuals with Disabilities Education Act (IDEA), Public Law 101-476, as amended, and the Rehabilitation Act of 1973, as amended through the 1992 amendments, Public Law 102-569. The intent of these MOUs is to identify and offer a comprehensive array of coordinated services to students with disabilities that will result in choices and opportunities to achieve maximum independence and integration in the community.

Individual transition planning with individual students. The individual transition planning process will be collaborative and based on long-range goals. It will focus on the student's vision for his or her future to include empowerment and inclusion in the community. Individual transition planning will be based on current information

regarding the student's knowledge, skills, capabilities, interests, and preferences. The individual transition plan will be a separate document from the individual education plan and focus on considerations that will have the greatest impact on successful independence and integration in the community.

Individual transition planning components shall include:

- identifying the student's expectations after exiting public school, including post-secondary education, integrated employment, vocational training, continuing and adult education, adult services, independent living, community participation, recreation and leisure, as well as other important life considerations;
- identifying a network of support, such as family, friends, coworkers, agencies, and community resources available to the public, that are needed to achieve the student's desired goals;
- identifying when and how support services shall be provided;
- identifying needed transition services that are a coordinated set of activities, including instruction, community experiences, the development of employment and other post-school adult living objectives, and if appropriate, acquisition of daily living skills and functional vocational evaluation;
- identifying time lines, with projected beginning and ending dates, for all activities leading toward attaining goals; and
- identifying needed transition services to facilitate the transition to the home community and to the receiving school district for students who are incarcerated, in addition to the other required components.

Individual transition planning shall begin by the age 14 and no later than age 16 for each student receiving special education services. Younger students, particularly those who have severe disabilities, are at risk of dropping out of school, or whose needs require early collaboration, shall also receive individual transition planning if recommended by the admission, review, and dismissal (ARD) committee. A signatory agency may request an ARD committee meeting to consider transition planning for a student younger than age 16. A student's progress will be reviewed and necessary revisions or additions made on each individual transition plan at least annually.

Vanguard Academy will initiate the transition planning process for eligible students. Transition planning and annual reviews of the individual transition plan will include the following participants: the student; parent/guardian or surrogate; at least one representative from special education; and one additional representative from general education, special education, or vocational education. Other participants may include representatives from community resources that are available to the public and agencies that can assist the student to achieve identified goals. All participants may invite other interested individuals to the meeting.

The participants in an individual transition planning meeting will be determined annually, based on the individual student's needs and plans for the future, and not solely on disability. If an agency that was invited to send a representative to a meeting

does not do so, the Vanguard Academy will take other steps to obtain the participation of the agency in the planning of any transition services outlined in subsection (d) of this section.

The relationship of the individual transition plan to the ARD committee process and the individual education plan (IEP) will be as follows.

- The individual transition plan shall be developed apart from and before the individual education plan. To minimize scheduling conflicts, the school may schedule the development and annual review of the individual transition plan immediately before the ARD committee's development and review of the individual education plan.
- The transition services identified in the student's individual transition plan that are the responsibility of the school shall be noted in the student's individual education plan. Beginning no later than age 16, and younger when appropriate, the student's individual education plan shall include a statement of needed transition services that identifies annual goals, short-term objectives, and services and includes instruction, community experiences, the development of employment, and other post-school adult living objectives. If appropriate, the statement also shall address acquisition of daily living skills and functional vocational evaluation. In addition, if appropriate, the individual education plan shall include a statement of each agency's responsibilities before the student leaves the school setting.
- If the ARD committee determines that services are not needed in one or more areas, the individual education plan will include a statement indicating this and the basis on which the determination was made.
- If the individual education plan requires revision due to the development of the individual transition plan, a new ARD committee meeting will be convened as soon as possible to revise the IEP.

If a school or agency does not provide transition services agreed on and contained in the IEP, the Vanguard Academy will convene an individual transition planning meeting as soon as possible to identify alternative strategies to meet the transition objectives. An ARD committee meeting will be convened as soon as possible to adjust the individual education plan to reflect changes in the individual transition plan.

#### STATEMENT OF ASSURANCE

Vanguard Academy will follow special education guidelines as stipulated in the State Board of Education Rules, Commissioner Rules, Texas Education Code, Final Regulations, March 1999 of IDEA.

**Certified personnel for the provision of services to children with special needs**

The statutory requirement, which is incorporated in Sec. 300.347(a)(5) requires the participation of the child's special education teacher (certified in the area of the child's disability or having certification providing knowledge and expertise in the specific disability) and a regular education teacher if the child is or may be participating in the regular education classroom be involved with the educational process of the identified child. A certified special education teacher will be on staff or available through contracted services with a special education co-op, contractual agreements or the Region 1 ESC. The special education certified teacher will be available to develop, participate and implement the IEP. The regular education teacher will participate in developing, reviewing, and revising the child's IEP. A full array of services with appropriately certified personnel will be available as required.

#### **Services to expelled students**

Although it is unlikely that students will be suspended or expelled from Vanguard Academy, a procedure will be developed to accommodate educational services beyond our school for those student's who are suspended for more then 10 days per semester or expelled from our school.

Vanguard Academy will comply with TEA rules requiring that all disciplinary actions regarding students with disabilities shall be in accordance with federal requirements and modeled after the Texas Education Code (TEC), Chapter 37, Subchapter A (relating to Alternative Settings for Behavior Management). The ARD committee will determine the instructional and related services to be provided during the time of expulsion. The student's IEP will include goals and objectives designed to assist in returning the student to school and preventing significant regression.

#### **Describe how your school meets the needs of children who qualify for other federal programs such as:**

The school will conduct a needs assessment and develop a plan for the consolidated use of both state and federal funds. Such a plan shall be determined in consultation with a task force, including, but not limited to, parents of participants; teachers; Principals; administrators; and community members. The plan shall include:

- how students will be identified
- planned services and activities
- a plan for annual evaluation (performance objectives)
- record-keeping procedure

The Board will adopt a comprehensive plan that utilizes all available resources to provide programs that build skills and knowledge and promotes academic achievement.

#### **Title I Part A – Improving Basic Programs Operated by Local Education Agencies**

In compliance with Title 1 Part A regulations the school shall convene an annual public meeting for parents of children eligible for Title 1 Part A assistance. It is anticipated that Vanguard Academy will qualify for the "School-Wide" Program due to the population that will be served by the school. At such meeting, parents shall be advised regarding:

- The objectives of the program
- The teaching methods and materials that will be used
- The methods we will use to measure progress
- The methods we will use to report progress to students and their parents
- The availability of staff to confer with parents; and
- The role of parents in helping their children to achieve.

Services will be provided through the basic education program and will be supplemental to the basic services provided by the Foundation School funding. Supplemental services may include additional parent training, after school enrichment activities, supplemental learning materials, technology enrichment, etc. Although the first year will be utilized as a planning year, services will be made available to students through these funds.

As a School Wide Program, the new Vanguard Academy will address eight essential components:

- A comprehensive needs assessment of the entire school that is based on information on the performance of children in relation to the state content and student performance standards
- School Wide reform strategies that:
- Provide opportunities for all children to meet the state's proficient and advanced levels of student performance
- Are based on effective means of improving children's achievement
- Use effective instructional strategies to increase the amount and quality of learning time, such as extended school year, before- and after-school, and summer school programs
- Help provide an enriched and accelerated curriculum
- Meet the educational needs of historically under-served populations
- Address the needs of all children in the school, but particularly the needs of children of target populations of any program that is included in the School Wide program, and address how the school will determine if these needs are met.

These programs may include

- counseling and mentoring services that incorporate gender-equitable methods and practices
- Are consistent with, and designed to implement, state and local improvement plans, if any, approved under Title III of Goals 2000
- Instruction by highly qualified professional staff
- Professional development for teachers and aides, and where appropriate,

pupil services personnel, parents, Principals, and other staff to enable all children in the School Wide program to meet the state's student performance standards [in accordance with P.L. 103-382, sections 1114(a)(5) and 1119]

- Strategies to increase parental involvement, such as family literacy services
- Strategies to assist preschool children in the transition from early childhood programs, such as Head Start and Even Start, to local elementary school programs
- Steps to include teachers in decisions regarding the use of assessments
- Activities to ensure that students who experience difficulty mastering any of the state's standards during the school year will be provided with effective, timely additional assistance.

The assistance must include:

- Measures to ensure that students' difficulties are identified on a timely basis and to provide sufficient information on which to base effective assistance
- To the extent the school determines it to be feasible using Part A funds, periodic training for teachers in how to identify difficulties and to provide assistance to individual students.

Vanguard Academy will not be eligible for funding under Title I Part D, subpart 1 nor Title I part D, subpart 2. However, the school will enter into shared service agreements (SSA) with Region I ESC during the first year for Titles II, IV, and VI. Title VI (Classroom Reduction) will be examined at the end of the first year to determine if there is a need for this funding. At the conclusion of the first year, services provided by the ESC will be evaluated to determine impact on the program. If positive results are indicated, then Vanguard Academy will continue to contract with the ESC for their services.

### **Title I Part C – Migrant Education**

This area of focus for the Migrant Education Program (MEP) seeks to ensure that migrant students and their families have their needs for educational and support services met, and are able to access all services for which they are eligible from entry in the MEP's early childhood program for three-year-olds through transition into postsecondary education or employment.

The emphasis placed on Early Childhood Education for younger children will be enhanced by performance opportunities for young migratory students. A home-based model that provides for direct involvement of the parent in the learning process combined with the present school-based early childhood programs will be coordinated with Headstart. This should provide needed assistance required for student success.

When students are identified, the proposed Vanguard Academy will utilize the Internet-based New Generation System (NGS) which is an innovative data transfer system. NGS communicates educational and health data on migrant students to educators throughout the nation. The NGS system will enhance the process of

educating migrant students as well as be an interstate information network for Migrant Education.

Parent Advisory Councils will be established to empower parents as advocates and to take advantage of all available resources for the education of their children. A local Advisory Committee will be established for each regular school year for the purposes of planning, implementation, and evaluation of the local MEP, with meaningful consultation and involvement of the parents to be served.

Vanguard Academy will collaborate with the Region I ESC to actively seek to identify and recruit all eligible migrant children and youth residing within the Vanguard Academy boundaries. These are children who migrate with their parents or alone across school district lines in search of temporary or seasonal work in fishing or agriculture. Identification and recruitment is essential in order to offer migrant students opportunities to learn and succeed in school.

**Title I Part D, Subpart 2 – Local Agency Programs for Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk of Dropping Out**

Vanguard Academy will not be eligible to participate for these funds.

**Title II Part B – Dwight D. Eisenhower Professional Development Program**

Vanguard Academy will enter into a shared service agreement with Region I ESC to provide staff development activities for science and math.

**Title IV – Safe and Drug-Free Schools and Communities Program**

Vanguard Academy will enter into a shared service agreement with Region I ESC to provide services in order to participate in this Federal program.

**Title VI - Innovative Education Program Strategies**

Vanguard Academy will enter into a shared service agreement with Region I ESC to provide staff development activities to implement innovative strategies to include technology.

**Title VI Class- Size Reduction Program**

Vanguard Academy will implement staff development activities for this funding since the TEA guidelines stipulate that monies acquired must be enough to support a full time teacher. Based upon preliminary projections, Vanguard Academy will qualify for these funds to provide staff development since the school will not collect enough funds to support a full time position. The funds will be utilized to support the professional plan described on page 79, 80.

## Section 504

Section 504 of the Rehabilitation Act of 1973 requires that: No qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity, which receives or benefits from Federal financial assistance.

The Office for Civil Rights of the Department of Education enforces the law prohibiting specific discriminatory activities, including the discriminatory assignment of handicapped students to segregated classes or facilities. The law applies to elementary and secondary as well as postsecondary schools. In elementary and secondary schools, handicapped students may be assigned to separate facilities or courses of special education only when such placement is necessary to provide them equal educational opportunity and when the separate facilities and services are comparable to other facilities and services.

Vanguard Academy will provide services to students who qualify under this law. Policies and procedures will be established that insure the rights of the students to receive equal access to education. Forms and notification templates are available to the district through ESC Cooperatives that will facilitate the implementation of this service.

**Describe how your school meets the needs of children who qualify for other state programs such as: Bilingual/English as a Second Language (ESL), State Compensatory Education, Dyslexia, and Gifted and Talented.**

**Bilingual/English as Second Language (ESL) Students** - If a student indicates a home language other than English, Vanguard Academy will administer an oral language proficiency test and a state approved achievement test to assure that the student can comprehend the material in the educational programs. Students who have passed the TAAS will not be tested. However, students must have passed the TAAS in Reading and Written Language.

Vanguard Academy will provide an ESL program whenever eligible students have enrolled utilizing either the state waiver or a certified teacher to implement the program. The program shall consist of immersion strategies and modification plans as well as bilingual buddies to provide adequate support for the limited English speaking person in the educational setting. Community resources shall be used for translators whenever possible. All requirements included in TEC §29 shall be described in policies and procedures and implemented by the charter school.

The goal of English as a Second Language programs shall be to enable limited English proficient students to become competent in the comprehension, speaking, reading, and composition of the English language through the integrated use of

second language methods. The English as a second language program shall emphasize the mastery of English language skills, as well as mathematics, science and social studies, as an integral part of the academic goals for all students to enable limited English proficient students to participate equitably in school.

Vanguard Academy will provide a program rich in English language support that will include student mentors and activities embedded in the language arts curriculum. The charter school recognizes that even though the primary language of most of the students attending the school will be Spanish, we are prepared to provide educational studies to accommodate all limited English speaking children. The school also understands that at any grade level where there are 22 students identified that a bilingual program must be provided. The school will seek a certified teacher with the bilingual/ESL endorsement to serve the students at the school.

State Compensatory Education - State Compensatory Education as defined in Section 42.152 (c) is a program designed to improve and enhance the regular education program for students in at-risk situations.

The purpose of state compensatory education is to increase the achievement and reduce the dropout rate of identified students in at-risk situations. In determining the appropriate accelerated or compensatory program, the proposed Vanguard Academy will use student performance data resulting from the state assessment instruments and any other achievement tests administered by the school. Based on this needs assessment, campus staff will design appropriate strategies and include them in the campus improvement plan. In compliance with law, the improvement plan will include a comprehensive needs assessment, measurable performance objectives, identified strategies for student improvement, identified resources and staff, specified timelines for monitoring each strategy, and formative evaluation criteria. The school will be responsible for evaluating the effectiveness of its program.

State rules require that compensatory education allocations be used only for costs supplemental to the regular education program. The Vanguard Academy is in possession of a copy of the Financial Accountability System Resource Guide that explains this rule and will ensure that Vanguard Academy complies with this guide, and all rules, related to the use of state compensatory education funds. Vanguard Academy, the Vanguard Academy, understands that non-compliance with the state's rule may result in a financial penalty.

In accordance with the requirement of the Texas Education Code Section 11.252, Vanguard Academy will develop a school improvement plan. This plan will identify measurable school performance objectives for all student populations; strategies to improve student performance; resource allocations; staff responsible for ensuring the accomplishments of each strategy; timelines for ongoing monitoring of the implementation of each strategy and the formative evaluation criteria for determining periodically whether strategies are resulting in the intended student performance. The state compensatory education program and/or service designed by Vanguard

Academy to meet the needs of students in at-risk situations will be included in the school's campus improvement plan. The improvement plan will identify resources and staff associated with its state compensatory education program. This information may be stated at the summary level of the plan.

Dyslexia - The Vanguard Academy's Board of Trustees will ensure that procedures for identifying a student with dyslexia or a related disorder and for providing appropriate instructional services to the student are implemented at Vanguard Academy. The Board understands these procedures will be monitored by the Texas Education Agency (TEA) with on-site visits conducted as appropriate.

The Vanguard Academy's Board procedures will be implemented according to the State Board of Education (SBOE) approved strategies for screening, and techniques for treating, dyslexia and related disorders described in "Procedures Concerning Dyslexia and Related Disorders," a set of flexible guidelines available to local schools. Screening for dyslexia students will only be done by individuals/ professionals who are trained to assess students for dyslexia and related disorders.

Vanguard Academy will either purchase a reading program or develop its own reading program for students with dyslexia and related disorders, as long as the program is characterized by the descriptors found in "Procedures Concerning Dyslexia and Related Disorders." Teachers who screen and treat these students will be trained in instructional strategies that utilize individualized, intensive, multi-sensory, phonetic methods and a variety of writing and spelling components described in the "Procedures Concerning Dyslexia and Related Disorders" and in the professional development activities specified by the school's campus planning and decision making committee. The proposed Learning Styles strategy is conducive to success for children with dyslexia due to the multi-modality approaches that are utilized in the instructional setting.

Before an identification or assessment procedure is used selectively with an individual student, the school will notify the student's parent or guardian or another person standing in parental relation to the student. Parents/guardians of students eligible under the Rehabilitation Act of 1973, §504, will be informed of all services and options available to the student under that federal statute.

The school will provide each identified student access, at his or her school campus, the services of a teacher trained in dyslexia and related disorders. The Vanguard Academy may, with the approval of each student's parents or guardians, offer additional services at a centralized location. Such centralized services shall not preclude each student from receiving services at his or her campus.

Because early intervention is critical, a program for early identification, intervention, and support for students with dyslexia and related disorders will be available at the school as outlined in the "Procedures Concerning Dyslexia and Related Disorders."

Depending on the number of dyslexic children enrolled, the school may provide a parent education program for parents/guardians of students with dyslexia and related disorders. Such a program, if offered, would include awareness of characteristics of dyslexia and related disorders; information on testing and diagnosis of dyslexia; information on effective strategies for teaching dyslexic students; and awareness of information on modification, especially modifications allowed on standardized testing.

All regional education service centers have dyslexia contact persons. Vanguard Academy will draw on the resources of Region I ESC to prepare for meeting the special needs of students having dyslexia.

Gifted and Talented - With respect to student assessment of gifted and talented children, the Board will develop written policies on student identification of gifted and talented students and such policies will be disseminated to parents. The policies will include:

- provisions for ongoing screening and selection of students who perform or show potential for performing at remarkably high levels of accomplishment in the areas defined in the Texas Education Code, §29.121;
- assessment measures collected from multiple sources according to each area defined in the Texas State Plan for the Education of Gifted/Talented Students
- data and procedures designed to ensure that students from all populations enrolled in the school have access to assessment and, if identified, services for the gifted/talented program
- provisions for final selection of students to be made by a committee of at least three educators from the school who have received training in the nature and needs of gifted students; and
- provisions regarding furloughs, reassessment, exiting of students from program services, transfer students, and appeals of the school's decisions regarding program placement.

With respect to Professional Development for teachers of gifted and talented students, the school will ensure that:

- teachers who provide instruction and services that are a part of any program for gifted students have a minimum of 30 hours of staff development that includes nature and needs of gifted/talented students, assessing student needs, and curriculum and instruction for gifted students
- teachers who provide instruction and services that are a part of any program for gifted students receive a minimum of six hours annually of professional development in gifted education; and
- administrators and counselors who have authority for program decisions have a minimum of six hours of professional development that includes nature and needs of gifted/talented students and program options.

With respect to delivery of student services to gifted and talented children, the school will provide an array of learning opportunities for gifted/talented students in all

grades (as these grade levels become available) and shall inform parents of the opportunities. Options will include:

- instructional and organizational patterns that enable identified students to work together as a group, to work with other students, and to work independently
- a continuum of learning experiences that leads to the development of advanced-level products and performances
- in-school and, when possible, out-of-school options relevant to the student's area of strength that are available during the entire school year; and
- opportunities to accelerate in areas of strength

With regard to fiscal responsibility, the school will ensure that: no more than 15% of state funds allocated for gifted/talented education are spent on indirect costs, as required by law.

With respect to program accountability for any gifted and talented programs offered by the school, the school will ensure that student assessment and services for gifted/talented students comply with accountability standards defined in the Texas State Plan for the Education of the Gifted/Talented. Vanguard Academy will assess the need for this program and make decisions based on the student population regarding implementation.

**Describe how your school identifies and provides educational support for students who are identified as being "at risk of dropping out of school" as defined in TEC §29.081(d) (see Appendix 1).**

The criteria used to identify students at risk of dropping out of school are defined in Section 29.081 of the Texas Education Code. For students in Kindergarten through Grade 6, the Code states the following factors constitute an "at risk situation" for a student:

- A) did not perform satisfactorily on an readiness test or assessment instrument administered at the beginning of the school year;
- B) did not perform satisfactorily on assessment instrument administered under Subchapter B, Chapter 39;
- C) is a student of limited English proficiency, as defined by Section 29.052;
- D) is sexually, physically, or psychologically abused; or
- E) engages in conduct described by Section 51.03(a), Family Code.

Note: This Code section describes delinquent conduct.

The Code states the following factors constitute an "at risk situation" for a student in Grades 7 through 12 who is under 21 years of age and who:

- A) was not advanced from one grade level to the next for two or more years;
- B) has mathematics or reading skills that are two or more years below grade level;
- C) did not maintain an average equivalent to 70 on a scale of 100 in two or more courses during a semester, or is not maintaining such an average in two or more courses in the current semester, and is not expected to graduate within

- four years of the date the student begins ninth grade;
- D) did not perform satisfactorily on an assessment instrument administered under Subchapter B, Chapter 39; or
- E) is pregnant or is a parent.

Additionally, the Code defines students in any grade as students in at-risk situations if they are not disabled and reside in a residential placement facility in a district in which the student's parent or legal guardian does not reside, including a detention facility, substance abuse treatment facility, emergency shelter, psychiatric hospital, halfway house, or foster family group home.

Vanguard Academy's goals and objectives will help ensure student persistence and achievement through all grade levels. To address needs of students in at risk situations that may lead to educational failure, Vanguard Academy will:

- Implement strategies, including ongoing teacher and staff development and development of appropriately rigorous curriculum, that will help raise expectations for all students
- Provide students and their parents or guardians with early information about college options, required courses, and financial aid
- Provide students and their parents or guardians with information and other age-appropriate services to increase early career awareness
- Promote strategies, including how to help with homework, that increase parental involvement in preparing students to succeed in the middle and high school years
- Promote strategies that increase parental knowledge and involvement in their student's career choice and preparation
- Ensure that all students have access to rigorous academic coursework that meets state standards
- Promote equal access to education and educational excellence through concerted partnership efforts on behalf of low-income students
- Provide intensive, individualized and coordinated support to students that includes mentoring, counseling, and tutoring
- Establish strong Partnerships that involve long-term commitment and a meaningful role for each partner in improving student readiness for career training or post-secondary education
- Identify and implement effective practices that include careful evaluations to enable continuous improvement in student academic and non-academic performance.
- Ascertain and obtain the appropriate documentation needed to identify an abused student and report possible child abuse (sexual, physical, or psychological abuse) to the Dallas County Welfare Department according to Texas law.
- Provide information and education designed to discourage premature sexual activity.
- Provide appropriate support and accommodation to students who may be pregnant or who are a parent.

**Note: This Application sometimes uses the term "student in at risk situations" rather than the term "at risk students." The Vanguard Academy makes this distinction because it feels students are not at-risk. Only the situation the student is in places him or her at risk. Vanguard Academy programs and services will fully address situations that place students at risk.**

**Describe the programs offered for the Charter School to support other student activities (athletics, publications, clubs, and organizations).**

**Describe whether any agreements have been entered into or plans developed with other public or private agencies for the provision of student activities.**

Students will be encouraged to participate in extracurricular activities. An extracurricular activity is defined as an activity sponsored by the University Interscholastic League (UIL), the school's Board, or an organization sanctioned by resolution of the school's Board. Such activity is not necessarily directly related to instruction of the essential knowledge and skills but may have an indirect relation to some areas of the curriculum. The school may offer extracurricular activities including, but not limited to, public performances, contests, demonstrations, displays, and club activities.

The Vanguard Academy Board will adopt policies to ensure that all state-defined eligibility requirements are met in order for a student to participate in an extracurricular activity.

Presently the Vanguard Academy plans to offer the following:

- athletic programming for both male and female students, including Karate classes, basketball, baseball, soccer, volleyball, football, track and field, swimming on the school campus and at the YMCA, cheerleading, and PepSquad
- school celebrations for all grade levels including Mexican American Holiday celebrations, African American History month (February), winter Holidays (learning how different cultures celebrate during this season), and other appropriate celebrations to be determined by the school staff.
- Visual and performing arts for all grade levels including art, dance, choir, band, and individual and group lessons
- cultural programming that is age-appropriate including school-sponsored trips to places like museums, art exhibits, theaters, symphony halls, public gardens and arboretums, and co-curricular studies
- Summer Camp for all grade levels when available
- Arts and crafts and poetry-writing contest for all grade levels
- Academically-oriented activities to include all grade levels such as Math Contest (Kaidias), National Science Fair, Spelling Bees, and a Debate Team
- Leadership activities for such as Honor Society and Student Council

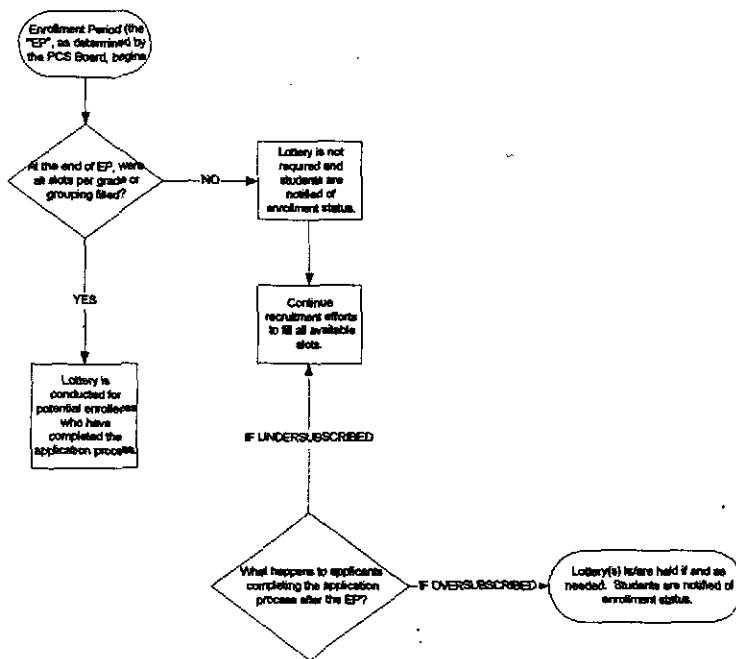
Vanguard Academy will add extracurricular and other student activities over time. The descriptions above are designed to guide the school's efforts toward initiating healthy activities that stimulate the curiosity, sense of accomplishment, and physical activities for the students enrolled at the school.

### Admissions Policy

**Describe the timeline used for admitting students, including the process for the admission lottery for students.**

The formal timeline for admitting students to the school will be from January through August to accept applications for available positions. However, the following flowchart describes how the school will implement the lottery should all available positions be filled.

### Vanguard Academy Flowchart for Applicant Selection



Note 1: Vanguard Academy will exempt from any lottery those categories of applicants permitted pursuant to the Public Charter School Program including returning students, siblings and students of employees, and founders.

Note 2: Students placed on a waiting list pursuant to a lottery need not participate in any additional lottery for that school year.

**Explain how these policies further the mission of the school in a non-discriminatory fashion.**

The flowchart above clearly defines the methods by which Vanguard Academy will conduct the application process.

Students will be admitted on a first come, first served basis until the school's maximum enrollment has been realized. Students desiring enrollment will then be placed on a waiting list and admitted through a lottery system when an opening occurs. Each time an opening occurs, the prospective students' names will be placed in a hat and drawn out in order to determine who will be offered entrance.

However, the following statement applies to enrollment of students:

Students will be enrolled on a first come, first served basis beginning in June without regard to sex, national origin, ethnicity, religion, disability, academic or athletic ability, or the district the child would otherwise attend. Only students who have a documented history of a criminal offense will be excluded from enrolling. Juveniles who have been adjudicated or who have been discipline problems may enroll as long as they agree to abide by the rules set forth in the student handbook. Vanguard Academy is more concerned about what a student can be than what a student has been and will make certain accommodations, but reserves the right to disallow an application based upon violent behavior history and attendance problem history. With contracts the student may apply and be accepted, but must honor their contracts. Certain infractions would nullify this contract. Vanguard Academy understands that these are dropouts that may be counted in the accountability ratings, but is willing to risk ratings to assist children. It has been determined by the Board that either the school is effective in assisting these children or they need to report the findings within the guidelines of the law.

### **13. Governance structures and processes**

**What steps will be taken to maintain continuity between the founding coalition's vision and future governing Boards?**

The following steps will be taken to maintain continuity between the founding coalition's vision and future governing Boards:

- The Board is a dynamic Board and positions will be filled through well-defined screening tools and election policies that allow only those who are dedicated to that mission and vision to fill vacancies.
- The Board is structured so that stakeholders are involved in determining policies that determine the direction of the school

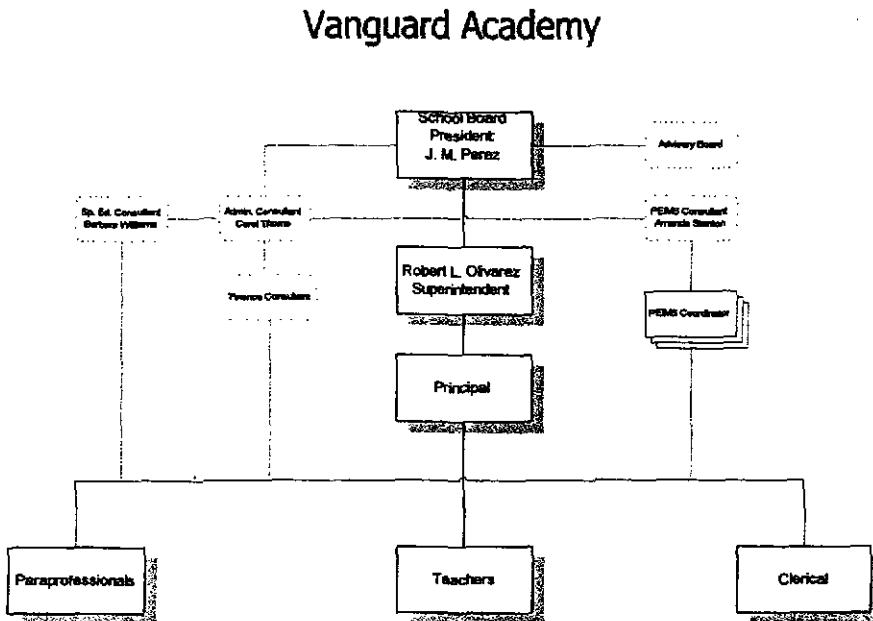
- Continuous Board training will be conducted to insure that the Board understands its role to protect the vision and the mission as described in its charter.
- Board members who consistently fail to meet their duties or attempt to subvert the school's vision and mission will be expelled from the Board as described within the bylaws as well as the Board policies and procedures.

**Describe the roles and responsibilities of the Board(s). If the governance structure includes more than one Board, e.g., a school Board that is separate from the Board of the Sponsoring Entity, articulate the responsibilities assigned to each of the Boards. Bear in mind that the Board of the sponsoring entity is ultimately responsible for the school's compliance with the charter.**

The Board of Trustees of Vanguard Academy (which is the same Board as for the Vanguard Academy) accepts responsibility for performing the following roles and duties with respect to Board service:

**A VISIONARY ROLE that includes a duty to:**

- promote the educational welfare of all children in community in which the Vanguard Academy's campuses are located
- perform educational policy-making duties for the school campuses operated by Vanguard Academy
- ensure creation and maintenance of a shared vision that promotes enhanced student achievement
- adopt a shared vision based on community beliefs to guide local education
- ensure that Vanguard Academy's organizational vision and mission support the state's mission, objectives, and goals for education established by law
- ensure that Vanguard Academy's vision and mission reflect the present and future needs of the children and of the community
- demonstrate commitment to the Vanguard Academy's organizational vision and mission by using this vision and mission to guide all Board deliberations, decisions, and actions with respect to campuses operated by Vanguard Academy.



A GUIDANCE AND DIRECTION role that includes a duty to:

- provide guidance and direction for accomplishing the Vanguard Academy's organizational vision and mission at each school campus
- recognize and understand the respective roles of the legislature, the State Board of Education, the Texas Education Agency, and the local Boards in the governance of Vanguard Academy and its school campuses
- fulfill the statutory duties of the local Board and uphold all laws, rules, ethical procedures, and court orders pertaining to Vanguard Academy and with respect to employees of this Vanguard Academy and each of its campuses
- focus actions on policy making, planning, and evaluation
- adopt a planning and decision making process consistent with state statute that uses participation, information, research, and evaluation to help achieve the Vanguard Academy organizational vision and mission
- ensure that the planning and decision making process implemented Vanguard Academy enables all segments of the community, parents, and professional staff to contribute meaningfully to achieving the organization's vision and mission
- develop and adopt policies that provide guidance for Vanguard Academy to accomplish the vision, mission, and goals established by the Board of Trustees of the Vanguard Academy
- adopt a budget that incorporates sound business and fiscal practices and provides resources to achieve the vision, mission, and goals established by Vanguard Academy
- adopt goals, approve student performance objectives, and establish policies that provide a well-balanced curriculum resulting in improved student learning
- approve goals, policies, and programs that ensure a safe and disciplined environment conducive to learning
- oversee management of Vanguard Academy by employing the Superintendent/ Superintendent and evaluating the Superintendent/ Superintendent's performance in providing education leadership, managing daily operations, and performing all duties assigned by law (Note: The Board shall, however, abstain from day-to-day management of the school operations at Vanguard Academy)
- adopt policies and standards for hiring, assigning, appraising, and compensating personnel hired by Vanguard Academy
- **Take ultimate responsibility for Vanguard Academy's compliance with the charter**

An ACCOUNTABILITY ROLE that includes a duty to:

- measure and communicate how well the Vanguard Academy's organizational vision and mission are being accomplished at each school campus
- ensure progress toward achievement of organizational goals at Vanguard Academy through a systematic, timely, and comprehensive review of reports prepared by or at the direction of the Superintendent/ Superintendent
- monitor the effectiveness and efficiency of instructional programs by reviewing reports prepared by or at the direction of the Superintendent/ Superintendent and directing the Superintendent/ Superintendent to make modifications that promote

- maximum achievement for all students
- ensure that appropriate assessments are used to measure achievement of all students
- report school progress to parents and community in compliance with state laws and regulations
- review school policies for effective support of the Vanguard Academy's organizational vision, mission, and goals
- review the efficiency and effectiveness of Vanguard Academy operations and use of resources in supporting the Vanguard Academy's vision, mission, and goals
- evaluate the Superintendent/ Superintendent's performance annually in compliance with state laws and regulations
- annually evaluate its own performance in fulfilling the Trustee Board's duties and responsibilities, and the Trustee Board's ability to work with the Superintendent/ Superintendent as a team

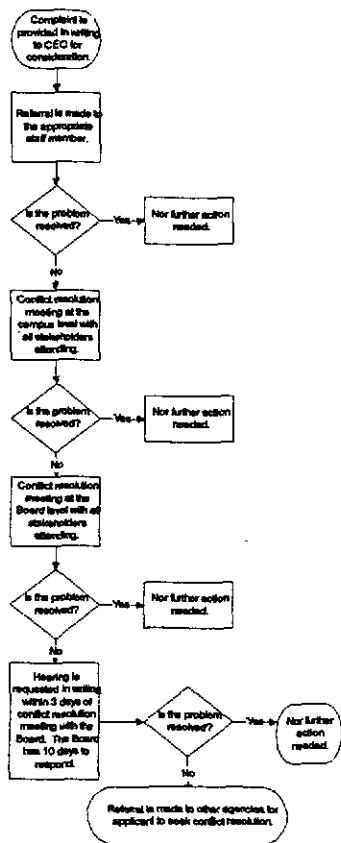
An ADVOCACY ROLE that includes a duty to:

- generally promote the Vanguard Academy's organizational vision and mission within the community
- demonstrate the Trustee Board's commitment to the shared vision, mission, and goals by clearly communicating them to the Superintendent/ Superintendent, the staff, and community
- ensure an effective two-way communication system between Vanguard Academy and its students, parents, employees, media, and the communities served by Vanguard Academy
- build partnerships with community, business, and governmental leaders to influence and expand educational opportunities and meet the needs of students in the community
- support children by establishing partnerships between Vanguard Academy, parents, business leaders, and other community members as an integral part of Vanguard Academy's educational program
- provide leadership in recognizing the achievements of students, staff, and others in education
- promote School Board service as a meaningful way to make long-term contributions to the local community and society

An UNITY ROLE that includes a duty to:

- work with the Superintendent/ Superintendent to help the Vanguard Academy implement its organizational vision and mission
- develop skills in teamwork, problem solving, and decision making
- establish and follow local policies, procedures, and ethical standards governing the conduct and operations of the Trustee Board
- understand and adhere to laws and local policies regarding the Trustee Board's responsibility to set policy and the Superintendent/ Superintendent's responsibility to manage Vanguard Academy and to direct employees of Vanguard Academy in school and campus matters

- recognize the leadership role of the Trustee Board President and adhere to law and local policies regarding the duties and responsibilities of the Trustee Board President and other officers
- adopt and adhere to established policies and procedures for receiving and addressing ideas and concerns from students, employees, and the community
- make decisions as a whole only at properly called meetings and recognize that individual members have no authority to take individual action regarding policy or Vanguard Academy's management and campus administrative matters
- support decisions of the majority after honoring the right of individual members to express opposing viewpoints and vote their convictions



**Describe the procedures for receiving and responding to complaints from both parents and employees.**

The Board of Trustees for Vanguard Academy will adopt policies pertaining to notifying parents of its students about their rights. The notice procedure will inform parents or eligible students that they have the right to:

- Inspect and review the student's education records
- Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights
- Consent to disclosures of personally identifiable information contained in the student's education records (except to the extent that the Act provides for exceptions)
- How to file a complaint concerning alleged failures by the school to comply with state or federal legal requirements for notifying parents and students of their rights

In addition to notices to parents about their rights, the school will provide notices regarding all procedures for exercising such rights including but not limited to:

- the procedure for exercising the right to inspect and review education records
- the procedure for requesting amendment of records.

Parents, and others standing in the role of parent, of minor students may inspect the student's records and request a correction if the records are inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. If the Vanguard Academy refuses the request to amend the records, the person(s) making the request has the right to a hearing. If the records are not amended as a result of the hearing, the parent or other person making the request will have 30 school days to exercise the right to place a statement commenting on the information in the student's record. Although improperly recorded grades may be challenged, parents and the students will not be allowed to contest a student's grade in a course through this

process. Parents or the student will have the right to file a complaint with the U.S. Department of Education if they believe that Vanguard Academy is not in compliance with the law regarding student records.

Vanguard Academy will provide notices by any means that are reasonably likely to inform the parents or eligible students of their rights. For limited English proficient families, the school will provide the notice in the home language.

Any person, including a parent, may attend the school's Board meetings. All or any part of an open meeting may be recorded by any person in attendance by means of a tape recorder, video camera, or any other means of aural or visual reproduction. The Board may adopt reasonable rules to maintain order at a meeting, including rules related to the location of recording equipment and the manner in which the recording is conducted. These rules shall not prevent or unreasonably impair a person from exercising the right to record a meeting that is open to the public. Gov't Code 551.023

Due process procedures involving student expulsion or suspension are more fully described above in Human Resource Information/ Code of Conduct.

**What steps will be taken to facilitate a productive relationship between administrators and teachers?**

Vanguard Academy will seek to provide a "positive school" climate that enhances productivity, the attainment of goals, academic achievement, and social development for children and a calm and dignified place to work for teachers and administrators. As part of the "positive school" environment, Vanguard Academy will promote the harmonious interactions and interrelations of all people in its school. By emphasizing the union of faculty, staff, and students working toward common goals, the school will gain a more cohesive atmosphere. As part of the "positive school" environment, Vanguard Academy will seek to make its school responsive to human needs. Procedures, rules, and regulations will serve the people in the schools – not the other way round.

With respect to the relationship between teachers and administrators, the Board, in conjunction with the school's Chief Executive Officer, will:

- Emphasize positive expectations for the success of both teachers and administrators
- State clear goals for teachers and administrators individually as well as team goals for teachers and administrators and ensure that progress toward reaching specified goals and objectives is fairly evaluated
- Help establish and maintain an orderly environment in which teachers and administrators work in calm and dignity
- Focus on the feelings and self-worth of all people
- Give frequent positive reinforcement, praise and recognition to administrators and teachers in order to show support and approval including words that

show demonstrate support (I appreciate what you have done; That's good!; Good job!; I made a mistake! I'm sorry; I like that!, etc.)

- Promote teambuilding (the process of building an effective organization of people working together for a common purpose). Teamwork is two or more people pursuing a common goal. To have an effective team requires the total commitment of all team members. Each team member must put team goals ahead of individual desires. Ideally, the goals of the team will closely parallel those of the team members.
- Help teachers and administrator's utilize each member's strengths and tolerate each member's weaknesses. Vanguard Academy will strive to help each member reach his/her potential by focusing on his/her strengths and reinforcing behavior through recognition and rewards. We believe that people who feel good about themselves produce good results.
- Promote the modeling of integrity, character, good habits, family life, lifestyle, community service among all faculty and staff

In the kind of school Vanguard Academy will strive to create, people will display the attributes of caring, trusting and respecting one another and demonstrate a sense of pride and ownership in a positive and safe learning climate. Students will be more likely to experience success, and all social groups will communicate with one another, respect one another, and work with one another for school improvement.

**Discuss the nature of parental and student involvement in decision-making matters.**

Success in education is highly dependent upon a strong partnership between home and school -- a partnership that thrives on good communication. Vanguard Academy will encourage parents to develop partnerships with teachers, administrators, and the Board and to participate in decision-making matters involving the proposed school. Specifically Vanguard Academy will adopt and use strategies that encourage parents to:

- Place a high value and priority on education and commit to helping their child(ren) maximize educational opportunities offered by the proposed school.
- Familiarize themselves with the school's academic program and freely ask questions, seek further information, and/or express opinions to the Principal about any issues, including but not limited to academic placement and progress, class assignment, or non-academic activities offered by the proposed school
- Attend Board meetings to learn more about school operations
- Learn about volunteer opportunities and perform volunteer service at the school, including participation in the Parent-Teacher Organization Volunteer Program and other campus programs, etc.
- Participate in campus parent organizations, including activities ranging from club memberships to campus and school committees that assist the school and its Board in formulating educational goals and objectives

- Meet with teachers or guidance counselors about their child's education at least once per school semester
- For parents speaking little or no English, to participate in Bilingual (Spanish/English) meetings with teachers and administrative staff to discuss matters that concern the parent or the student
- Participate as a volunteer for various school activities
- Become familiar with the school's annual calendar of events (this calendar will be provided to the parent or guardian of each student)
- Become familiar with the school's Code of Student Conduct - Vanguard Academy will provide parents with a copy of its Code of Student Conduct that describes consequences to students who violate school disciplinary policy. Parents/ guardians will be requested to notify the school, within 10 days of receipt of the Code publication, of objections they may have to the release of "directory information" on their child(ren). A Parent Acknowledgment form will be provided for signature and parents will be asked to return the form to the school by August 30 of each school year.

To further involve parents in the school's decision making process, Vanguard Academy's Board of Trustees will make a good faith effort to develop and maintain policies that ensure involvement of parents in the school's decision making process.

The Board will:

- Commit to a policy that identifies parents are true partners, developing learning programs for students along with the teacher, participating in the classroom on a more regular basis, making suggestions that are heeded by the professionals, and taking responsibility for creating an environment in the home that supports education and student learning.
- Identify, within the organization's mission statement, the importance of parents in achieving the school's vision, mission and goals (i.e., The school's mission statement in part reads: the school's mission is to provide, in partnership with parents and the community and a safe and friendly environment. Further, as part of the Board's stated role and duty in "guiding and directing" the school, the Board will pledge to ensure that the school's planning and decision making will enable all segments of the community, parents, and professional staff to contribute meaningfully to achieving the Vanguard Academy's mission
- Designate at least one school Board position to be filled from the parent group after year 2
- Ensure that the Chief Executive Officer, in performing his duties with respect to parent and public involvement, will coordinate with and see that parents stay informed regarding student progress, maintain open lines of communication with parents, and encourage and facilitate parental involvement and the development of a community of learners
- Based on the Board's role and duty to "unify" (i.e., the Board's "unity" role), the Board will develop skills in teamwork, problem solving, and decision making that includes parents

- The Board has established an Advisory Committee to provide input needed to guide the decisions of Vanguard Academy. This Committee will reflect the needs and concerns of the community served.
- The Board will report school progress to parents and community in compliance with state laws and regulations
- The Texas Education Code provides that parents and others standing in a parental relationship to students have and can exercise certain rights relating to the student's education. The Board will ensure that Vanguard Academy adheres to and honors these parental rights.

To insure that students are involved in the decision making process, Vanguard Academy will provide the following:

- Establish a student council for the upper elementary, middle school, and high school where a representative will attend board meetings with an agenda item designed for input.
- Select students from each level to participate on the Campus Improvement Team.
- Utilize students from each level on advisory boards when appropriate (i.e. textbook selection).

**Specify the extent to which any private entity will be involved in the operation of Charter School. Identify any members of the governing board or officers of the Charter School who are affiliated with that entity.**

Vanguard Academy does not possess a relationship with any private entity that would be involved in the operation of the Charter School. The non-profit organization, the governing board, and officers are proposing this application without direct support from management, business/industry, or private individuals who will have any decision-making powers or control. The Board of Directors will function in that capacity and provide direction and guidance regarding future relationships and partnerships.

Internal Revenue Service  
Director, EO Rulings & Agreements  
P.O. Box 2508  
Cincinnati, OH 45201

Date: November 1, 2000

VANGUARD ACADEMY INC  
PO BOX 750 400 SOUTH I RD  
PHARR, TX 78577

Toll Free Number: 877-829-5500  
FAX Number: 513-263-3756  
\* Document Locator Number:  
17053-305-01402-0  
X Employer Identification Number:  
74-2971562  
Application Form: 1023  
User Fee Paid: \$500.00

#### *Acknowledgement of Your Request*

We received your application for exemption from Federal income tax. When communicating with us, please refer to the employer identification number and document locator number shown above.

#### *What Happens Next?*

Your application was entered into our computer system at our Processing Center in Covington, Kentucky, and has been sent to our Cincinnati office for initial review. Some applications can be approved based on this review. If this is the case, you will receive a letter stating that you are exempt from Federal income tax.

If the initial review indicates that additional information or changes are necessary, your application will be assigned to an Exempt Organization Specialist in Cincinnati or in another IRS office who will call or write you. Applications are assigned in the order they are received.

If the additional information indicates that you qualify for exemption, you will receive a letter stating that you are exempt from Federal income tax. If we determine that you do not qualify for exemption, we will send you a letter that includes a complete explanation of why we believe you do not qualify. The letter will also include a complete explanation of your appeal rights.

The IRS does not issue "tax exempt numbers" or "tax exempt certificates" for state or local sales or income taxes. If you need exemption from these taxes, contact your state or local tax offices.

#### *How long will this process take?*

You may normally expect to hear from us within 120 days. If you do not hear from us, you may call our toll free number between the hours of 8:00 a.m. and 9:30 p.m. Eastern Time. Please have your identification numbers available so that we can identify your application. If you would rather write than call, please include a copy of this notice with your correspondence.

00119

## ARTICLE VIII

AMENDMENTSNon-Discrimination Policy

Vanguard Academy admits students of any race, color, national, and ethnic origin to all the rights, privileges, programs, and activities of the school. It does not discriminate on the basis of gender, race, color, national or ethnic origin, or disability in administration of its educational policies, admissions policies, or school-administrated programs.

Recordkeeping

Vanguard Academy will keep records indication the racial composition of the student body, faculty, and administrative staff for each academic year. Vanguard Academy will keep records, to document that scholarships and other financial assistance is awarded on a racially nondiscriminatory basis. Vanguard Academy will publish this non-discriminatory policy in all brochures, catalogues, and advertisements dealing with student admissions, programs and scholarships, also copies of all materials used by or on behalf of the school to solicit contributions.

Vanguard Academy and its incorporates, organizers, officers, faculty and staff are not interested in starting or maintaining a school that practices segregation.

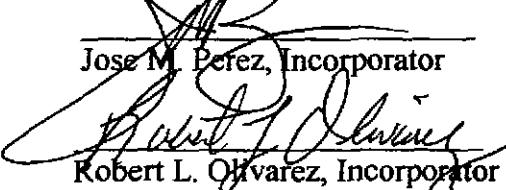
EXECUTED this 31 day of January, 2001

State of Texas

County of Hidalgo

This instrument was acknowledged before me on January 31, 2001 by Robert L. Olivarez, Incorporator of Vanguard Academy, Inc., a Texas Corporation, on behalf of said corporation.

  
Jose M. Perez, Incorporator

  
Robert L. Olivarez, Incorporator

  
Ricardo Reyes, Incorporator

  
Notary Public in and for Hidalgo County, State of Texas



00120

**TEXAS EDUCATION AGENCY**  
**OPEN-ENROLLMENT CHARTER SCHOOL APPLICANT**  
**BIOGRAPHICAL AFFIDAVIT**  
**(MUST BE TYPED and NOTARIZED)**

**Check all that apply:**

Member of the governing board of the sponsoring entity  
 Member of the managing board for the charter school  
 It should be understood that a board member's resignation is not effective until a replacement is duly appointed by the board and a board member may be personally liable for any actions taken by the board.  
 School administrator

**Full Name of Sponsoring Entity and Name of Proposed Charter School:** Vanguard Academy

In connection with the above-named organization and charter school application, I herewith make representations and supply information about myself as hereinafter set forth. (Attach addendum or separate sheet if space hereon is insufficient to answer any questions fully.)

**IF ANSWER IS "NO" OR "NONE", SO STATE.**

1. Full Name (Initials Not Acceptable): Jose Manuel Perez
2. Have you ever had your name changed? No If yes, give reason for the change: \_\_\_\_\_
- b. Maiden Name (if female) N/A
- c. Other names used at any time Joe Perez; J.M. Perez
3. Social Security Number: \_\_\_\_\_
4. Date and Place of Birth: \_\_\_\_\_ McAllen, Tx.
5. Business Address: 400 S. "T" Rd. (P.O. Box 730) Parr, Tx. 78577  
 Business Telephone: (956) 787-1737
6. List your residences for the last ten (10) years starting with your current address, giving:

<u>DATES</u>	<u>ADDRESS</u>	<u>CITY AND STATE</u>	<u>ZIP CODE</u>
10/96-Present	904 Coil Dr.	San Juan, Tx.	78589
8/92-10/96	19822 FM 1560	San Antonio, Tx.	78254
10/88-8/92	6238 Beachwood	Corpus Christi, Tx.	78412

## Attachment #4

## 7. Education: Dates, Names, Locations and Degrees

College Latin American Bible Ins. 1973-1974; El Paso, Tx.  
S.A.G.I.I. 1976/78-90; Waxahachie, Tx. B.A. Christian Education  
 Graduate Studies None

Others None

8. List Membership in Professional Societies and Associations: None

## 10. List complete employment record (up to and including present jobs, positions, directorates or officerships) for the past twenty (20) years:

DATES	EMPLOYER	ADDRESS	TITLE
10/96-Present	Templo Bethel	400 S."I" Rd., Pharr, Tx.	Senior Pastor
8/92-10/96	L.A.B.I.	19822 FM 1560, San Antonio, Tx.	School President
10/88-8/92	Primera A/G Church	Corpus Christi, Tx.	Pastor
1/84-10/88	Bethel A/G Church	Grand Rapids, Mi.	Pastor
10/80-12/83	U.S. Postal Service	McAllen, Tx.	Mail Carrier

11. Present employer may be contacted:  Yes No (Circle One)

Former employers may be contacted:  Yes No (Circle One)

12. a) Have you ever been in a position which required a fidelity bond? No  
 If any claims were made on the bond, give details: none

b) Have you ever been denied an individual or position schedule fidelity bond, or  
 had a bond cancelled or revoked? No  
 If yes, give details: \_\_\_\_\_

13. List any professional, occupational or vocational licenses issued by any public or  
 governmental licensing agency or regulatory authority which you presently hold or  
 have held in the past. (State date license was issued, issuer of license, date  
 terminated, reasons for termination): none

14. During the last ten (10) years, have you ever been refused a professional,  
 occupational or vocational license by any public or governmental licensing agency or  
 regulatory authority, or has such license held by you ever been suspended or  
 revoked? No If yes, give details: \_\_\_\_\_

15. Will you or members of your immediate family be employed by (directly or through contract) or receive remuneration from the proposed charter school? yes  
 If yes, give details: wife will be employed in an administrative or supervisory capacity

16. Have you ever been adjudged bankrupt? No

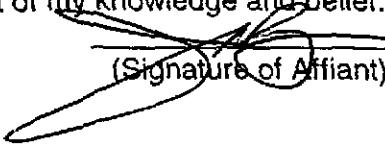
17. Have you ever been convicted or had a sentence imposed or suspended or had pronouncement of a sentence suspended or been pardoned for conviction of or pleaded guilty or nolo contendere to any information or indictment charging any felony, or charging a felony or misdemeanor involving moral turpitude, or have you been the subject of any disciplinary proceedings of any federal or state regulatory agency? No  
 If yes, give details:

18. Have you ever been an officer, director, trustee, investment committee member, key employee, or controlling stockholder of any business, which, while you occupied any such position or capacity with respect to it, became insolvent or was placed under supervision or in receivership, rehabilitation, liquidation or conservatorship? No

19. Are you now, or have you been, within the past five years, a plaintiff or defendant in any lawsuit? No. If so, please furnish details:

Dated and signed this 22 day of January  
20 01, at Pharr, Texas

I hereby certify under penalty of perjury that I am acting on my own behalf, and that the foregoing statements are true and correct to the best of my knowledge and belief.

  
 (Signature of Affiant)

State of Texas  
 County of Hidalgo

Personally appeared before me the above named Jose Manuel Perez  
 personally known to me, who, being duly sworn, deposes and says that he/she executed the above instrument and that the statements and answers contained therein are true and correct to the best of his/her knowledge and belief.

Subscribed and sworn to before me this 22 day of  
January, 20 01.

(SEAL)

(Notary Public)  
 My commission expires 7-13-2004



00123

## Attachment #4

**TEXAS EDUCATION AGENCY**  
**OPEN-ENROLLMENT CHARTER SCHOOL APPLICANT**  
**BIOGRAPHICAL AFFIDAVIT**  
**(MUST BE TYPED and NOTARIZED)**

Check all that apply:

Member of the governing board of the sponsoring entity

Member of the managing board for the charter school

It should be understood that a board member's resignation is not effective until a replacement is duly appointed by the board and a board member may be personally liable for any actions taken by the board.

School administrator

Full Name of Sponsoring Entity and Name of Proposed Charter School: Vanguard Academy

In connection with the above-named organization and charter school application, I herewith make representations and supply information about myself as hereinafter set forth. (Attach addendum or separate sheet if space hereon is insufficient to answer any questions fully.)

IF ANSWER IS "NO" OR "NONE", SO STATE.

1. Full Name (Initials Not Acceptable): Robert Lee Olivarez

2. Have you ever had your name changed? No If yes, give reason for the change: \_\_\_\_\_

b. Maiden Name (if female) N/A

c. Other names used at any time N/A

3. Social Security Number: \_\_\_\_\_

4. Date and Place of Birth: Saginaw, Michigan

5. Business Address: 400 S. "I" Road (P.O. Box 730) Pharr, Texas 78577  
 Business Telephone: (956) 787-1737

6. List your residences for the last ten (10) years starting with your current address, giving:

<u>DATES</u>	<u>ADDRESS</u>	<u>CITY AND STATE</u>	<u>ZIP CODE</u>
8-12-00-Current	4517 W. Maple Ave.	McAllen, Tx.	78501
1998-1999	2818 Wynes St.	Saginaw, Mi.	48602
1994-1998	6644 McCarty Rd.	Saginaw, Mi.	48603
1994-1989	3260 Moran Dr.	Birch Run, Mi.	48415

00124

## Attachment #4

## 7. Education: Dates, Names, Locations and Degrees

College Southwestern A/G University 1975-78: B.S. in Christian Education

Graduate Studies Saginaw Valley State University, 1982: M.A. Educational Supervision and Administration

Others Eastern Michigan University: Teaching Certificate Vocational Endorsement, Endorsement in Counseling K-12, 1986 and M.A. in Counseling 1985.

8. List Membership in Professional Societies and Associations: none

## 10. List complete employment record (up to and including present jobs, positions, directorates or officerships) for the past twenty (20) years:

DATES	EMPLOYER	ADDRESS	TITLE
8/00-Present	Templo Bethel	400 S. "I" Rd., Pharr, Tx.	Associate Pastor
10/88-7/00	State Farm Ins.	3441 Court St., Saginaw, Mi.	Insurance Agent
1/82-10/88	Bridgeport/Spaulding Schools	1944 Iowa Saginaw, Mi.	Counselor
8/78-1/82	Saginaw Public Schools	550 Millard, Saginaw, Mi.	Teacher
8/78-1980	Saginaw Steering Gear	3900 Holland Rd., Saginaw, Mi.	General Labor

11. Present employer may be contacted: Yes  No  (Circle One)

Former employers may be contacted: Yes  No  (Circle One)

12. a) Have you ever been in a position which required a fidelity bond? No

If any claims were made on the bond, give details: \_\_\_\_\_

b) Have you ever been denied an individual or position schedule fidelity bond, or

had a bond cancelled or revoked? No

If yes, give details: \_\_\_\_\_

13. List any professional, occupational or vocational licenses issued by any public or governmental licensing agency or regulatory authority which you presently hold or have held in the past. (State date license was issued, issuer of license, date terminated, reasons for termination): Currently Licensed Professional Counselor (L.P.C.) with the State of Michigan

14. During the last ten (10) years, have you ever been refused a professional, occupational or vocational license by any public or governmental licensing agency or regulatory authority, or has such license held by you ever been suspended or revoked? No If yes, give details: \_\_\_\_\_

00125

15. Will you or members of your immediate family be employed by (directly or through contract) or receive remuneration from the proposed charter school? yes  
If yes, give details: wife will be employed as a Administrative Secretary

16. Have you ever been adjudged bankrupt? No

17. Have you ever been convicted or had a sentence imposed or suspended or had pronouncement of a sentence suspended or been pardoned for conviction of or pleaded guilty or nolo contendere to any information or indictment charging any felony, or charging a felony or misdemeanor involving moral turpitude, or have you been the subject of any disciplinary proceedings of any federal or state regulatory agency? No  
If yes, give details: \_\_\_\_\_

18. Have you ever been an officer, director, trustee, investment committee member, key employee, or controlling stockholder of any business, which, while you occupied any such position or capacity with respect to it, became insolvent or was placed under supervision or in receivership, rehabilitation, liquidation or conservatorship? No

19. Are you now, or have you been, within the past five years, a plaintiff or defendant in any lawsuit? No. If so, please furnish details: \_\_\_\_\_

Dated and signed this 22 day of January,  
2001, at Pharr, Texas

I hereby certify under penalty of perjury that I am acting on my own behalf, and that the foregoing statements are true and correct to the best of my knowledge and belief.

Robert J. Olivarez  
(Signature of Affiant)

State of Texas  
County of Hidalgo

Personally appeared before me the above named Robert J. Olivarez  
personally known to me, who, being duly sworn, deposes and says that he/she executed  
the above instrument and that the statements and answers contained therein are true  
and correct to the best of his/her knowledge and belief.

Subscribed and sworn to before me this 22 day of  
January, 2001.

(SEAL)

(Notary Public)

My commission expires 7-13-2004



00126

00126

**TEXAS EDUCATION AGENCY**  
**OPEN-ENROLLMENT CHARTER SCHOOL APPLICANT**  
**BIOGRAPHICAL AFFIDAVIT**  
**(MUST BE TYPED and NOTARIZED)**

**Check all that apply:**

Member of the governing board of the sponsoring entity

Member of the managing board for the charter school

It should be understood that a board member's resignation is not effective until a replacement is duly appointed by the board and a board member may be personally liable for any actions taken by the board.

School administrator

**Full Name of Sponsoring Entity and Name of Proposed Charter School:** \_\_\_\_\_

Vanguard Academy

In connection with the above-named organization and charter school application, I herewith make representations and supply information about myself as hereinafter set forth. (Attach addendum or separate sheet if space hereon is insufficient to answer any questions fully.)

**IF ANSWER IS "NO" OR "NONE", SO STATE.**

1. Full Name (Initials Not Acceptable): Ricardo Reyes

2. Have you ever had your name changed? No If yes, give reason for the change: none

b. Maiden Name (if female) N/A

c. Other names used at any time Rick Reyes

3. Social Security Number: \_\_\_\_\_

4. Date and Place of Birth: \_\_\_\_\_ San Benito, Tx.

5. Business Address: 400 S. "I" Rd (P.O. Box 730) Pharr, Tx. 75577

Business Telephone: (956) 787-1737

6. List your residences for the last ten (10) years starting with your current address, giving:

<u>DATES</u>	<u>ADDRESS</u>	<u>CITY AND STATE</u>	<u>ZIP CODE</u>
97/01	1320 Date Palm	Alamo, Tx. 78516	
94/97	10822 FM 1560	San Antonio, Tx. 78254	
90/94	404 Texas St.	Yoakum, Tx. 77995	

00127

## 7. Education: Dates, Names, Locations and Degrees

College Sam Houston State University: 1978-1982, Huntsville, Tx. B.S. Degree

Graduate Studies none

Others none

8. List Membership in Professional Societies and Associations: Texas State Teachers Association

## 10. List complete employment record (up to and including present jobs, positions, directorates or officerships) for the past twenty (20) years:

DATES	EMPLOYER	ADDRESS	TITLE
1982-90	Conna ISD Donna, Tx.		High School Teacher
1990/94	Maranatha A/G 404 Texas St. Yoakum, Tx.		Pastor
1994-97	L.A.B.I. 10822 FM 1560 San Antonio, Tx.		Teacher/Men's Dean
1999/01	Templo Bethel 400 S. "I" Rd. Pharr, Tx.		Associate Pastor

11. Present employer may be contacted:  Yes No (Circle One)

Former employers may be contacted:  Yes No (Circle One)

12. a) Have you ever been in a position which required a fidelity bond? No  
If any claims were made on the bond, give details: None

b) Have you ever been denied an individual or position schedule fidelity bond, or had a bond cancelled or revoked? No  
If yes, give details: No

13. List any professional, occupational or vocational licenses issued by any public or governmental licensing agency or regulatory authority which you presently hold or have held in the past. (State date license was issued, issuer of license, date terminated, reasons for termination): Texas Teaching Certificate with endorsements in Agri Co-op and Horticulture

14. During the last ten (10) years, have you ever been refused a professional, occupational or vocational license by any public or governmental licensing agency or regulatory authority, or has such license held by you ever been suspended or revoked? No If yes, give details: \_\_\_\_\_

15. Will you or members of your immediate family be employed by (directly or through contract) or receive remuneration from the proposed charter school? yes

If yes, give details: my wife; possible administrative secretary/accounting.

16. Have you ever been adjudged bankrupt? No

17. Have you ever been convicted or had a sentence imposed or suspended or had pronouncement of a sentence suspended or been pardoned for conviction of or pleaded guilty or nolo contendere to any information or indictment charging any felony, or charging a felony or misdemeanor involving moral turpitude, or have you been the subject of any disciplinary proceedings of any federal or state regulatory agency? No

If yes, give details: \_\_\_\_\_

18. Have you ever been an officer, director, trustee, investment committee member, key employee, or controlling stockholder of any business, which, while you occupied any such position or capacity with respect to it, became insolvent or was placed under supervision or in receivership, rehabilitation, liquidation or conservatorship? No

19. Are you now, or have you been, within the past five years, a plaintiff or defendant in any lawsuit? No. If so, please furnish details: \_\_\_\_\_

Dated and signed this 22 day of January  
20 01, at Pharr, Texas

I hereby certify under penalty of perjury that I am acting on my own behalf, and that the foregoing statements are true and correct to the best of my knowledge and belief.

Ricardo Reyes  
(Signature of Affiant)

State of Texas  
County of Hidalgo

Personally appeared before me the above named Ricardo Reyes, personally known to me, who, being duly sworn, deposes and says that he/she executed the above instrument and that the statements and answers contained therein are true and correct to the best of his/her knowledge and belief.

Subscribed and sworn to before me this 22 day of  
January, 20 01.

(Notary Public)

My commission expires 07-13-2004

(SEAL)



00129

ATTACHMENT 5  
Credit Report

140

To Whom It May Concern:

Vanguard Academy is newly established as an entity, therefore there is no credit report or credit history at this time.

Vanguard Academy

00130

ATTACHMENT 6  
IRS FILLING

141

To Whom It May Concern:

Vanguard Academy is newly established as an entity, therefore there are no IRS filing forms at this time.

Vanguard Academy

00131

ATTACHMENT 7

**THE MONITOR****PUBLISHER'S AFFIDAVIT**

State of Texas

County of Hidalgo

Elizabeth D. Flores, being  
 duly sworn on her/his oath states that she/he is a  
 Sales Representative of THE MONITOR and that the  
 attached notice appeared in the following issues:

January 22, 2001  
Elizabeth D. Flores

Subscribed and sworn to before me this 31<sup>st</sup>

day of January AD 2001

Notary Public, Hidalgo County



LETICIA BERNAL  
 MY COMMISSION EXPIRES  
 December 9, 2003

**NOTICE OF PUBLIC HEARING**

The Vanguard Academy is applying to the State Board of Education for approval to operate an open-enrollment charter school to be located in Pharr. On Wednesday, February 7, 2001 at 8:30 p.m. a public hearing will be held in the Fellowship Hall at Templo Bethel, 400 S. "I" Road to discuss the proposed charter plan.

Charter schools are public schools established by non-profit organizations, institutions of higher education or governmental agencies. These schools are publicly funded and are free from many state regulations that apply to other schools.

If approved, the Vanguard Academy will open in Fall of 2001 and serve students in grades Pre-K to Third.

00132

Attachment #7

# THE MONITOR

## PUBLISHER'S AFFIDAVIT

State of Texas  
County of Hidalgo

Elizabeth D. Flores, being  
duly sworn on her/his oath states that she/he is a  
Sales Representative of THE MONITOR and that the  
attached notice appeared in the following issues:

January 31, 2001

Subscribed and sworn to before me this 31<sup>st</sup>  
day of January AD 2001

Elizabeth D. Flores  
Notary Public, Hidalgo County



**Correction Notice,  
Notice of Public  
Hearing**

The Vanguard Academy is applying to the State Board of Education for approval to operate an enrollment charter school to be located in Pharr. On Wednesday, February 7, 2001 at 6:30 p.m. a public hearing will be held in the Fellowship Hall at Templo Bethel 400 S. "I" Road to discuss the proposed charter plan. Charter schools are public schools established by non-profit organizations, institutions of higher education or governmental agencies. These schools are publicly funded and are free from many state regulations that apply to other schools.

If approved, the Vanguard Academy will open in Fall of 2001 and serve students in grades Pre-K to Third. Nondiscrimination Policy: Vanguard Academy admits students of any race, color, national and ethnic origin to all the rights, privileges, programs and activities of the school. It does not discriminate on the bases of gender, race, color, national or ethnic origin, or disability in administration of its educational policies, admission policies or school administrative programs.

00133

**Family Educational Rights and Privacy Act Protected Material**

6 pages have been withheld

**PLEASE NOTE:** Public hearing sign-in sheets have been removed from the responsive material. These sign-in sheets contain material that is protected by the Family Educational Rights and Privacy Act (FERPA). Information redacted could include items such as the student's name, names of family members, addresses, personal identifiers such as social security numbers, and personal characteristics or other information that make the student's identity easily traceable. If you have any questions or concerns regarding the redaction of this material, please contact the Open Records Office at [PIR@tea.state.tx.us](mailto:PIR@tea.state.tx.us).

**PUBLIC HEARING FOR  
VANGUARD ACADEMY**

**DATE: FEBRUARY 7, 2001  
TIME: 8:30 p.m.**

Meeting was called to order at 8:30 p.m., Robert L. Olivarez introduced himself.

Meeting began with Mr. Olivarez introducing Jose M. Perez, the CEO and Incorporator of Vanguard Academy. Mr. Perez presented the other Incorporators of Vanguard Academy, which were Robert L. Olivarez and Ricardo Reyes. Mr. Perez stated how Vanguard Academy has been 20 years in the making. Mr. Perez stated that Vanguard Academy would have the highest academic standards, morals, and will encourage students to develop their talents and abilities. Mr. Perez stated that Templo Bethel A/G Church is also committed to the future of Vanguard Academy by purchasing ten acres of property and currently has blueprints to build a new school building. Mr. Perez also stated how Mr. Olivarez has worked to have the school incorporated, which was one of many steps needed to begin Vanguard Academy. This school will begin with grades, Pre-K to 3<sup>rd</sup>. Vanguard Academy will fill the gap that there currently is in our educational system.

Mr. Olivarez introduced the next Founder and Incorporator, Ricardo Reyes. Mr. Reyes greeted and presented himself as one of the Founders and Incorporators of Vanguard Academy. He shared a little of his personal background and stated that he is committed to Vanguard Academy's success in academics. Mr. Reyes stated that he expects this school and its students to excel in all areas of their studies and will be the best students in county. He also knows that Vanguard Academy will offer a safe environment for the students. Mr. Reyes stated that Vanguard Academy will have the best committed faculty and staff.

Than Mr. Olivarez introduced himself as one of the incorporthors and stated that he will be the Superintend of Vanguard Academy. He than stated if every one had an agenda than continued with the hearing.

An overhead projector with transparencies was provided in the meeting so that the public could follow the reading of the following:

Mr. Olivarez read the Missions Statement of Vanguard Academy.  
Mr. Olivarez than read the Visions Statement of Vanguard Academy.  
Mr. Olivarez proceeded to read the Purpose and the Objectives and Time Lines of Vanguard Academy.  
Mr. Olivarez read the Educational Component for Vanguard Academy.

Meeting was than opened to the public for questions or comments about Vanguard Academy.

First question or statement by: Raul Martinez

- Q. Will the funding for this charter school come from the TEA?
- A. Yes, all funding for charter schools come from the TEA.
- Q. Do the teachers need to be certified teachers?
- A. Charter schools can have certified teachers or teachers with a degree.

Second question or statement by: Elena Garcia

Statement: Stated that the public will be very happy that we are starting Vanguard Academy. This school will be a benefit to the children and parents of this community. She is in complete support of starting Vanguard Academy.

Third question or statement by: Juan Crosby

Q. Will each student be required to pass the state test that other students have to pass?  
A. Yes, Vanguard Academy students will have to take the same tests as public schools.

Fourth question or statement by: Alicia Colover

Statement: Alicia stated that she is very happy with what she has seen, heard, about Vanguard Academy. She stated that Templo Bethel and other community churches set an example of what the community needs. There are a lot of troubled children that are in gangs, involved with drugs and have other serious problems that need the support of a good school.

Fifth question or comment by: Mary De La Garza

Q. When will Vanguard Academy be starting higher grades in the school?  
A. Vanguard tentatively plans to increase one grade per year until we reach middle school than we will incorporate the middle grades as one group and than the same with the high school.

Sixth question or comment by: Esperanza Cortez

Statement: I agree with the starting of this school because of the discipline. Our local public schools are having problems in this area of discipline. She is in agreement with Vanguard Academy School because in the Vision and the Mission Statement it addresses discipline and responsibility of the student and parents. In addition, it addresses the safety of the students. Also, that Vanguard Academy will have quality teachers and offer a good education for children.

Seventh question or statement by: Consuelo Moure

Q. Will this school teach religious classes or will they be teaching the basic educational classes? Will there be a charge for this school?  
A. There will be no religious classes taught in this school. No, there will not be a charge. If approved this school will received state funding.

Eighth question or comment by: Alicia Colover

Statement: Stated that the community will trust and have confidence in Vanguard Academy, because of its supporters. Although religious classes are not taught, the Faculty and Staff will be examples of what is good.

Ninth question or comment by: [REDACTED]

Statement: Stated that [REDACTED] is currently attending a charter school, [REDACTED] in [REDACTED], [REDACTED] and that this school has been a help for [REDACTED]. [REDACTED] also made the comment that it is going to take everyone to make the school successful and help the children be successful. [REDACTED] is all for Vanguard Academy School opening. [REDACTED] said that the parents are the ones that have to be involved in Vanguard Academy as they are in the charter school in [REDACTED].

Tenth question or comment by: Irma C. Salinas

Statement: Stated she is in complete support of Vanguard Academy to be opened. There currently is a lot of need in the public school and consequently there are many children that are left behind. In the public school she feels that the teachers and staff do not take responsibility for their classrooms and Irma feels that there is a lot of injustice to the students. Irma feels that Vanguard Academy will give more individual attention to the children and order. Many children are dropping out and staying behind, these are our children and we need a school like Vanguard Academy.

Eleventh question or comment by: Juan Crosby

Q. Will special education be available at this school?  
A. Yes, all charter schools must have and make available special education.

Twelfth question or comment by: Elizabeth Gutierrez

Statement: Stated that she is very proud that there will be an option to send children to another school, other than the ones here in our area. Elizabeth feels that public schools have failed the children and parents. These people have risen to the challenge and needs. I will support this school.

Thirteenth question or comment by: Jose Perez

Statement: Stated that Vanguard Academy has received several letters of recommendation and support from our surrounding community. These letters have come from the Police Department, which have stated that they will offer their support and will be willing to give safety programs and instruction to our children. The Fire Department will be a partner of support to Vanguard Academy to also teach them fire safety. Two banks in our area, Wells Fargo and Alamo Bank sent in letters of support. The Junior College in our area South Texas Community College has written a letter of support to Vanguard Academy to offer their partnership with Vanguard Academy. STCC will in the future join their teachers program with our school. The college is also willing to offer computer technology and other resources when needed.

There were no further questions, or statements. Mr. Olivarez thanked those who attended the meeting, than concluded the hearing.

# Pharr Police Department

202 E. CLARK • PHARR, TX 78577

(956) 787-3030

JESSE J. MEDINA  
CHIEF OF POLICE

OFF. (956) 781-2454  
FAX: (956) 781-9163



January 30, 2001

Rev. J. M. Perez  
Templo Bethel  
400 S. I Rd. (P. O. Box 750)  
Pharr, Texas, 78577-3942

To whom it may concern:

On behalf of the Pharr Police Department, I am pleased to submit this letter of recommendation for the charter application of Vangard Academy. I believe that our community has a great need for the quality school that the Vangard Academy will offer. We need an educational program will fill in the educational gaps and provide a safe place for our children to grow and learn.

As a Chief of Police responsible for the security of the Citizens of Pharr, I welcome the opportunity to provide support and available resources to the new school. We fully expect to partner with the school to provide mentors, goods and services, or whatever is needed to insure the school's success.

The Pharr Police Department commends the charter school founders for their time and efforts as their dream becomes a reality. The Pharr Police Department is convinced that the new school will provide a quality education and become a valuable resource to our community.

We believe charter schools are a hope for the future and urge you to consider the Vangard Academy application as a necessary and needed resource for community. We do.

Sincerely,

Jesse J. Medina  
Chief of Police

00143

## STAFF OFFICERS

Juan J. Ruiz  
 Jorge Jalomo  
 Edward Wylie  
 Jacob Salinas  
 Pilar Rodriguez

THE CITY OF  
**PHARR**  
**FIRE - RESCUE**  
120 W. CHEROKEE AVE. • PHARR, TEXAS 78577

February 12, 2001

On behalf of the City of Pharr Fire Department, it is with great pleasure to submit this letter of support for the Vanguard Academy 's application for Charter. Together, as a working community, there is always room for education of our future entrepreneurs to grow and ascertain knowledge and experience. Education is vital, especially during the primary years where one can be vulnerable to the elements brought forth within our society. With this in mind, I believe that your initial program for Pre-K to 12<sup>th</sup> grade can be essential and important to their development.

As Fire Chief with the City of Pharr, I would like to address my support and our department's resources to your new adventure with a new school. I believe partnerships are of utmost importance in the learning curve of children during adolescence. Therefore, we look forward to your establishment and your proposed quality educational program that is a necessary resource amongst the Rio Grande Valley area.

Respectfully,

*Jaime R. Guzman 6/99K*

Jaime R. Guzman  
 Fire Chief



P.O. Box 9701  
McAllen, TX 78502-9701

Office of the Vice President for Instructional Services  
3201 W. Pecan Blvd. • McAllen, Texas 78501

(956) 618-8360  
Fax: (956) 618-8388

January 30, 2001

Dear Mr. Robert Olivarez,

As Vice President of Instructional Services at South Texas Community College, it is my pleasure to write a letter of support for Vanguard Academy. It is my understanding that Vanguard Academy hopes to open as a Charter School in Pharr, Texas during 2001 or 2002 with initial programs in preK through third grade, with the intention to expand through the twelfth grade after several years.

I have read the draft mission, vision, and purpose statements for Vanguard Academy, and I find them to be a sound start to a visionary institution. I am especially pleased with Vanguard's emphasis on academic excellence, moral and ethical training, character building, and citizenship.

I am also excited about the possible partnerships between STCC and Vanguard as the future unfolds; partnerships in mentorship programs and in teacher education, science, mathematics, social sciences, and technological fields are distinct possibilities that I hope to explore.

I believe that charter schools such as Vanguard Academy are a vital part of our educational arena. I commend you and other Vanguard Academy founders for your time and efforts in making this dream become a reality. I am convinced that this new charter school will provide a quality education and become a valuable resource to our community.

Sincerely,

A handwritten signature in black ink that reads "Frank Williams".

Dr. Frank Williams  
Vice President of Instructional Services

00145



February 12, 2001

Mr. Robert L. Olivarez  
Vanguard Academy  
P.O. Box 730  
Pharr, Texas 78577-0730

Dear Mr. Olivarez:

On behalf of Alamo Bank of Texas, I am pleased to submit this letter of recommendation for the charter application of Vanguard Academy. I believe that our community has a great need for the quality school that the Vanguard Academy will offer. We need an educational program that will fill in the educational gaps and provide a safe place for our children to grow and learn.

As a business located in the neighborhood where the school will be located, we welcome the opportunity to provide support and available resources to the new school. We fully expect to partner with the school to provide mentors, goods and services, or whatever is needed to insure the school's success.

Alamo Bank of Texas commends the charter school founders for their time and efforts as their dream becomes a reality. Alamo Bank of Texas is convinced that the new school will provide a quality education and become a valuable resource to our community.

We believe charter schools are a hope for the future and urge you to consider the Vanguard Academy application as a necessary and needed resource for our community. We do.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Shields". Below the signature, the name "Allen Shields" is printed in a smaller, sans-serif font, followed by "President &amp; CEO".

AS:am

00146

ATTACHMENT 11

**THE MONITOR****PUBLISHER'S AFFIDAVIT**

State of Texas  
 County of Hidalgo

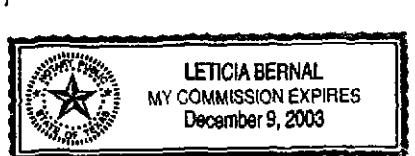
Elizabeth D. Flores, being  
 duly sworn on her/his oath states that she/he is a  
 Sales Representative of THE MONITOR and that the  
 attached notice appeared in the following issues:

January 23, 2001

Elizabeth D. Flores

Subscribed and sworn to before me this 31<sup>st</sup>

day of January A.D. 2001



ATTACHMENT 11

**NOTICE OF INTENT TO  
 APPLY FOR OPEN-ENROLLMENT  
 CHARTER SCHOOL**

The Vanguard Academy is applying to the State Board of Education for approval to operate an open-enrollment charter school ("charter school") to be located in 400 S. "I" Road, Pharr, Texas. Charter schools are public schools established by nonprofit organizations, institutions of higher education, or governmental entities. These schools are publicly funded and are free from many state regulations that apply to other public schools. The following descriptive information about the proposed school is being provided for the benefit of the community in which the school would be located if approved:

Sponsoring Entity: Templo Bethel

Chief Executive Office: Jose M. Perez

Board Member of the Sponsoring Entity: Jose M. Perez, Robert L. Olivarez, Richardo Reyes

Board Members of the School Operating Board: To be determined.

Proposed location of the school: 400 S. "I" Road, Pharr, Texas

Brief description of the school: Vanguard Academy will provide 100% of time to an integrated, interdisciplinary, value based education in a safe and supportive environment. Students will acquire a solid academic foundation that includes mathematics, science, reading, writing, social studies, fine arts, and computer technology. Vanguard Academy will conduct these activities by its faculty and staff that will meet the standards of the Texas State Board of Education.

Grade levels to be served: Pre-K to Third Grade

Planned opening date: August 2001

The State Board of Education invites comments about any aspect of the proposed school or its sponsoring entity. Comments must be communicated in the form of a signed letter directed to the State Board of Education. Only letters specifically addressing a proposed school will be considered by the board. Letters may be sent to the following address: Texas Education Agency, Division of Charter Schools, 1701 N. Congress, Austin, Texas 78701.

00147

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

City Council  
205 W. Park  
Pharr, Tx. 78577

## 2. Article Number (Copy from service label)

\*7000 1670 0012 6560 9525

PS Form 3811, July 1999

Domestic Return Receipt

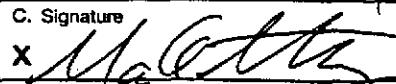
102595-00-M-095

## COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X 

- Agent
- Address

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Commissioners Court  
205 W. Park  
Pharr, Texas 78577

## COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X 

- Agent
- Address

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

## 2. Article Number (Copy from service label)

7000-1670-0012-6560-9518

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-095

00148

## Attachment 13

### VANGUARD ACADEMY

#### SALARY SCHEDULE

Position	Number of Days	Salary				
		Year 1	Year 2	Year 3	Year 4	Year 5
Superintendent	226	45,000	10% increase	5% inc.	5% inc.	5% inc.
Principal	215	40,000	10% inc.	5% inc.	5% inc.	5% inc.
Executive Secretary	215	19,000	10% inc.	5% inc.	5% inc.	5% inc.
Financial Director	50%-113	29,000	10% inc.	5% inc.	5% inc.	5% inc.
Clerical	195	15,000	10% inc.	5% inc.	5% inc.	5% inc.
Teachers	195	30,000	10% inc.	5% inc.	5% inc.	5% inc.
Paraprofessionals	195	15,000	10% inc.	5% inc.	5% inc.	5% inc.

00149

**Vanguard Academy**

The State of Texas

County of Hidalgo

**AT WILL CONTRACT**

This contract is made and entered into by and between Genesis Schools d/b/a The Vanguard Academy, referred to herein as "Vanguard", acting through its Chief Executive Officer ("CEO"), or his/her designee and referred to herein as "Employee."

**WITNESSETH**

1. EMPLOYMENT: Vanguard hereby agrees to employ said Employee to perform those duties assigned, and for which Employee is qualified. Said employee agrees to accept such employment and to serve Vanguard performing such assignments and responsibilities as assigned by the CEO or his/her designee. The initial assignment for you as an Employee under this contract with Vanguard is instructor.

2. TERM: The term of this contract shall be from August 10, 1998 through May 28, 1998. The contract is effective from the date of execution hereof. It is agreed that thereafter, Employee will not be released during the contract term unless it is found by Vanguard to be in Vanguard's best interest to do so. It is further agreed that Vanguard may terminate this contract pursuant to the terms and policies adopted by Vanguard, and as they may be amended from time to time. This agreement is NOT to be construed so as to grant any right of renewal. No showing of good cause shall be necessary to non-renewal hereof. No tenure or right of continued employment is created by this contract. It is understood and agreed that no property interest, express or implied, is created in continued employment beyond the contract term, or in specific assignment to any position, duties or responsibilities. Employee contracts are for 188 work days. Employee will be notified of renewal/non-renewal of contract by June 15.

3. CONDITIONS: All contracts of employment are subject to any necessary reduction of school personnel. Vanguard may terminate this contract in the event that any necessary reduction of school personnel may be required. This contract is further subject to available funds and subsequent salary schedules and such other adjustments in duration and rate of compensation as determined by The Vanguard Academy Board of Directors to be necessary for Vanguard to operate within its budget and appropriations. It is understood and agreed by the parties to this contract that employment in a federal or state funded position is expressly conditioned upon availability of sufficient federal or state funding for the position.

4. COMPENSATION: Vanguard agrees to pay Employee for services rendered, pursuant to this contract, a salary as may be provided in salary schedules approved, adopted, and authorized by the Board of Directors applicable for or to the position to which, from time to time, the Employee is assigned. Applicable compensation shall be payable in equal consecutive monthly installments according to Vanguard monthly payroll calendar, until the termination date of this contract or unless earlier terminated by Vanguard, as herein provided. In the event of an earlier termination, earnings or accrual of earnings ceases at that time. Any funds accrued up to that time, but not yet paid, will be paid in no more than three installments.

5. REASSIGNMENT: Vanguard reserves the right, through its CEO or his/her designee, to assign and/or reassign said Employee to any school duties or position, at any time during the term of this contract, which Vanguard deems proper and/or is in the best interest of Vanguard.

6. DUTIES AND RESPONSIBILITIES: It is understood and agreed by the parties hereto that said Employee shall perform his/her assigned duties to the best of his/her skills and abilities and shall discharge the duties required by all applicable state and federal laws and regulations, the rules and regulations of the State Board of Education, and such

rules and regulations as may be determined by Vanguard Board of Directors and/or the CEO or his/her designee in effect when this contract is signed or as may hereafter be adopted during the term of this contract. Additionally, Employee shall comply with the accepted standards of conduct for the education profession. Failure to comply with any of these rules and regulations, and/or standards may be cause for immediate termination of this contract.

7. **PERSONNEL RECORDS:** Said Employee agrees that this contract is conditioned upon he/she filing with the CEO or his/her designee the following documents and credentials: service record, valid teaching certificate/filed deficiency plan, transcript, birth certificate, executed statutory oath of office, and such records and credentials that may be required. It is understood and agreed upon by the parties hereto that no salary check will be issued until all of these required records and credentials have been turned in to the CEO or his/her designee. Any misrepresentations of these records may be grounds for dismissal. Additionally, Employee represents that he/she has disclosed to Vanguard any conviction for a felony or an offense involving moral turpitude and that Employee recognizes that this contract is also conditioned on a satisfactory criminal background check, according to the terms of the Charter.

8. **COMPLETION OF RECORDS:** It is further agreed that said Employee shall make a full and complete term report and shall deliver all required reports and records properly completed to the CEO or his/her designee.

9. **COMPLIANCE:** Said Employee is responsible for creating a learning environment that will insure the success of all students. Additionally, Employee acknowledges that as a condition of this contract and of satisfactory performance, he/she has read, is familiar with, and is committed to the directives of Vanguard' Charter and to the Mission and Vision statement adopted by the Board (as expanded upon in the "White Paper")

10. **COMMUNICATION:** Pursuant to the directives of the Board and or the CEO or his/her designee said Employee is expected to: 1) regularly communicate to a parent/guardian of every assigned student, both positive and negative assessments of the student's development, 2) to notify parents if their child's behavior is disruptive or if a student's academic performance is not acceptable, and 3) to document all communications with parent/guardian.

11. **PROFESSIONAL DEVELOPMENT:** Based upon attendance of approved off campus workshops and/or participation in local campus workshops and/or activities, said employee will satisfy the required professional development, as established by the Board and or the CEO or his/her designee, in the areas of learning styles, multiple intelligence's, special education/special populations, classroom management, integrated curriculum, authentic student assessments, technology, and languages.

12. The parties agree that this contract supersedes all prior agreements and representations concerning employment of the Employee.

EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1998.

Genesis Schools d/b/a The Vanguard Academy

By: \_\_\_\_\_  
Virginia Lannen  
Chief Executive Officer

By: \_\_\_\_\_  
Employee

# **Human Resource Policies**

**STAFF POLICY**

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**Compensation:**

Employee compensation shall be based upon contract where applicable, or upon the approved pay schedule, as such may be amended from time to time. Employees are responsible for reviewing their own pay records and verifying the information and the appropriate amount of compensation described therein.

**Employee Benefits:**

Employee benefits for full and part-time employees shall include:

1. Enrollment in the Texas Retirement System
2. Only full-time employees will receive up to 50% of a given health insurance plan
3. Only full-time employees will receive 8 days of paid sick/personal leave days. Days that are not used are repurchased by Vanguard Academy at a rate of \$100 per day for teachers/administrators. All other full-time employees will be paid 80% of their pay.

**COBRA Benefits:**

As part of the health insurance benefits, continuation of coverage shall be offered pursuant to the Consolidated Omnibus Budget Reconciliation Act (COBRA). COBRA provides employees with an opportunity to continue health care insurance coverage when a "qualifying event" would ordinarily terminate the coverage. Some of the more common "qualifying events" include: death, resignation, termination, reduction in hours, leaves of absence, divorce, or loss of eligibility of a dependent. COBRA permits an employee to pay the full cost of coverage at the rates paid by the school plus an administrative fee.

Employees shall notify the school's group health insurance plan administrator within thirty (30) days of the death, termination, the reduction of hours of a covered employee, or of the eligibility of an employee for Medicare benefits.

**CODE OF ETHICS**

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School educators shall at all times conduct themselves in compliance with the following Code of Ethics:

- Educators should strive to create an atmosphere that will nurture to fulfillment the potential of each student.
- Educators shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community. In conscientiously conducting their affairs, educators shall exemplify the highest standards of professional commitment.
- Educators shall maintain the dignity of the profession by respecting and obeying the law, demonstrating personal integrity, and exemplifying honesty.
- Educators shall not intentionally misrepresent official policies of his/her school or educational organization and shall clearly distinguish those views from his/her personal attitudes and opinions.
- Educators shall honestly account for all funds committed to his/her charge and shall conduct his/her financial business with integrity.
- Educators shall not use institutional or professional privileges for personal or partisan advantage.

- Educators shall accept no gratuities, gifts, or favors that impair professional judgment.
- Educators shall not offer any favor, service, or thing of value to obtain special advantage.
- Educators shall not falsify records, or direct or coerce others to do so.
- Educators, after qualifying in a manner established by law or regulation, shall assume responsibilities for professional administrative or teaching practices and professional performance, and demonstrate competence.
- Educators shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications, and shall adhere to the terms of a contract or appointment.
- Educators shall not deliberately or recklessly impair his/her physical or mental health, or ignore social prudence, thereby affecting his/her ability necessary to perform the duties of his/her professional assignment.
- Educators shall organize instruction that seeks to accomplish objectives related to learning.
- Educators shall continue professional growth.
- Educators shall comply with written local school board policies, state regulations, and applicable state and Federal laws.
- Educators, in exemplifying ethical relations with colleagues, shall accord just and equitable treatment to all members of the profession.
- Educators shall not reveal confidential information concerning colleagues unless disclosure serves professional purposes or is required by law.
- Educators shall not willfully make false statements about a colleague or the school system.
- Educators shall adhere to written local school board policies and state and federal laws regarding dismissal, evaluation, and employment practices.
- Educators shall not interfere with a colleague's exercise of political and citizenship rights and responsibilities.
- Educators shall not discriminate against, coerce, or harass a colleague on the basis of race, color, religion, national origin, age, sex, disability, or family status.
- Educators shall not intentionally deny or impede a colleague in the exercise or enjoyment of any professional right or privilege.
- Educators shall not use coercive means or promise special treatment in order to influence professional decisions or colleagues.
- Educators shall have the academic freedom to teach as a professional privilege, and no educator shall interfere with such privilege except as required by state and/or Federal laws.
- Educators, in accepting a position of public trust, should measure success by the progress of each student toward realization of his/her potential as an effective citizen.

- Educators shall deal considerately and justly with each student and shall seek to resolve problems including discipline according to law and school board policy.
- Educators shall not intentionally expose the student to disparagement.
- Educators shall not reveal confidential information concerning students unless disclosure serves professional purposes or is required by law.
- Educators shall make reasonable effort to protect the student from conditions detrimental to learning, physical health, mental health, or safety.
- Educators shall not deliberately distort facts.
- Educators shall not unfairly exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, sex, disability, national origin, religion, or family status.
- Educators shall not unreasonably restrain the student from independent action in the pursuit of learning or deny the student access to varying points of view.
- Educators, in fulfilling citizenship responsibilities in the community, should cooperate with parents and others to improve the public schools of the community.
- Educators shall make reasonable effort to communicate to parents information that lawfully should be revealed in the interest of the student.
- Educators shall endeavor to understand community cultures, and relate the home environment of students to the school.

Educators shall manifest a positive role in school public relations.

## CRIMINAL HISTORY CHECKS

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Criminal history records of prospective volunteers and applicants for employment shall be obtained from a law enforcement or criminal justice agency pursuant to Texas Education Code § 22.083, and reviewed prior to employment or the commencement of volunteer service.

Pursuant to that same Section, criminal history checks of employees (or volunteers whose duties are regularly performed where students are present), may be obtained at any time during employment or service.

Criminal history records must be obtained and reviewed prior to the employment of any driver for student transportation either directly or through a commercial service. Criminal history checks of a bus monitor or bus aide employed through a commercial service must be obtained and reviewed through a commercial service. The Board of Directors of the school shall be informed of a criminal record of a conviction of a felony or misdemeanor involving moral turpitude and must affirmatively vote to employ such driver, monitor or aide.

Knowledge of a criminal history of any employee certified by the State Board for Educator Certification shall be reported to that board in writing.

**ATTACHMENT 15**

Failure of any employee to disclose a conviction of a felony or misdemeanor involving moral turpitude prior to employment shall be grounds for discharge. Such discharge shall disqualify the employee for unemployment benefits.

**CONDUCT PROHIBITED BY PENAL CODE**

Employees in the performance of their duties shall not commit the offenses of:

- Bribery
- Coercion of Public Servant
- Improper Influence
- Gift to Public Servant
- Tampering With Government Record
- Abuse of Official Capacity
- Misuse of Official Information

as those violations are described in Chapters 37, 38, and 39 of the Penal Code.

Violations of this policy within or related to an employee's duties shall be grounds for disciplinary measures including termination of employment.

**CONVICTION & REPORTING OF CERTAIN CRIMES**

All applicants for employment with the School shall reveal on their application for employment any and all convictions for felonies, or misdemeanors involving moral turpitude, including those for which the employee received probation or deferred adjudication.

All employees shall notify the School Administrator in writing of a conviction of any criminal act involving a controlled substance as defined by state and Federal law, or any criminal conviction of a felony or Class A or B misdemeanor within five (5) days of such conviction.

Violations of this or other school policy may result in disciplinary action including loss of employment.

**DUE PROCESS FOR TERMINATION OF CONTRACT EMPLOYEES**

Contract employees proposed for disciplinary measures that would deprive the employee of a property interest (termination, suspension or reduction of contract salary or cessation or reduction benefits which are terms of a contract), shall receive reasonable notice of the violations and reasons supporting such measure and an opportunity to respond to a person or authority who has the authority to decide the matter.

**DIETARY SUPPLEMENTS**

No school employee shall knowingly sell, market, or distribute a dietary supplement that contains performance enhancing compounds to a student with whom the employee has contact as part of the employee's duties, or knowingly endorse or suggest the ingestion, intranasal application, or inhalation of a dietary supplement that contains performance enhancing compounds by a student with whom the employee has contact as part of the employee's school duties.

However, a school employee is not prohibited from providing or endorsing a dietary supplement that contains performance enhancing compounds to, or suggesting the ingestion, intranasal application, or inhalation of a dietary supplement that contains performance enhancing compounds by, the employee's child, or to a student as part of activities that do not occur on school property or at a school-related

function, and are entirely separate from any aspect of the employee's employment with the school, and do not in any way involve information about or contacts with such students that the employee has had access to, directly or indirectly, through any aspect of the employee's employment with the school.

"Performance enhancing compound" means a manufactured product for oral ingestion, intranasal application, or inhalation that contains a stimulant, amino acid, hormone precursor, herb or other botanical, or any other substance other than an essential vitamin or mineral and is intended to increase athletic or intellectual performance, promote muscle growth, or increase an individual's endurance or capacity for exercise.

"Dietary supplement" includes a product (other than tobacco) intended to supplement the diet that bears or contains one or more of the following dietary ingredients: a vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by man to supplement the diet by increasing the total dietary intake, or a concentrate, metabolite, constituent, extract, or combination of any the foregoing ingredients.

## **EMPLOYEE APPEARANCE**

A professional instructional atmosphere is created when staff is concerned about personal appearance. All staff will be neatly and professionally attired at all times. Absent specific policy, the School Administrator may prepare, communicate and implement an employee dress code. Employees are expected to wear School colors.

## **EMPLOYEE COMPLAINTS, CONCERNS, & GRIEVANCES**

Except for sexual harassment complaints where the supervisor is the subject of the complaint, all employees shall first bring their work-related complaints or concerns to their immediate supervisor. Complaints or concerns which are not resolved at the supervisory level may be brought to the attention of the School Administrator within 15 days of the day the employee knew of or should have known of the complaint. The complaint or concern addressed to the Administrator must be in writing, must be specific, and where possible, suggest a resolution. The Administrator shall attempt to respond to all written complaints or concerns within 10 days of the receipt of the written complaint.

Employees who are dissatisfied with the response of the Administrator may make their complaint known in writing to the Board of Directors. The complaint shall be directed to the President of the Board of Directors, shall include a copy of the written complaint to the Administrator, and the Administrator's response. A copy of the complaint shall also be delivered to the Administrator. The President of the Board of Directors shall, at the next regular meeting of the Board, provide a copy of the complaint record to all Directors. Any action of the Board of Directors regarding the complaint shall be taken in compliance with the Open Meetings Act.

### **Whistleblower Grievances:**

Employees shall not suffer any adverse personnel action for having reported, in good faith, a violation of law or policy to an authority in a regulating, enforcing, investigating, or prosecuting branch of state or local government. Employees who believe that an adverse personnel action was taken in violation of this policy shall take immediate steps to have that action reviewed under the school grievance or employee complaint process. The School shall post a notice in a prominent place in the workplace as prescribed by the Attorney General advising employees of their Whistleblower rights.

**ATTACHMENT 15****EMPLOYMENT DISCRIMINATION**

The School is an equal opportunity employer. The School shall not fail or refuse to hire or discharge any individual, or otherwise discriminate against or adversely affect the employee status of any individual with respect to compensation, terms, conditions, or privileges of employment because of the individual's race, color, religion, sex, or national origin, nor discriminate in employment as set out above because an individual is age 40 or above, except where such actions or classifications are bona fide occupational qualifications reasonably necessary to the normal operation of the School.

The School shall post notices regarding non-discrimination in employment as required by the Equal Employment Opportunity Commission.

**EXTRA DUTY-TEACHERS**

Teachers may be directed to perform additional assigned duties from time to time, such as supervision of students during lunch, in the hallway, and before or after school. Except as may be required under law or contract, no additional financial compensation is provided for such additional duties.

**EMPLOYEE JOB DESCRIPTIONS**

**JOB TITLE:** SUPERINTENDENT

**REPORTS TO:** BOARD OF TRUSTEES

**JOB GOAL:** Carry out the mission of the school district by directing and managing the instructional program and supervising general operations at the campus level; provide leadership which will result in an instructional program that meets the needs of all students and operates at a high level of student academic performance.

**TERMS OF EMPLOYMENT:**

**Length of Work Year:**

225 Days

**Salary:**

Approved by Board of Trustees of Charter Schools.

**QUALIFICATIONS:**

**Education/Certification**

Master's Degree  
Valid Texas Superintendent

**Special Knowledge/Skills:**

Ability to evaluate instructional programs and teaching effectiveness.

Knowledge of curriculum and instruction.

Excellent communication, public relations, and interpersonal skills.

Ability to exercise good judgment in decision making.

Knowledge in the selection, training, and supervision of personnel.

Knowledge of laws, rules, procedures, and programs specifically related to the operation of school in Texas.

**Experience:**

At least three years' successful experience as a classroom teacher.

Previous experience as an administrator in an educational setting.

**MAJOR PERFORMANCE RESPONSIBILITIES AND DUTIES:****Instructional Management:**

1. Monitor the instructional program by reviewing teacher lesson plans, observing classroom instruction on a regular basis, conferencing with staff, and carefully analyzing assessment data related to student academic performance.
2. Work closely with staff to plan, implement, and evaluate the curriculum on a systematic basis.
3. Evaluate and recommend improvements in the design and implementations the instructional program.
4. Provide instructional resources and materials to support the accomplishment of instructional goals.
5. Provide appropriate campus level curriculum/instruction staff development in a timely and effective manner.
6. Seek the assistance of central office staff in planning and implementing instructional program improvements.

**School/Organizational Climate:**

1. Project a positive image; establish and maintain a work environment conducive to positive staff morale.
2. Promote and provide a positive teaching/learning environment for staff and students.
3. Practice good listening skills and be receptive to suggestions and input from staff, students and parents.
4. Communicate with staff, students, and, parents in a clear and effective manner.
5. Take an active and sincere interest in the well-being of students and staff.
6. Demonstrate skill in working with students, staff, and parents to successfully resolve conflict.
7. Promote activities to recognize and honor students, staff, and community volunteers for various types of service and accomplishments.

**School/Organization Improvement:**

1. Demonstrate an understanding of and commitment to the school's mission; collaboratively build with staff a common vision for school improvement.
2. Promote high expectations for staff and students in an enabling and supportive manner.
3. Provide leadership which produces desired results and significant improvement in student Academic achievement.
4. Identify and apply research findings to facilitate school improvement.

5. Assess various aspects of the school program and effectively use the resultant information to implement actions that improve learning and provide an orderly and purposeful environment.
6. Provide appropriate leadership in working with the campus site based decision making (SBDM) committee.
7. Develop, in collaboration with the campus site based decision making (SBDM) committee, the annual campus plan for school improvement; provide leadership in formulation performance objectives and action plan that address identified student needs and academic excellent indicators.
8. Communicate effectively with the school staff on the activities of the site based decision making (SBDM) committee.
9. Implement actions that ensure each staff member's knowledge and understanding of the annual campus plan for school improvement.
10. Monitor student attendance; devise and implement strategies that improve student attendance.

**Personnel Management:**

1. Assume leadership in the selection of new staff members for the campus.
2. Define expectations for staff (e.g. routine procedures, classroom management, instructional strategies, communication with the public, and personal contributions to positive staff morale).
3. Observe and document job performance, provide developmental supervision, and conduct evaluation conferences with staff members.
4. Make recommendations relative to personnel placement, transfer, retention, promotion, and dismissal.
5. Involve the campus staff in identifying needs and implementing staff development and other campus activities.
6. Develop leadership among the staff and delegate responsibilities as deemed appropriate.
7. Complete personnel management reports in a timely manner.
8. Assist individual staff members in developing professional growth/plans, setting realistic improvement goals, and attending professional conferences/workshops as time and funds allow.

**Administration and Fiscal/Facilities Management:**

1. Develop an annual budget based on program needs, estimated enrollment, staffing, and other fiscal needs; implement programs within budget limits; maintain fiscal control; accurately and responsibly report fiscal information.
2. Manage the use of the school plant and grounds; supervise the maintenance to the physical plant and grounds to ensure a clean, orderly, and safe environment.
3. Provide required reports for all school operations including, but not limited to, enrollment, attendance, funds accounting, payroll, and transportation.

**Student Management:**

1. Assist staff to implement a student discipline plan that encourages and rewards positive student behavior.
2. Communicate student discipline expectations to staff, students, and parents, and encourage parent involvement in promoting responsible student behavior.
3. Support teachers in the campus discipline program and deal with student discipline matters in a serious and effective manner.
4. Stress the importance of following school rules and impose reasonable and appropriate consequences in a consistent manner when misconduct occurs.
5. Ensure that staff members who experience sever or frequent student disciplinary problems are provided appropriate assistance to bring satisfactory resolution to the matter.

**School/Community Relations:**

1. Articulate the school's mission to the community and solicit support in accomplishing it.
2. Demonstrate awareness of school/community needs an initiate activities to meet these needs.
3. Promote a positive image of the school and district and maintain a positive working relationship with parents and other community members.
4. Involve parents and other community members in school activities through such avenues as PTA groups, Partners in Education (PIE) program, and other Volunteer work opportunities.
5. Encourage parents to visit the school to gain a better understanding of and appreciation for the education program in action.

**Professional Growth and Development:**

1. Engage in activities to improve leadership skills; utilize information and insights gained in professional development programs for self-improvement.
2. Use information provided through assessment instruments, the district appraisal process, and evaluative feedback from colleagues to improve performance.
3. Provide leadership in addressing current educational issues.
4. Provide leadership in journals and books; identify practical ideas that can be implemented; share relevant ideas and information with other professionals.
5. Learn from daily experiences; profit from decisions made; seek advice and assistance from colleagues.

**Professional Practices:**

1. Comply with all state and federal laws, local board policies, administrative guidelines, and the Texas Educators Code of Ethics.
2. Serve as appropriate role model for colleagues, students, staff, and parents.
3. Treat staff, students, and parents with respect and dignity.
4. Conduct all meetings and conferences in a professional manner.
5. Demonstrate trustworthiness in dealing with confidential matters.
6. Use wisdom, intelligence, tact, courtesy, sensitivity, good judgment, and utmost professional conduct in carrying out the responsibilities of school principal.
7. Make decisions regarding students and staff after reasonable and appropriate measures have been taken to gather important data and information; solicit input from outside sources when appropriate.

**SUPERVISORY RESPONSIBILITIES:**

Supervise and evaluate the performance of professional and paraprofessional staff members as assigned to the campus.

**WORKING CONDITIONS:****Mental Demands:**

Ability to communicate effectively (verbal and written); interpret policy, procedures, and data; coordinate campus functions; maintain emotional control under stress.

**Physical Demands/Environmental Factors:**

Occasional district, metroplex, and statewide travel; frequent prolonged and irregular hours of duty; some light manual labor; occasional need to physically restrain students; endure inclement weather conditions to provide student safety.

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The forgoing statements describe the general purpose and responsibilities assigned to this job and are not an exhaustive list of all responsibilities, duties, and skills that may be required.

**ATTACHMENT 15**

**JOB TITLE:** PRINCIPAL

**REPORTS TO:** SUPERINTENDENT

**JOB GOALS:** Assist the Superintendent in the administration of the instructional program, management, and the operation of the school campus.

**TERMS OF EMPLOYMENT:**

**Length of Work Year:**  
220 days

**Salary:**  
Annual salary approved by the Board of Trustees of the Charter Schools.

**QUALIFICATIONS:**

**Education/Certification:**

Master's Degree  
Valid Texas Administrator's Certificate

**Special Knowledge/Skills:**

- Ability to evaluate instructional programs and teaching effectiveness
- Knowledge of curriculum and instruction
- Excellent communication, public relations, and interpersonal skills.
- Ability to exercise good judgment in decision making.
- Knowledge in the selection, training, and supervision of personnel.
- Knowledge of laws, rules, procedures, and programs specifically related to the operation of charter schools

**Experience:**

At least three years' successful experience as a classroom teacher.

**MAJOR PERFORMANCE RESPONSIBILITIES AND DUTIES:****Instructional Management:**

1. Monitor the instructional program by reviewing teacher lesson plans, observing classroom instruction on a regular basis, conferencing with staff, and carefully analyzing assessment data related to student academic performance.
2. Work closely with executive director and staff to plan, implement, and evaluate the curriculum on a systematic basis.
3. Evaluate and recommend improvements in the design and implementation of the instructional program.
4. Assist the executive director to provide appropriate campus level curriculum/instruction staff development in a timely and effective manner.

**School/Organizational Climate**

1. Project a positive image; establish and maintain a work environment conducive to positive staff morale.
2. Promote and provide a positive teaching/learning environment for staff and students.
3. Practice good listening skills and be receptive to suggestions and input from staff, students, and parents.
4. Communicate with staff, students, and parents in a clear and effective manner.
5. Take an active and sincere interest in the well-being of students and staff.
6. Demonstrate skill in working with students, staff, and parents to successfully resolve conflict.
7. Assist the executive director to promote activities to recognize and honor students, staff, and community volunteers for various types of service and accomplishments.

**School/Organizational Improvement:**

1. Demonstrate an understanding of and commitment to the school's mission; collaboratively build with staff a common vision for school improvement.
2. Promote high expectations for staff and students in an enabling supportive manner.
3. Provide leadership which produces desired results and significant improvement in student academic achievement.
4. Identify and apply research findings to facilitate school improvement.
5. Assess various aspects of the school program and effectively use the resultant information to implement actions that improve learning and provide an orderly and purposeful environment.
6. Implement actions that ensure each staff member's knowledge and understanding of the annual campus plan for school improvement.
7. Monitor student attendance; devise and implement strategies that improve student attendance.

**ATTACHMENT 15****Personnel Management:**

1. Assist in the selection of new staff members for the campus.
2. Define expectations for staff (e.g. routine procedures, classroom management, instructional strategies, communication with the public, and personal contributions to positive staff morale.)
3. Observe and document job performance, provide development supervision, and conduct evaluation conferences with staff members.
4. Make recommendations relative to personnel placement, transfer, retention, promotion, and dismissal.
5. Complete personnel management reports in a timely manner
6. Assist individual staff members in developing professional growth plans, setting realistic improvement goals, and attending professional conferences/workshops as time and funds will allow.

**Administration and Fiscal/Facilities Management:**

1. Assist the superintendent to develop an annual budget based on program needs, estimated enrollment, staffing, and other fiscal needs; implement programs within budget limits, maintain fiscal control; accurately and responsibly report fiscal information.
2. Manage the use of the school plant and grounds; supervise the maintenance of the physical plant and grounds to ensure a clean, orderly, and safe environment.
3. Assist the superintendent to provide required reports for all school operations including, but not limited to, enrollment, attendance, funds accounting, payroll, and transportation.

**Student Management:**

1. Assist staff to implement a student discipline plan that encourages and rewards positive student behavior.
2. Communicate student discipline expectations to staff, students, and parents and encourage parent involvement in promoting responsible student behavior.
3. Support teachers in the campus discipline program and deal with student discipline matters in a serious and effective manner.
4. Stress the importance of following school rules and impose reasonable and appropriate consequences in a consistent manner when misconduct occurs.
5. Ensure that staff members who experience severe or frequent student disciplinary problems are provided appropriate assistance to bring satisfactory resolution to the matter.

**School/Community Relations:**

1. Articulate the school's mission to the community and solicit support in accomplishing it.
2. Demonstrate awareness of school/community needs and initiate activities to meet these needs.

3. Promote a positive image of the school and district and maintain a positive working relationship with parents and other community members.
4. Involve parents and other community members in school activities through such avenues as PTA groups, Partners in Education (PIE) program, and other volunteer work opportunities.
5. Encourage parents to visit the school to gain a better understanding of and appreciation for the education program in action.

**Professional Growth and Development:**

1. Engage in activities to improve leadership skills; utilize information and insights gained in professional development programs for self-improvement.
2. Use information provided through assessment instruments, the district appraisal process, and evaluation feedback from colleagues to improve performance.
3. Assist the superintendent to provide leadership in addressing current educational issues.
4. Read professional journals and books; identify practical ideas that can be implemented; share relevant ideas and information with other professionals.
5. Learn from daily experiences; profit from decisions made; seek advice and assistance from colleagues.

**Professional Practices:**

1. Comply with all state and federal laws, local board policies, administrative guidelines, and the Texas Educators Code of Ethics.
2. Serve as appropriate role model for colleagues, students, staff, and parents.
3. Treat staff, students, and parents with respect and dignity.
4. Conduct all meetings and conferences in a professional manner.
5. Demonstrate trustworthiness in dealing with confidential matters.
6. Use wisdom, intelligence, tact, courtesy, sensitivity, good judgment, and utmost professional conduct in carrying out the responsibilities of superintendent.
7. Make decisions regarding students and staff after reasonable and appropriate measures have been taken to gather important data and information; solicit input from outside sources when appropriate.

**SUPERVISORY RESPONSIBILITIES**

Supervise and evaluate the performance of professional and paraprofessional staff members as assigned by the executive director.

**WORKING CONDITIONS:**

**Mental Demands:**

Ability to communicate effectively (verbal and written); interpret policy, procedures, and data; coordinate campus functions; maintain emotional control under stress.

**Physical Demands/Environmental Factors:**

Occasional district, metroplex, and statewide travel; frequent prolonged and irregular hours of duty; some light manual labor; occasional need to physically restrain students; endure inclement weather conditions to provide student safety.

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The forgoing statements described the general purpose and responsibilities assigned to this job and are not an exhaustive list of all responsibilities, duties, and skills that may be required.

**JOB TITLE:** TEACHER

**REPORTS TO:** PRINCIPAL

**JOB GOAL:** Provide students with appropriate learning activities and experiences designed to fulfill their potential for intellectual, emotional, physical, spiritual, and social growth. Enable students to develop competencies and skills to function successfully in society.

**TERMS OF EMPLOYMENT:**

**Length of Work Year:**

202 Days

**Salary:**

Annual salary schedule approved by the Board of Trustees of Charter Schools.

**QUALIFICATIONS:**

**Education/Certification:**

Bachelor's Degree

Valid Texas Teacher's Certificate for subject/level assigned

**Special Knowledge/Skills:**

Knowledge of subject assigned

General knowledge of curriculum and instruction

Windows computing proficiency

Knowledge of secondary subject area

**Experience:**

At least one year of student teaching or approved internship

00169

**ATTACHMENT 15****MAJOR PERFORMANCE RESPONSIBILITIES AND DUTIES:****Instructional Strategies:**

1. Develop and implement plans for the curriculum program assigned and show written evidence of preparation as required.
2. Present the subject matter according to guidelines established by Texas Education Agency, board policies, and administrative regulations.
3. Plan and use appropriate instructional/learning strategies, activities, materials, and equipment that reflect accommodation for individual needs of students assigned.
4. Work cooperatively with special education teachers/staff to modify curricula as needed for special education students according to guidelines established by Individual Education Plans (IEP).
5. Cooperate with other members of the staff in planning and implementing instructional goals, objectives, and methods according to district requirements.
6. Plan and supervise purposeful assignments for teacher aid(s) and/or volunteer(s).
7. Use appropriate technologies in the teaching/learning process.

**Student Growth and Development:**

1. Assist students in analyzing and improving methods and habits of study.
2. Consistently assess student achievement through formal and informal testing.
3. Assume responsibility for extracurricular activities as assigned and may sponsor outside activities approved by the school.
4. Present a positive role model for students that supports the mission of the campus and the school district.

**Classroom Management and Organization:**

1. Create a classroom environment conducive to learning and appropriate to the intellectual, physical, social, and emotional development of students.
2. Manage student behavior in the classroom and other areas as appropriate and administer discipline according to board policies, administrative regulations, and IEP.
3. Take all necessary and reasonable precautions to protect students, equipment, materials, and facilities.
4. Assist in the selection of books, equipment, and other instructional materials.

**Communication:**

1. Establish and maintain open lines of communication with students and their parents which includes home visits.
2. Maintain a professional relationship with all colleagues, students, parents, and community members.

3. Use appropriate and acceptable communication skills to present information accurately and clearly.

**Professional Growth and Development:**

1. Demonstrate current knowledge, understanding, and skill in teaching strategies and the learning process.
2. Participate in district and campus staff development programs.
3. Demonstrate interest and initiative in professional improvements.
4. Demonstrate behavior that is professional, ethical, and responsible.

**Policy Implementation:**

1. Keep informed of and comply with state, district, and school regulations and policies for classroom teachers and charter schools.
2. Compile, maintain, and file all reports, records, and other documents required.
3. Adhere to the Professional Code of Ethics.

**WORKING CONDITIONS:****Mental Demands:**

Ability to communicate (verbal and written); ability to instruct; ability to maintain emotional control under stress.

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The forgoing statements describe the general purpose and responsibilities assigned to this job and are not an exhaustive list of all responsibilities, duties, and skills that may be required.

**ATTACHMENT 15**

**Position Title:** PEIMS Administrator, PEIMS (Public Education Information Management System)

**Department:** Administration

**Reports To:** Principal

**Approved By:** Board of Trustees

**SUMMARY:**

Submits PEIMS (Public Education Information Management System) data as required by the PEIMS Data Standards Bulletin published by the Texas Education Agency. Insures delivery of PEIMS data to T.E.A. on or before due dates as specified and imposed by T.E.A.

**ESSENTIAL DUTIES AND RESPONSIBILITIES:**

- Structures, organizes, and manages PEIMS Computer accessed through the Texas State Feature Code provided by the district approved software system.
- Structures, organizes, and manages PEIMS telephone support team to provide software support for all software modules where PEIMS data elements are maintained, edited, and reported.
- Coordinates and provides PEIMS reports used in the district.
- Develops PEIMS departmental fiscal year budget.
- Develops and plans all PEIMS submission timelines.
- Collects, maintains, and edits all required PEIMS data elements for electronic transfer to the regional education service center and the Texas Education Agency.
- Prepares media for PEIMS data transport to the ESC and TEA.
- Gathers and disseminates or takes action regarding PEIMS related correspondence received from the Region I ESC and TEA.
- Provides software support of all software systems.
- Provides and coordinates micro-computer configuration.
- Consults with district personnel regarding networking equipment specifications and pricing for micro-computers accessing the district's administrative and student information network.
- Coordinates walk-throughs with cabling companies and other technology related pre-installation walk-throughs.
- Serves as TENET facilitator for the district.
- Performs all other duties as assigned by the immediate supervisor.

**SUPERVISORY RESPONSIBILITIES:**

Supervises personnel assigned to the department to ensure successful and timely submission of PEIMS data.

**QUALIFICATION REQUIREMENTS:**

To perform this job successfully an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

**EDUCATION AND/OR EXPERIENCE:**

High School Diploma or GED

Some college preferred

Three years work experience in related field or accounting.

00172

**LANGUAGE SKILLS:**

Ability to read, analyze and interpret general business periodicals, professional journals, technical procedures, or governmental regulations. Ability to write reports, business correspondence, and procedure manuals. Ability to effectively present information and respond to questions from groups of supervisors, employees, vendors, and the general public.

**MATHEMATICAL SKILLS:**

Ability to calculate figures and amounts such as discounts, interest, commissions, proportions, percentages, area, circumference, and volume. Ability to apply concepts of basic algebra and geometry. Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical solutions.

**REASONING ABILITY:**

Ability to define problems, collect data, establish facts, and draw valid conclusions. Ability to interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables.

**OTHER SKILLS AND ABILITIES:**

Ability to develop effective working relationships with staff, ability to communicate clearly and concisely, both orally and in writing. Ability to negotiate and handle pressure situations for long period of time. Ability to apply knowledge of current research and theory in specific field. Ability to perform duties with awareness of all district requirements and Board of Education policies.

**PHYSICAL DEMANDS:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit, stand, walk, talk, or hear. Travel from one building to another and to other sites is required. Specific vision abilities required by this job include close vision, distance vision, depth perception and the ability to adjust focus. The employee must be able to lift and/or move up to 50 pounds. This position requires meeting deadlines with severe time constraints, interacting with the public and staff, and enduring irregular or extended work hours. The employee must be able to maintain emotional control under stress.

**WORK ENVIRONMENT:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee regularly works inside. The noise level in the work environment is usually moderate. Work is performed indoors.

The information contained in this job description is for compliance with the American with Disabilities Act (A.D.A.) and is not an exhaustive list of the duties performed for this position. Additional duties are performed by the individuals currently holding this position and additional duties may be assigned.

00173

**Position Title:** Administrative Secretary

**Department:** Curriculum & Instruction

**Reports To:** Principal

**Approved By:**

**SUMMARY:**

Assures that complete and accurate records for all students are maintained and readily available.

**ESSENTIAL DUTIES AND RESPONSIBILITIES:**

- In charge of front office.
- Ensures that all test scores (CAT, TAAS, TASP, SAT, ACT, etc.) are posted on transcripts.
- Posts all semester grades on transcripts.
- Requests grades and transcripts on incoming students from other school districts.
- Provides copies of transcripts to counselors and students, upon request.
- Sends copies of senior student transcripts to colleges.
- Handles correspondence and materials from other school districts concerning requests for student information.
- Provides the principals and teachers with student information, as needed.
- Files individual test results and other information in students' folders.
- Ensures that all summer school grades are posted on students' folders.
- Registers students.
- Keeps list of all students new to the district.
- Provides alphabetical listing of retained students and their credits.
- Provides complete alphabetical listing of all students and their credits.
- Ensures that previous years' grade books and grade sheets are readily available when needed.
- Averages grades to obtain grade point average (GPA) and class ranking for all students, grades 9-12.
- Ensures that all inactive permanent record folders are appropriately filed.
- Performs other duties as assigned by the immediate supervisor.

**SUPERVISORY RESPONSIBILITIES:**

None

**QUALIFICATION REQUIREMENTS:**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily.

The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

**EDUCATION AND/OR EXPERIENCE:**

High school diploma or GED

Typing speed: Minimum 45wpm, Reasonable knowledge of Microsoft office.

Some college preferred

**ATTACHMENT 15****CERTIFICATES, LICENSES AND REGISTRATIONS:**

As required by the State of Texas

**LANGUAGE SKILLS:**

Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Ability to write routine reports and correspondence. Ability to speak effectively before parents, students, and staff.

**MATHEMATICAL SKILLS:**

Ability to add, subtract, multiply and divide in all units of measure, using whole numbers, common fractions, and decimals. Ability to compute rate, ratio and percent and to draw and interpret bar graphs.

**REASONING ABILITY:**

Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form. Ability to deal with problems involving several concrete variables in standardized situations.

**OTHER SKILLS AND ABILITIES:**

Working knowledge of school records and documents. Demonstrated ability to operate a personal computer and related software. Ability to greet the public in a pleasant and cordial manner. Ability to develop effective working relationships with students, staff, parents, and the school community. Ability to communicate clearly and concisely, both orally and in writing. Ability to perform duties with awareness of all district requirements and Board of Education policies.

**PHYSICAL DEMANDS:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee will continuously sit. The employee occasionally will walk or stand and reach with hands and arms. The employee is occasionally required to stand, walk, and reach with hands and arms. The employee is continuously required to interact with staff, students and parents, while meeting multiple demands from several people. The employee may occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision, such as to read written or typed material.

**WORK ENVIRONMENT:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually moderate. Work is performed indoors.

The information contained in this job description is for compliance with the Americans with Disabilities Act (A.D.A.) and is not an exhaustive list of the duties performed for this position. Additional duties are performed by the individuals currently holding this position and additional duties may be assigned.

## ATTACHMENT 15

**Attendance Clerk**

Compiles attendance records for school district, issues attendance permits, and answers inquiries: Obtains district attendance figures from each school daily, using telephone. Records figures by grade level and for special classes, such as mentally retarded or gifted, in workbook. Totals figures, using calculator. Collates data and prepares standard state reports, using typewriter and computer applications. Computes average daily attendance figures and forwards to state for compensation and to school cafeteria for meal planning. Interview applicants for interdistrict attendance permits to attend elementary and secondary schools in district and issues permits, if requirements are met. Sends copy of permit to applicable school and retain file copy. Maintains file of interdistrict attendance agreements, bills outside districts for attendance within district, and notifies supervisor of agreement expirations. Answers inquiries from parents and school officials, using state education code as guide. Prepares special reports, such as ethnic or racial-distribution surveys, requested by state or district education officials.

**JOB TITLE:** PARAPROFESSIONAL**REPORTS TO:** PRINCIPAL

**JOB GOAL:** Provide identified students with appropriate learning activities and experiences designed to fulfill their potential for intellectual, emotional, physical, spiritual, and social growth. Enable students to develop competencies and skills to function successfully in society.

**TERMS OF EMPLOYMENT:**

- Length of Work Year: 202 Days
- Salary: Annual salary schedule approved by the Board of Trustees.

**QUALIFICATIONS:**

- Education/Certification: High School Diploma
- Special Knowledge/Skills:
  1. General Knowledge and proficiency in reading, writing, and math.
  2. General knowledge of diverse learners and students from various ethnic backgrounds
  3. General knowledge of computer applications associated with Windows and PC programs
  4. General knowledge of educational systems, reporting procedures, and accountability for academic success.
- Experience: At least one year of history within an educational setting or the equivalency as determined by the administrative staff.

**MAJOR PERFORMANCE RESPONSIBILITIES AND DUTIES:**

1. Develop and implement plans for the curriculum program assigned and show written evidence of preparation as required.
2. Assist identified learners in the learning prescriptions, lessons, or activities as assigned by the classroom teacher that reflect accommodation for individual learning needs.
3. Work cooperatively with instructional staff to modify curricula as needed for students according to guidelines established by policies and procedures and the instructional and administrative staff.
4. Enlist classroom management strategies that provide an orderly and engaging environment for learning.
5. Communicate effectively and efficiently with staff, students, and parents.
6. Use appropriate technologies in the teaching/learning process.
7. Maintain required records in audible form.
8. Perform other duties as assigned.

**DESIRED BEHAVIORS**

1. Maintains the vision and the mission of the Charter School.
2. Honors and respects each student according to their ethnicity, gender, learning style, and/or socioeconomic status.
3. Promotes lifelong learning and the value of the Learning Community.
4. Desires to participate in professional growth activities for continuous improvement of the educational services provided by the Charter School.

## ATTACHMENT 15

**JOB TITLE:** COUNSELOR

**REPORTS TO:** SUPERINTENDENT

**JOB GOAL:** Plan, implement, and evaluate a comprehensive program of guidance and counseling services based on the defined needs of the population served. Provide a guidance and counseling program to assist all students in maximizing personal growth and development.

**TERMS OF EMPLOYMENT:**

**Length of work Year:**

217 days

**Salary:**

Annual salary schedule approved by the Board of Trustees of Charter School.

**QUALIFICATIONS:**

**Education/Certification:**

Degree  
Valid School Counselor Certification or LPC Certification

**Special Knowledge/Skills:**

Knowledge of counseling procedures/techniques, student appraisal, and career development.

Knowledge of family and peer group dynamics

Excellent organizational, communication, and interpersonal skills.

**Experience:**

Three years teaching experience

**MAJOR PERFORMANCE RESPONSIBILITIES:**

**Program Management:**

1. Plan, implement, and evaluate a comprehensive program of guidance, including counseling services.
2. Provide guidance to individuals and groups to develop educational, career, and personal plans.
3. Provide input to other school district staff in planning testing and appraisal programs for students.
4. Coordinate and supervise the compiling and maintenance of reports, records, and other required documents.

5. Use an effective information and referral process to help students and others utilize special programs and services.
6. Comply with policies established by federal and state law, State Board of Education rule, and the local board policy as they relate to the guidance and counseling program.

**School Climate:**

1. Present for students a positive role model that supports the mission of the school district.
2. Consult with parents, teachers, administrators and other relevant individuals to enhance their work with students.
3. Advocate for students.
4. Participate in student registration and orientation.
5. Demonstrate skills in conflict-resolution with administrators, parents, teachers, and/or the community.
6. Effectively communicate with colleagues, students, and parents.

**School Climate:**

1. Assist the administration in adapting school programs to meet student needs.
2. Develop and coordinate a continuing evaluation of guidance and counseling service and implement revisions based on findings.
3. Conduct, participate in and/or use the results of valid research.

**Student Management:**

1. Consult with teachers, parents, administrators, and multi-disciplinary teams to promote effective student management and assist in the development of individualized educational plans.
2. Participate in case conferences and staffing regarding students with special needs.
3. Assist students in course selection to meet graduation requirements and/or needs.
4. Assist students in evaluating and developing their aptitudes and abilities through interpretation of individual standardized test scores.
5. Assist in the identification of students that may have special needs.
6. Provide individual and small group counseling.
7. Develop and maintain effective working relations with students and their parents.
8. Assist in the coordination of at risk programs and Section 504 referrals.

**Professional Growth and Development:**

1. Develop needed professional skills appropriate to job assignment.

2. Demonstrate behavior that is professional, ethical, and responsible.
3. Participate in workshops, seminars, and conferences to enhance counseling knowledge and skills.

**School/Community Relations:**

1. Articulate the district's mission and goals in the area of guidance and counseling to the community and encourage support on realizing the mission.
2. Develop and maintain positive working relationships with representatives of community resources.
3. Coordinate with school and community personnel to bring together resources for students.
4. Educate the school staff, parents, and the community about the guidance program.
5. Demonstrate awareness of school/community needs and initiate activities to meet those identified needs.
6. Encourage the use of appropriate and effective techniques for community and parent involvement.
7. Model an accepting and optimistic attitude about the potentialities of people and the belief that people can change in positive ways.

**Working conditions:**

**Mental Demands:**

Ability to communicate effectively (verbal and written); flexibility; ability to manage simultaneous demands from a variety of sources; ability to manage crisis situations that impact individuals as well as large groups; interpret policy, procedures, and data; compile and coordinate student data; coordinate district-wide and campus level functions; maintain emotional control under stress.

**Physical Demands/Environmental Factors:**

Occasional prolonged and irregular hours; lifting and carrying of moderately heavy boxes of testing materials.

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The foregoing statements describe the general purpose and responsibilities assigned to this job and are not an exhaustive list of all responsibilities, duties, and skills that may be required.

**Social Workers**--Social Workers must be child-centered and possess certification or license to provide counseling services. During the first year, these services will be contracted and will be provided on an "as need" basis. Funds have been budgeted for both special education and counseling services.

The main function of Social Worker staff is to provide services for children enrolled in our schools. Social Worker staff will provide guidance to students and provide effective communication to parents (and others who stand in the

role of parent) about their child's needs. Social Workers will also develop an adequate line of communications with students, faculty, and staff of the Academy; attend faculty meetings and parent-teach organization (PTO) meetings, and actively participate in professional development opportunities. They will supervise the Field Workers.

Field Workers-- These staff members will represent the arms and feet of the charter school. They must be dedicated to "At Risk" students and work closely with the social workers to implement immediate changes as required for student success. They must be willing to carry out multiple duties, mentor students when appropriate, and work in a tutorial capacity when directed. They must be over 21 years of age and have a valid Texas Driver's License with a clean driving record. Effective communication skills involving parents, students, and staff are a requirement.

**ATTACHMENT 15****EMPLOYEE & VOLUNTEER IMMUNITY**

The School will consider purchase of liability insurance providing coverage to employees to the extent such employees do not enjoy governmental immunity.

**THE FAIR LABOR STANDARDS ACT**

Non-exempt employees covered under the Fair Labor Standards Act shall not be paid less than the prevailing minimum wage. Compensation for overtime work shall be as provided by the Act. The school shall comply with all record-keeping requirements for covered employees.

**HEARING- IMPAIRED EMPLOYEES**

The Board of Trustees shall provide a hearing-impaired employee an interpreter, chosen from a list of qualified interpreters compiled by the State Commission for the Deaf, in any adjudicative hearing before the Board where the hearing-impaired employee is the subject of the hearing. To qualify as a hearing-impaired employee, the employee's understanding of the adjudicative proceedings or communication must be inhibited by the impairment.

**IMMIGRATION & NATURALIZATION**

Within three (3) business days of employment, the school shall confirm the employment eligibility of all new hires by examination of documents establishing identity and employment authorization and completion of the I-9 Form of the Federal Immigration Service.

**LEAVE & ABSENCE FROM DUTY**

Employees taking leave or absence from duty shall do so only in compliance with school policy and procedure. Failure to return to duty promptly after an approved leave of absence shall be cause for disciplinary action up to and including termination of employment.

Employee leave shall include:

1. **Family Medical Leave Act:** Qualifying employees shall be entitled to leave in accordance with the Family and Medical Leave Act of 1993. The following policies and procedures shall apply regarding FMLA leave:
2. **State Military and Armed Forces Reserve Short-Term Leave:** An employee of the School who is a member of the state military forces (the Texas National Guard, the Texas State Guard, and other active militia or military forces organized under state law), or a reserve component of the Armed Forces, is entitled to a leave of absence from his or her duties on a day on which the person is engaged in authorized training or duty ordered or authorized by proper authority. During a leave of absence the employee may not be subjected to loss of time, efficiency rating, vacation time, or salary. Leaves of absence may not exceed 15 days in a Federal fiscal year. An employee returning from such leave of absence shall be returned to the position that the employee held when ordered to duty.

## ATTACHMENT 15

3. **Federal and State Military Long-Term Leave:** An employee who leaves the employment of the School to enter active military service is entitled to be re-employed in the same position held at the time of the induction, enlistment in, or order to, active military service or to a position of similar seniority, status, and pay. To be entitled to such re-employment, the employee must be (a) discharged, separated, or released from active military service under honorable conditions not later than the fifth anniversary of the date of induction, enlistment, or call to active military service, and physically, and (b) mentally qualified to perform the duties of that position. An employee who cannot perform the duties of his original or similar position because of a disability the employee sustained during military service is entitled to be re-employed in a position that the employee can perform, and that has like seniority, status, and pay as the former position, or the nearest possible seniority, status, and pay to the former position. An employee veteran eligible for re-employment under the foregoing conditions, must apply for re-employment not later than the 90th day after the date the veteran is discharged or released from military service under honorable conditions. An employee veteran re-employed under this Policy may not be discharged from the position without cause before the first anniversary of the date of re-employment. An employee veteran re-employed under this Policy is considered to have been on furlough or leave of absence during the time the individual was in military service and may participate in retirement or other benefits to which a public employee is or may be entitled.
4. **Compliance With Subpoena:** No employee shall be discharged, disciplined, or penalized in any manner because the employee complies with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding.

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## LESSON PLANS

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Teachers shall require and maintain lesson plans which include the following information:

1. Objective – A statement of what the student is expected to learn or accomplish through instruction, in the format: "The student will..."
2. Essential Element (EE)/Texas Essential Knowledge and Skills (TEKS)/Texas Assessment of Academic Skills (TAAS) Objective – The correlation of the curriculum objective with the TEA and TAAS objective. Individual classroom objectives may be generally more expansive than those provided by TEA, therefore not every objective will be matched with EE's/TEKS' or TAAS' Objective.
3. Instructional Activities – The outline or description of the plan to teach the concepts related to an objective, including but not limited to modeling techniques, examples to be used, methods of checking understanding, and guided practice activities.
4. Relevancy – Any activity or strategy planned for the purpose of establishing the relevance of the content to the learner shall be noted in the lesson.
5. Evaluation/Homework – The means by which student mastery of the objective is gauged. Examples of this include independent practice activities, work on projects and pop quizzes. Objectives assessed on a summative activity shall be documented in lesson plans.

Lesson plans covering two (2) consecutive weeks are to be submitted to the School Director a week before implementation.

**ATTACHMENT 15****NEW HIRE REPORTING**

No later than 20 days after the date of the hire of a new employee, a report that contains the name, address, and Social Security number of the employee and the name, address and employer identification of the school, shall be made to Texas Employer New Hire Reporting, Operations Center, P. O. Box 149224, Austin, Texas 78714-9224, 1-888-TEX-HIRE (839-4473).

**PRE & POST OFFER OF MEDICAL TESTING****Pre-Employment:**

Employees may be required to submit to a medical test (including drug testing) as the final step to completed acceptance of employment, in accordance with the Americans With Disabilities Act (ADA).

**Post-Employment:**

Additionally, an employee may be required to submit to medical testing after the employee begins working when job performance or safety issues arise, or when necessary to determine the employee's fitness to continue employment.

All medical records of the employee shall be maintained separate and apart from the employee's general personnel file and shall be considered a confidential medical record. Tests for illegal use of drugs are not medical examinations under the ADA and are not subject to the restrictions of such examinations.

**RELIGIOUS AFFILIATION**

No person applying for employment with this school shall be asked directly or indirectly, orally or in writing their religion or religious affiliation.

**REPORTING SUSPECTED CHILD ABUSE****Reporting:**

School employees that have cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person must immediately make a report to either the Child Protective Services division of the Texas Department of Protective and Regulatory Services, or to any state or local law enforcement agency. Failure to report is a Class B misdemeanor. The information in the report must include:

- The child's name and address
- The name and address of the child's parent or guardian
- Any other pertinent information

Professional employees must report within 48 hours of suspicion.

Any person who makes such a report, or assists in the investigation of a report of child abuse or neglect in good faith, is immune from any criminal or civil liability that might otherwise be incurred or imposed. Authorized officials from the above agencies shall be permitted to conduct the required interview with the child at the School with, or without the consent of the parent or guardian. The School will fully cooperate with all official investigations of abuse or neglect.

**Toll Free Hotline:**

The toll free number for the Department of Protective and Regulatory Services Child Abuse Hotline is 1-800-252-5400. All reports of abuse shall also be reported to the School Director or designee contemporaneous to the legally mandated reporting to the Child Protective Services.

## SEXUAL HARASSMENT

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The school prohibits sexual harassment as a form of unlawful gender discrimination.

Sexual harassment includes unwelcome touching, sexual advances, requests for sexual favors, stalking, "quid pro quo," and sexually-oriented conversations, sounds, gestures, stares, remarks, and jokes. Forbidden conduct includes but is not limited to the following:

1. sexual favors made explicitly or implicitly a term or condition of hiring or continued employment;
2. sexual favors made explicitly or implicitly a basis for employment decisions affecting an employee such as promotion or reassignment;
3. sexually-oriented conversations, sounds, gestures, stares, remarks, jokes or other sexually-oriented conduct when such conduct creates an intimidating, hostile or offensive working environment.

Employee complaints regarding sexual harassment shall be brought in accordance with the school's Sexual Harassment Grievance Procedure. Copies of the Procedure shall be made available to employees during working hours at the school's administration office. It shall be the duty of the investigating officer named in the Procedure to investigate such complaints and for the school to take appropriate remedial action based upon the investigation.

Sexual harassment or abuse of students by employees is strictly forbidden. Sexual harassment and abuse of students includes touching, sexual advances, requests for sexual favors, stalking, sexually-oriented conversations, sounds, gestures, stares, remarks, and jokes. Such harassment and abuse further includes the following: telephoning students at home or elsewhere to solicit social relationships, physical contact that would reasonably be construed as sexual in nature, and threatening or enticing students to engage in sexual behavior in exchange for grades or other school-related benefit.

The School shall designate at least one employee to serve as a Title IX Coordinator to investigate complaints of harassment involving students. The name, office address and telephone number of the Coordinator shall be published to all employees and students, and the school shall adopt and publish grievance procedures that will accomplish prompt and equitable resolution of complaints involving students. All allegations of sexual harassment of students and/or abuse of students shall be referred to the Title IX Coordinator, TO BE NAMED.

## TOBACCO, DRUGS, ALCOHOL, WEAPONS, & FIREWORKS

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### Tobacco, Drugs & Alcohol:

The manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, alcohol or tobacco, as those terms are defined in state and Federal law, is prohibited on the school premises, or as part of any school activity on or off school property.

Employees shall not be under the influence of controlled substances, illegal drugs or alcohol in the performance of their duties. Violations of this policy may result in disciplinary action including loss of employment. To comply with Workers' Compensation Commission rules, the school will provide a written copy of this policy to each employee within thirty (30) days from the adoption of this policy and thereafter to each employee hired prior to the first day of employment.

### Weapons & Fireworks:

The possession of firearms, illegal knives, and prohibited weapons on school property or at school-related activities is also prohibited by law, as is the ignition of fireworks within 600 feet of the school.

## TERMS OF EMPLOYMENT

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### At-Will Employment:

All employment at the school shall be at-will unless a term of employment is expressly stated in a written contract. At-will employment means that the employee may resign at any time with or without notice or cause, and that employment may be terminated at the sole discretion of the school for any lawful reason and under any lawful circumstance.

### Term Contract Employees:

The following positions may be employed under a term contract: There are no positions employed under term contract.

### Reassignment of Employees:

To the extent permitted by law and policy, all employees are subject to assignment and reassignment at the sole discretion of the School Administrator.

## UNACCEPTABLE EMPLOYEE CONDUCT

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### Unacceptable Employee Conduct:

The following is a non-exclusive list of prohibited action which will be considered good cause for employee disciplinary actions up to and including discharge. This is not intended to be a complete list and it does not alter any at-will relationship between employees and the School.

- Theft (being the unauthorized removal) or attempted theft or misappropriation of school, employee, student, guest, including any items found on the School campus, or at school-related events.
- Failure to follow the directive of a supervisor unless the directive is illegal.
- Failure to cooperate with a School investigation.
- Failure to perform duty assignments in a satisfactory, safe, or efficient manner.
- Unauthorized absences or tardies.
- Possession of any weapon or hazardous substance.
- Dishonest, immoral or illegal conduct on duty or on School premises, or off duty on School premises, such that the conduct would tend to bring discredit to the School.
- Possession, use, distribution, sale, or under the influence of a controlled substance or alcohol while on duty or on School premises.
- Assault, threats, or intimidating conduct towards a student, parent, teacher, community member, or employee in connection with a School matter.
- Harassment, including sexual harassment.
- Abuse, including, but not limited to, sexual abuse of a student.
- Abusing, defacing, or destroying School property, or the property of a student or employee.
- Falsification of any School or School-related record.
- Failure to account for School or School-related activity funds.
- Use of tobacco on school property or at School-related activities.
- Unauthorized disclosure of any information made confidential by policy or law.
- Unauthorized use of School computer software or hardware.
- Penal Code violations.
- Violation of any School policy, procedure, rule or law.

## WORKERS' COMPENSATION

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The school shall provide workers' compensation coverage to covered employees pursuant to the Texas Workers' Compensation Act, and shall comply with notice, reporting and other obligations as required.

**TEXAS EDUCATION AGENCY  
OPEN-ENROLLMENT CHARTER SCHOOL APPLICANT  
BIOGRAPHICAL AFFIDAVIT  
(MUST BE TYPED and NOTARIZED)**

**Check all that apply:**

Member of the governing board of the sponsoring entity  
 Member of the managing board for the charter school

It should be understood that a board member's resignation is not effective until a replacement is duly appointed by the board and a board member may be personally liable for any actions taken by the board.

School administrator

**Full Name of Sponsoring Entity and Name of Proposed Charter School:** Vanguard Academy

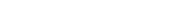
In connection with the above-named organization and charter school application, I herewith make representations and supply information about myself as hereinafter set forth. (Attach addendum or separate sheet if space hereon is insufficient to answer any questions fully.)

**IF ANSWER IS "NO" OR "NONE", SO STATE.**

1. Full Name (Initials Not Acceptable): Robert Lee Olivarez

2. Have you ever had your name changed? No If yes, give reason for the change:

b. Maiden Name (if female) N/A  
c. Other names used at any time N/A

3. Social Security Number: 

4. Date and Place of Birth: [REDACTED] Saginaw, Michigan

5. Business Address: 400 S. "I" Road (P.O. Box 730) Pharr, Texas 78577  
Business Telephone: (956) 787-1737

6. List your residences for the last ten (10) years starting with your current address, giving:

<u>DATES</u>	<u>ADDRESS</u>	<u>CITY AND STATE</u>	<u>ZIP CODE</u>
8-12-00 Current	4517 W. Marlin Ave.	Marlin, Tx	76563

<u>DATES</u>	<u>ADDRESS</u>	<u>CITY AND STATE</u>	<u>ZIP CODE</u>
8-12-00-Current	4517 W. Maple Ave.	McAllen, Tx.	78501
1998-1999	2818 Wynes St.	Saginaw, Mi	48602
1994-1998	6644 McCarty Rd.	Saginaw, Mi.	48603
1994-1989	3260 Moran Dr.	Birch Run, Mi.	48415

## 7. Education: Dates, Names, Locations and Degrees

College Southwestern A/G University 1975-78: B.S. in Christian Education

Graduate Studies Saginaw Valley State University, 1982; M.A. Educational Supervision and Administration

Others Eastern Michigan University; Teaching Certificate Vocational Endorsement, Endorsement in Counseling K-12, 1986 and M.A. in Counseling 1985.

8. List Membership in Professional Societies and Associations: none

## 10. List complete employment record (up to and including present jobs, positions, directorates or officerships) for the past twenty (20) years:

DATES	EMPLOYER	ADDRESS	TITLE
8/00-Present	Templo Bethel	400 S. "I" Rd, Pharr, Tx.	Associate Pastor
10/88-7/00	State Farm Ins.	3441 Court St., Saginaw, Mi.	Insurance Agent
1/82-10/88	Bridgeport/Spaulding Schools	1944 Iowa Saginaw, Mi.	Counselor
8/78-1/82	Saginaw Public Schools	550 Millard, Saginaw, Mi.	Teacher
8/78-1980	Saginaw Steering Gear	3900 Holland Rd., Saginaw, Mi.	General Labor

11. Present employer may be contacted: Yes  No  (Circle One)

Former employers may be contacted: Yes  No  (Circle One)

12. a) Have you ever been in a position which required a fidelity bond? No  
If any claims were made on the bond, give details: \_\_\_\_\_

b) Have you ever been denied an individual or position schedule fidelity bond, or had a bond cancelled or revoked? No  
If yes, give details: \_\_\_\_\_

13. List any professional, occupational or vocational licenses issued by any public or governmental licensing agency or regulatory authority which you presently hold or have held in the past. (State date license was issued, issuer of license, date terminated, reasons for termination): Currently Licensed Professional Counselor (L.P.C.) with the State of Michigan

14. During the last ten (10) years, have you ever been refused a professional, occupational or vocational license by any public or governmental licensing agency or regulatory authority, or has such license held by you ever been suspended or revoked? No If yes, give details: \_\_\_\_\_

15. Will you or members of your immediate family be employed by (directly or through contract) or receive remuneration from the proposed charter school? yes  
If yes, give details: wife will be employed as a Administrative Secretary

16. Have you ever been adjudged bankrupt? No

17. Have you ever been convicted or had a sentence imposed or suspended or had pronouncement of a sentence suspended or been pardoned for conviction of or pleaded guilty or nolo contendere to any information or indictment charging any felony, or charging a felony or misdemeanor involving moral turpitude, or have you been the subject of any disciplinary proceedings of any federal or state regulatory agency? No  
If yes, give details: \_\_\_\_\_

18. Have you ever been an officer, director, trustee, investment committee member, key employee, or controlling stockholder of any business, which, while you occupied any such position or capacity with respect to it, became insolvent or was placed under supervision or in receivership, rehabilitation, liquidation or conservatorship? No

19. Are you now, or have you been, within the past five years, a plaintiff or defendant in any lawsuit? No. If so, please furnish details: \_\_\_\_\_

Dated and signed this 22 day of January,  
2001, at Pharr, Texas

I hereby certify under penalty of perjury that I am acting on my own behalf, and that the foregoing statements are true and correct to the best of my knowledge and belief.

Robert J. Olivarez  
(Signature of Affiant)

State of Texas

County of Hidalgo

Personally appeared before me the above named Robert J. Olivarez personally known to me, who, being duly sworn, deposes and says that he/she executed the above instrument and that the statements and answers contained therein are true and correct to the best of his/her knowledge and belief.

Subscribed and sworn to before me this 22 day of  
January, 2001.

(Notary Public)

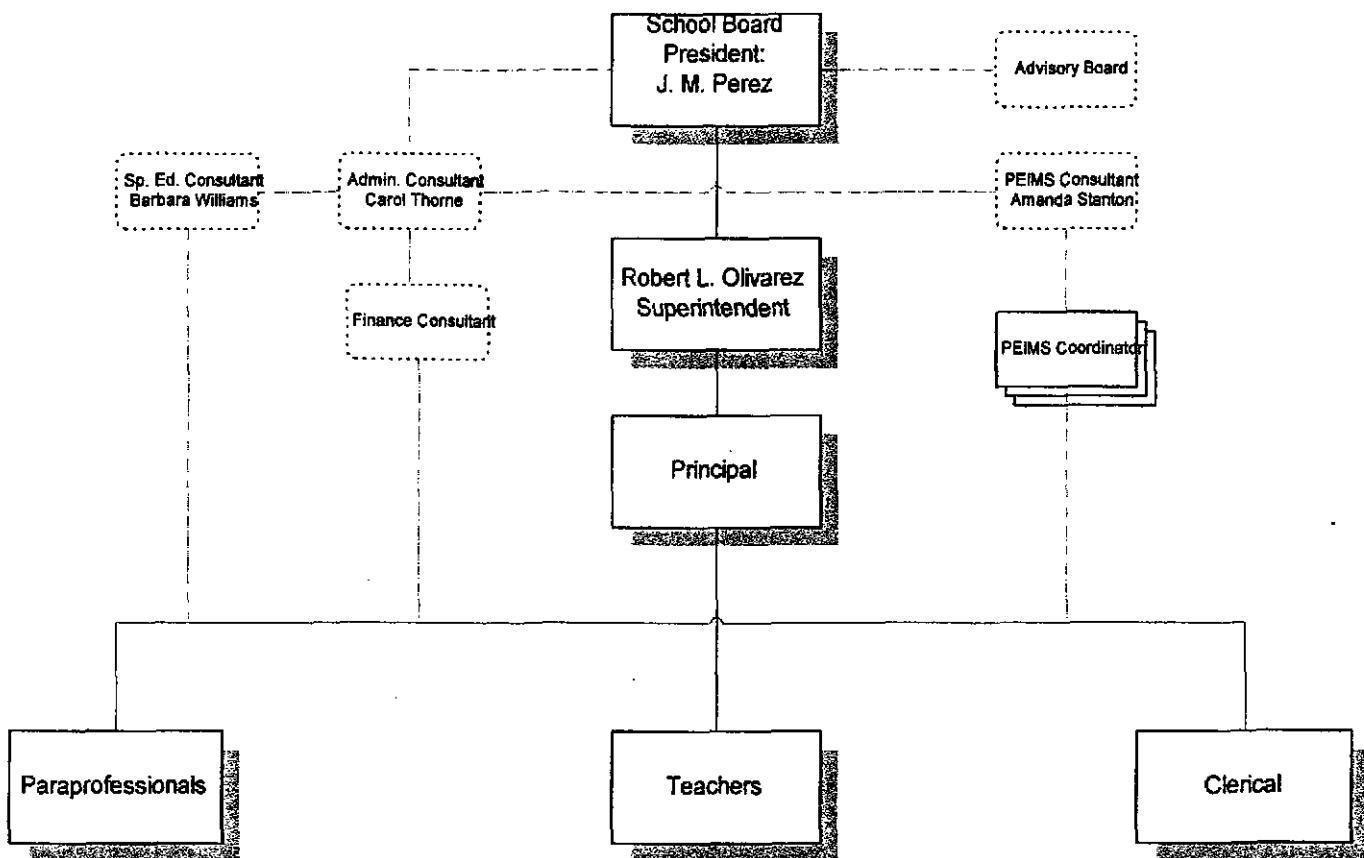
My commission expires 7-13-2004

(SEAL)



## Attachment 17

## Vanguard Academy





# Templo Bethel Assembly Of God

400 S. "I" Road - P.O. Box 750

Pharr, Texas 78577

February 13, 2001

To Whom It May Concern:

From its inception of Vanguard Academy, Templo Bethel has been committed to the financial support needed to start and maintain the school. As in every venture we are aware of the risks involved but are neither swayed nor discouraged.

We have purchased an additional 10 acres adjacent to our property at a cost of over \$340,000. We have the preliminary plans from the architect for the building that can house the school and its activities. The preliminary estimates of building costs are over 1.6 million dollars.

As stated before, Templo Bethel is committed to providing the best resources available to offer a challenging yet rewarding educational experience.

Respectfully Submitted,

J.M. Perez  
Senior Pastor/ CEO Vanguard Academy

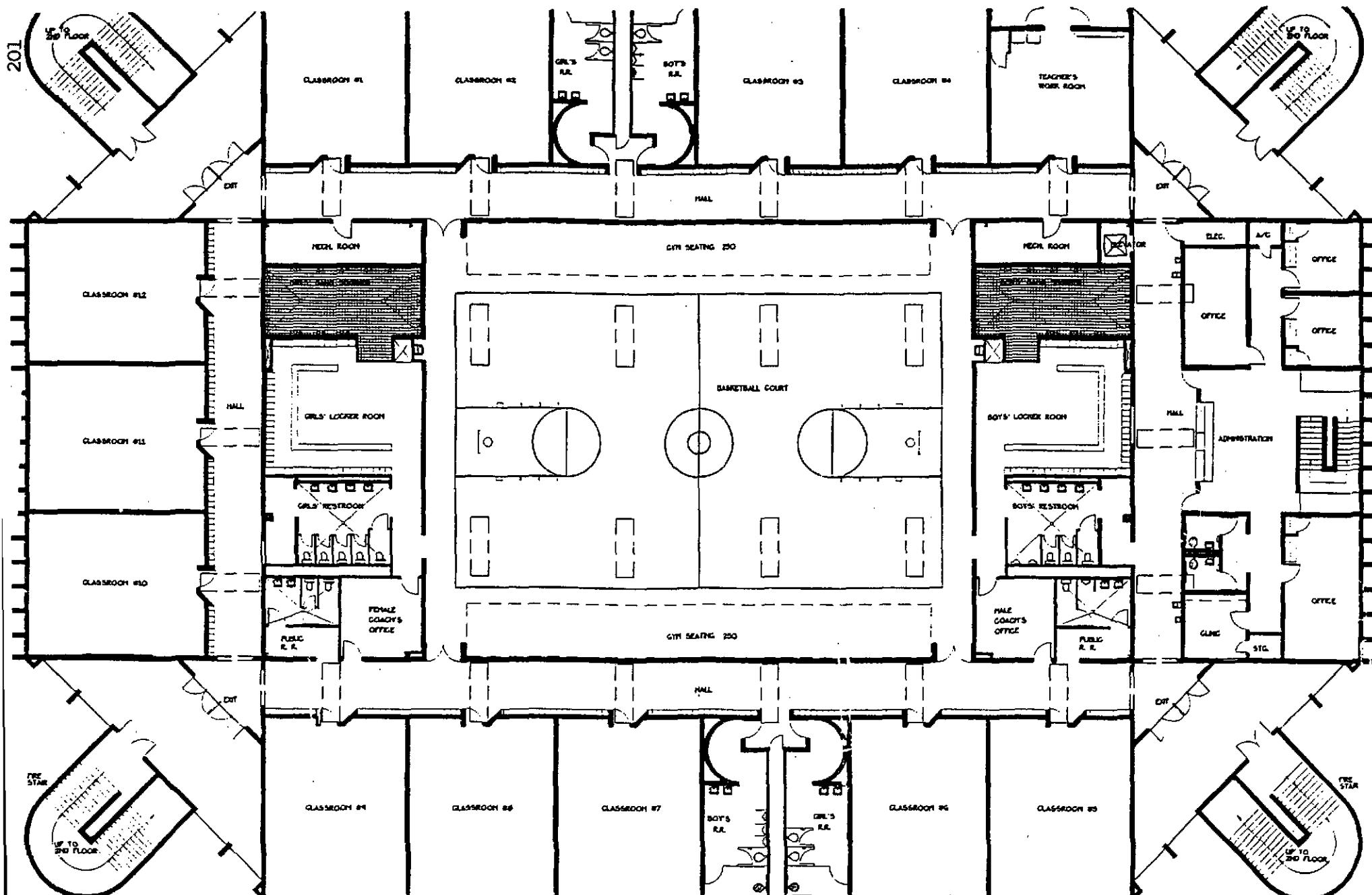
tel. (956) 787-1737 - fax (956) 787-5369

E-Mail: VCathInc@aol.com - Web-Domain: TemploBethel.org

00190

T6T00

201



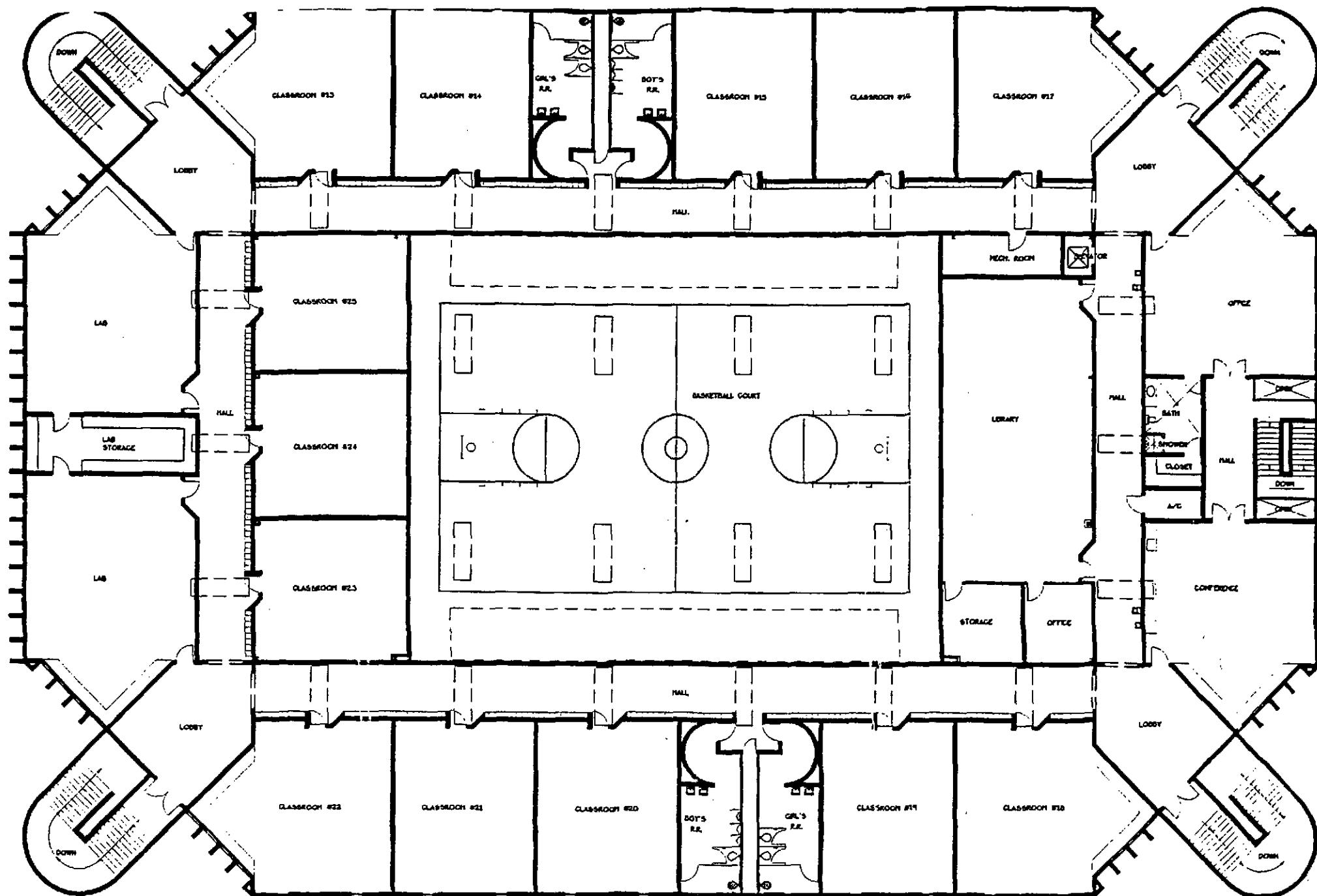
First Floor .....

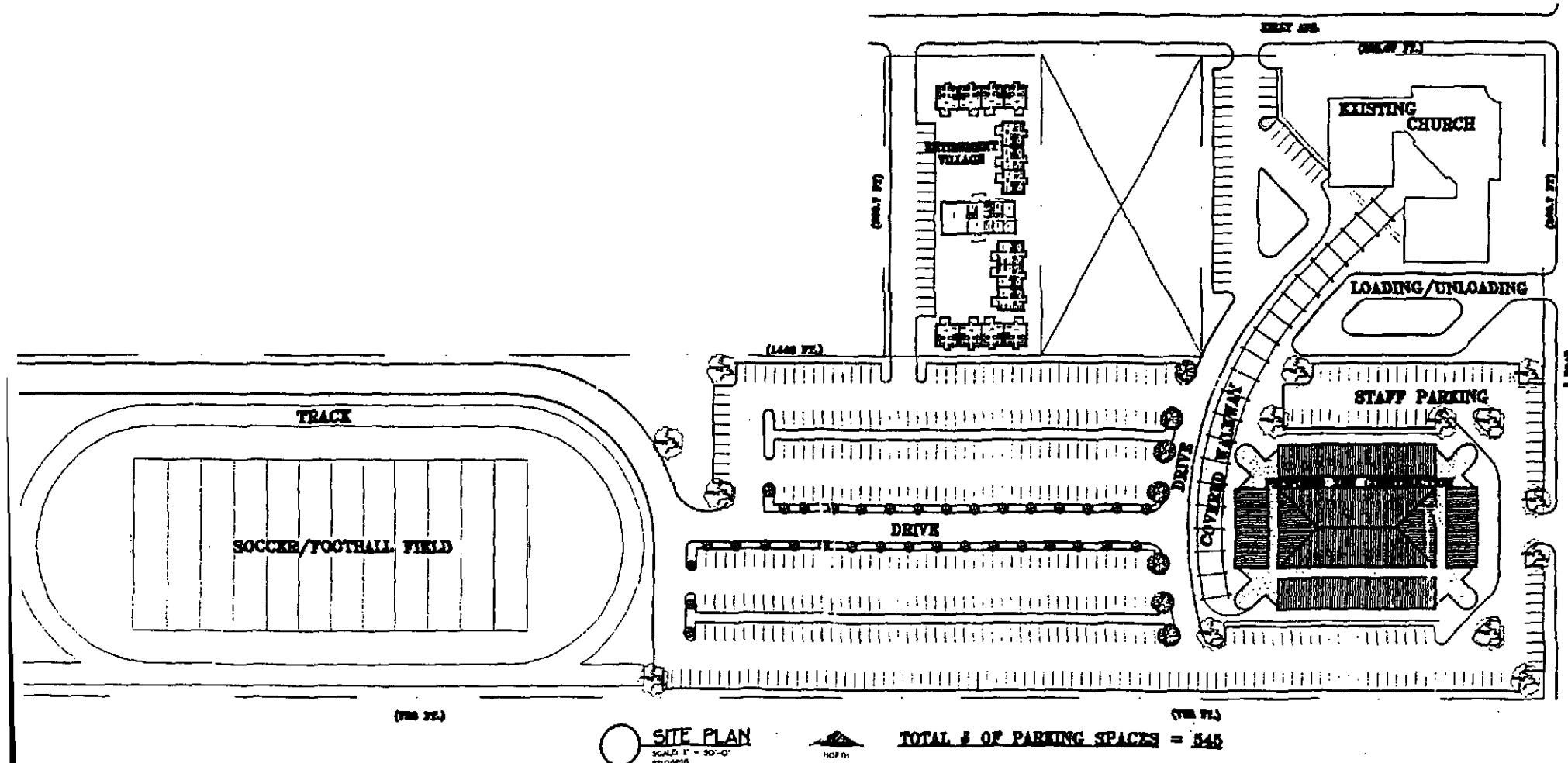
00192

22

Attachment 18

1 Floor





**Charter School: Vanguard Academy**  
**Projected Start-up Budget**

This budget represents the 199 fund only.

**Charter School Budget Categories**

	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Net Assets at Beginning of Year</b>				
<b>Estimated Revenues:</b>				
Local Sources				\$0
State Sources				
Federal Sources			\$70,000	\$70,000
Other Sources		\$50,000		\$50,000
<b>Total Estimated Revenues</b>		<b>\$50,000</b>	<b>\$70,000</b>	<b>\$120,000</b>
<b>Estimated Expenses:</b>				
Payroll Costs	6100			\$8,000
Professional and Contracted Services	6200			\$57,000
Supplies and Materials	6300			\$34,500
Other Operating Costs	6400			\$7,500
Debt Expense	6500			\$0
<b>Total Estimated Expenses</b>		<b>\$47,000</b>	<b>\$70,000</b>	<b>\$107,000</b>
<b>Gains</b>	7950			\$0
<b>Losses</b>	8950			\$0
<b>Change in Net Assets</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Assets at End of Year</b>		<b>\$0</b>	<b>\$0</b>	<b>\$13,000</b>

00194

**Charter School: Vanguard Academy****Projected Start-up Budget**

budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
Instruction	11				\$0
Payroll Costs		6100			\$0
Professional and Contracted Services		6200		15250	\$15,250
Supplies and Materials		6300		18000	\$18,000
Other Operating Costs		6400		2500	\$2,500
Debt Expense		6500			\$0
Total Instruction			\$0	\$35,750	\$35,750
Instructional Resources and Media Services	12				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
Total Instructional Resources and Media Services			\$0	\$0	\$0
Curriculum Development	13				
Instructional Staff					
Development					
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
Curriculum and Instructional Staff Development			\$0	\$0	\$0

00195

**Charter School: Vanguard Academy****Projected Start-up Budget**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Instructional Leadership:</b>	21				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Interest		6500			\$0
<b>Total Instructional Leadership</b>			\$0	\$0	\$0
<b>School Leadership:</b>	23				
Payroll Costs		6100	8000		\$8,000
Professional and Contracted Services		6200		5500	\$5,500
Supplies and Materials		6300		3000	\$3,000
Other Operating Costs		6400			\$0
Debt Interest		6500			\$0
<b>Total School Leadership</b>			\$8,000	\$8,500	\$16,500
<b>Guidance, Counseling and Evaluation Services</b>	31				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Interest		6500			\$0
<b>Total Guidance, Counseling and Evaluation Services</b>			\$0	\$0	\$0

00196

**Charter School: Vanguard Academy**  
**for the Fiscal Year Ended August 31, 2001 Year 1**

budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>General Work Services:</b>	32				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>General Social Work Services</b>			\$0	\$0	\$0
<b>Health Services:</b>	33				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>General Health Services</b>			\$0	\$0	\$0
<b>Student Transportation:</b>	34				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Student Transportation</b>			\$0	\$0	\$0

00197

Charter School: Vanguard AcademyProjected Start-up Budget

is budget represents the 199 fund only.

Charter School Budget Categories (Continued)

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
Food Services:	35				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
Total Food Services			\$0	\$0	\$0
Cocurricular/Extracurricular Activities:	36				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
Total Cocurricular/Extracurricular Activities:			\$0	\$0	\$0
General Administration:	41				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200		6000	\$6,000
Supplies and Materials		6300		1500	\$1,500
Other Operating Costs		6400		3500	\$3,500
Debt Expense		6500			\$0
Total General Administration			\$0	\$11,000	\$11,000

00198

Charter School: Vanguard Academy

### Projected Start-up Budget

budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
51				
d Services	6100			\$0
	6200	24000		\$24,000
	6300	15000		\$5,000
	6400		1500	\$1,500
	6500			\$0
		\$39,000	\$1,500	\$30,500
52				
d Services	6100			\$0
	6200			\$0
	6300			\$0
	6400			\$0
	6500			\$0
		\$0	\$0	\$0
53				
d Services	6100			\$0
	6200		5500	\$5,500
	6300		3000	\$3,000
	6400			\$0
	6500			\$0
		\$0	\$8,500	\$8,500

**Charter School: Vanguard Academy****Projected Start-up Budget**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Community Services:</b>	61				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Community Services</b>			\$0	\$0	\$0
<b>Fund Raising:</b>	81				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200		750	\$750
Supplies and Materials		6300		4000	\$4,000
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Fund Raising</b>			\$0	\$4,750	\$4,750

00200

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2002 Year 1**

This budget represents the 199 fund only and is based on a student population of 150.

**Charter School Budget Categories**

	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Net Assets at Beginning of Year</b>		\$13,000		\$13,000
<b>Estimated Revenues:</b>				
Local Sources				\$0
State Sources		\$600,000		\$600,000
Federal Sources				\$0
Other Sources				\$0
<b>Total Estimated Revenues</b>		\$613,000	\$0	\$613,000
<b>Estimated Expenses:</b>				
Payroll Costs	6100	\$482,000		\$482,000
Professional and Contracted Services	6200	\$57,700		\$57,700
Supplies and Materials	6300	\$53,000		\$53,000
Other Operating Costs	6400	\$15,000		\$15,000
Debt Expense	6500	\$0		\$0
<b>Total Estimated Expenses</b>		\$607,700	\$0	\$607,700
<b>Gains</b>	7950			\$0
<b>Losses</b>	8950			\$0
<b>Change in Net Assets</b>		\$0	\$0	\$0
<b>Net Assets at End of Year</b>		\$5,300	\$0	\$5,300

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2002 Year 1**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

		Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Instruction</b>	<b>11</b>					
Payroll Costs		6100				\$360,000
Professional and Contracted Services		6200				\$3,000
Supplies and Materials		6300				\$20,000
Other Operating Costs		6400				\$2,500
Debt Expense		6500				\$0
<b>Total Instruction</b>				\$0	\$0	\$385,500
<b>Instructional Resources and Media Services</b>	<b>12</b>					
Payroll Costs		6100				\$0
Professional and Contracted Services		6200				\$0
Supplies and Materials		6300				\$6,000
Other Operating Costs		6400				\$0
Debt Expense		6500				\$0
<b>Total Instructional Resources and Media Services</b>				\$0	\$0	\$6,000
<b>Curriculum Development and Instructional Staff Development</b>	<b>13</b>					
Payroll Costs		6100				\$0
Professional and Contracted Services		6200				\$2,500
Supplies and Materials		6300				\$0
Other Operating Costs		6400				\$0
Debt Expense		6500				\$0
<b>Total Curriculum and Instructional Staff Development</b>				\$0	\$0	\$2,500

00202

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2002 Year 1**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Instructional Leadership:</b>	21				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Interest		6500			\$0
<b>Total Instructional Leadership</b>			\$0	\$0	\$0
<b>School Leadership:</b>	23				
Payroll Costs		6100			\$40,000
Professional and Contracted Services		6200			\$1,200
Supplies and Materials		6300			\$1,500
Other Operating Costs		6400			\$2,500
Debt Interest		6500			\$0
<b>Total School Leadership</b>			\$0	\$0	\$45,200
<b>Guidance, Counseling and Evaluation Services</b>	31				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$3,500
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Interest		6500			\$0
<b>Total Guidance, Counseling and Evaluation Services</b>			\$0	\$0	\$3,500

00203

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2002 Year 1**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Social Work Services:</b>	32				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Social Work Services</b>			\$0	\$0	\$0
<b>Health Services:</b>	33				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$1,500
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Health Services</b>			\$0	\$0	\$1,500
<b>Student Transportation</b>	34				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$2,500
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Student Transportation</b>			\$0	\$0	\$2,500

60701

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2002 Year 1**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Food Services:</b>	35				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Food Services</b>			\$0	\$0	\$0
<b>Cocurricular/Extracurricular Activities:</b>	36				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$1,500
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Cocurricular/Extracurricular Activities:</b>			\$0	\$0	\$1,500
<b>General Administration:</b>	41				
Payroll Costs		6100			\$45,000
Professional and Contracted Services		6200			\$1,500
Supplies and Materials		6300			\$2,500
Other Operating Costs		6400			\$3,500
Debt Expense		6500			\$0
<b>Total General Administration</b>			\$0	\$0	\$52,500

00205

**Charter School: Vanguard Academy****For the Fiscal Year Ended August 31, 2002Year 1**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Plant Maintenance and Operations:</b>	51				
Payroll Costs		6100			\$12,000
Professional and Contracted Services		6200			\$30,000
Supplies and Materials		6300			\$16,000
Other Operating Costs		6400			\$5,000
Debt Expense		6500			\$0
<b>Total Plant Maintenance and Operations</b>			\$0	\$0	\$63,000
<b>Security and Monitoring Services:</b>	52				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$2,500
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Security and Monitoring Services:</b>			\$0	\$0	\$2,500
<b>Data Processing Services:</b>	53				
Payroll Costs		6100			\$25,000
Professional and Contracted Services		6200			\$9,500
Supplies and Materials		6300			\$2,500
Other Operating Costs		6400			\$1,500
Debt Expense		6500			\$0
<b>Total Data Processing Services</b>			\$0	\$0	\$38,500

00206

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2002 Year 1**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Community Services:</b>	61				
Payroll Costs	6100				\$0
Professional and Contracted Services	6200				\$0
Supplies and Materials	6300				\$0
Other Operating Costs	6400				\$0
Debt Expense	6500				\$0
<b>Total Community Services</b>			\$0	\$0	\$0
<b>Fund Raising:</b>	81				
Payroll Costs	6100				\$0
Professional and Contracted Services	6200				\$0
Supplies and Materials	6300				\$3,000
Other Operating Costs	6400				\$0
Debt Expense	6500				\$0
<b>Total Fund Raising</b>			\$0	\$0	\$3,000

00207

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2003 Year 2**

This budget represents the 199 fund only. Based upon 200 students

**Charter School Budget Categories**

	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Net Assets at Beginning of Year</b>		\$5,300		\$5,300
<b>Estimated Revenues:</b>				
Local Sources				\$0
State Sources		\$800,000		\$800,000
Federal Sources				\$0
Other Sources				\$0
<b>Total Estimated Revenues</b>		\$805,300	\$0	\$805,300
<b>Estimated Expenses:</b>				
Payroll Costs	6100	\$646,000		\$646,000
Professional and Contracted Services	6200	\$70,000		\$70,000
Supplies and Materials	6300	\$63,000		\$63,000
Other Operating Costs	6400	\$21,000		\$21,000
Debt Expense	6500	\$0		\$0
<b>Total Estimated Expenses</b>		\$800,000	\$0	\$800,000
<b>Gains</b>	7950			\$0
<b>Losses</b>	8950			\$0
<b>Change in Net Assets</b>		\$0	\$0	\$0
<b>Net Assets at End of Year</b>		\$0	\$0	\$5,300

00208

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2003 Year 2**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

		Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Instruction</b>	<b>11</b>					
Payroll Costs		6100				\$520,000
Professional and Contracted Services		6200				\$3,000
Supplies and Materials		6300				\$30,000
Other Operating Costs		6400				\$5,000
Debt Expense		6500				\$0
<b>Total Instruction</b>				\$0	\$0	\$558,000
<b>Instructional Resources and Media Services</b>	<b>12</b>					
Payroll Costs		6100				\$0
Professional and Contracted Services		6200				\$0
Supplies and Materials		6300				\$6,000
Other Operating Costs		6400				\$0
Debt Expense		6500				\$0
<b>Total Instructional Resources and Media Services</b>				\$0	\$0	\$6,000
<b>Curriculum Development and Instructional Staff Development</b>	<b>13</b>					
Payroll Costs		6100				\$0
Professional and Contracted Services		6200				\$2,500
Supplies and Materials		6300				\$0
Other Operating Costs		6400				\$0
Debt Expense		6500				\$0
<b>Total Curriculum and Instructional Staff Development</b>				\$0	\$0	\$2,500

00209

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2003 Year 2**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Instructional Leadership:</b>	21				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Interest		6500			\$0
<b>Total Instructional Leadership</b>			\$0	\$0	\$0
<b>School Leadership:</b>	23				
Payroll Costs		6100			\$41,000
Professional and Contracted Services		6200			\$3,000
Supplies and Materials		6300			\$1,500
Other Operating Costs		6400			\$2,500
Debt Interest		6500			\$0
<b>Total School Leadership</b>			\$0	\$0	\$48,000
<b>Guidance, Counseling and Evaluation Services</b>	31				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$2,500
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Interest		6500			\$0
<b>Total Guidance, Counseling and Evaluation Services</b>			\$0	\$0	\$2,500

00210

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2003 Year 2**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Social Work Services:</b>	32				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Social Work Services</b>			\$0	\$0	\$0
<b>Health Services:</b>	33				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$1,500
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Health Services</b>			\$0	\$0	\$1,500
<b>Student Transportation</b>	34				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$2,500
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Student Transportation</b>			\$0	\$0	\$2,500

00211

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2003 Year 2**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Food Services:</b>	35				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Food Services</b>			\$0	\$0	\$0
<b>Cocurricular/Extracurricular Activities:</b>	36				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$1,500
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Cocurricular/Extracurricular Activities:</b>			\$0	\$0	\$1,500
<b>General Administration:</b>	41				
Payroll Costs		6100			\$46,000
Professional and Contracted Services		6200			\$1,500
Supplies and Materials		6300			\$2,500
Other Operating Costs		6400			\$5,000
Debt Expense		6500			\$0
<b>Total General Administration</b>			\$0	\$0	\$55,000

00212

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2003 Year 2**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

			Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
Function Code	Object Code				
<b>Plant Maintenance and Operations:</b>	<b>51</b>				
Payroll Costs	6100				\$12,000
Professional and Contracted Services	6200				\$42,000
Supplies and Materials	6300				\$16,000
Other Operating Costs	6400				\$7,000
Debt Expense	6500				\$0
<b>Total Plant Maintenance and Operations</b>			\$0	\$0	<b>\$77,000</b>
<b>Security and Monitoring Services:</b>	<b>52</b>				
Payroll Costs	6100				\$0
Professional and Contracted Services	6200				\$2,500
Supplies and Materials	6300				\$0
Other Operating Costs	6400				\$0
Debt Expense	6500				\$0
<b>Total Security and Monitoring Services:</b>			\$0	\$0	<b>\$2,500</b>
<b>Data Processing Services:</b>	<b>53</b>				
Payroll Costs	6100				\$27,000
Professional and Contracted Services	6200				\$9,000
Supplies and Materials	6300				\$2,500
Other Operating Costs	6400				\$1,500
Debt Expense	6500				\$0
<b>Total Data Processing Services</b>			\$0	\$0	<b>\$40,000</b>

00213

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2003 Year 2**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Community Services:</b>	61				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Community Services</b>			\$0	\$0	\$0
<b>Fund Raising:</b>	81				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$3,000
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Fund Raising</b>			\$0	\$0	\$3,000

00214

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2004 Year 3**

This budget represents the 199 fund only.

Based upon 300 Students

**Charter School Budget Categories**

	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Net Assets at Beginning of Year</b>		\$5,300		\$5,300
<b>Estimated Revenues:</b>				
Local Sources				\$0
State Sources		\$1,200,000		\$1,200,000
Federal Sources				\$0
Other Sources				\$0
<b>Total Estimated Revenues</b>		\$1,205,300	\$0	\$1,205,300
<b>Estimated Expenses:</b>				
Payroll Costs	6100	\$914,000		\$914,000
Professional and Contracted Services	6200	\$121,500		\$121,500
Supplies and Materials	6300	\$90,500		\$90,500
Other Operating Costs	6400	\$28,500		\$28,500
Debt Expense	6500	\$0		\$0
<b>Total Estimated Expenses</b>		\$1,154,500	\$0	\$1,154,500
<b>Gains</b>	7950			\$0
<b>Losses</b>	8950			\$0
<b>Change in Net Assets</b>		\$0	\$0	\$0
<b>Net Assets at End of Year</b>		\$0	\$0	<b>\$50,800</b>

00215

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2004 Year 3**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

		Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Instruction</b>	<b>11</b>					
Payroll Costs		6100				\$780,000
Professional and Contracted Services		6200				\$3,000
Supplies and Materials		6300				\$35,000
Other Operating Costs		6400				\$2,500
Debt Expense		6500				\$0
<b>Total Instruction</b>				\$0	\$0	\$820,500
<b>Instructional Resources and Media Services</b>	<b>12</b>					
Payroll Costs		6100				\$0
Professional and Contracted Services		6200				\$2,500
Supplies and Materials		6300				\$6,000
Other Operating Costs		6400				\$0
Debt Expense		6500				\$0
<b>Total Instructional Resources and Media Services</b>				\$0	\$0	\$8,500
<b>Curriculum Development and Instructional Staff Development</b>	<b>13</b>					
Payroll Costs		6100				\$0
Professional and Contracted Services		6200				\$2,500
Supplies and Materials		6300				\$10,000
Other Operating Costs		6400				\$0
Debt Expense		6500				\$0
<b>Total Curriculum and Instructional Staff Development</b>				\$0	\$0	\$12,500

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2004 Year 3**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Instructional Leadership:</b>	21				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Interest		6500			\$0
<b>Total Instructional Leadership</b>			\$0	\$0	\$0
<b>School Leadership:</b>	23				
Payroll Costs		6100			\$42,000
Professional and Contracted Services		6200			\$2,500
Supplies and Materials		6300			\$1,500
Other Operating Costs		6400			\$2,500
Debt Interest		6500			\$0
<b>Total School Leadership</b>			\$0	\$0	\$48,500
<b>Guidance, Counseling and Evaluation Services</b>	31				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$5,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Interest		6500			\$0
<b>Total Guidance, Counseling and Evaluation Services</b>			\$0	\$0	\$5,000

00217

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2004 Year 3**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

			Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Social Work Services:</b>	32						
Payroll Costs		6100					\$0
Professional and Contracted Services		6200					\$3,000
Supplies and Materials		6300					\$0
Other Operating Costs		6400					\$0
Debt Expense		6500					\$0
<b>Total Social Work Services</b>					\$0	\$0	\$0
<b>Health Services:</b>	33						
Payroll Costs		6100					\$0
Professional and Contracted Services		6200					\$3,000
Supplies and Materials		6300					\$0
Other Operating Costs		6400					\$0
Debt Expense		6500					\$0
<b>Total Health Services</b>					\$0	\$0	\$3,000
<b>Student Transportation</b>	34						
Payroll Costs		6100					\$0
Professional and Contracted Services		6200					\$12,000
Supplies and Materials		6300					\$0
Other Operating Costs		6400					\$0
Debt Expense		6500					\$0
<b>Total Student Transportation</b>					\$0	\$0	\$12,000

00218

**Charter School: Vanguard Academy****For the Fiscal Year Ended August 31, 2004 Year 3**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Food Services:</b>	35				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Food Services</b>			\$0	\$0	\$0
<b>Cocurricular/Extracurricular Activities:</b>	36				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$5,000
Supplies and Materials		6300			\$3,000
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Cocurricular/Extracurricular Activities:</b>			\$0	\$0	\$8,000
<b>General Administration:</b>	41				
Payroll Costs		6100			\$47,000
Professional and Contracted Services		6200			\$5,000
Supplies and Materials		6300			\$2,500
Other Operating Costs		6400			\$12,000
Debt Expense		6500			\$0
<b>Total General Administration</b>			\$0	\$0	\$66,500

00219

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2004 Year 3**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Plant Maintenance and Operations:</b>	51				
Payroll Costs		6100			\$15,000
Professional and Contracted Services		6200			\$64,000
Supplies and Materials		6300			\$25,000
Other Operating Costs		6400			\$10,000
Debt Expense		6500			\$0
<b>Total Plant Maintenance and Operations</b>			\$0	\$0	\$114,000
<b>Security and Monitoring Services:</b>	52				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$5,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Security and Monitoring Services:</b>			\$0	\$0	\$5,000
<b>Data Processing Services:</b>	53				
Payroll Costs		6100			\$30,000
Professional and Contracted Services		6200			\$9,000
Supplies and Materials		6300			\$2,500
Other Operating Costs		6400			\$1,500
Debt Expense		6500			\$0
<b>Total Data Processing Services</b>			\$0	\$0	\$43,000

00220

**Charter School: Vanguard Academy**  
**For the Fiscal Year Ended August 31, 2004 Year 3**

This budget represents the 199 fund only.

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Community Services:</b>	61				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Community Services</b>			\$0	\$0	\$0
<b>Fund Raising:</b>	81				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$0
Supplies and Materials		6300			\$5,000
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Fund Raising</b>			\$0	\$0	\$5,000

00221

Cash Flow Projection Worksheet Yr 1  
 For the Fiscal Year Ended August 31st 2002

Name of Charter School Vanguard Academy  
 Contact Person Robert Olivarez  
 Telephone (956)787-1737

00222

Rounded to Even Dollars													
	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Jul	Aug	
<b>Beginning Balance</b>	\$ 13,000	\$ 12,358.33	\$ 11,716.67	\$ 11,075.00	\$ 10,433.33	\$ 9,791.67	\$ 9,150.00	\$ 8,508.33	\$ 7,866.67	\$ 7,225.00	\$ 6,583.33	\$ 5,941.67	
<b>Cash Inflows</b>													
Local Sources	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
State Sources	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	
Federal Sources													
Loans	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
<b>Total Receipts</b>	\$ 63,000.00	\$ 62,358.33	\$ 61,716.67	\$ 61,075.00	\$ 60,433.33	\$ 59,791.67	\$ 59,150.00	\$ 58,508.33	\$ 57,866.67	\$ 57,225.00	\$ 56,583.33	\$ 55,941.67	
<b>Cash Outflows</b>													
Payroll	\$ 40,166.67	\$ 40,166.67	\$ 40,166.67	\$ 40,166.67	\$ 40,166.67	\$ 40,166.67	\$ 40,166.67	\$ 40,166.67	\$ 40,166.67	\$ 40,166.67	\$ 40,166.67	\$ 40,166.67	
Services													
Professional Services	\$ 2,308.33	\$ 2,308.33	\$ 2,308.33	\$ 2,308.33	\$ 2,308.33	\$ 2,308.33	\$ 2,308.33	\$ 2,308.33	\$ 2,308.33	\$ 2,308.33	\$ 2,308.33	\$ 2,308.33	
Rent	\$ 1,500.00	\$ 1,600.00	\$ 1,600.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	
Utilities	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	
Other Services	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Supplies	\$ 4,416.67	\$ 4,416.67	\$ 4,416.67	\$ 4,416.67	\$ 4,416.67	\$ 4,416.67	\$ 4,416.67	\$ 4,416.67	\$ 4,416.67	\$ 4,416.67	\$ 4,416.67	\$ 4,416.67	
Travel & Other Operating	\$ 1,250	\$ 1,250	\$ 1,250	\$ 1,250	\$ 1,250	\$ 1,250	\$ 1,250	\$ 1,250	\$ 1,250	\$ 1,250	\$ 1,250	\$ 1,250	
Principal and Interest for Loans and Other Financing Obligations	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Purchase of Equipment, Furniture, Buildings, Land and Other Capital Outlay	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
<b>Total Cash Outflows</b>	\$ 50,641.67	\$ 50,641.67	\$ 50,641.67	\$ 50,641.67	\$ 50,641.67	\$ 50,641.67	\$ 50,641.67	\$ 50,641.67	\$ 50,641.67	\$ 50,641.67	\$ 50,641.67	\$ 50,641.67	
<b>Excess (Deficiency) Cash Inflows to Cash Outflows for the Month</b>	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
<b>Ending Balance</b>	\$ 12,358.33	\$ 11,716.67	\$ 11,075.00	\$ 10,433.33	\$ 9,791.67	\$ 9,150.00	\$ 8,508.33	\$ 7,866.67	\$ 7,225.00	\$ 6,583.33	\$ 5,941.67	\$ 5,300.00	

**Cash Flow Projection Worksheet Yr 2  
For the Fiscal Year Ended August 31st 2003**

Name of Charter School	Vanguard Academy
Contact Person	Robert Olivarez
Telephone	(858) 787-1737

Cash Flow Projection Worksheet Yr 3  
For the Fiscal Year Ended August 31st 2004

Attachment 21

Name of Charter School Vanguard Academy  
Contact Person Robert Chávez  
Telephone (958)787-1737

Rounded to Even Digits													
	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Jul	Aug	
<b>Beg Balance</b>	\$ 5,300.00	\$ 9,091.67	\$ 12,883.33	\$ 16,675.00	\$ 20,466.67	\$ 24,258.33	\$ 28,050.00	\$ 31,841.67	\$ 35,633.33	\$ 39,425.00	\$ 43,216.67	\$ 47,008.33	
<b>Cash Inflows</b>													
Local Sources	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
State Sources	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	
Federal Sources													
Loans	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
<b>Total Receipts</b>	\$ 105,300.00	\$ 109,091.67	\$ 112,883.33	\$ 116,675.00	\$ 120,466.67	\$ 124,258.33	\$ 128,050.00	\$ 131,841.67	\$ 135,633.33	\$ 139,425.00	\$ 143,216.67	\$ 147,008.33	
<b>Cash Outgoes</b>													
Payroll	\$ 76,166.67	\$ 76,166.67	\$ 76,166.67	\$ 76,166.67	\$ 76,166.67	\$ 76,166.67	\$ 76,166.67	\$ 76,166.67	\$ 76,166.67	\$ 76,166.67	\$ 76,166.67	\$ 76,166.67	
Services													
Professional Services	\$ 4,625.00	\$ 4,625.00	\$ 4,625.00	\$ 4,625.00	\$ 4,625.00	\$ 4,625.00	\$ 4,625.00	\$ 4,625.00	\$ 4,625.00	\$ 4,625.00	\$ 4,625.00	\$ 4,625.00	
Rent	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	
Utilities	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	
Other Services	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Supplies	\$ 7,541.67	\$ 7,541.67	\$ 7,541.67	\$ 7,541.67	\$ 7,541.67	\$ 7,541.67	\$ 7,541.67	\$ 7,541.67	\$ 7,541.67	\$ 7,541.67	\$ 7,541.67	\$ 7,541.67	
Travel & Other Operating	\$ 2,375	\$ 2,375	\$ 2,375	\$ 2,375	\$ 2,375	\$ 2,375	\$ 2,375	\$ 2,375	\$ 2,375	\$ 2,375	\$ 2,375	\$ 2,375	
Principal and Interest for Loans and Other Financing Obligations	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Purchase of Equipment, Furniture, Buildings, Land and Other Capital Outlay	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
<b>Total Cash Outgoes</b>	\$ 96,208.33	\$ 96,208.33	\$ 96,208.33	\$ 96,208.33	\$ 96,208.33	\$ 96,208.33	\$ 96,208.33	\$ 96,208.33	\$ 96,208.33	\$ 96,208.33	\$ 96,208.33	\$ 96,208.33	
<b>Excess (Deficiency) Cash Inflows to Cash Outgoes for the Month</b>	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
<b>Ending Balance</b>	\$ 9,091.67	\$ 12,883.33	\$ 16,675.00	\$ 20,466.67	\$ 24,258.33	\$ 28,050.00	\$ 31,841.67	\$ 35,633.33	\$ 39,425.00	\$ 43,216.67	\$ 47,008.33	\$ 50,800.00	

00224

# Business Procedures Handbook

## Attachment 22

GENERAL

## 4000 – ACCOUNTING AND FINANCE

Accounting information regarding the school is generally regarded as confidential and is released only on the authority of the Superintendent or the Board of Directors. However, the Chief Financial Officer can furnish information of a general nature relating to accounting procedures and specific areas of operation.

## 4005 – ANNUAL AUDIT; REPORT.

- (a) The board of school trustees of each school Charter School shall have the Charter School fiscal accounts audited annually at Charter School expense by a certified or public accountant holding a permit from the Texas State Board of Public Accountancy. The audit must be completed following the close of each fiscal year. The independent audit must meet at least the minimum requirements and be in the format prescribed by the State Board of Education, subject to review and comment by the state auditor. The audit shall include an audit of the accuracy of the fiscal information provided by the Charter School through the Public Education Information Management System (PEIMS).
- (b) Each treasurer receiving or having control of any school fund of any school Charter School shall keep a full and separate itemized account with each of the different classes of its school funds coming into the treasurer's hands. The treasurer's records of the Charter School's itemized accounts and records shall be made available to audit.
- (c) A copy of the annual audit report, approved by the board of trustees, shall be filed by the Charter School with the agency no later than the 120<sup>th</sup> day after the end of the fiscal year for which the audit was made. If the board of trustees declines or refuses to approve its auditor's report, it shall nevertheless file with the agency a copy of the audit report with its statement detailing reasons for failure to approve the report.

## 4010 – BUDGETING

The budget is under the control of the Executive Board of The Charter School. The Executive Board submits the budget to the Board of Regents, and the Board of Regents reviews the budget in its quarterly meetings.

## 4011 – PREPARATION OF BUDGET.

- (a) On or before August 31 of each school year, the Superintendent/CEO/CEO shall prepare, or cause to be prepared, a proposed budget covering all estimated revenue and proposed expenditures of the Charter School for the following fiscal year.

*DRAFT*  
**Attachment 22**

(b) The budget must be prepared according to generally accepted accounting principles, rules adopted by the State Board of Education, and adopted policies of the board of trustees.

**4012 – RECORDS AND REPORTS.**

The Superintendent/CEO shall ensure that records are kept and that copies of all budgets, all forms, and all other reports are filed on behalf of the school Charter School at the proper times and in the proper offices as required by this code.

**4013 - BUDGET MEETING; BUDGET ADOPTION.**

- (a) When the budget has been prepared under Section 44,002, the president shall call a meeting of the board of trustees, stating that the purpose of the meeting is the adoption of a budget for the succeeding fiscal year.
- (b) The president shall provide for the public notice to be given.
- (c) The board, at the meeting called for that purpose, shall adopt a budget to cover all expenditures for the Charter School for the next succeeding fiscal year. Any constant of the Charter School may be present and participate in the hearing.
- (d) The Board shall have the authority to amend the approved budget or to adopt a supplementary emergency budget to cover necessary unforeseen expenses.
- (e) Copies of any amendment or supplementary budget must be prepared and filed in accordance with State Board rules.
- (f) A report shall be submitted to the Board at the Board's pleasure reconciling the budget to expenditures to date.

**4014 – FILING OF ADOPTED BUDGET.**

The budget will be reported to TEA through the first submission of PEIMS.

**4015 – EFFECT OF ADOPTED BUDGET; AMENDMENTS.**

Public funds of the school Charter School may not be spent in any manner other than as provided for in the budget adopted by the board of trustees, but the board may amend a budget or adopt a supplementary emergency budget to cover necessary unforeseen expenses. Any amendment of supplementary budget must be prepared and filed according to rules adopted by the State Board of Education.

**4016 – ACCOUNTING SYSTEM; REPORT.**

- (a) The standard school fiscal accounting system that will be adopted and installed by the Charter School will be PeachTree of QuickBooks. The accounting system conforms with generally accepted accounting principles and will report information for the school as well as the 501 (c) (3). The information and system is subject to review and comment by the state auditor.
- (b) A record will be kept of all revenues realized and of all expenditures made during the fiscal year for which a budget is adopted. A report of the revenues and

## Attachment 22

expenditures for the preceding fiscal year shall be filed with the agency on through submission of Actuals to PEIMS.

(c) The Charter School, as part of the report required by this section, to include management, cost accounting, and financial information in a format prescribed by the state board and in a manner sufficient to enable the state board to monitor the funding process and determine educational system costs by Charter School, campus, and program.

## ACCOUNTS PAYABLE

4020 – Purchasing

All purchasing must be preceded by completion of the appropriate requisition form with certain exceptions i.e. rent, utilities, etc. expenses that the board has pre-approved. A form is provided which requires the approval of the administration.

The Purchase Requisition Form should be completed in full (including item to be purchased vendor's name and address, account number, unit cost and total cost) before being submitted for approval. After the approval process, a purchase order is prepared and released by the Business Office.

The budget must be monitored to be certain that expenditures do not exceed the budget or the present cash on hand and reported to the board at its regular meeting.

The Business Office will keep a file copy of all purchase order for follow-up purposes.

Before an invoice may be approved for payment, it must be ascertained that an approved requisition is on file, the materials have been received, and proper account numbers have been assigned.

Requests for repairs to equipment, vehicles or buildings should be directed to the Administration. In no case should employees negotiate with salesmen, contractors, or others, for repairs, changes in structures, décor changes, and other such projects.

The Charter School will not assume responsibility for any purchase contracted apart from the procedures previously described. Any individual or employee who makes unauthorized or unapproved purchases will be held personally responsible for paying for such purchases and will jeopardize his/her position with the school.

Advanced planning greatly assists the Business Office in expediting service. Last minute rush requests are difficult to handle, and prior schedules may preclude immediate attention to the request. The normal operating cycle for a check request is seven days from the date received in the Business Office.

School funds will only be disbursed by check or by the school credit card. Any credit card use must be preapproved, with receipts returned to the business office. If school

*DRAFT***Attachment 22**

personnel use cash for authorized purchases, they must submit a Request for Reimbursement Form which contains the following information:

- The date of the request for reimbursement;
- The name and signature of the individual requesting the reimbursement;
- An explanation per day of expenses itemized separately and claimed for meals, lodging, transportation, and other travel costs and itemized receipts in accordance with local policy and the minimum requirements in IRS regulations for an accountable travel reimbursement plan;
- The purpose of the transaction(s) for which the reimbursement is requested;
- A reconciliation with amounts advanced for travel;
- The account code used to record the reimbursement in the general ledger;
- A statement certifying that the information on the form is true, correct, and that the amount requested is unpaid; and
- The name, signature, and title of the individual that approved the reimbursement.

**4030 – PETTY CASH**

Petty cash accounts can be set up for programs as directed by the Chief Financial Officer. It is the policy of the Charter School that no entertainment expenses or mileage reimbursement run through the petty cash account. All receipts and logs must be maintained that balance the petty cash and describes its use.

**4080 – MANUAL CHECK DISBURSEMENTS**

Manual (hand-prepared) checks may be issued occasionally as the need arises. Whenever possible, however, the disbursement should be made through the regular computerized Accounts Payable Procedures.

Employees should plan for their needs in advance. If an employee is aware that funds will be needed in a week or two for a special activity or project, the request should be submitted at the time the need is known for computerized processing.

*DRAFT*  
**Attachment 22**

**4090 -- MISCELLANEOUS**

The charter school should prepare the following reports for review by the Board:

**Monthly**

- TRS --Deposit and Forms due by 10th of the month following month-end
- Fed --Deposit due by 10th of the month following month-end
- Aging Report of Accounts Payable

**Quarterly**

- Form 941 due by 15th of the month following quarter-end
- Workmen's Compensation due 10th of the month following quarter-end

**Annually**

- W-2 and Form 1099's due by 31st of January following year-end
- Fin Stmt -Due before board meeting each month. Usually the 2nd Thursday
- 3 Year Projected Cash Flow

The District shall not lend its credit or gratuitously grant public money or things of value in aid of any individual, association, or corporation. *Tex. Const. Art. III, Sec. 52;*  
Brazoria County v. Perry, 537 S.W.2d 89 (Civ. App. 1976)

## Attachment 23

**Vanguard Academy****Proposed Monthly Status Report**

Date of Report: \_\_\_\_\_

Preparer: \_\_\_\_\_

Fund	Object Code	Revenue	Expense	Budget	% Over Budget
199	6100				
	6200				
	6300				
	6400				
289	6100				
	6200				
	6300				
	6400				
240	6100				
	6200				
	6300				
	6400				
211	6100				
	6200				
	6300				
	6400				
411	6100				
	6200				
	6300				
	6400				

**COPYRIGHT MATERIAL**

2 pages have been withheld

**PLEASE NOTE:** The responsive information contains copyrighted information that can only be made available to you for viewing in person. Because the information indicates that it is protected by copyright, you may review this information in person during normal business hours at TEA. If you are interested in reviewing the copyrighted information, please send an email to [accred@tea.state.tx.us](mailto:accred@tea.state.tx.us) to schedule an appointment.

ATTACHMENT 25  
2001-2002 Calendar

Vanguard Academy

Co/District Number

August 01						
S	M	T	W	T	F	S
	30	31	1	2	3	4
	□	□	□	□	□	
5	6	7	8	9	10	11
▲	▲	▲	▲	▲	▲	
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

September 01						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
○						
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

October 01						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

November 01						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

December 01						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31	○	○	○	○	

January 02						
S	M	T	W	T	F	S
			1	2	3	4
		○	○	▲	▲	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

**Reporting Periods**

Reporting Periods	{Begin/End}	Days Taught
1 <sup>st</sup> Reporting Period	8/13 - 9/21	29
2 <sup>nd</sup> Reporting Period	9/24 - 11/2	30
3 <sup>rd</sup> Reporting Period	11/5 - 12/14	28
4 <sup>th</sup> Reporting Period	12/17 - 2/8	30
5 <sup>th</sup> Reporting Period	2/11 - 3/29	30
6 <sup>th</sup> Reporting Period	4/1 - 5/17	33
Total Days Taught		180

**February 02**

S	M	T	W	T	F	S
						1
3	4	5	6	7	8	
10	11	12	13	14	15	
17	18	19	20	21	22	
24	25	26	27	28	29	

**March 02**

S	M	T	W	T	F	S
						1
3	4	5	6	7	8	
10	11	12	13	14	15	
17	18	19	20	21	22	
24	25	26	27	28	29	

**April 02**

S	M	T	W	T	F	S
	{1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

**Bad Weather Make Up Days(2) \***

March 12	March 15
----------	----------

**Teacher Work Days (10) ▲**

August 6-10
January 3-4
May 20-22

**LEGEND**

Begin Reporting Period	{
End Reporting Period	}

Holiday	○
---------	---

Staff Development	□
-------------------	---

Bad Weather/Make Up Days	☆
--------------------------	---

Teacher Work Days	▲
-------------------	---

**June 02**

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

**July 02**

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

0023

## Attachment 26

*Draft of Board PEG Policy*

*providing for the admission of students eligible for a public education grant (PEG) under Texas Education Code, Subchapter G, and Chapter 29.*

Van Guard Academy will adhere to the guidelines for the admission of students eligible for a public education grant (PEG) set forth in the Texas Education Code. Under the guideline set forth in the Public Education Grant program mandates, a parent of a student enrolled in any of the campuses listed may make application to attend Van Guard Academy during the school year. The charter school or public school chosen by a student's parent under this statute is entitled to accept or reject the application for the student to attend school in the charter school, but may not use criteria that discriminate on the basis of a student's race, ethnicity, academic achievement, athletic abilities, language proficiency, sex, or socioeconomic status. Alternatively, the charter school may accept inter-district transfers under Section 25.036 of the Texas Education Code. Civil Action 5281 may also limit the ability of districts to accept students to the extent the minority or majority of a school's population, based on ADA, changes by more than one percent. Van Guard Academy reserves the right to reject students based on criteria described within this application.

Notification of eligibility will be provided by February 1, 2003 to each parent of a student in the district assigned to attend a school on the PEG list. All parental notifications will be directed through letters to each student's family. The notice will contain a clear, concise explanation of the Public Education Grant Program and how the parent may obtain further information about pursuing a transfer.

A student enrolled in a school identified under the PEG program has the right to request a transfer to another school in his/her current district or in a charter school. Students seeking enrollment in Van Guard Academy shall follow the same procedures for enrollment as other applicants and will be considered on a first-come, first-served basis. When the capacity for the facility has been met, students will be placed on a waiting list and a lottery will be conducted for future openings.

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Edinburg Consolidated  
Independent School  
101 N. 8th Street  
Edinburg, TX 78537  
10  
PM

## 2. Article Number (Copy from service label)

7000-1670-0022-6560-9440

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-00

## COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)	B. Date of Del
---------------------------------------	----------------

Homer Alafair

## C. Signature

X Homer Alafair

Agent

Addres

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merch
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Donna Ind. Sch. Dist  
116 N. 10th St.  
Donna, TX  
78537

## 2. Article Number (Copy from service label)

7000-1670-0012-6560-9433

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-00

## COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)	B. Date of Del
---------------------------------------	----------------

Wanda De Los Santos / 18/99

## C. Signature

X Wanda De Los Santos

Agent

Addres

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merch
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

00236

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Received by (Please Print Clearly) <input type="text" value="H. H. Hidalgo"/> B. Date of Delivery <input type="text" value="JAN 19"/></p> <p>C. Signature <input checked="" type="checkbox"/> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p>Mc Allen Ind. Sch. Dist. 2200 Tamarack Ave Mc Allen, Tx 78501</p>		<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Copy from service label)</p> <p><u>7000-1670-0012-6560-9464</u></p>			
PS Form 3811, July 1999		Domestic Return Receipt 102595-00-M-0952	

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Received by (Please Print Clearly) <input type="text" value="H. H. Hidalgo"/> B. Date of Delivery <input type="text" value="JAN 19"/></p> <p>C. Signature <input checked="" type="checkbox"/> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p>Hidalgo Ind. Sch. Dist. 324 East Flora Hidalgo, Texas 78557</p>		<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Copy from service label)</p> <p><u>7000-1670-0012-6560-9501</u></p>			
PS Form 3811, July 1999		Domestic Return Receipt 102595-00-M-0952	

00237

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Pharr-San Juan-Alamo  
Ind. Sch. Dist.  
804 E. Highway 83  
Pharr, Tx. 78577

## 2. Article Number (Copy from service label)

7000-1670-0012-6560-9457

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

## COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

R. Martin

B. Date of Delivery

10/17/01

C. Signature

X R. Martin

Agent

Addresssee

D. Is delivery address different from item 1?  
If YES, enter delivery address below:

22  
2001  
U.S.P.S.

Yes

No

## 3. Service Type

- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.

## 4. Restricted Delivery? (Extra Fee)

Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Mission Consolidated Independent  
School District  
201 Bryce Dr.  
Mission, Tx. 78572

## COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

Orys Colunga

B. Date of Delivery

11/17/01

C. Signature

X Orys Colunga

Agent

Addresssee

D. Is delivery address different from item 1?  
If YES, enter delivery address below:

Yes

No

## 3. Service Type

- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.

## 4. Restricted Delivery? (Extra Fee)

Yes

## 2. Article Number (Copy from service label)

7000-1670-0012-6560-9495

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

00238

Statement of Impact  
For Charter Application

Name of Proposed Charter School: Vanguard Academy

RECEIVED  
APR 11 2001

Check the appropriate response below:

The proposed open-enrollment charter school is not expected to adversely impact the school district to a significant degree.

The proposed open-enrollment charter school (amendment) is expected to impact the school district in the following manner:  
*(Describe the impact in the space below and/or attach any supporting documentation.)*

Edinburg CISD

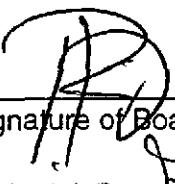
(District Name)

108-904

(County-District Identification Number)

101 N. 8th Street Edinburg, Texas 78539

(District Address)

  
(Signature of Board President)

Rodolfo Ramirez

(Print Board President's Name)

  
(Signature of Superintendent)

Eugenio Gutierrez

(Print Superintendent's Name)

March 20, 2001

956-316-7200

(Date)

(Phone Number)

RECEIVED  
APR 11 2001  
EDINBURGH INDEPENDENT

EE:JW:APR 11 2001

00239

REC'D APR 11 2001  
EDINBURGH INDEPENDENT

Statement of Impact  
For Charter Application

Name of Proposed Charter School: Vanguard Academy

RECEIVED  
MAR 01 2001

Check the appropriate response below:

The proposed open-enrollment charter school is not expected to adversely impact the school district to a significant degree.

The proposed open-enrollment charter school (amendment) is expected to impact the school district in the following manner:  
*(Describe the impact in the space below and/or attach any supporting documentation.)*

RECEIVED  
MAR 01 2001  
MAY 26 2001  
DODGE CITY COMM.  
DODGE CITY, KAN.  
RECEIVED  
MAY 26 2001  
DODGE CITY COMM.  
DODGE CITY, KAN.  
RECEIVED  
MAY 26 2001  
DODGE CITY COMM.  
DODGE CITY, KAN.

Mission CISD

(District Name)

108-908

(County-District Identification Number)

1201 Bryce Drive Mission, Texas 78572

(District Address)

Norlinda G. Garza  
(Signature of Board President)

Norlinda G. Garza  
(Print Board President's Name)

Henry F. Dyer  
(Signature of Superintendent)

Henry F. Dyer  
(Print Superintendent's Name)

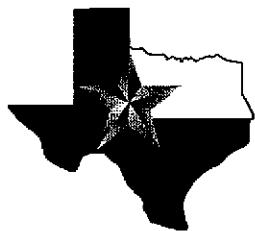
February 20, 2001

(Date)

956-580-5505

(Phone Number)

0024



# TEXAS EDUCATION AGENCY

1701 North Congress Ave.★ Austin, Texas 78701-1494★ 512/463-9734★ FAX: 512/463-9838★ <http://www.tea.state.t>

Jim Nelson  
Commissioner of Education

## **NOTIFICATION OF STATE BOARD OF EDUCATION ACTION**

**TO:** Robert Olivarez  
Vanguard Academy

**FROM:** Dr. Susan Barnes, Managing Director  
Charter Schools Division

**RE:** July 2001 State Board of Education Action

**DATE:** August 9, 2001

At the regular meeting of the State Board of Education on July 12, 2001, the board approved awarding a 75% open-enrollment charter school to the sponsoring entity for Vanguard Academy.

Please feel free to call (512) 463-9575 or fax (512) 463-9732 if you have questions. The agency staff looks forward to working with you.

Vanguard  
Academy

CITY OF PHARR  
**Certificate of Occupancy**

**Department of Building Inspection**

*This Certificate issued pursuant to the requirements of Section 103.9.1 of the Standard Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the Jurisdiction regulating building construction or use. For the following:*

Use Classification **SCHOOL / CHARTER SCHOOL** Bldg Permit No.

Group **B** Type Construction **V** Fire District **N/A**

RENTER **TEMPLO BETHEL VANGARD** Address **400 S I RD**

Building Address **400 S I RD**

Equality

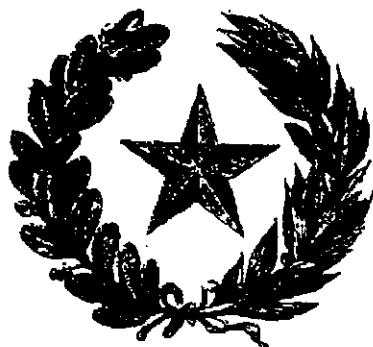
By. **THOMAS AREDONDO**

Date **AUGUST 16, 2001**

*32. Cr*  
*32. Cr*

*Building Official Signature*  
*42 Officer Signature*

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# The State of Texas

## SECRETARY OF STATE

### CERTIFICATE OF INCORPORATION OF VANGUARD ACADEMY, INC. FILE 01598920-01

The undersigned, as Secretary of State of Texas, hereby certifies that the attached Articles of Incorporation for the above named corporation have been received in this office and are found to conform to law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the Secretary by law, hereby issues this Certificate of Incorporation.

Issuance of this Certificate of Incorporation does not authorize the use of a corporate name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: September 19, 2000  
Effective: September 19, 2000



Elton Bomer  
Secretary of State

rr

00243

## CORDTL CORPORATIONS SYSTEM DETAIL SCREEN

CHARTER NO. CORPORATION TYPE STATUS ORIGINAL DOF DURATION HOME STATE  
01398920 01 DOMESTIC NON-PROFIT ACTIVE 09 19 2000 PER

NAME EXTENSION NO: 01 DEAD DATE: 00 00 0000 DEAD CODE: CORPORATION NAME:  
VANGUARD ACADEMY, INC.

TAXPAYER ID: 00 00 0000000

DBA NAME:

REGISTERED AGENT NAME: JOSE M. PEREZ

REGISTERED OFFICE ADDRESS: 400 S. I RD.

CITY: PHARR STATE: TX ZIPCODE: 78577

1ST INCORPORATOR NAME: JOSE M PEREZ

CITY: PHARR STATE: TX

2ND INCORPORATOR NAME: ROBERT L. OLIVAREZ

CITY: MCALLEN STATE: TX

3RD INCORPORATOR NAME: RICARDO REYES

CITY: ALAMO STATE: TX

CAPITAL STOCK:

SURVIVOR NAME:

NEXT OPTION: R ENTER ONE: N=NAMES, O=NOTICES, P=PIR, D=DETAIL, A=AN DETAIL,  
X=ASSUMED NAMES, H=HISTORY, R=REVERSE HISTORY, K=PENDING, S=SEARCH, OR M=MENU

00244

## ARTICLES OF INCORPORATION

SEP 19 2000

OF

Corporations Section

VANGUARD Academy, Inc.

We, the undersigned natural persons over the age of eighteen (18) acting as Incorporators, adopt the following Articles of Incorporation of VANGUARD Academy, Inc.

## ARTICLE I

Name

The name of the Corporation is VANGUARD Academy, Inc.

## ARTICLE II

Nonprofit Corporation

The Corporation is a nonprofit corporation. When it dissolves, all of its assets will be distributed to the State of Texas or an organization exempt from taxes under Internal Revenue Code Section 501 (c)(3) for one or more purposes exempt under the Texas franchise tax.

## ARTICLE III

Duration

The Corporation will continue in perpetuity.

## ARTICLE IV

Purposes

The purposes for organizing the Corporation are to perform charitable activities within the meaning of Internal Revenue Code Section 501 (c)(3) and Texas Tax Code Section 11.18(c). Specifically, the Corporation is organized to operate a charitable school to be operated as an open enrollment charter school under the applicable provisions of the Texas Education Code.

## ARTICLE V

Powers

Except as these Articles otherwise provide, the Corporation has all the powers provided in the Texas Non-Profit Corporation Act. Moreover, the Corporation has all implied powers necessary and proper to carry out its express powers. The Corporation may reasonably compensate directors or officers for services to or for the Corporation in furtherance of one or more of its purposes.

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## ARTICLE VI

### Restrictions and Requirements

The Corporation may not take any action that would be inconsistent with the requirements for a tax exemption under Internal Revenue Code Section 501(c)(3) and related regulations, rulings, and procedures. Nor may it take any action that would be inconsistent with the requirements for receiving tax deductible charitable contributions under Internal Revenue Code Section 170(c)(2) and related regulations, rulings, and procedures. Regardless of any other provision in these Articles of Incorporation or state law, the Corporation may not:

1. Engage in activities or use its assets in manners that do not further one or more exempt purposes, as set forth in these Articles and defined by the Internal Revenue Code and related regulations, rulings, and procedures, except to an insubstantial degree.
2. Serve a private interest other than one clearly incidental to an overriding public interest.
3. Devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise, except as provided by the Internal Revenue Code and related regulations, rulings, and procedures.
4. Participate in or intervene in any political campaign on behalf of or in opposition to any candidate for public office. The prohibited activities include publishing or distributing statements and any other direct or indirect campaign activities.
5. Have objectives characterizing it as an "action organization" as defined by the Internal Revenue Code and related regulations, rulings, and procedures.
6. Distribute its assets on dissolution other than for one or more exempt purposes. On dissolution, the Corporation's assets will be distributed to the state government for a public purpose, or to an organization exempt from taxes under Internal Revenue Code Section 501 (c)(3) to be used to accomplish the general purposes for which the Corporation was organized.
7. Permit any part of the Corporation's net earnings to inure to the benefit of any private shareholder or member of the Corporation or any private individual.
8. Carry on an unrelated trade or business, except as a secondary purpose related to the Corporation's primary, exempt purposes.

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DUE

**ARTICLE VII**  
Membership

The Corporation will have no members.

**ARTICLE VIII**  
Initial Registered Office and Agent

The street address of the Corporation's initial office is 400 S. "I" Rd. • Pharr, Texas 78577. The name of the initial registered agent at this office is Jose M. Perez.

**ARTICLE IX**  
Managing Body of Corporation

The management of the Corporation is vested in its Board of directors and such committees of the Board that the Board may, from time-to-time, establish. The bylaws will provide the qualifications, manner of selection, duties, terms, and other matters relating to the Board of Directors.

The initial Board will consist of three (3) persons. The initial Board will consist of the following persons at the following addresses:

<u>Name</u>	<u>Address</u>
Jose M. Perez	P.O. Box 750 Pharr, Texas 78577
Robert L. Olivarez	4517 West Maple Avenue McAllen, Texas 78501
Ricardo Reyes	P.O. Box 731 Alamo, Texas 78516

The number of directors may be increased or decreased by adopting or amending bylaws. The number of directors may not be decreased to fewer than three.

**ARTICLE X**  
Limitation on Liability of Directors

A director is not liable to the Corporation or members for monetary damages for an act or omission in the director's capacity as director except as otherwise provided by a Texas statute.

# Vanguard Academy

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## Attachment #2

### ARTICLE XI

#### Indemnification

The Corporation may indemnify a person who was, is, or is threatened to be made, a named defendant or respondent in litigation or other proceedings because the person is or was a director or other person related to the Corporation as provided by the provisions of the Texas Non-Profit Corporation Act governing indemnification.

As the bylaws provide, the Board may define the requirements and limitations for the Corporation to indemnify directors, officers or others related to the Corporation.

### ARTICLE XII

#### Construction

All references in these Articles to statutes, regulations, or other sources of legal authority refer to the authorities cited, or their successors, as they may be amended from time to time.

### ARTICLE XIII

#### Incorporators

The name and street address of each incorporator is:

<u>Name</u>	<u>Address</u>
Jose M. Perez	P.O. Box 750 Pharr, Texas 78577
Robert L. Olivarez	4517 W. Maple Avenue McAllen, Texas 78501
Ricardo Reyes	P.O. Box 731 Alamo, Texas 78516

### ARTICLE XIV

#### Action by Written Consent

Action may be taken by use of signed written consents by the number of members, directors, or committee members whose vote 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 each person signing it. A consent signed by fewer than all of the members, 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 sixty (60) days after the date of the earliest-dated consent delivered to the Corporation.

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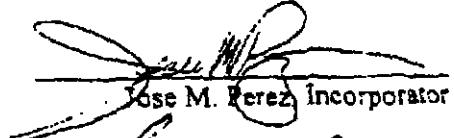
## Attachment #2

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

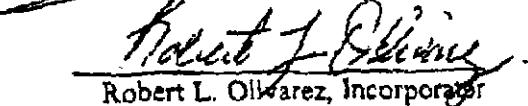
The Corporation will give prompt notice of action taken to persons who do not sign consents. If the action requires documents to be filed with the secretary of state, the filed documents will state that the written consent procedures have been properly followed.

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

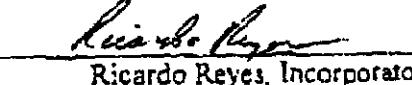
EXECUTED this 18 day of September, 2000.



Jose M. Perez, Incorporator



Robert L. Olivarez, Incorporator



Ricardo Reyes, Incorporator

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BYLAWS  
OF  
VANGUARD Academy, Inc.

IDENTIFICATION

1. Name: The name of the Corporation is VANGUARD Academy, Inc.
2. Registered Office: The address of the registered office is: Templo Bethel, P.O. Box 750, Pharr, TX 78577.
3. Seal: The corporate seal or any facsimile thereof shall contain the following legend: VANGUARD Academy, Inc.
4. Financial Year: The financial year of the corporation shall be the calendar year, ending December 31<sup>st</sup>.

ARTICLE II

PURPOSES

The purpose of VANGUARD Academy, Inc. will be stated in its Articles of Incorporation.

To accomplish the purposes of the Corporation, as so stated, VANGUARD Academy, Inc. will receive and maintain a fund or funds of real and personal property, or both, and, subject to the restrictions and limitations hereinafter set forth, to use and apply the whole and any part of the income therefrom and the principal thereof exclusively for charitable, scientific, literacy, or education purpose either directly or by contributions to organizations that qualify as exempt organizations under Section 501 (c) (3) of the Internal Revenue Code 1986 and its regulations as they now exist or as they may hereafter be amended.

VANGUARD Academy, Inc. will perform such other functions as are consistent with the aforementioned purpose and relate to the common good.

ARTICLE III

MEMBERS

The Corporation will not have members.

ARTICLE IV

THE BOARD OF DIRECTORS

00250

1. Number: There shall be not less than three (3) nor more than seven (7) directors. The number of directors may be increased or decreased at any time by amendment to these Bylaws by the Board of Directors. However, the number of directors shall never be less than three (3) and any decrease in number shall not have the effect of shortening the term of any incumbent director.
2. Term of Office: The term of the Board of Directors shall be for a period of three (3) years. Any vacancy occurring will be filled by an affirmative vote of the remaining directors. Thereafter, the directors shall serve such terms, not exceeding three (3) years, or as may be provided by resolution of such Board of Directors.
3. Vacancies: Vacancies may be filled by an affirmative vote of the majority of remaining directors.
4. Place of Meeting: Meetings of the Board of Directors may be held either within or without the State of Texas.
5. Meetings:
  - A. Regular Meetings: The Board of Directors shall meet on a regular basis if so determined by resolution of the Board of Directors. Such resolution shall state the time and place of such regular meetings and no further notice shall be necessary.
  - B. Special Meetings: Special meetings may be called by any director upon at least forty-eight (48) hours notice to the other directors. Such notice shall specify the time and place of such special meeting. However, attendance of a director at such a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting is not properly called or convened.
6. Quorum: A quorum for the transaction of business by the Board of Directors shall be a majority of the whole Board.
7. Action Without Meeting: Any action which is required by law to be taken at a meeting of directors, or any action which may be taken at a meeting of directors, may be taken without a meeting, if a consent in writing setting forth the action to be taken, shall be signed by all of the directors entitled to vote with respect to the subject matter thereof. Such consent shall have the same force and effect as a unanimous vote.
8. Officers of the Board: The Board of Directors shall elect, from any of the directors, a Chairman.
9. Committees: The Board of Directors may, by resolution adopted by a majority of the entire Board, designate three (3) or more directors to constitute an Executive Committee. Such committee shall have and exercise the authority of the Board of Directors in the management of the Foundation. The Executive Committee shall be subject at all times to the control of the Board. The Board of Directors may create other committee as needed.
10. Directors to Serve Without Compensation: Directors shall serve without pay and no funds of the Corporation shall ever be expended as compensation for the service of any director serving as director. This article does not preclude the Board of Directors hiring one of its directors to serve in a second capacity as the "Executive Director" for compensation; that director will not receive compensation for service as a member of the board of directors.

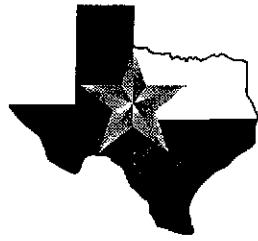
OFFICERS

1. Number: The Officers of the Corporation shall be a President, one or more Vice-Presidents, a Secretary, a Treasurer, and any such other officers and assistant officers as may be deemed necessary by the Board of Directors. Any two (2) or more offices may be held by the same person except that the President and Secretary shall not be the same person.
2. Election, Term of Office: The officers shall be elected by the Board of Directors. Each officer shall hold office until the successor thereto is elected and qualified or unless sooner removed or disqualified under Section 3 of this Article.
3. Removal: Any officer or agent elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgement the best interest of the Corporation will be served thereby; but such removal shall be without prejudice to the contract rights, if any, of the person so removed.
4. Vacancies: Any vacancy in any office because of death, resignation, removal, or by any other cause shall be filled by the Board of Directors.

ARTICLE VI

CORPORATE ACTIVITIES

1. Distributions: No assets of the Foundation shall be distributed to its directors or officers. Upon final dissolution or liquidation, the Foundation may make distributions as permitted by law.
2. Loans: No loans shall be made by the Foundation to its directors or officers.
3. Contracts: The Board of Directors may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Foundation, and such authority may be general or confined to specific instances.
4. Checks, Drafts, etc.: All checks, drafts or other orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Foundation, shall be signed by such officer or officers, agent or agents of the Foundation and in such manner as shall from time to time be determined by a resolution of the Board of Directors.
5. Deposits: All funds of the Foundation not otherwise employed shall be deposited from time to time to the credit of the Foundation in such banks, trust companies, or other depositories as the Board of Directors may select.



# TEXAS EDUCATION AGENCY

1701 North Congress Ave. ★ Austin, Texas 78701-1494 ★ 512/463-9734 ★ FAX: 512/463-9838 ★ <http://www.tea.state.tx.us>

Jim Nelson  
Commissioner of Education

March 14, 2002

Mr. Robert L. Olivarez  
Vanguard Academy  
P.O. Box 730  
Pharr, TX 78577  
FAX (956) 787-5369

Re: 501(c)(3) Status

Dear Mr. Olivarez:

I am in receipt of the IRS 1045 Letter that you faxed me earlier today. The letter establishes that your sponsoring entity, Vanguard Academy, Inc., will be considered exempt from taxation under section 501(c)(3) of the Internal Revenue Code until December 31, 2004. When you receive a final determination letter from the IRS, you will need to provide a copy of that letter to the Division of Charter Schools.

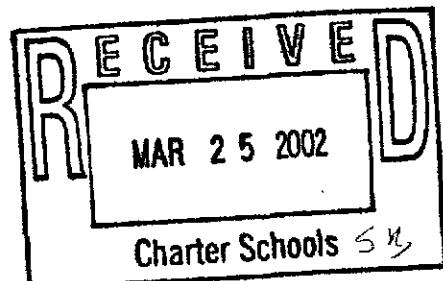
Thank you for your cooperation.

Sincerely,

*Margaret E. Baker*

Margaret E. Baker  
Senior Counsel  
Division of Legal Services

cc: Susan Barnes ✓



## VANGUARD ACADEMY CHARTER SCHOOL



## FACSIMILE TRANSMITTAL SHEET

TO: Margaret E. Baker FROM: Robert L. Oliver

COMPANY: TEA DATE: 3-14-02

FAX NUMBER: 512-475-3662 TOTAL NO. OF PAGES AND TIME: 5 pages

PHONE NUMBER: 956-283-1700 PHONE NUMBER: (956) 283-1700

RE: 1623 501-6-3 FAX NUMBER: (956) 702-2180

URGENT  FOR REVIEW  PLEASE COMMENT  PLEASE REPLY  PLEASE RECYCLE

## NOTES/COMMENTS:

Please note our new numbers for FAX & telephone!

Please notify if this is what is requested!  
And received!

400 S. 11<sup>th</sup> ROAD  
P.O. BOX 730  
PHARR, TEXAS 78577

00254

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

Date: MAR 07 2001

VANGUARD ACADEMY INC  
PO BOX 750 400 SOUTH I RD  
PHARR, TX 78577

## DEPARTMENT OF THE TREASURY

Employer Identification Number:  
74-2971562  
DLN:  
17053305014020  
Contact Person:  
MYRON L RANNBY ID# 75618  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
December 31  
Foundation Status Classification:  
509(a)(1)  
Advance Ruling Period Begins:  
September 19, 2000  
Advance Ruling Period Ends:  
December 31, 2004  
Addendum Applies:  
No

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make

Letter 1045 (DO/CG)

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## VANGUARD ACADEMY INC

a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we will no longer treat you as a publicly supported organization, grantors and contributors may not rely on this determination after the date we publish the notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social security taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally \$25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return. Because you will be treated as a public charity for return filing purposes during your entire advance ruling period, you should file Form 990 for each year in your advance ruling period.

Letter 1045 (DO/CG)

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## VANGUARD ACADEMY INC

that you exceed the \$25,000 filing threshold even if your sources of support do not satisfy the public support test specified in the heading of this letter.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$20 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete. So, please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

Letter 1045 (DO/CG)

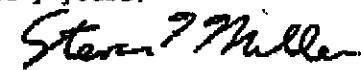
00257

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## VANGUARD ACADEMY INC

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



Steven T. Miller  
Director, Exempt Organizations

Enclosure(s):  
Form 872-C

Letter 1045 (DO/CG)

0025

## VANGUARD ACADEMY

This contract is executed between the Texas State Board of Education (the "Board") and Vanguard Academy ("Charter Holder") 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 Holder" means the sponsoring entity identified in the charter application.

"Charter school" means the open-enrollment charter school. Charter Holder agrees to operate as provided in this contract. The charter school is a Texas public school and a charter school within the meaning of 20 U.S.C. §8066 .

"Agency" means the Texas Education Agency.

2. **The Charter.** This contract grants to Charter Holder 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 #701-01-004; (d) any condition, amendment, modification, revision or other change to the charter adopted or ratified by the Board; (e) all statements, assurances, commitments and representations made by Charter Holder in its application for charter, attachments or related documents, to the extent consistent with (a) through (d); and (f) assurance by Charter Holder, evidenced by execution of this contract, that no false information was submitted to the Agency or the Board by Charter Holder, its agents or employees in support of its application for charter.

3. **Authority Granted by Charter.** The charter authorizes Charter Holder 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. Charter Holder 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 Charter Holder may contract at fair market value for services necessary to carry out policies adopted by Charter Holder or the governing body of the charter school. Charter Holder may not engage or modify the terms of the engagement of a private management company without approval by the Board in accordance with Paragraph 7 of this contract.

5. Term of Charter. The charter shall be in effect from the date of execution through August 1, 2006, unless renewed or terminated.
6. Renewal of Charter. On timely application by Charter Holder 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 written amendment approved by vote of the Board and properly executed by its chair.
7. Revision by Agreement. The terms of the charter may be revised with the consent of Charter Holder by written amendment approved by vote of the Board. For purposes of this paragraph, the terms of the charter include, among other provisions, specifications concerning the school's governance structure, characteristics of the educational program to be offered, and the location, type and number of facilities at which the school will operate. 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 the maximum number of students approved by the State Board of Education. 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. Students will be admitted on the basis of a lottery if more students apply for admission than can be accommodated.
9. Public Education Grant Students. Charter Holder shall adopt an express policy providing for the admission of, and shall admit under such policy, students eligible for a public education grant, including those students who reside outside the geographic area identified in the charter application, under Subchapter G, Chapter 29, TEC.
10. Non-discrimination. The charter school 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. Non-religious instruction and affiliation. The charter school shall not conduct religious instruction. The charter school, the sponsoring entity, and any entity that owns or controls the sponsoring entity in whole or in part (including by the power to select

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officers or directors) shall be nonsectarian in its programs, admissions policies, employment practices, and all other operations.

12. **Children with Disabilities.** The charter school is a "local educational agency" as defined by federal law. Charter Holder 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.** Charter Holder 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 eligible child, Charter Holder must develop and offer an individualized education plan appropriate to the needs of that student.
- (b) **Free Appropriate Public Education.** Charter Holder must provide a free appropriate public education to all children including 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, Charter Holder 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, Charter Holder must, at its own expense, place the child at an appropriate school.
- (c) **Services to Expelled Students.** Charter Holder 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 Charter Holder by these agencies for all discrepancies found. The charter school shall also be monitored for effectiveness and compliance in implementing all applicable federal programs.
- (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 Charter Holder 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.

13. **Student Performance and Accountability.** Charter Holder 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. Charter Holder 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 Charter Holder in its application for a charter, attachments, and related documents.
14. **Criminal History.** Charter Holder shall take prompt and appropriate measures if Charter Holder or the charter school, or any of their employees or agents, obtains information that an employee or volunteer of the charter school or an employee, officer, or board member of a management company contracting with the charter school has a reported criminal history that bears directly on the duties and responsibilities of the employee, volunteer, or management company at the school. Charter Holder further represents that the Board and the Agency shall be notified immediately of such information and the measures taken.
15. **Reporting Child Abuse or Neglect.** Charter Holder 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 require that employees, volunteers or agents of Charter Holder or the charter school report child abuse or neglect directly to an appropriate entity listed in Chapter 261, Texas Family Code.
16. **Notice to District.** Charter Holder 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.
17. **School Year.** Charter Holder shall adopt a school year with fixed beginning and ending dates.

#### **Financial Management**

18. **Fiscal Year.** Charter Holder shall adopt a fiscal year beginning September 1 and ending August 31.
19. **Financial Accounting.** Unless otherwise notified by the Agency, Charter Holder 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. Charter Holder shall also comply with the standards for financial management systems outlined in 34 CFR § 80.20.
20. **Federal Withholding Requirements.** Failure to comply with Internal Revenue Service withholding regulations shall constitute a material violation of the charter.

21. Workers' Compensation. Charter Holder shall extend workers' compensation benefits to charter school employees by (1) becoming a self-insurer; (2) providing insurance under a workers' compensation insurance policy; or (3) entering into an agreement with other entities providing for self-insurance.
22. Annual Audit. Charter Holder 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. Charter Holder shall file a copy of the annual audit report, approved by Charter Holder, with the Agency not later than the 120<sup>th</sup> 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 A-133.
23. Attendance Accounting. To the extent required by the commissioner, Charter Holder shall comply with the "Student Attendance Accounting Handbook" published by the Agency; provided, however, that Charter Holder shall report attendance data to the Agency at six-week intervals or as directed by the Agency.
24. Foundation School Program. Distribution of funds to the charter school under Section 12.106, TEC, is contingent upon Charter Holder's compliance with the terms of the charter. Charter Holder is ineligible to receive Foundation School Program funds prior to execution of this contract by the Board. Within 30 days of receiving notice of overallocation and request for refund under Section 42.258, TEC, Charter Holder shall transmit to the Agency an amount equal to the requested refund. If Charter Holder 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.
25. Tuition and Fees. Charter Holder shall not charge tuition and shall not charge a fee except that it may charge a fee listed in Subsection 11.158(a), TEC.
26. Assets of Charter. Charter Holder 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.
27. Indebtedness of Charter. Charter Holder 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.
28. Interested Transactions. All financial transactions between the charter school and (a) Charter Holder; (b) an officer, director, or employee of Charter Holder or of the charter school; or (c) a person or entity having partial or complete control over Charter Holder or the charter school shall be separately and clearly reflected in the accounting, auditing, budgeting, reporting, and record keeping systems of the charter school. Charter Holder 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.

29. Non-Charter Activities. Charter Holder 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 Charter Holder 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**

30. Non-Profit Status. Charter Holder 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 Charter Holder 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.

31. Records Retention and Management. Charter Holder 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.

32. PEIMS Reporting. Charter Holder shall report timely and accurate information to the Public Education Information Management System (PEIMS), as required by the commissioner.

33. Conflict of Interest. Charter Holder shall comply with any applicable prohibition, restriction or requirement relating to conflicts of interest or fiduciary duties. If an officer or board member of Charter Holder 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.

34. Disclosure of Campaign Contributions. Charter Holder shall adopt policies that will ensure compliance with the disclosure requirements of State Board of Education Operating Rule 4.3 or its successor.

35. Indemnification. Charter Holder 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 Charter Holder, its agents, employees, and subcontractors.

36. Failure to Operate. Charter Holder shall operate the charter school for the full school term as described in the charter application in each year of the charter contract. Charter Holder 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. Charter Holder may not suspend operation of the school for a period of more than three days without mailing written notice to the parent or guardian of each student and to the Agency at least 14 days in advance of the suspension. Suspension of operations in violation of this paragraph shall constitute abandonment of this contract and of the charter.

37. Charter School Facility. Charter Holder shall have and maintain throughout the term of the charter a lease agreement, title or other legal instrument granting to Charter Holder 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. Facilities occupied and used as charter school facilities shall comply with all applicable laws, including, but not limited to, the Texas Architectural Barriers Act, Article 9102, Vernon's Texas Civil Statutes. The charter school shall not change location of its instructional facilities or administrative offices from those listed in the charter application or in a subsequent charter amendment without prior approval Board. When approved by the Board for a new location for an instructional facility, the charter Holder shall, prior to commencing school operations at that location, submit to the Charter Schools Division a certificate of occupancy or equivalent certificate for use of the facility at the new location as a public school, as required in the charter application.

38. Access by the Handicapped. Facilities occupied and used by charter schools shall comply with the Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Accessibility Guidelines; 28 CFR Part 35 (Nondiscrimination on the Basis of Disability in State and Local Government Services); the Uniform Federal Accessibility Standards required by the federal Architectural Barriers Act of 1968, as amended; and other applicable federal requirements. In addition, the charter Holder shall require the facility to comply with the Texas Accessibility Standards (TAS) of the Texas Architectural Barriers Act, Article 9201, Texas Civil Statutes, promulgated by the Texas Department of Licensing and Regulation. The charter Holder shall be responsible for conducting inspections to ensure compliance with these specifications.

**Enforcement**

39. 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 the Texas Education Code or other law. Charter Holder, 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.

40. Commissioner Authority. The commissioner in his sole discretion may take any action authorized by Section 39.131, TEC , Chapter 29, TEC, or Chapter 42, TEC relating to the charter school. Such action is not "adverse action" as used in this contract. Charter Holder, 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.

41. 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 paragraphs 2, 3, and 20; (b) failure to satisfy generally accepted accounting standards of fiscal management; or (c) failure to comply with an applicable law or rule.

**This Agreement**

42. 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.

43. 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.

44. Conditions of Contract. Execution of this contract by the Board is conditioned on full and timely compliance by Charter Holder with: (a) the terms, required assurances and conditions of Request for Application #701-01-004; (b) applicable law; and (c) all commitments and representations made in Charter Holder's application and any supporting documents (to the extent such commitments and representations are consistent with the terms of this contract).

45. 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.

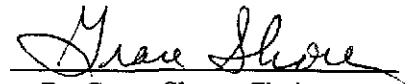
46. Venue. Any suit arising under this contract shall be brought in Travis County, Texas.

47. Governing Law. In any suit arising under this contract, Texas law shall apply.

48. Authority. By executing this contract, Charter Holder represents that it is an "eligible entity" within the meaning of Section 12.101 (a), TEC. Charter Holder 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 Holder. Charter Holder further represents that the person signing this contract has been properly delegated authority to do so.

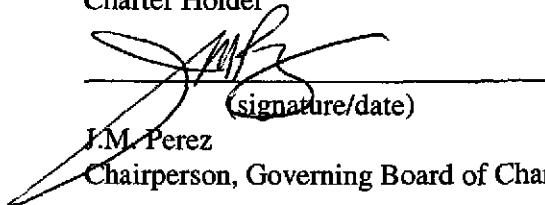
Entered into this 7th day of August 2001.

Texas State Board of Education

  
Grace Shore

By Grace Shore, Chairman

Charter Holder

  
(signature/date)

J.M. Perez

Chairperson, Governing Board of Charter Holder

and

Chief Operating Officer of Charter School