

*Westlake Academy*  
**ORIGINAL  
APPLICATION**

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*Westlake Academy*

**ORIGINAL  
APPLICATION**

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

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

Type:	Open Enrollment	<input checked="" type="checkbox"/>
(check Only One)	"75% Rule"	<input type="checkbox"/>

**Name of Proposed School:** Westlake Academy

**Maximum Grade Levels to be served:** K - 12

**Estimated 1<sup>st</sup> Year Enrollment :** 400      **Max Enrollment:** 800

**Name of Sponsoring Entity:** The Town of Westlake, Texas

Check one:	<input type="checkbox"/> 501(c)(3) nonprofit organization	<b>SBOE District:</b> Region 11 <b>ESC:</b> Region 11 <b>Opening Date:</b> Fall, 2002
	<input checked="" type="checkbox"/> Governmental Entity	
	<input type="checkbox"/> College or University	

**Chairperson of Board of Sponsoring Entity:** Mr. Scott Bradley

**Chief Executive Officer of Sponsoring Entity:** Mr. Scott Bradley

**Chief Executive Officer of School:** Mr. Trent Petty

**Applicant Mailing Address:** 3 Village Circle, Suite 207 - Westlake, TX. 76262

**Physical Address of Proposed Administrative Offices (if different from above):**  
SAME

**Contact Phone #** 817-430-0941      **Fax #** 817-430-1812

**Contact Email Address:** [tpetty@westlake-tx.org](mailto:tpetty@westlake-tx.org)

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

**Main Campus** To be announced upon receipt of charter

**Satellite Campus** Not applicable

**If necessary, attach additional satellite information.**

Will the school require all teachers to be certified? **No**

Will the school require that all teachers be degreed with at least a bachelor's degree? **No**

Will the school allow an individual to serve as a paid employee of the school as well as member of the governing board? **No**

Will the school allow members of the same family to serve on the governing board? **No, as a public entity, this would be illegal.**

Will the school require the business manager to be certified? **No, the Board will use discretion in the cross utilization of personnel.**

Will the school require the accounting and/or business office personnel to be degreed with at least a bachelor's degree? **No, the Board will exercise discretion in the cross utilization of employees.**

**Application for an Open-Enrollment Charter School - Seventh Generation  
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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 three areas, the applicant must give full disclosure and list all instances completely as required in other portions of the application.**  
 No  Been convicted of a misdemeanor?  
 Yes  Been involved in bankruptcy?

**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 charter school.**

Has the sponsoring entity been involved in

Yes  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 charter school. 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.**

Matt Bradley, Mayor      FEBRUARY 12, 2001 (BLUE INK)  
Signature of Chief Executive Officer Of Sponsoring Entity/Date

John C. Brooks, Pres      Millennium Education Consulting Group LLC (BLUE INK)  
Signature of Application Preparer Was this person paid? Yes  No

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## I. Evidence of Eligibility of Sponsoring Entity

### G. Statement describing sponsoring entity

The town of Westlake was founded in 1956 by a handful of oilmen and ranchers in order to protect themselves from encroachment by the MidCities. In 1992 the Town adopted a comprehensive plan providing for future office campuses, limited retail, and residential uses compatible with the preservation of the rural atmosphere.

Westlake is home to Solana, which was designed by world famous Mexican architect Ricardo Legoretto. It is an environmentally sensitive development of the type contemplated by the Westlake plan. Hundreds of acres of native trees and wildflowers have been preserved for the enjoyment of residents and visitors.

Major tenants in Solana include IBM Corporation, Marriott Hotel, Mercedes Benz Credit Corporation, Wells Fargo and Prime Co. Solana also offers these tenants and surrounding communities a full-service health and fitness club, an education center and a child development center.

The 1993 purchase of the 2,000 acre Circle T Ranch by Alliance Development Company is expected to contribute to Westlake's future as a village where commercial, retail and residential uses enhance rather than destroy the natural beauty of the landscape.

As a governmental entity, the Town of Westlake found that it was in the public interest that a non-profit corporation, the Westlake Academy Corporation, be created under the Texas Non-Profit Corporation Act to act on behalf of the Town as it duly constituted authority and instrumentality, within the meaning of the Internal Revenue Code of 1986, as amended, for the purpose of providing educational services and facilities.

In lieu of 501 c 3 status, see **Attachment #1** for the instrumentality resolution.

### H. Articles of Incorporation of sponsoring entity

For a copy of the Articles of Incorporation of the sponsoring entity, see the Town of Westlake, see **Attachment #2**.

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**I. Bylaws of sponsoring entity**

As a governmental entity, Westlake does not have Bylaws; however, the Bylaws for Westlake Academy Corporation, the instrumentality is included in **Attachment #3**.

**J. Biographical Affidavits for each member of the governing Board of the sponsoring entity**

For biographical affidavits for each member of the Governing Board of the Town of Westlake, see **Attachment #4**.

**K. History of sponsoring entity**

**1. Financial history of the entity**

The town of Westlake is debt free, and consequently has unfettered bonding capacity. Because of the Town's exercise of fiscal discipline, there has not yet been need to assess an *ad valorem* tax or to issue any debt instrument. However, it may become necessary to finance capital improvements that would be leased by the Westlake Academy.

**2. Credit report**

As a governmental entity, the Town of Westlake does not have a credit report. Therefore **Attachment #5** is not applicable.

**3. Most recent IRS filing**

As a governmental entity, the Town of Westlake does not file with the Internal Revenue Service; therefore, **Attachment #6** is not applicable.

**4. Disclosure of any liens**

As a governmental entity, the Town of Westlake does not have any liens.

**5. Litigation History**

About 1982, a developer whose request for a zoning change was denied sued the Town. The suit, filed in a district court in Tarrant County, alleged that the Town had not been validly incorporated.

The judgment found as a matter of law and fact that the Town had been duly and validly incorporated in 1956.

About 1992, the trustee of the Bankruptcy Estate of Nelson Bunker Hunt sued the Town alleging conspiracy by the Town, its mayor and its aldermen to deny his alleged right to obtain zoning changes to his liking. The Town, the mayor and the aldermen won all aspects of the lawsuit except for minor relief granted to the trustee.

In 1997, Ross Perot, Jr.'s Hillwood Development Company initiated a scheme to dismantle the Town. Several lawsuits involving the Town, its mayor, its aldermen, its officers and several residents ensued in which, depending on the form; these parties became plaintiff, defendant or cross plaintiffs. All of the lawsuits were resolved or settled in favor of the Town, its mayor, the aldermen, the Town's officers and the residents. The litigation culminated in a landmark 9-0 decision by the Texas Supreme Court upholding the Town's position.

As a town, Westlake is routinely involved in litigation of civil matters including code of ordinance violations, land disputes and any other matter typical of municipal regulatory objection.

**6. Sanctions from any state regulatory agency**

There are no sanctions from any state regulatory agency.

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**II. Governance of the Sponsoring Entity**

**A. Profile of the Founding Board and/or Initial Incorporators of the sponsoring entity.**

The Town of Westlake is a governmental entity; thus, this is not applicable.

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

A group of interested individuals who serve as Aldermen for the Town of Westlake have envisioned for some time having a school in their community. This focus has resulted in the development of an open enrollment charter school in Westlake, Texas.

The background and experience of each of the Aldermen is reflected in the Biographical Affidavits, (See Attachment #4).

Scott Bradley  
Fred Held  
Don Redding  
Larry Sparrow  
Buddy Brown  
Bill Frey

The following individuals will serve as references for each of the Board members:

Honorable Vicki Truitt  
State Representative  
P.O. Box 2910  
Austin, TX 78768

Commissioner James P. Carter  
Courthouse on the Square  
110 West Hickory  
Denton, TX 76201

Wanda Haskins  
5920 Steve Court  
Westlake, TX 76262

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**C. Describe what role each person will play and why he/she has chosen to support the application.**

Each and every member of the organizing groups of initial incorporators has performed essential roles and duties in the planning and organizing of the proposed charter school. These roles, although not limited to, have ranged from visionary leadership to guidance and direction in the early stages of planning the school to advocacy for the success of the new school.

**D. Describe the following as pertains to the sponsoring entity:**

**1. The officer positions designated**

Mayor

The responsibilities of the Mayor of the governing Board are all inclusive. The Mayor leads the members of the Board in setting policy for the operations of the Town of Westlake. The Mayor conducts Board meetings so that all parties involved are given a fair opportunity to present their concerns.

Mayor Pro-Tem

The duties and responsibilities are prescribed such that in the absence of the Mayor, the Mayor Pro Tem of the Board shall perform all duties of the Mayor.

Secretary of the Board of Aldermen

The Secretary of the Board shall see that all notices are duly given as required by law. The Secretary shall act as custodian of the minutes of the meetings, its Corporate Record Book, and any other records. In general, the Secretary will perform all duties incidental to the office of Secretary, and other duties such that may be required by the Board.

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

Each office shall be appointed by the Board for a term of two years and shall continue to serve until his/her successor is appointed and assumes office. Each officer is subject to removal from office (with or without cause) at any time by the vote of a two-thirds majority of the Directors in office. A vacancy in any office shall be filled in the same manner as the original appointment for the unexpired term thereof.

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

The Board of Aldermen consists of six (6) members elected to two (2) year terms. They are removed from office during the election process.

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

Depending on the timeline of the vacancy a special election may be called.

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

Aldermen are elected to serve a two-year term.

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

The terms are staggered with three aldermen being elected in one year and the other three aldermen positions being elected the following year.

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

The Board will actively investigate the possibility of bringing additional individuals to the Board. Specific individuals with a working knowledge of charter schools and educational law will be considered as well as those individuals with strong community ties.

Additionally, plans will be implemented for an Advisory Board, non-voting members, which will consist of Westlake Academy employees, students, and volunteers, representing the diverse community of the school. The following committees will be staffed:

- Admissions and Community Relations
- Compliance and Evaluation
- Curriculum
- Finance and Fundraising
- Marketing
- Personnel

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

Three employees of Westlake Academy will be designated as Textbook Coordinators, one in elementary school, one in middle school, and one in high school. These individuals will chair the respective textbook committees, comprised of faculty, parent, and community representatives. The Director and Principal will serve as advisory members of each committee.

The books will be on review for a ten-day period for parent viewing prior to presentation to the Board. The committees will make their recommendations to the Board at its regularly scheduled February meeting. The public may make comments on textbooks under consideration at this meeting.

Research indicates that more challenging books – those that are written at or just above the student's level – lead to better reading achievement. Reading expert Jeanne S. Chall has found that students who use more demanding textbooks tend to score higher on their college entrance exams. Furthermore, books used in the first few years of school seem to make the greatest difference. With this research in mind, the textbook committee will focus on challenging books for all students.

**G. School Management Board (if different from sponsoring entity Board)**

**The officer positions designated for the Westlake Academy Corporation are:**

**President**

The president shall preside at all meetings of the Board. The president is the chief executive officer of the Corporation and, subject to the control of the Board, shall have general charge and supervision of the management of the affairs of the Corporation. The president shall cause all orders and resolutions of the Board to be put into effect. The president shall sign and execute all legal documents and instruments in the name of the Corporation when authorized to do so by the Board, except when the signing and execution thereof is delegated by the Board to some other officer or to an agent of the Corporation.

The responsibilities of the President of the governing Board of the charter school are all inclusive. The President is responsible to the state and the parents for the safety and well being of all students and employees of the school. The President leads the members of



the Board in setting policy for the operation of the school and with the assistance of the Executive Director, sets the monthly board meeting agenda. The President conducts Board meetings so that all parties involved in the school are given a fair opportunity to present their concerns.

Vice-President

The Vice-President shall, in the event of the absence or disability of the President, discharge the powers and duties of the President, and the Vice-President shall perform such additional duties as may be assigned from time to time by the Board.

Secretary

The Secretary of the Board shall see that all notices are duly given as required by law. The Secretary shall act as custodian of the minutes of the meetings, its Corporate Record Book, and any other records. In general, the Secretary will perform all duties incidental to the office of Secretary, and other duties such that may be required by the Board.

**III. Community Support**

- A. Provide information on the manner in which community groups are involved in the charter school planning process.**

After the Westlake Aldermen meeting on December 11, letters were sent to individuals who expressed an interest in being actively involved in the charter school process. Additionally, a web page, designed to provide information to interested individuals, is available for concerned citizens to notify the founding fathers of their willingness to serve on various committees.

After being publicized in local newspapers, an organizing committee meeting was held on January 9, 2001. During this meeting subcommittees were established to assist in the charter school planning process. The established committees were:

Curriculum  
Facilities  
Parent Volunteer  
Publicity  
Technology

Individuals volunteered to chair each of these committees and these individuals, in turn, solicited members to serve on their respective committees. Committee meetings will be arranged and scheduled by the Committee chair.

- B. Provide copy of publication of notice of the meeting in a newspaper of general distribution in the geographic area, the meeting's registration log, and a synopsis of the public hearing held to discuss the proposed charter school plan. The synopsis must identify presenters, a summary of their comments, and a list of questions from participants with responses provided by the presenters.**

For the notice of publication, see **Attachment #7**.

For the registration log, see **Attachment #8**.

For the synopsis of the meeting, see **Attachment #9**.

- C. Discuss any business arrangements or partnerships with existing schools, educational programs, businesses, or non-profit organizations (include letter from each entity represented). 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.**

For resolutions of support between the Town of Westlake and Westlake Academy, see **Attachment #10**.

- D. 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.**

<b>Name</b>	<b>Address</b>	<b>City, State</b>	<b>Phone</b>	<b>Relationship</b>
Bill Greenwood	40 Wyck Hill Ln.	Westlake, TX 76262	817-379- 9696	Resident
Annette Bush	203 Oak Hill	Trophy Club, TX 76262	817-491- 1445	Texas Student Housing Board
Dr. Forrest Watson	1009 Adonis Dr.	Keller, TX 76248	817-595- 0919	Texas Student Housing Board
Dr. Patsy Sharp	416 Oak Haven	Keller, TX 76248	817-431- 3829	Texas Student Housing Board
Worth Blake	244 Oak Hill	Trophy Club, TX 76262	817-491- 1445	Texas Student Housing Board

- E. Each applicant must publish a prescribed statement in a newspaper of general distribution in the geographic area proposed for the school. The statement must also be mailed to the city council and commissioner's court with jurisdiction over the geographic area.**

Notice of intent was published in Tuesday, January 30, 2001.  
For original notice, see **Attachment #11**.

Since the Town of Westlake is the sponsoring entity, notice was not mailed to the city council with jurisdiction over the geographic area.

Notice to the individual members of the commissioner's court was mailed on Tuesday, January 30, 2001.

For verification of mailing, see **Attachment #12**.

00023

<b>VI. School Demographics</b>
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- A. 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?**

The maximum class size allowed will be 25 students.

The charter school's maximum enrollment goal is 800.

Westlake Academy will open in the Fall 2002 serving grades 1 through 6. Additional grade levels will be added each year.

The projected enrollment for the first five years is reflected in the following chart:

	2202-2203	2003-2004	2004-2005	2005-2006	2006-2007
<b>Kindergarten</b>		60	60	60	60
<b>First</b>	65	65	65	65	65
<b>Second</b>	65	65	65	65	65
<b>Third</b>	65	65	65	65	65
<b>Fourth</b>	65	65	65	65	65
<b>Fifth</b>	65	65	65	65	65
<b>Sixth</b>	65	65	65	65	65
<b>Seventh</b>		65	65	65	65
<b>Eighth</b>			65	65	65
<b>Ninth</b>				65	65
<b>Tenth</b>					65
<b>Eleventh</b>					
<b>Twelfth</b>					
<b>Total</b>	<b>390</b>	<b>515</b>	<b>580</b>	<b>645</b>	<b>710</b>

- B. Describe the community or region where the school will be located.**

The town of Westlake is a small rural community with an approximate population of 250. The children of the Westlake community are split between three school districts: Northwest ISD, Carroll ISD, and Keller ISD. With the boundaries of the town lying along the fringes of each of the respective school districts, there is no hope of the town ever having a school located in its boundaries. The purposed charter school would provide a keen sense of community and camaraderie among the citizens of Westlake.

**C. Why was this location selected? Are there other alternative locations suitable to the needs and focus of the school?**

There has been demonstrated a keen desire for a rigorous curriculum school in the area; however, no one has stepped forth. The Town of Westlake has taken the initiative to bring a school of choice, grounded in high academics, to the citizens of the area.

00025

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

**A. Describe your human resources policies governing salaries, contracts, hiring, and dismissal, sick and other leave, and benefits. Provide salary schedules, sample contracts, and copies of policies on other issues.**

**1. Policy governing salaries**

Westlake Academy will hire and maintain high quality staff and teachers/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.

Westlake Academy will pay salaries that are at minimum competitive with other public schools. To achieve and maintain salaries that are motivational and equitable, an individual's performance and experience will be considered in the establishment of salaries.

For salary schedules, see **Attachment #13**.

**2. Policy governing contracts**

All employees of Westlake 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.

**3. Policy governing hiring**

To provide uniform employment practices throughout the organization and to conform to the Affirmative Action Policies and Equal Employment Opportunity, Westlake Academy will adopt a written pre-employment process and uniformly implement this process in searching for job applicants. Westlake Academy will use both internal and external search mechanisms in the employment process.

00026

Westlake Academy will hire and maintain the appropriate number of employees to insure that students attending the charter school receive maximum educational and social benefits. 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 Service Center on each applicant hired by the proposed new school. The Region Service Center will also conduct criminal background checks for all school volunteers.

For a sample contract, see **Attachment #14**.

A thorough and complete Faculty/Staff Handbook will be compiled for distribution to all faculty and staff. The handbook will be reviewed during staff initiation. Therefore, **Attachment #15** is not applicable at this time.

**B. Administrators**

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

Mr. Trent Petty will serve as the Executive Director of Westlake Academy. His biographical affidavit is in **Attachment #16**.

- 2. Explain the powers and duties of each administrator.**

Superintendent's (Executive Director) powers and duties:

- ◆ Coordinates a program of instruction that supports the philosophy and goals of the school district
- ◆ Displays effective personal leadership attributes and effectively delegates authority and responsibility
- ◆ Plans district programs and services to meet identified needs
- ◆ Provides for personnel practices that promote high quality staffing and job performance
- ◆ Initiates and promotes an effective employee relations program
- ◆ Directs the preparation and expenditure of the district's budget within the district's fiscal capabilities
- ◆ Anticipates the district's needs for facilities and materials and establishes an effective system for their use
- ◆ Oversees a system of student services and student discipline that is effective and equitable
- ◆ Promotes positive community relations through effective communication with and involvement of community members
- ◆ Seeks opportunities for continued professional growth

- ◆ Maintains a positive and productive working relationship with board
- ◆ Assists in the development of and effective administration of board policy

Principal's powers and duties:

- ◆ Provide input to the Board concerning course and academic offering of the school
- ◆ Report of school progress to the Board on a monthly basis
- ◆ Supervise the development of needed courses of study, insuring that all developed courses met all course requirements set forth in the Texas Essential Knowledge and Skills
- ◆ Assist parents and guardians and other community members in identifying volunteer opportunities
- ◆ Responsible for the day-to-day leadership of Westlake Academy
- ◆ Supervise all staff
- ◆ Implement and maintain school policy
- ◆ Ensure that background checks are made for all school volunteers
- ◆ Receive suggestions from parents and guardians with respect to school operation and school policy

**3. Who will be the school's Chief Executive Officer?**

Mr. Trent Petty

**4. Describe the chain of command.**

For an organizational chart, see **Attachment #17**.

**5. What experience has the proposed CEO had in managing a school and/or business?**

Mr. Petty, who holds a Master's degree in Public Administration, has 17 years of experience in public sector management, finance and budget. He has past board membership on the Grapevine-Colleyville Education Foundation and served as Fundraising Chairman for the first Grapevine-Colleyville Education Foundation Campaign.

Additionally, Mr. Petty has served as GCISD financial consultant during the Tax Increment Finance analysis with the City of Grapevine, as well as consulted for Carroll ISD on the same topic in a different TIF.

Mr. Petty has been Chairman of the Board of Faith Christian School during a time of set up and establishing permanent headmaster



leadership, curriculum stability, enrollment growth and financial milepost planning. In this capacity Mr. Petty has run the board meetings, set the agenda in coordination with the Headmaster and routinely represented the school to parents and city leaders.

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

The founders of Westlake Academy will use the following criteria to choose the school's academic and financial leaders:

Education

All academic staff will possess a minimum of a bachelor's degree. 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. All financial leaders will possess a bachelor's degree or higher with a major in business administration, finance or accounting.

Experience

All teaching staff will provide evidence of success with experience in the teaching field. All financial leaders must have a least one year's experience in the field of accounting or finance.

Certification

All teaching staff will be encouraged to seek Texas Teacher Certification during employment if they lack certification upon initial employment.

**7. Provide a complete job description for the CEO, school academic director, financial director and other administrative personnel.**

**Job Description**  
**Executive Director / Chief Executive Officer**

**Reports directly to the Board of Directors**

**Compensation Range \$60,000 - \$90,000**

**The Executive Director will be an equal partner and full participant in the teaching-learning process of the Westlake Academy. In general this individual will facilitate and oversee that implementation, hiring, training, policy development of Westlake Academy.**

**This individual has the following areas of responsibility and duties:**

- ◀ Establishes with the faculty the goals and objectives of the instructional program in accordance with school policy and in keeping with the stated philosophy of the school
- ◀ Develops with the staff the mission and school plan of action, based on identified vision of the school
- ◀ Communicates and promotes high expectations for student performance in an enabling, supportive way; provides proper recognition of excellence and achievement
- ◀ Assumes responsibility for overall administration of
  - Staffing
  - Initiation and preparation of budget proposal
  - Applications
  - Grants
- ◀ Conducts required
  - Training sessions
  - Agency and program development
- ◀ Monitors all agency and program components
- ◀ Coordinates and implements work at a professional and independent level
- ◀ Assumes the responsibility for formulation and coordination of technical detail and phases of the planning and the operation of all agency programs

00030

- ◀ Remains continually cognizant of program and project options as reflected in the monitoring and evaluation reports
- ◀ Serves as public relations representative in fostering a cooperative relationship with the community
- ◀ Insures and/or prepares required internal/external proficiency reports and statistical data within specified time frames

### **Qualifications**

- ◀ Doctoral Degree in Education preferred, but Master's Degree is required
- ◀ Experience as a school administrator is preferred
- ◀ Experience developing, organizing and implementing project goals and objectives
- ◀ Ability to form constructive, mutually beneficial working relationship with other service providers and interested parties within the community required
- ◀ Ability to problem solve, work independently, and to provide positive leadership to staff and co-workers
- ◀ Ability to identify and plan for both short and long range goals
- ◀ Ability to provide sound fiscal and personnel management
- ◀ Excellent verbal and written communication skills, along with strong interpersonal skills
- ◀ Ability to understand and complete component needs and to develop and revise project proposals to best meet component priorities

00031

**Job Description  
Principal**

**Reports to the Chief Executive Officer**

**Compensation Range     \$50,000 - \$80,000**

**This individual will function uniquely as the facilitator of instruction ensuring that all instructional staff has sufficient training, materials, curriculum, and supports necessary to ensure that the goals and objectives of the school are achieved by the students.**

**This individual will have the following responsibilities and duties:**

- ◀ Implement the vision and mission statement of the charter
- ◀ Manage the day-to-day affairs of the school focusing on curriculum
- ◀ Manage human resources of the school
- ◀ Negotiate and make contract recommendations to Executive Director and Staff
- ◀ Provide Professional Development in identified areas of need
- ◀ Participate with the Executive Director in personnel issues regarding hiring and firing
- ◀ Participate with the Executive Director in preparing necessary reports
- ◀ Coordinate substitutes, textbooks, and other operations required by the school to provide quality education services
- ◀ Assist with student recruitment and retention
- ◀ Coordinate with school and community personnel to bring together resources of students

**Qualifications:**

- ◀ Master's Degree in Education preferred, but Bachelor's Degree in Education required
- ◀ Experience as a school administrator is preferred

- ◀ Ability to problem solve, work independently, and to provide positive leadership to staff and community resources
- ◀ Ability to provide sound fiscal and personnel management
- ◀ Ability to express ideas effectively and deal with people tactfully
- ◀ Ability to demonstrate success in working with diverse groups

**Job Description  
Business Manager**

**Compensation Range: \$35,000 - \$55,000**

**This individual will have immediate responsibility of the school's accounting practices, the maintenance of its fiscal records, and the preparation of its financial reports.**

**This individual will have the following responsibilities and duties:**

- ◀ *Administers and monitors day-to-day activities of the business office*
- ◀ *Develops and implements accounting policies and procedures*
- ◀ *Setting up and maintaining charts of accounts*
- ◀ *Performs accounts payable, accounts receivable and cost disbursement duties*
- ◀ *Manages the automated accounting system from an operational perspective, including monthly closings, data control, and systems accounting support*
- ◀ *Examines a variety of financial statements for completeness, accuracy, and conformance with established procedure*

**Qualifications**

- ◀ *BBA in accounting or BA in accounting plus five years of governmental accounting experience.*
- ◀ *Knowledge of fund accounting*
- ◀ *Non-profit experience*
- ◀ *Excellent communication/interpersonal skills*
- ◀ *Ability to exercise discretion*
- ◀ *Capable of working independently*

00034

**8. How will administrative personnel be evaluated?**

All 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. Westlake 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 school superintendents only)
- ◆ A student performance domain shall be included in the appraisal of the Principal and the Superintendent

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

The actual salaries from within the ranges will be set and a finalized benefit package will be established once the school has received its charter.

Benefits available to all administrative staff include:

- ◆ Educators and other staff members will receive the same benefits (i.e., sick days, professional days, etc) as teachers employed by the state in a public school
- ◆ All staff members will have a choice about participating in the Teacher Retirement System or an alternative retirement system

**B. Faculty and Staff**

**1. 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 education and will provide evidence of success in the field of teaching.

Qualifications for non-teaching administrators and staff include possession of the 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.

00036



**Job Description  
Counselor**

**Supervised by the Principal**

**Compensation Range \$35,000 - \$55,000**

**This individual will have the following areas of responsibilities and duties:**

- ◀ Provide guidance to prospective families and students
- ◀ Provide guidance to students on education, career, and personal plans
- ◀ Coordinate and supervise the compiling and maintenance of reports, records, and other required documents
- ◀ Coordinate an effective information and referral process to help students utilize special programs and services
- ◀ Assist students in course selection to meet graduation requirements and/or needs
- ◀ Communicate with colleges and universities
- ◀ Assist in coordination of an at-risk program and Section 504 referrals

**Qualifications**

- ◀ Master's Degree in Counseling preferred, but Bachelor's Degree is required
- ◀ Three years work experience in student related counseling
- ◀ Excellent communication and organizational skills
- ◀ Knowledge of IDEA and 504 requirement to meet individual student's needs
- ◀ Previous experience in educational and achievement testing
- ◀ Ability to initiate evaluations and reports

00037

**Job Description  
Teacher**

**Supervised by Principal**

**Compensation Range \$35,000 - \$55,000**

**Consideration given to experience and educational level**

**The teachers will function as an instructional leader in each of their individual classrooms, directing instruction for all students, assessing abilities and strengths, developing goals and learning programs to meet the unique needs of each student and ensuring that parents have access to their children and the classroom.**

**This individual's areas of responsibilities and duties are:**

- ◀ Employees appropriate instructional/learning strategies, activities, and materials that accommodate all students' differences, gifts, and talents
- ◀ Presents the subject matter according to guidelines established by TEA and Board of Directors
- ◀ Demonstrates current knowledge, understanding and skill in teaching strategies and the learning process
- ◀ Creates a learning environment conducive to learning
- ◀ Provides authentic assessment activities
- ◀ Establishes and maintains open lines of communication with students and their parents
- ◀ Demonstrates interest and initiative in professional improvements
- ◀ Maintains a professional relationship with all colleagues
- ◀ Demonstrates behavior that is professional, ethical and responsible
- ◀ Maintains accurate and complete records
- ◀ Obtains a minimum of 50 hours of in-service, training and meeting hours each year

00038

- ◀ Accepts responsibility for extracurricular activities as assigned
- ◀ Assists in public relation development of the school
- ◀ Attends and participates in all meetings

**Qualifications**

- ◀ TEA State Certified preferred, but graduate of an accredited institution of higher learning required with work experience in related field
- ◀ Demonstrates knowledge, understanding, and skill in the subject areas taught
- ◀ Sensitivity to the needs of all students
- ◀ Ability to problem solve and work independently
- ◀ Excellent verbal and written communication skills, along with strong interpersonal skills
- ◀ Ability to express ideas effectively and deal with people tactfully
- ◀ Possess strong organizational, planning, and facilitation skills
- ◀ Capable of showing students how academics is applied to aspect of life

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

A low student/teacher ratio of 1:15 will be maintained at all grade levels.

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

With the exception of the position of Superintendent/ Executive Director, all faculty and staff will be new hires and cannot be identified at this time.

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

The Professional Development and Appraisal System (PDAS), recommended by the Texas Education Commission, 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 are beyond classroom teaching duties.

Each teacher will be appraised each school year. Domains of the PDAS for teacher evaluation include:

- Active, Successful Student Participation in the Learning Process
- Learner-Centered Instruction
- Evaluation and Feedback on Student Progress
- Management of Student Discipline, Instructional Strategies, Time and Materials
- Professional Communication
- Professional Development
- Compliance with Policies, Operating Procedures and Requirements
- Improvement of Academic Performance of All Students on the Campus

Once the state implements the TexBESS appraisal system, the school administration will utilize this system

Non-teaching, administrative staff members will be evaluated in accordance with provisions of Subchapter BB issued under the Texas Education Code, §21.345 and §39.054, and the

commissioner's recommended or established standards under the Code.

**5. Provide complete job descriptions of all charter school faculty and staff, including instructional and non-instructional duties.**

One of the most important goals of administering the charter school will be to provide leadership and support for the instructional staff. The administration will value and encourage staff collaboration and professional development, and provide opportunities for teachers to assume leadership roles.

The leadership style will be conducive for the inclusion of every one in the shared decision-making process, the empowerment of teachers and administrators for the accountability of learning, and the facilitation of all aspects of governing the school.

00041

**Job Description  
Registrar**

**Supervised by Principal**

**Compensation Range \$30,000 - \$45,000**

**Consideration given for experience and educational level**

This individual will have the following responsibilities:

- ◀ Enters student enrollment data into database system
- ◀ Maintains student cumulative files
- ◀ Verifies student enrollment forms and documents, recognizes discrepancies and takes corrective action
- ◀ Collects data/records required to maintain system support
- ◀ Updates students cumulative folders with new information
- ◀ Processes graduation documents and transcripts
- ◀ Assists counselor

**Qualifications**

- ◀ Experience equivalent to two years as Registrar or other duties related to:
  - Data controller
  - Attendance secretary
  - Record keeper/secretary
- ◀ Familiar with Windows 98/ Microsoft Word and Excel
- ◀ Ability to work with and without supervision
- ◀ Able to handle multiple tasks
- ◀ Detail oriented with strong organizational skills

00042

**Job Description  
PEIMS Clerk**

**Reports directly to the Executive Director**

**Compensation Range \$25,000 - \$30,000**

**This individual will have the following responsibilities and duties:**

- ◀ Attends training for PEIMS
- ◀ Responsible for data entry of all PEIMS information
- ◀ Responsible for reports and analysis of PEIMS information
- ◀ Works with CPA auditing PEIMS information and provides all data need to properly audit information
- ◀ Handles all tasks associated with PEIMS as they are identified
- ◀ Collects data and enters all information for new and existing students

**Qualifications**

- ◀ Bachelor's degree preferred, but High School diploma required
- ◀ Minimum two years experience involving data entry work, preferably with PEIMS
- ◀ Two years experience in non-profit organization or knowledgeable of non-profit organization
- ◀ Ability to problem solve and work independently
- ◀ Type at least 40 wpm

00043

**D. Code of Conduct**

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

Westlake Academy's goal is to ensure that all students have a safe, nurturing and challenging environment in which to learn and grow. Additionally, the rules are so designed to incorporate the entire learning team – student, caregiver, and faculty – in the process of teaching appropriate school-related behaviors.

Westlake Academy will use a commendation/infraction based system. Instead of only documenting inappropriate behavior, Westlake Academy will reward and reinforce appropriate behavior on a regular basis. Positive reinforcement will not be limited to academic, but will also include appropriate life skills such as flexibility, cooperation, and respect for others.

Westlake Academy believes discipline is another opportunity to teach children what they need to know and practice in order to live happy, productive lives. The infraction-based discipline system is based on this value.

Teaching interactions regarding inappropriate behavior will center upon providing students with many opportunities to correct their behavior escalating consequences when they do not, and incorporating the students' families throughout the process.

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

Westlake Academy will use an infraction based discipline system. This discipline system's aim is to stop inappropriate behavior prior to student expulsion or suspension by modeling, teaching and reteaching appropriate behavior.

The school's policies will be disseminated to all students and parents regarding offenses that qualify for immediate expulsion. Due process requirements will be satisfied by including families throughout the process by providing documentation and by the availability of informal and formal appeals procedures.

Dangerous, threatening, and other extreme behavior can lead to immediate suspension or expulsion.



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

Westlake Academy's philosophy will be to provide students with a safe, supportive, and challenging environment so that students will have a strong desire to come to school on a daily basis. Westlake Academy's mandatory attendance policy will be incorporated into the student's code of conduct and will further the mission of the school.

Regular and punctual attendance is unequivocally the single greatest factor in school success. Compulsory attendance now applies to all students who are less than 18 years of age (TEC 25.085). The law requires a student to attend public school until the student's 18<sup>th</sup> birthday, unless the student is exempt from attendance under Section 25.086.

Westlake Academy will utilize a system that tracks excused and unexcused absences. If a student is absent due to illness, a parent must call the attendance office between the hours of 8:45 A.M. and 9:30 A.M. Additionally, a note, which includes the student's full names, date(s) of absence, a daytime phone number for verification and a brief statement giving the reason for the absence, must be submitted within 48 hours to the attendance clerk. Once a student has missed five school days, a note to verify illness must be provided by a certified physician. Appeals to this policy can be made to the attendance committee.

Absences are considered excused for the following reasons:

- ◆ Illness
- ◆ Family illness – immediate family only, subject to approval
- ◆ Death in the family
- ◆ Religious holiday – must have prior school approval
- ◆ Doctor's appointment – must provide doctor's note

Unexcused absences can be due to numerous reasons. The following are some examples of unexcused absences:

- ◆ Vacation
- ◆ Babysitting
- ◆ Oversleeping
- ◆ Car trouble
- ◆ Traffic delays

00045

Regardless of the nature of the absence, the student must make up his or her work. Points will be deducted due to unexcused absences. A student has one day for each day missed to complete and turn in make-up work.

Westlake Academy's philosophy, mission and student code of conduct are based upon the belief that education of young people is solidified by the relationship they develop with school personnel and their classmates. Whether the student is learning a new academic skill or acquiring improved social skills, regular attendance is essential.

**VI. Business Plan (Reviewed by Agency)**

**A. Financial Management**

- 1. Describe sources and projected amounts of start-up funding.**
- 2. Provide supporting letters of credit and documentation verifying private sources of funds. (Include as ATTACHMENT #18)**

For resolutions from the Town of Westlake, see Attachment # 18.

- 3. 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%.****

For the preliminary startup budget, see Attachment #19.

For the three-year budget, see Attachment #20.

- 4. Present a three-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 the three-year cash flow, see Attachment #21.

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

A yearly capital fundraising campaign will be conducted in association with the Parent Teacher Organization/Booster Club fundraising activities.

00047

The mission for fundraising at Westlake 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 the school will be organized as follows to better fulfill its mission:

- ◆ Special Events
- ◆ Grant Writing

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.

*Under no circumstances will children ever be asked to participate in door-to-door fundraising activities. All Federal, state, and local laws and regulation regarding fundraising will be followed.*

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

Increase in enrollment, up to 800 students, will drive the growth in expenses related to personnel, facility and equipment. Allowable related expenditures will be guided by the per pupil funding rate.

At any appropriate time, additional funding can be obtained through cooperate and private fundraising, or even the letting of bonds.

7. **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.**

For a copy of the proposed business procedures handbook, see Attachment #22.

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

As demonstrated in the proposed three year budget fiscal responsibility is demonstrated in a surplus of \$39,435 is projected for the first year, a surplus of \$86,903 (cumulative \$126,338) is projected for the second year, and a surplus of \$51,870 (cumulative

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\$178,208) is projected for the third year. This fund balance allows for any fiscal exigency.

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

For the proposed monthly budget status report, see Attachment #23.

10. **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).**

Westlake Academy is investigating a plan proposed by the Region Service Center, which requires an initial outlay of approximately \$5,000.00, to purchase and set-up compatible software that has the capacity to use the state adopted financial accounting system in PEIMS. Additionally, this system will effectively allow the Service Center to manage the financial accounting and payroll accounting system of Westlake Academy.

Another viable option is that many accounting duties will be performed by a clerk shared with the Town of Westlake.

Westlake Academy will follow the required delivery schedule and record format in accordance to the Region Service Center specification. All records will be stored in a secured environment to insure confidentiality of records and files.

## **B. Facility Management**

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

Due to the sensitivity of negotiations, the exact site of the facilities cannot be divulged until such time and the charter has been granted.

2. **Explain why this site would be a suitable facility for the proposed school. Address the necessity of renovation to the facility and compliance with applicable building codes. Describe the services of the facility including heating, ventilation, and lighting, sanitary conditions and water supply.**

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

The site will encompass several acres of land. Construction on the facilities will begin quickly. In the unlikely event that construction of permanent facilities cannot be completed by the start of school, Fall 2002, an agreement for interim housing is also being negotiated. There will be more than adequate land for extensive athletic/playground facilities.

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

The long-range vision of the Board of Aldermen is that the entire campus of Westlake Academy will be innovatively cross utilized with the Town of Westlake. Through an extensive collaboration the Westlake Academy Library will serve as the town's public library, the Westlake Academy Auditorium will serve as the town's civic auditorium; the Westlake Academy playground, gymnasium, and athletic facilities will serve as the Town of Westlake's recreational facilities; and the Westlake Academy offices will be housed with the Town of Westlake's administration.

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

As addressed previously, the Town of Westlake is in ongoing negotiations for the property on which to build Westlake Academy. Details of this negotiation must remain confidential until such time as the charter is granted.

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

A lease agreement with the Town of Westlake will be executed upon the granting of the charter. The Town of Westlake's resolution to provide space and facilities for Westlake Academy is in Attachment #24.

**C. Student Attendance Accounting**

1. **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.**

The charter school attendance accounting procedures will follow the TEA Student Attendance Accounting Handbook with attendance tracked daily per class and recorded using software provided by Dr. John Anderson, which is PC based and capable of tracking all necessary student related data required in PEIMS. These accounting procedures are currently in use as required by the TEA regulations.

Additionally, Westlake Academy 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 TEC §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 contract hours on the student level for the entire school year through the Public Education Information Management System (PEIMS)
- ◆ Be responsible for the 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 Audit 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 TEA. 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 TEA and only those students who are eligible for special funding will be included in the ADA report. TEC §42.006

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

The school's hours of operation will be from 8:30 A.M. to 3:30 P.M. daily. These hours provide for a ratio of 1:6.5 hours of teacher/student contract hours.

For a school calendar, see **Attachment #25**.

- 3. 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.**

For a statement of Board policy, see **Attachment #26**.

#### **D. Transportation and Food Service**

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

Westlake Academy will provide transportation for students as mandated by federal law. Specifically, Westlake Academy will provide transportation to students eligible for special education services as required by their Individualized Education Plan.

- 2. Describe provisions for food service, if any, for students served by the charter school, including 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.)**

Westlake Academy will follow all applicable provisions in providing free and reduced lunches and breakfasts. If 10% of the student population qualifies for free or reduced lunch, a breakfast program will be provided for them by contracting for these services.

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<b>VII. Geographic Boundaries and Statements of Impact (Reviewed by Agency)</b>
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**A. Geographic Boundaries**

1. 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 boundaries of Westlake Academy will be concurrent with the boundaries of the Town of Westlake. The area is bounded on the west by Highway 377, on the north by Highway 114, on the east by the town of Southlake and on the south by the city of Keller. The Tarrant/Denton County line runs through the center of the town.

A map of the area is in **Attachment #27**.

2. 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.

Argyle ISD

Keller ISD

Carroll ISD

Northwest ISD

Denton ISD

**B. Statements of Impact**

1. 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 transfers. 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 geographic area from which the school will draw students.

*A copy of the charter school application and a letter from the sponsoring entity must accompany the form, requesting the superintendent of the affected district to submit the signed and completed form to the Texas Education Agency. (A sample letter is also included in Appendix IV of this document.)*

**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 is submitted to TEA.**

The Statement of Impact will be sent to the following school districts on Wednesday, February 14, 2001:

Argyle ISD  
P. O. Box 989  
Argyle, TX 76226-0989

Northwest ISD  
1800 State Hwy. 114  
Justin, TX 76247-8700

Carroll ISD  
1201 North Carroll Ave.  
Southlake, Texas 76092-9405

Keller ISD  
350 Keller Parkway  
Keller, TX 76248-3447

Denton ISD  
P. O. Box 2387  
Denton, TX 76202-2387

2. **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.**

The return receipt forms for the post office are in **Attachment #28**.

3. **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*.**

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<b>VIII. Statement of Need (Scored by Review Committee)</b>
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- A. Why is there a need of this type of school? What evidence exists that there is a sufficient demand for the educational program you are proposing?**

After careful consideration of the educational goals of this diverse community, the Board concluded that the program developed by the International Baccalaureate Organization (IBO) would best match the needs of this area and, therefore, will be adopted by the Westlake Academy. This program, offered throughout the world, promotes academic achievement and responsible citizenship.

The International Baccalaureate (IB) program was originally developed in Switzerland thirty years ago as a rigorous course of study for motivated secondary students. Recently, the International Baccalaureate Organization (IBO) developed and endorsed a Middle Years Program (MYP), which fulfills and enhances the mission identified for the Westlake Academy. The IB program is the perfect program to be offered in the backyard of the Alliance Airport corridor international community where many international corporations have established their corporate offices.

- B. Explain why the charter school model is the appropriate vehicle to address this need.**

The primary reason why the charter school model is the appropriate vehicle to address this need is to ensure that all young people, regardless of their socioeconomic background, have the opportunity to participate. While there are several private schools in the area, the tuition causes the schools to be cost prohibited to many families.

According to local parents, the problems faced by families who desire a rigorous, international language curriculum are deep and the academic gap is wide. Although there are many, many excellent teachers, they are so pulled to address all the needs of the varied instructional levels found in the classrooms of inclusions. Students and parents are fearful that students are at great risk for not reaching their true potentials—they are lost in the cracks of today's educational system.

Accelerated academic education indeed faces a quiet crisis as educational reform movements focus on cosmetic administrative change rather than teachers, students and the material to be learned. Parents can join organizations; they can serve on school committees; they can volunteer endless hours in their child school, and still the students' needs are not

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met. The parents are weary. Charter schools were envisioned to precisely meet the needs of these families and their precious children.

Many schools, due to associated financial benefits, place great emphasis on athletics. Often the situation occurs where, to accommodate coaching staff, academics become secondary. Westlake Academy is committed to have individuals in specialized areas work in their specific domain, i.e., music instructors will teach in music related courses; coaches will be responsible for athletic activities. Westlake Academy will guarantee each parent that academics will not be compromised.

The Westlake Board firmly believes a viable academic program must be open to all children. Westlake Academy will ensure students, regardless of sex, national origin, ethnicity, religion, disability, academic or athletic ability, will have a choice in education. There is indeed a strong need for this type of school and the charter school model will ensure that its doors are open to all qualifying children.

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**IX. Vision of the School (Scored by Review Committee)**

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

**Mission Statement  
Westlake Academy**

The Westlake Academy will provide a rigorous curriculum that is international in scope with high expectations by sharing the responsibility of educational development between teachers, parents, community, and students. This will be achieved by providing an innovative approach to education that focuses on each student's needs to develop a thirst for knowledge, produce positive esteem, encourage good citizenship and maximize their individual potential. This will prepare students for a rapidly changing environment that is global in scope.

The vision of Westlake Academy is to create an international, interactive learning community composed of families and engaged learners linked with a high quality instructional team. The school will provide a rigorous curriculum and guidance to challenge all students to reach their greatest academic achievement.

Westlake Academy will continually reach out to families whose students' educational needs are not being met in more traditional settings. The school will provide a supportive environment for young people who possess the desire to reach their fullest potential through a more formalized, international study based on a rigorous curriculum.

With the incorporation of the Texas Essential Knowledge and Skills into every aspect of the core curriculum, each student will be supported by the curriculum in all areas of instruction.

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

The educational philosophy of Westlake Academy centers on unity of purpose where all stakeholders, including community members, parents, students, staff, and administrators, work collectively on all aspects of providing each student with an exceptional education. All members of the school community share a dream for the school and work together toward a common set of goals that will benefit all students. Additionally, all

existing knowledge, gifts and talents are valued, recognized and utilized in order for each student to reach his/her maximum potential.

Westlake Academy's education plan is more than the assimilation of facts. Proficiency in a discipline means that an individual becomes a capable practitioner and has a sufficient foundation to pursue advanced study. The curriculum defines the knowledge, skills, and achievement levels commensurate with proficiency. The traditional core curriculum areas – language arts, math, science, and social studies – remain strongly emphasized. The curriculum will be augmented with music, theatre, art, physical education, environmental education, and foreign languages.

Westlake Academy's emphasis on academics is balanced by an equal emphasis on creativity. It is not enough in a democracy for people to simply inquire. It is also necessary to take the fruits of one's inquiry and make something of them. A school that professes to address the needs of its students must enable children to express the American tradition of experiment and invention. The curriculum will be structured to link inquiry with invention and creativity, whether it is painting, sculpture, photographs, compositions, theatre, speaking, etc. One of the tenants of Westlake Academy is that the student's ability to do science and mathematics is improved when they are encouraged to develop their artistic sides, especially if they do so in ways that link back to their science and mathematic studies.

Westlake Academy's curriculum is designed as a comprehensive program that allows its graduates to fulfill requirements of various national systems of education. It provides the intellectual, social, and attitudinal perspective necessary for the challenges and opportunities that lie ahead of them in a contemporary, international society.

While insisting upon a thorough study of the various disciplines, the interrelatedness of the courses will be accentuated. By emphasizing the dynamic combination of knowledge skills, experience and critical thinking, academic achievement, coupled with active and responsible citizenship, is promoted.

An accelerated, international curriculum and extensive parental involvement will create a learning environment that will be conducive and compatible to each student overcoming any and all obstacles in their educational journey that might place the realization of achieving their full educational potential at risk.

Darling-Hammond (1996) noted that teaching and education have suffered from decades of neglect. A lack of standards and schools organized better

for the 19<sup>th</sup> century than the 21<sup>st</sup> century has caused a substantial call for reform. As Darling-Hammond argues, "Children can reap the benefits of current knowledge about teaching and learning only if schools and schools of education are dramatically redesigned. Westlake Academy is making a sincere effort to redesign program. Critically needed efforts are being implemented with the school context to meet those challenges.

Westlake Academy is dedicated to leaving no student behind.

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

The curriculum is designed as a comprehensive program that allows its graduates to fulfill requirements of various national systems of education. IBO is based on the pattern of no single country. It provides students of different linguistic cultures, and educational backgrounds with the intellectual social and attitudinal perspectives necessary for the challenged and opportunities that lie ahead of them in a contemporary, international society. The Middle School curriculum has the same commitment and rigor to a holistic view of knowledge that is found throughout the world in the highly successful high school program. The success of the high school program has been demonstrated at approximately 200 schools in the United States and over 500 schools throughout the world, ninety percent of which are public school.

The IB curriculum stresses rigorous academic study and the equally important development of life skills, disciplines and a sense of social responsibility. The intent is that students should learn how to learn, how to analyze, how to reach considered conclusion about people, their language and literature, their ways in society, and the scientific forces of the environment. At the beginning of each new course or topic of study, students will be given clear class/course objectives and the methods by which they will be accessed. The IB program is a deliberate compromise between the preference for specialization in some countries and the emphasis on breadth often preferred in others.

The educational aim of the International Baccalaureate Organization is to awaken the intelligence of student and teach them to relate the content of the classroom to the realities of the world outside. By emphasizing the dynamic combination of knowledge, skills, experience and critical thinking, the IBO promotes academic achievement, coupled with active and responsible citizenship. The program addresses the challenge of educating the whole person in preparation for life, engendering respect for



the physical life of the body and delight in the life of the mind as it engages the world in all its fullness and complexity.

This program offers an approach to teaching and learning that embraces yet transcends the focus of traditional school subjects. While insisting upon thorough study of the various disciplines, the program accentuates the interrelatedness of them and so advances a holistic view of knowledge. This interdisciplinary perspective asks the student to consider issues and problems in their wide scope, and to realize that good solutions often draw upon insights one has acquired from many sources. Put another way, the program shuns the fragmentation of knowledge that so often results when students move from biology to history to mathematics to technology as if the classes had nothing to do with each other.

The education of the "whole person" takes on a special significance as we proceed into the twenty-first century; when knowledge continues to expand dramatically; when advanced technologies and global economics have tied together vastly different cultures; when the world is bound too closely for provincial ideologies to guide political thought; when to exist in a world community requires appreciation and understanding of cultural diversity; and when cooperation alone will solve global problems. It is essential that academic training provides students with the values and opportunities that enable them to succeed in the competitive, modern world.

Westlake Academy will utilize the campus and its facilities to offer summer academic camps to area children, Westlake Academy students, as well as those students in surrounding public schools. The summer academic camps will focus heavily on the languages to provide a continuum of language immersion. Scholarships will be available, with nominations for such scholarships coming from area ISD Superintendents.

Additionally, an optional semester study abroad program will be available for students. This facet of the high school program would be incorporated into the IBO program to allow the student the benefit of total emersion in their second language and culture. Funds for this activity will be raised by the students during their high school years and placed in interest-bearing accounts; however, scholarship and financial aid will be available to ensure that no student is denied opportunity nor left behind.

Finally, in an effort to provide a holistic approach between community and school, the Town of Westlake will form alliances with sister cities throughout Europe. Beginning with young pen pals, to collaborative research via the Internet, to an extensive exchange program, the fabric for strong strategic international alliances will be woven.

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

- A. 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.**
- B. What are the measurable school performance objectives for each goal listed above?**
- C. Clearly state how progress will be measured relative to each of these objectives. Name assessment instruments to be used.**
- D. Clearly state when and how annual progress in meeting objectives will be reported to the SBOE, agency, and the public.**

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Student Goals	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	Progress Measurement
<p>Academic - Overall</p> <ul style="list-style-type: none"> <li>◆ <i>Exceed performance standards for student learning for the first five years</i></li> <li>◆ <i>Obtain a status as a state exemplary school</i></li> <li>◆ <i>Have a minimum of 50% of high school graduates achieve the Distinguished Achievement Program – Advanced High School Program as describes in TEA Chapter 74</i></li> </ul>						
<p>Students will pass the appropriate TAAS with TLI of 80%</p> <ul style="list-style-type: none"> <li>• TEKS incorporated into curriculum</li> <li>• Pre-test, administered the second week of school, identifies individual areas of weakness</li> <li>• Test taking strategies reviewed prior to test date</li> </ul> <p>Timeline for reporting: Year-end SBOE report</p>	70% of students	75% of students	80% of students	85% of students	90% of students	Spring TAAS
<p>Students will score above grade level in reading, math, language, science, and social studies</p> <ul style="list-style-type: none"> <li>• Broad based core curriculum utilized by all teachers</li> <li>• Low student teacher ratio implemented</li> <li>• Various teaching styles incorporated into instruction</li> <li>• Comprehensive reading program offered to all students</li> </ul> <p>Timeline for reporting: Year-end SBOE report</p>	70% of students	75% of students	80% of students	85% of students	90% of students	Pre-test and Post-test Stanford Achievement Test of the Gates-McGinite assessment test

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<p>Students will prepare and present their portfolios to a group of parents, community members, and/or staff</p>	75% of students	80% of students	85% of students	90% of students	95% of students	Semester update to Director
<ul style="list-style-type: none"> <li>• Instruction on preparation of portfolios</li> <li>• Incorporation of portfolios into assessment process</li> <li>• Participation by adults in evaluation process</li> </ul>						
<p>Time line for reporting: Year-end SBOE report</p>						

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<b>Non-academic</b>						
<p>Each student will attain a good attendance rate</p> <ul style="list-style-type: none"> <li>• Calls to parents of absent students made daily</li> <li>• Conference with student and parents held after 3 absences per nine weeks</li> <li>• Conference with student and parents held after 5 absences per semester</li> </ul> <p>Timeline for reporting: 6-week ADA report and year-end SBOE report</p>	75% of students	80% of students	85% of students	90% of students	95% of students	Attendance cards
<p>Each grade level will participate in a community project per year</p> <ul style="list-style-type: none"> <li>• A list of possible projects provided to each class</li> <li>• Two designated volunteer parents along with the teachers coordinate the activity</li> <li>• Two community leaders work with the class</li> </ul> <p>Timeline for reporting: Year-end SBOE report</p>	80% of classes	85% of classes	90% of classes	95% of classes	100% of classes	Teacher record sheet
<p>Each student will participate in an individual community service project</p> <ul style="list-style-type: none"> <li>• A list of possible projects on campus provided to students</li> <li>• A list of possible projects in the community provided to students</li> <li>• A parent volunteer committee coordinates the activities</li> </ul> <p>Timeline for reporting: Year-end SBOE report</p>	80% of students	85% of students	90% of students	95% of students	100% of students	Student sign-in sheet

**XI. School Goals (Scored by Review Committee)**

- A. Describe the goals of the school as an entity for the next five years. (growth, facilities development, etc.).**
- B. List measurable performance objectives for each goal listed above.**
- C. Clearly state how progress will be measured relative to each of these objectives. Name assessment instruments to be used.**
- D. Clearly state when and how annual progress in meeting objectives will be reported to the SBOE, agency, and the public.**



**XII. Educational Plan (Scored by Review Committee)****A. Describe the educational program planned for the school. Indicate clearly how these areas will be strengthened over time.**

- 1. 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.**

The foundation of the Westlake Academy will be based on Section 28.002 of the Texas Education Code. Westlake Academy will offer all grade levels a foundation curriculum that includes English, language arts, mathematics, science and social studies, consisting of Texas, United States and world history, government and geography.

With Section 28.002 as the minimum curriculum guide, a balanced curriculum designed to meet individual needs of all students will be implemented. Additionally, Westlake Academy will provide an enrichment curriculum that includes health, physical education, fine arts, economics, career, technology education and applications and languages other than English. Each of these curricular areas – both foundation and enrichment – will offer instruction in the essential knowledge and skills at appropriate levels.

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

One way of understanding the fundamental perspective of the International Baccalaureate Organization is to remember the phrase, "and more." Students are expected to be well versed in traditional subject areas of the curriculum, and more – they are encouraged to appreciate the traditions of other people and other places. Students are expected to have a firm command of language as a means of communication, and more – they are encouraged to develop admiration for the elegance and richness of human expression. Above all, the hope is that students will acquire a genuine love of learning and disciplined habit of mind and body that will guide their young adulthood and be a source of strength and enjoyment throughout the whole of their lives.



To achieve this end, courses will be offered in larger blocks of time to improve the delivery of the curriculum. This will allow for greater depth of study and integration of different disciplines, as well as providing the opportunity for students to be more actively engaged in their learning. Students will be challenged to make connections and discover relationships between what they are studying and current conditions and events occurring locally, nationally and around the world, and how it fits into their lives.

The educational program will take advantage of the location of numerous national and international corporations in the area to provide students with the chance to learn about various career paths. Students will have age and interest appropriate opportunities for shadowing, mentoring, and interning with employees at various levels of the corporations. Corporate experts from a variety of fields will be invited to share their expertise with students in the classroom. Students will be expected to participate in age appropriate community service both in and outside of school.

- 3. 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.**

Westlake Academy's framework for academic excellence will reflect alignment to the TEKS. These standards are a living document subject to continuous improvement. The TEKS will serve as the basis for the academic program.

Core curriculum courses will be offered which will include the required foundation curriculum of English language arts with a very strong emphasis on reading, mathematics, science, social studies consisting of Texas, United States and world history, government and geography. The scope and sequence of the curriculum will develop in a manner that will enable students to enter the program from a traditional school and any grade level. With the use of a variety of assessment instruments, students will be placed at an appropriate entry level without regard to age. Students also will have the opportunity to participate in a variety of enrichment courses and related learning opportunities in addition to core courses. Course and learning opportunities in health, physical education, fine arts, and economics will be offered according to the Texas Education Code §28.002.

Westlake Academy is committed to ensuring that all students receive a challenging curriculum and instruction based on a commitment to an accelerated, integrated, core curriculum.

The integration is designed to promote learning among the individual disciplines and is based on the following:

- ◆ Motivated learning by making learning relevant to the student's lives
- ◆ Adds coherence to vast amounts of information by making connections among disciplines
- ◆ Addresses the curriculum by viewing content as a 'means' not an 'end'
- ◆ Acknowledges reading, writing, speaking, listening, viewing, and the use of numbers as enabling skills within the thinking processes
- ◆ Promotes the fine arts in all aspects of learning
- ◆ Fosters collaboration among students and teachers.

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

The goals, objectives, and definitions of content areas are intended to promote skill development and raise the standards of student achievement. Westlake Academy will embrace all the state's goals and objectives related to curriculum. Educational programs will 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 demonstrate at each grade level
- ◆ 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 TEKS

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

All students attending Westlake Academy must complete at least 22 credits to receive a minimum high school program diploma. To receive a high school diploma, a student must complete the requirements of the minimum high school program, as specified by statutory law; the recommended high school program, or the distinguished achievement program, as well as the testing requirements for graduation.

Additionally, those students electing to participate in the International Baccalaureate Program must complete the course sequence and requirements of the international program, including a 4,000 word essay, community service and foreign language. The Diploma Programme is a two-year course of study. The diploma candidate of the IB program is required to complete six subjects, each normally studied over the period of two years; at least three and not more than four subjects must be offered at higher level and the others at standard level. The six subjects must normally be chosen by selecting one from each of the six subject groups (First Language, Second Modern Language, Individuals and Societies, Experimental Sciences, Mathematics, and Arts and Electives).

International baccalaureate diploma holders gain admission to colleges and universities throughout the world. These include well-known European and American institutions such as Oxford, Yale and the Sorbonne, prestigious universities in Latin American and the Asia/Pacific, and more recently established centers in developing parts of the world. Formal agreements exist between the IBO and many ministries of education and private institutions. Some college and universities may offer advanced standing or course credit to students with strong IB examination results.

The sequence of courses established by Westlake Academy will ensure that every student has received instruction in the areas that state law requires to be covered in the upcoming 11<sup>th</sup> grade exit-level test. Beginning in the 2002-2003 school year, the exit-level test will be administered in the 11<sup>th</sup> grade instead of the 10<sup>th</sup> grade and will assess a broader range and depth of subjects.

In addition to the above graduation requirements, the SBOE now mandates that students pass the 11<sup>th</sup> grade exit-level test, along with their courses, to receive a high school diploma. If students do

not pass one or more parts of the test the first time taken, the students can take that part of the test again whenever it is given.

Westlake Academy will comply with all statutory and/or regulatory authority with respect to determining that an individual student has satisfied the requirements for graduation. Such compliance includes, but is not limited to, Subchapter B issued under the Texas Education Code, §7.102, 28.002 28.023, 28.025, 28.054, and 38.003, or as these code sections may be amended in the future.

**6. 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.**

Westlake Academy will begin a tradition of supporting children. The programs will enable parents to become active partners and jointly responsible for the education and nurturing of their children. Parents participating with a highly qualified instructional team will work to emphasize the core curriculum to ensure each child:

- ◆ Effectively applies communication and quantitative skills
- ◆ Learns to set goals, solve problems, make responsible decisions, and analyze and apply results
- ◆ Demonstrates the ability to access, evaluate, synthesize and present information using a variety of technologies
- ◆ Exhibits a variety of critical thinking skills as they relate to current and future concerns
- ◆ Demonstrates an appreciation and understanding of community service.

Interdisciplinary curriculum planning and implementation will encourage students to see the relevance of and connections between content areas. Subjects are related to one another, and learning one subject implements and facilitates another. This program "gives birth to the joy in learning" (Armstrong 1998) and awakens students' genius and individuality. The curriculum is indeed more interdisciplinary than in the traditional school. The teaching is more collaborative. The students are served through a variety of options and alternatives rather than the traditional rigid, regimented focus of many schools.

7. **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.**

Westlake Academy will utilize the following types of assessment instruments:

- ◆ State Mandated Testing (TAAS, RPTE, and End of Course exams)
- ◆ Curriculum Testing (based on the TEKS)
- ◆ Standardized Testing (i.e., SAT9)

Westlake Academy 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.

Westlake Academy will use a standardized group instrument, such as the TABE, to determine baseline data and academic growth. Students will be tested upon entrance to the school and annually thereafter. The Academy will track mastery of TEKS curriculum objectives throughout the student's school career.

Westlake Academy's plan to assess individual student performance in core academic areas is based upon several guiding principles.

- ◆ Assessment should serve as an ongoing guide through the process of learning not simply as a pass/fail measurement
- ◆ Teachers are the managers of the assessment procedures
- ◆ Assessment techniques are matched to the curriculum taught and the instructional techniques used
- ◆ Assessment techniques are to be applied consistently without bias

A nine-week evaluation and assessment system will be incorporated to serve multiple needs:

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- ◆ To clarify goals
- ◆ To monitor progress
- ◆ To support the improvement of teaching and learning
- ◆ To inform the public
- ◆ To influence education policy

Student assessment is the process of measuring the extent to which a school has improved the quality of student performance. The success of charter schools will be judged primarily on their ability to demonstrate progress toward the student outcomes specified in their charters.

Westlake Academy will utilize multiple means of assessing students to ensure the most accurate evaluation. Components of authentic and performance-based assessments in combination with standardized assessments will form the basis of the assessment process.

Westlake Academy recognizes that teachers are the key components in the assessment process, and it is the aim of Westlake Academy to provide the instruction team with workable tools. The baseline of student achievement will be to set standards of student performance based upon student progress throughout the year on the central concepts and skills in the curriculum.

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

Westlake Academy will utilize multiple methods to identify the educational strengths and needs of individual students. As previously described, assessment will be an integral part of daily classroom activities. While testing will play a key role in assessing students' performance teachers will assess growth toward achievement of goals and areas of need on a daily basis. Tools to be used will consist of multiple forms of authentic assessment.

- ◆ Direct observation of performance
- ◆ Directed small group activities
- ◆ Student led instruction
- ◆ Other embedded assessment techniques

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

It is essential to use an array of different assessment tools ("multiple measures") in the evaluation process. Important questions to be considered in the selection of assessment tools are:

- ◆ Are the objectives measured the truly important ones?
- ◆ Is the assessment tool(s) the most efficient means of determining the achievement of the desired objectives?
- ◆ What is the effect of the assessment tool(s) on its user?
- ◆ What is the effect of accountability practices on the student?

Additionally, Westlake Academy will offer each family the opportunity to evaluate the charter school program. These summative assessments will be used in the critical decision-making process.

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

Faculty members will be required to attend weekly professional development activities during the first year. Staff will evaluate sessions for effectiveness and applicability. Development activities will be designed to meet the needs of the staff as curriculum is developed and as additional skills are needed to serve the students enrolled at the new school. Program evaluation results will provide the basis for designing professional development activities for succeeding years. The budget provides for contractual resources and supplies for staff development. Westlake Academy will encourage faculty and staff members to make recommendations for future development activities. Consultants will provide initial activities in the following areas:

- ◆ Developmentally appropriate practices
- ◆ Learning styles/instructional strategies
- ◆ Technology and the integration into curriculum and instruction
- ◆ Conflict resolution/parent conferences
- ◆ Curriculum development
- ◆ Authentic assessment/portfolio development

Professional development on TEKS will be provided to teachers by Region 11 Education Service Center. The Center provides workshops, consultations, and materials, and can answer faculty questions.

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Westlake Academy believes that an extensive and inclusive staff-development program must be implemented each year. Teaching strategies, collaborative teaming, and thoughtful curriculum design will be continually addressed.

**B. Special Needs Students/Programs**

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

Child Find

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 35 CFR, §300.600. A FAPE means special education and related services that are provided at public expense under public supervision and which meet the state standards, which include the requirements of IDEA, Part B; include preschool, elementary, and secondary school education; and which are provided in conformity with an individual's 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 who the schools are obligated to serve under Texas Education Code, §25/00. 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 regulation. 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 jurisdiction.

In accordance with the rules and responsibilities identified, and with any and all TEA rules and/or regulations, Westlake Academy will 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.



## Confidentiality

Westlake Academy will adhere to all state confidentiality requirements, including, but not limited to, the following:

Student Records – student records are confidential and protected from unauthorized inspection or use. A cumulative record will be maintained for each student beginning when he/she enters the school until the student withdraws.

By law, both parents, whether married, separated, or divorced, have access to the records of a student who is under 18 or a dependent for tax purposes. A parent whose rights have been legally terminated will be denied access to the records if the school is provided a copy of the court order terminating these rights.

Parents of a student who is a minor, or of a student who is a dependent for tax purposes, and school officials with legitimate education interests are the only persons who have general access to a student's records. "School officials with legitimate educational interests" include any employee, agent, or Trustee of the charter school, or cooperative of which the charter school is a member, or facilities with which the charter school contracts for the placement of students with disabilities.

Parents of minor students enrolled in Westlake Academy may inspect their 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 school refuses the request to amend the records, the requestor has the right to a hearing. Although improperly recorded, grades may be challenged; parents and the students are not allowed to contest a student's grade in a course through this process. Parents or the student has the right to file a complaint with the U. S. Department of Education if they believe the school is not in compliance with the law regarding student records.

The school will maintain a record of disclosure of personally identifiable information and make this available for the parent's inspection. Some items of information are directory in nature and may be released to anyone, without consent, unless the parent objects to its release in writing within ten (10) school days after the issuance of such notice.

With respect to special education students, the ability to share information between parties involved in special education services and local education agencies (LEA'S) is

vitaly important to improve efficiency and to minimize duplication of efforts. To accomplish this sharing, the proposed school campuses will develop and use a standard consent form.

### Procedural safeguards

Westlake Academy's Handbook of Policies and Procedures (to be developed) will fully address procedural safeguards for students, parents, and all other school stakeholders.

Westlake Academy will adhere to all required procedural safeguards required by the state 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.

Westlake Academy will provide information for parents for the following purposes:

- Upon initial referral for evaluation
- Upon each notification of an admission, review, and dismissal committee (ARD)
- Upon each reevaluation
- 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

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

Parents/legal guardians will be given notice of any and all ARD meetings early enough to ensure that they will have the

opportunity to attend. Unless the parent/legal guardian agrees otherwise, at least ten days notice will be given.

#### Assessment of children to determine eligibility

Students with disabilities are students with educational disabilities (physical disability, mental retardation, emotional disturbance, learning disability, speech impairment, autism, traumatic brain injury, deaf/blind, or multiple disabilities); and students with an auditory impairment or visual impairment, whose disabilities are so limiting as to ensure the provisions of special services in place of, or in addition to, instruction in the regular classroom.

To be eligible to receive special education services, a student must have been determined to have one or more of the areas of disabilities listed in the federal regulation or in state law or in both. Specified criteria in the state and federal regulations will be used in determining whether a student's conditions meet the eligibility requirements.

When a student is suspected of having a disability, the assessment process will be initiated. Written notice and consent must be given and received. An evaluation by qualified personnel will then be conducted. If indicated, a comprehensive individual assessment will be performed. Once eligibility has been determined, the parents and/or adult student will be invited to participate in an ARD meeting to review the results and to develop an Individual Education Plan.

#### Development and Implementation of the Individual Education Plan (IEP)

Westlake Academy will use the following guidelines for development and implementation of a student's IEP:

##### Timeline

The Comprehensive Individual Assessment and a written report will be formulated within 60 calendar days of the date of the initiation of the referral to special education. The ARD committee shall make its decision regarding students referred for the first time within 30 calendar days from the date of the

completion of the written assessment report. If the 30<sup>th</sup> day occurs during the summer when school is not in session, the ARD committee shall have until the first day of classes in the fall to have made the IEP decisions and the placement, unless the assessment indicated the student will need extended year services during the summer.

For students already placed in special education, the ARD committee shall meet at least annually to review each student's program and recommend appropriate services based upon the student's individual needs, documented in a newly developed IEP. The committee must meet within the same month, or prior to the month, in which the previous annual ARD meeting was held.

#### Function

The ARD committee shall perform the following functions:

- ◆ Review all data from the comprehensive assessment, including information from parents, school personnel, or other sources
- ◆ Ensure that national origin minority students (or linguistically different students) are not assigned to special education on the basis of criteria, which were developed solely based on command of the English language
- ◆ Ensure that students are not placed in special education if the only deficiencies identified are directly attributable to a different cultural lifestyle or to not having the adequate educational opportunities
- ◆ Establish the eligibility for special education services
- ◆ Identify the content areas in which the student's disability significantly interferes with the student's ability to meet regular academic mastery level standards (determine educational needs)

#### Documentation

Each IEP must include:

- ◆ 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 nonexemption,

modification/accommodation, or exemption from some or all of the basic skills assessment instruments, as appropriate

- ◆ Modifications/accommodations of regular classroom procedures which are provided for students by the charter school 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 TEC, §30.002 (e)

#### Least restrictive environment (LRE) placement

In providing programs, services, and activities, Westlake Academy will first use those resources made available to all students. When appropriate, students receiving special education services shall:

- ◆ Remain in the general education program with special education support services, supplementary aids, or other special arrangements, if needed
- ◆ Be educated to the maximum extent appropriate with students who are not receiving special education services
- ◆ Be provided opportunities to participate in school activities on the same basis as students who are not receiving special education services
- ◆ Be offered an opportunity for interaction on a regular basis with students who are not receiving special education services

#### Transition planning

The ARD committee has the authority to dismiss students from special education services when the ARD committee agrees that there is not longer an educational need for the services. No student can be dismissed from special education without assessment that supports the decision to dismiss. If parents request dismissal based on the fact that they are providing the needed services privately, update assessment, document request, update the IEP if needed, and make a statement that the district is prepared to provide FAPE. State that the parent is choosing dismissal. The student can re-enter the special education program as long as the eligibility data is current. If data is more than one year old, updated assessment may be required

- ◆ All dismissals from services/programs should be documented on the ARD report
- ◆ In addition, ARD may recommend movement to less restrictive arrangements:
  - When such movement changes the instructional arrangement, the Notice of Change of Placement should be sent to the parent, unless the parent is in attendance at the ARD, where full notice has been discussed
  - When a more restrictive placement is considered, the ARD committee shall ensure that current assessment is completed and carefully reviewed
  - The ARD committee must document reasons for any change in placement or services
- ◆ Graduation also constitutes change in placement and Notice should be sent, if parent is not in attendance at the ARD
- ◆ The ARD committee shall dismiss students from homebound services. A doctor's release statement is necessary for the student to return to school.

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

All special education personnel shall be certified, endorsed, or licensed in the area or areas of assignment in accordance with provisions relating to teacher certification. If a staff member does have the skills and knowledge needed for the assignment, Westlake Academy will make provisions for the person to acquire the necessary skills and knowledge.

Services to expelled students

The principal or designee is responsible for tracking the number of *days of emergency removal, suspension, or in-school suspension* for the purpose of ARD action within the required number of days.

Updated records on discipline reports for special education student shall be kept. These records will include:

- ◆ The infraction
- ◆ The consequence
- ◆ The number of days out of placement

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Short-term removals totaling less than 10 days in a school year do not result in a change of placement and an ARD is not required. Short-term removals totaling more than 10 days in a school year requires the following:

- ◆ ARD meeting is convened not later than 10 school days after the student is first removed for more than 20- days in a school year (or when the 11<sup>th</sup> day is assigned).
- ◆ ARD committee conducts/plans a functional behavior assessment (FBA) and, as soon as possible after the FBA is completed, develops a behavior intervention plan (BIP) to address the necessary behavior(s), if the FBA and BIP are not already in place
- ◆ If the student currently has a BIP, and ARD committee meets to review it and its implementation
- ◆ If subsequent short-term removals occur (after the first 10 day removal during the school year), members of the ARD committee review the BIP and its implementation to determine if modifications are necessary
- ◆ If one or more members of the ARD committee believe that modifications are needed, an ARD meeting is held to modify the BIP and its implementation
- ◆ For any days of removal of a student for more than 10 days in a school year, the student is provided with the necessary services to progress appropriately in the general curriculum and toward achieving his/her IEP goals.
- ◆ When expelling a student, the Notice of Change of Placement form (to comply with procedural safeguards required in federal law) will be sent to the parents
- ◆ If the current IEP cannot be implemented while the student is on expulsion, then the IEP should be revised during this time in such a manner that it can be implemented. Whenever possible, the IEP that was in place should be implemented. Document justification for any change in the IEP is required.

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

1. Title I Part A – Improving Basic Programs Operated by Local Education Agencies  
Title I Part C – Migrant Education  
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

Title II Part B – Dwight D. Eisenhower Professional  
Development Program  
Title IV – Safe and Drug-Free Schools and Communities Program  
Title VI - Innovative Education Program Strategies  
Title VI Class-Size Reduction Program  
Section 504

Westlake Academy 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, the Principal or other administrators, and community members. The plan shall include:

- ◆ How students shall 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 utilize skills and knowledge and promotes academic achievement.

**Title I Part A**

In compliance with Title 1 Part A regulation, the school shall convene an annual public meeting for parents of children eligible for Title 1 Part A assistance.

Service 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.

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

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 post secondary education or employment.

When migrant students are identified, Westlake 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.

#### **Title I Part D**

Westlake Academy does not anticipate being eligible for funding under Title I Part D.

#### **Titles II, IV, and VI**

Westlake Academy will enter into shared service agreements (SSA) with the Region Service Center 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 of the program. If positive results are indicated, then Westlake Academy will continue to contract with the ESC for their services.

#### **Section 504**

Any student who has a physical or mental impairment that substantially limits one or more major life activities will be evaluated for placement in this program. An IEP will be formulated for Section 504 student.

3. **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 a Second Language (ESL) Students**

If a student indicates a home language other than English, the school will administer a mastery test to assure that the student can comprehend the material in the educational programs. An interpreter will be available to school staff to interpret ARD's testing and translate forms for parents.

To be prepared to effectively and fully implement the ESL program, Westlake Academy will initiate the following process to insure compliance:

- ◆ Review all permanent record folders for students to ensure that each folder contains a signed and dated home language survey
- ◆ Join the ESL/Bilingual Co-op offered by the Region Service Center
- ◆ Send a faculty member to training offered by the Region Service Center relating to administering the oral language/writing proficiency test
- ◆ Meet with the Bilingual/ESL Co-op to design intervention services for the students identified on the survey until certification and test protocols can be obtained
- ◆ Design an individual learning prescription to accommodate the education needs of LEP students

### **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 accordance with the requirement of the TEC §11.252, Westlake 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 accomplishment 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.

### **Dyslexia**

Westlake Academy will have procedures for identifying a student with dyslexia or a related disorder. Procedures will be implemented in accord with the SBOE approved strategies for screening and techniques for treating dyslexia and related disorders described in "Procedures Concerning Dyslexia and Related Disorder," a set of flexible guidelines available to local schools. Screening for dyslexia students will only be accomplished by

individuals/professional who are trained to assess students for dyslexia and related disorders.

Westlake Academy will either purchase a reading program or develop its own reading program for students with dyslexia and related disorders. Teachers who screen and treat these students will be trained in instructional strategies that utilize individualized, intensive, multi-sensor, phonetic methods and a variety of writing and spelling components.

### **Gifted and Talented**

Westlake Academy will develop written policies on student identification of gifted and talented 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 a remarkably high level of accomplishment in the areas defined in the TEC §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 proposed school who have received training in the nature of need of gifted students
- ◆ Provisions regarding furloughs, reassessment, exiting of students from program services, transfer students, and appeals of the school's decisions regarding program placement.

**4. 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).**

Westlake Academy will conduct a folder review at the beginning of the school year to determine eligibility for this program based on the factors identified in TEC §29.081.

To address the needs of students in at-risk situations that may lead to education failure, Westlake Academy will:

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- ◆ 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 opinions, 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 preparations.
- ◆ Ensure that all students have access to rigorous academic course work 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 include 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 evaluation to enable continuous improvement in students' academic and non-academic performance
- ◆ Ascertain and document the appropriate documentation needed to identify an abused student and report possible child abuse (sexual, physical, or psychological abuse) to the appropriate agency according to Texas law.

5. **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.**

Westlake Academy believes that extra-curricular programs are an integral part of a well-rounded education. Students will be given numerous opportunities in which to showcase their abilities in extracurricular activities. An extracurricular activity is defined as an activity sponsored by the University Interscholastic League (UIL), the Westlake Academy Board, or an organization sanctioned by resolution of the Westlake Board.

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Parents and students will be provided opportunities to offer input as to the most desired programs. Activities will range from fine arts (orchestra, chorus, drama, visual arts), athletics (golf, tennis, volleyball, track and field), and clubs (math and science, language, chess, journalism, and technology).

**C. Admissions Policy**

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

Westlake Academy will admit students regardless of sex, national origin, ethnicity, religion, disability, academic or athletic ability, or the district the child would otherwise attend in accordance with TEA regulations. Appropriate accommodations for students with special needs will be made. Westlake Academy will comply with the individuals with Disabilities Education Act (IDEA) and related regulations and legislation.

Westlake Academy will utilize a "first come, first served" enrollment policy.

Upon being granted the charter, public meetings will be held to inform parents of the school choice. Availability of application packets will be disseminated via area newspapers, cable, T.V., fliers, and word of mouth.

Once the student application is completed, it will be returned to Westlake Academy via U. S. mail along with required documentation:

- ◆ Birth certificate
- ◆ Social security card
- ◆ Most recent report card
- ◆ Up-to-date Immunization record
- ◆ TAAS or standardized tests results
- ◆ Essay or portfolio

The application is numbered and parents are notified to set up a Pre-Admission conference. After the Pre-Admission conference is conducted, the parents are asked to sign a letter of intent for the student to attend Westlake Academy. Finally, the parents are notified of student's enrollment status.

Through the interview process, Westlake Academy will ensure that all families are aware of the school's policies, procedures, and philosophies regarding student achievement and school governance before

enrollment occurs. To assist the families, parents will be provided information regarding transferring their student(s) into Westlake Academy.

All potential students in the identified geographical boundaries will be accepted into the school once the interviewing process has been completed and the commitment forms have been signed.

Siblings of Westlake Academy students will receive first priority in the year of their initial application.

All non-geographical, out-of-boundary, qualified applications after the interview process, will be given a waiting list number to ensure the "first come" is the "first served."

Westlake Academy will exclude from admission any student who has a documented history of criminal offense, juvenile court adjudication, or discipline problems under TEC, Chapter 37, Subchapter A.

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

Westlake Academy is committed to ensuring equity in education and obtaining and maintaining a diversified student and staff population.

Westlake Academy's mission is based upon helping children reach their fullest potentials while enhancing the international climate of the entire community. These admissions policies are student-centered with the aim of reaching more children in need of this unique program regardless of their background:

- ◆ The policy offering services on a "first come, first served" basis serves Westlake Academy's mission of equally respecting the rights of all people in its service area
- ◆ The policy of offering a lottery system once the school has reached its capacity, likewise, serves the mission of respecting and treating people fairly and opening the school to students from diverse family circumstances
- ◆ The policy of excluding students who have a documented history of criminal offense, juvenile court adjudication, or discipline problems supports the school's mission of expecting all students to follow school behavioral guidelines.

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<b>XIII. Governance Structures and Processes (Scored by Review Committee)</b>
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**A. What steps will be taken to maintain continuity between the founding coalition's vision and future governing boards?**

Due to the fact that the founding coalition will be the future governing board, maintaining continuity of the founder's vision will not be an issue. The Board of Director's terms of office are staggered which will ensure that the new community leaders will be able to contribute and that there will a continuity of the founding coalition's vision as described in the application.

To ensure consistency the Northwest Regional Educational Laboratory suggested the following guidelines:

**Roles and Responsibilities of the Board**

- Determine and uphold the school's mission and vision
- Select the Executive Director
- Support the Director and review his or her performance
- Ensure effective organizational planning
- Ensure adequate resources
- Manage resources effectively
- Determine and monitor the organization's programs and services
- Enhance the organization's public image
- Serve as a court of appeals
- Assess its own performance and recruit new members

**Traits and characteristics of a good board member**

- A board member should have three of these in any combination:
- Industry—willingness to commit the time and energy to the work that needs to be done
- Intellect – intelligent people who understand education, including the "big picture" of education
- Expertise – individuals with experience in real estate, law, or other skilled practitioners
- Affluence – individuals or corporations can contribute funds as well as in-kind donations (NOTE: This characteristic alone is no reason to include someone on the board)
- Influence – political, social, economic
- Leadership – proven skills in more than one setting
- Time – available time and willingness to commit that time to the board

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- B. 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. Remain cognizant of the fact, that the sponsoring entity is ultimately responsible for the school's compliance with the charter.**

The Board of Trustees is aware that upon granting of the charter that they will be responsible for setting school policy, ensuring that the mission of the school is upheld and governing the school in accordance with its bylaws, charter, and state and federal statutes.

The Board will immediately establish and appoint the following committees to effectively address charter school related issues:

- School district and Regional Service Center Relations
- Curriculum
- Public information

The central theme of governance will be based on the **Accelerated School Model** where parents, learners, community members, and Board Members, along with the school staff, have decision-making power in the learning activities, management and governance of the school. This governance/organizational reform model was developed by Dr. Henry M. Levin, of Cornell University. The most powerful aspect of the **Accelerated School Model** as a governing Model is that of shared decision-making with all stakeholders.

- C. Describe the procedures for receiving and responding to complaints from both parents and employees.**

The policies will be provided in both the Student and Faculty/Staff Handbook.

#### Parents

If a parent has a complaint about an incident in the classroom, he/she should first attempt to resolve the situation by speaking with the teacher. If an amicable resolution cannot be reached, the parent should set an appointment to speak with the Principal. If satisfaction is still not achieved, the parent may set a meeting with the Director. The next level of complaint resolution is to present the situation to the Board of Trustees at the next regularly scheduled meeting and request action. If the parent is still not satisfied, he/she may contact the Charter Schools Division of the Texas Education Agency and/or the State Board of Education.



**Employee**

If an employee has a complaint about anything occurring at the school or regarding his/her employment, he/she should first appeal to resolve the situation by speaking with the Principal. If satisfaction is not achieved, the employee may set a meeting with the Director. The next level for complaint resolution is to present the situation to the Board of Trustees at the next regularly scheduled meeting and request action. If the employee is still not satisfied, he/she may contact the Charter Schools Division of the Texas Education Agency and/or the State Board of Education.

**D. What steps will be taken to facilitate a productive relationship between administrators and teachers?**

Westlake Academy will be committed to providing a pleasant and safe work environment. Salaries will be paid commensurate with the related responsibilities. Westlake Academy will provide teachers/staff with clear and exact job descriptions, which specify job requirements. Teachers will be advised periodically as to their level of performance and developmental needs. Opportunities for in-service and other training will be provided to encourage professional growth. The administration will invite all staff members to report and discuss potential work-related problems, ideas, and improvement, and any actions contrary to policy of a regular basis through the use of formal and informal staff meetings.

Lines of two-way communication will remain open at all times. Bi-monthly faculty meetings and weekly updates will ensure that each employee is a valuable and integral part of the school.

The leadership style will be one conducive to collaboration between all stakeholders at Westlake Academy. Creative, out-of-the-box thinking will be encouraged. A recognition program to promote facilitation of ideas will be implemented.

**E. Discuss the nature of parental and student involvement in decision-making matters.**

The governance structure of Westlake Academy will consist of the Board of Directors. The Board will provide guidance on management and on the integrity of the educational programs consistent with Westlake Academy's vision and goals.

The president and vice-president of the Parents Club will serve as advisory members of the Board of Directors. These individuals, who will be elected by their peers, will represent the families' interest. The Parent

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Club officers will be responsible for bringing to the Board's attention those issues, concerns and questions expressed by the parent/student community related to the instruction and education of their children.

Westlake Academy will provide parents and students with the opportunity to be active members in the decision-making process. The Parent Club will avail families with the opportunity to participate, and the Student Council will provide the same for students of all grade levels.

A campus leadership team will also be implemented. The team will consist of:

- ◆ Three faculty representatives – one from the elementary school, one from the middle school, and one from the high school
- ◆ Three parent representatives – one from the elementary school, one from the middle school, and one from the high school
- ◆ Three students – one from the elementary school, one from the middle school, and one from the high school
- ◆ Two community representatives
- ◆ The leadership team meeting will be attended by the Principal and Executive Director

**F. Specify the extent to which any private entity will be involved in the operation of your charter school. Identify any members of the governing board or officers of the charter school who are affiliated with the entity.**

There are no private entities involved in the operation of Westlake Academy.

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**Attachments**

**00095**

**Attachment 1**

**501 C 3**

As a governmental entity a document of instrumentality will be utilized.

Correspondence from Mary Perry, of the TEA Charter School Division, verifies the use of such instrumentality.

The Town of Westlake's resolution authorizing such instrumentality is included.

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**Diann Rozell - RE: Charter application**

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**From:** "Perry, Mary" <MPerry@tea.state.tx.us>  
**To:** "Diann Rozell" <Rozell@coefs.coe.unt.edu>  
**Date:** 02/05/2001 7:50 AM  
**Subject:** RE: Charter application

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You do not need to include letters of recommendation.

Following is the response that I received from Charles Moody, TEA attorney (512-463-9720) about your initial question-

I'm not familiar with letters of instrumentality, but I assume from the description that they are what municipalities use to document that they are tax-exempt as instrumentalities of the State. I certainly do not think that providing that instead of a 501(c)(3) is a problem; governmental entities are one of the types of entities eligible to be charter holders under 12.101.

You're right that much of Section I of the application ("Evidence of eligibility of sponsoring entity") is premised on the idea of a nonprofit corporation. But I think that a municipality would just have to provide whatever comes closest to the description. For example, they must have by-laws or some equivalent document that defines the duties of municipal officers. And they could provide biographical affidavits of the aldermen. They would not really need a credit report or recent IRS filing.

I'm not sure how helpful that is. Please tell Diann to feel free to call me if they have more specific questions.

-----Original Message-----

**From:** Diann Rozell [mailto:Rozell@coefs.coe.unt.edu]  
**Sent:** Friday, February 02, 2001 1:53 PM  
**To:** mperry@tmail.tea.state.tx.us  
**Subject:** Charter application

Mary, I never heard back from you or legal regarding the 501c3 , but on to other areas of the application.  
Since the Generation 8 application is most specific in regards to attachments, am I to believe that letters of recommendation are not to be included?  
Thanks for your feedback. Diann

**TOWN OF WESTLAKE**

**RESOLUTION NO. 01-05**

**A RESOLUTION ORDERING THE CREATION OF A NONPROFIT CORPORATION PURSUANT TO THE TEXAS NON-PROFIT CORPORATION ACT, APPROVING ARTICLES OF INCORPORATION AND BYLAWS FOR, AND APPOINTING THE INITIAL DIRECTORS OF, THE CORPORATION, APPOINTING CERTAIN CONSULTANTS, AND RESOLVING RELATED MATTERS**

**WHEREAS**, this Board of Aldermen (the "Board"), as the governing body of the Town of Westlake, Texas (the "Town"), hereby find that it is in the public interest that a non-profit corporation (the "Corporation") be created under the Texas Non-Profit Corporation Act (the "Act") to act on behalf of the Town as its duly constituted authority and instrumentality, within the meaning of the Internal Revenue Code of 1986, as amended, for the purpose of providing educational services and facilities;

**WHEREAS**, the Act empowers, among other things, the Corporation to acquire a charter, pursuant to Chapter 12, Subchapter D of the Education Code (the "Education Code"), provide education services, and acquire, finance, and operate educational facilities and facilities related thereto, as contemplated by the Education Code and/or other law;

**WHEREAS**, it is the intent of this Board that the Corporation shall have all powers authorized under the Act and other law to enable it to apply for and obtain a charter under the Education Code and provide education services and acquire, finance, and operate educational facilities and facilities related thereto, as contemplated by the Education Code, the Act, and/or other law;

**WHEREAS**, the Act authorizes the Corporation to issue revenue bonds ("Bonds") and/or to enter into other obligations ("Obligations") that, among other things, will facilitate providing education services and facilities and facilities related thereto;

**WHEREAS**, no Bonds or Obligations of the Corporation will constitute obligations (whether special, general, or moral) of the Town;

**WHEREAS**, the Act provides that the directors of the Corporation are to be appointed by the Board;

**WHEREAS**, the Articles of Incorporation (the "Articles") of the Corporation shall provide that no modification of the Articles or the Bylaws (the "Bylaws") of the Corporation shall take effect unless approved by this Board;

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WHEREAS, this Board intends, by the adoption of this Resolution, to take all action necessary to order the creation of the Corporation with all of the corporate powers and authority granted under the Act and other law;

WHEREAS, the meeting at which this Resolution has been considered was open to the public as required by law, and public notice of the time, place, and subject of the meeting has been given in accordance with Chapter 551, Government Code;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF WESTLAKE, TEXAS:**

SECTION 1. The findings and declarations contained in the preamble of this Resolution are hereby incorporated as part of this Resolution.

SECTION 2. This Board hereby finds and determines that it is in the best interest of the Town and its inhabitants that the Corporation, to be named as specified in the articles, be created pursuant to the Act to act on behalf of the Town as its duly constituted authority and instrumentality for the purposes and with the powers and authority prescribed by the Act and other law.

SECTION 3. This Board hereby orders the creation of the Corporation and approves the Articles in substantially the form attached to this Resolution as an exhibit, and hereby authorizes the incorporators of the Corporation (as identified in such Articles) to file the Articles with the Secretary of State in accordance with law. In the event that the name for the Corporation specified in the Articles is not available, the incorporators are hereby authorized to change the Corporation's name in the Articles without the further approval of the Town.

SECTION 4. This Board hereby appoints the persons identified in the Articles to serve as the initial Board of Directors of the Corporation.

SECTION 5: This Board hereby approves the initial Bylaws of the Corporation in substantially the form attached to this Resolution as Exhibit A.

SECTION 6: It is intended that the Corporation be a duly constituted authority and instrumentality of the Town within the meaning of regulations and/or revenue rulings of the Treasury Department and/or the Internal Revenue Service of the United States promulgated under Section 115 of the Internal Revenue Code of 1986.


SECTION 7: With respect to the Town and its instrumentalities, the Board of Aldermen hereby appoints Larry Williamson as financial advisor, Thomas Allen Moon as finance counsel, and Jenkins & Gilchrist, P.C. as special finance counsel.


SECTION 8: That this Resolution shall become effective upon the date of its passage.


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PASSED AND APPROVED ON THIS 12<sup>TH</sup> DAY OF FEBRUARY, 2001.

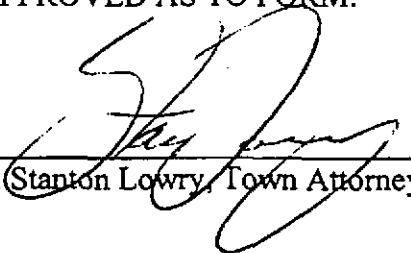
ATTEST:

  
\_\_\_\_\_  
Scott Bradley, Mayor

  
\_\_\_\_\_  
Ginger Crosswy, Town Secretary

  
\_\_\_\_\_  
Trent Petty, Town Manager

APPROVED AS TO FORM:

  
\_\_\_\_\_  
L. Stanton Lowry, Town Attorney

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**TOWN OF WESTLAKE**

**RESOLUTION NO. 01-06**

**A RESOLUTION ORDERING THE CREATION OF A NONPROFIT CORPORATION PURSUANT TO THE TEXAS NON-PROFIT CORPORATION ACT, APPROVING ARTICLES OF INCORPORATION AND BYLAWS FOR, AND APPOINTING THE INITIAL DIRECTORS OF, THE CORPORATION, APPOINTING CERTAIN CONSULTANTS, AND RESOLVING RELATED MATTERS**

**WHEREAS**, this Board of Aldermen (the "Board"), as the governing body of the Town of Westlake, Texas (the "Town"), hereby find that it is in the public interest that a non-profit corporation (the "Corporation") be created under the Texas Non-Profit Corporation Act (the "Act") to act on behalf of the Town as its duly constituted authority and instrumentality, within the meaning of the Internal Revenue Code of 1986, as amended, for the purpose of providing civic facilities;

**WHEREAS**, the Act empowers, among other things, the Corporation to acquire, finance, operate, and lease facilities ("Civic Facilities") that will contribute to the economic development, civic improvement, and educational, cultural, and recreational enhancement of the Town;

**WHEREAS**, it is the intent of this Board that the Corporation shall have all powers authorized under the Act and other law to enable it to acquire, finance, operate, and lease Civic Facilities;

**WHEREAS**, the Act authorizes the Corporation to issue revenue bonds ("Bonds") and/or to enter into other obligations ("Obligations") that, among other things, will facilitate providing Civic Facilities;

**WHEREAS**, no Bonds or Obligations of the Corporation will constitute obligations (whether special, general, or moral) of the Town.

**WHEREAS**, the Act provides that the directors of the Corporation are to be appointed by the Board;

**WHEREAS**, the Articles of Incorporation (the "Articles") of the Corporation shall provide that no modification of the Articles or the Bylaws (the "Bylaws") of the Corporation shall take effect unless approved by this Board;

**WHEREAS**, this Board intends, by the adoption of this Resolution, to take all action necessary to order the creation of the Corporation with all of the corporate powers and authority granted under the Act and other law;

**WHEREAS**, the meeting at which this Resolution has been considered was

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open to the public as required by law, and public notice of the time, place, and subject of the meeting has been given in accordance with Chapter 551, Government Code;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF WESTLAKE, TEXAS:**

SECTION 1. The findings and declarations contained in the preamble of this Resolution are hereby incorporated as part of this Resolution.

SECTION 2. This Board hereby finds and determines that it is in the best interest of the Town and its inhabitants that the Corporation, to be named as specified in the Articles, be created pursuant to the Act to act on behalf of the Town as its duly constituted authority and instrumentality for the purposes and with the powers and authority prescribed by the Act and other law.

SECTION 3. This Board hereby orders the creation of the Corporation and approves the Articles in substantially the form attached to this Resolution as an exhibit, and hereby authorizes the incorporators of the Corporation (as identified in such Articles) to file the Articles with the Secretary of State in accordance with law. In the event that the name for the Corporation specified in the Articles is not available, the incorporators are hereby authorized to change the Corporation's name in the Articles without the further approval of the Town.

SECTION 4. This Board hereby appoints the persons identified in the Articles to serve as the initial Board of Directors of the Corporation.

SECTION 5: This Board hereby approves the initial Bylaws of the Corporation in substantially the form attached to this Resolution as Exhibit A.

SECTION 6: It is intended that the Corporation be a duly constituted authority and instrumentality of the Town within the meaning of regulations and/or revenue rulings of the Treasury Department and/or the Internal Revenue Service of the United States promulgated under Section 115 of the Internal Revenue Code of 1986.

SECTION 7: With respect to the Town and its instrumentalities, the Board of Aldermen hereby appoints Larry Williamson as financial advisor, Thomas Allen Moon as finance counsel, and Jenkins & Gilchrist, P.C. as special finance counsel.


SECTION 8: That this Resolution shall become effective upon the date of its passage.

PASSED AND APPROVED ON THIS 12<sup>TH</sup> DAY OF FEBRUARY, 2001.

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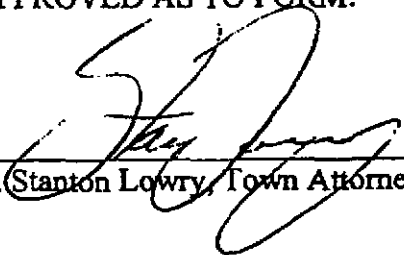
ATTEST:

  
\_\_\_\_\_  
Scott Bradley, Mayor

  
\_\_\_\_\_  
Ginger Crosswy, Town Secretary

  
\_\_\_\_\_  
Trent Petty, Town Manager

APPROVED AS TO FORM:

  
\_\_\_\_\_  
L. Stanton Lowry, Town Attorney

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**Attachment 2**  
**Articles of Incorporation**

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## EXHIBIT "A"

December 13, 1956

FIELD NOTES OF PROPOSED INCORPORATION  
 OF THE TOWN OF WESTLAKE  
 IN TARRANT AND DENTON COUNTIES, TEXAS

Tract No. 1  
 1.99 Square Miles

Situated in the Counties of Tarrant and Denton, State of Texas, being a tract of land out of the following Surveys: J. Eads A-392, R. Eads A-393, J. Gibson A-493, J. Bacon A-1565, J. Sutton A-1154, C. Medlin A-823, W. H. Pea A-1145, J. Henry A-528, W. Medlin A-1958, Hrs. of C. M. Throop A-1510, Hrs. of C. Dart A-2003, W. H. Martin A-1068, M. Hunt A-756, G. B. Hendricks A-680, Jesse Gibson A-592, Wm. Huff A-648.

BEGINNING in Denton County at the intersection of the west line of R. Eads Survey A-393 with the south line of Dallas Street (a street leaving the town of Roanoke) said point being the most northerly northwest corner of the herein described tract; THENCE east following along the south line of Dallas Street crossing State Highway No. 114 at 1100' and continuing on a distance of 4625' to a point for corner in the J. Sutton Survey A-1154; THENCE north and crossing County Road a distance of 700 feet to a point for corner in the J. Eads Survey A-392; THENCE east 660 feet to a point for corner in the east line of said Eads Survey; THENCE south with the east line of Eads Survey and the J. Sutton Survey A-1154 a distance of 1600 feet to a point for corner; THENCE southeasterly and at all times 600 feet from and parallel to the northeast line of State Highway No. 114 to a point for corner in the east line of the J. Glenn Turner 119.18 acre tract in the C. Medlin Survey; THENCE south with said Turner's east line 420 feet to point for corner; THENCE southeasterly and all times 200 feet from and parallel to the northeast line a distance of 2600 feet to a point for corner in the east line of the Irene Nesbitt 4 acre tract in the W. H. Pea Survey A-1145; THENCE southwesterly with said Nesbitt tract a distance of 200 feet to a point for corner in the northeast line of State Highway No. 114; THENCE southeasterly with northeast line of said highway a distance 950 feet to a point for corner; THENCE south crossing said highway to a point for corner in the southwest line of highway and the intersection of the northwest corner of the Earl E. Ellis 26.8 acre tract in the W. H. Pea Survey A-1145; THENCE southeasterly with the southwest line of said highway and crossing the Denton-Tarrant County line and continuing on to a point for corner at the intersection of southwest line of highway with west line of County Road No. 3088 in Tarrant County; THENCE south with west line of said county road a distance of 1450 feet to a point for corner; THENCE west a distance of 800 feet to a point for corner; THENCE north a distance of 2200 feet to a point for corner in the north line of Hrs. of C. M. Throop Survey A-1510; THENCE west with north line of said Throop Survey to a point for corner; said point being the northeast corner of the Earl E. Ellis 35-3 acre tract; THENCE south with the east line of said Ellis tract and east line of John A. McGuire 20.86 acre and 83.47<sup>acre</sup> tracts to a point for corner in the north line County Road No. 3080, said point also being the southeast corner of said McGuire 83.47 acre tract; THENCE easterly and following the north line of said county road to a point for corner; said point being

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in the east line of Hrs. of C. M. Throop Survey A-1510; THENCE south and crossing said county road and following the west line of County Road No. 3088 a distance of 640 feet to a point for corner; THENCE west a distance of 200 feet to a point for corner; THENCE north and at all times 200 feet from and parallel to the west line of county road No. 3088 to a point for corner in the south line of County Road No. 3080; THENCE west and northwesterly following the south line of said county road to a point for corner at its intersection with the east line of the A. M. Tate 11.32 acre tract in the Hrs. of C. M. Throop Survey A-1510; THENCE south with east line of said Tate 11.32 acre tract to a point for corner; said point being the southeast corner of said Tate tract and in the south line of said Throop Survey; THENCE west with the south line of said Tate tract and Throop Survey to a point for corner in the west line of County Road No. 3035; THENCE south and southwest following said west line of county road to a point for corner, said point being the southeast corner of the E. H. Reeder 103.69 acre tract in the W. H. Martin Survey A-1068; THENCE west with south line of said Reeder tract a distance of 2075 feet to a point for corner; said point being the southwest corner of said Reeder tract and in the west line of W. H. Martin Survey A-1068; THENCE north with the west line of said Martin Survey and Reeder tract to a point for corner, said point being at the southeast corner of the M. Hunt Survey A-756; THENCE west with the south line of said M. Hunt Survey to a point for corner; said point being the southwest corner of said Hunt Survey; THENCE north with west line of said Hunt Survey to a point for corner, said point being 200 feet south of south line of County Road No. 4080; THENCE west and at all times 200 feet south of and parallel to the south line of said County Road No. 4080 to a point for corner, said point being 300 feet east of east line of County Road No. 4041; THENCE south and at all times 300 feet east of and parallel to said east line of said County Road No. 4041 to a point for corner; said point being in the south line of the H. S. Thrasher 40 acre tract in the G. B. Hendricks Survey A-680; THENCE west with south line of said Thrasher tract a distance of 300 feet to a point for corner, said point being in the east line of County Road No. 4041; THENCE south with east line of said county road a distance of 660 feet to a point for corner; THENCE east a distance of 300 feet to a point for corner; THENCE south and all times 300 feet east of and parallel to the east line of County Road No. 4041 a distance of 660 feet to a point for corner, said point being in the south line of G. B. Hendricks Survey A-680; THENCE west with said south line of Hendricks Survey and crossing County Road No. 4041 to a point for corner, said point being in the west line of said county road; THENCE north with the west line of said county road to a point for corner, said point being the southeast corner of the J. A. Medford 20 acre tract out of the G. B. Hendricks Survey; THENCE west with south line of said Medford tract a distance of 200 feet to a point for corner; THENCE north and at all times 200 feet west of and parallel to west line of County Road No. 4041 to a point for corner, said point being in the south line of County Road No. 4080; THENCE west with south line of said county road to a point for corner, said point being 600 feet from the east line of County Road No. 4057; THENCE south a distance of 1300 feet to a point for corner, said point being in the south line of the W. T. Sharpless 40 acre tract in the Jesse Gibson Survey A-592; THENCE west with the south line of said Sharpless tract to a point for corner, said point being in the east line of County Road No. 4057; THENCE south with the east line of said county road to a point for corner, said point being the northwest corner of the Margie Wood 6 acre tract in the Jesse Gibson Survey A-592; THENCE east with north line of said Wood

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tract a distance of 200 feet to a point for corner; THENCE south and at all times 200 feet from and parallel to the east line of County Road No. 4057 to a point for corner, said point being in the south line of the Margie Wood 6 acre tract; THENCE west with the south line of said Margie Wood tract and crossing said County Road No. 4057 to a point for corner, said point being in the west line of said county road; THENCE north with the west line of said county road to a point for corner, said point being the southeast corner of the H. C. Winterbauer 40 acre tract in the Jesse Gibson Survey; THENCE west with south line of said Winterbauer tract a distance of 200 feet; THENCE north to a point for corner, said point being in the north line of said Winterbauer tract; THENCE east with north line of said Winterbauer tract to a point for corner, said point being the northeast corner of said Winterbauer tract and in the west line of County Road No. 4057; THENCE north with the west line of said county road to a point for corner, said point being the southeast corner of the J. Glenn Turner 40 acre tract in the Jesse Gibson Survey A-592; THENCE west with the south line of said Turner 40 acre tract to a point for corner, said point being the southwest corner of said Turner 40 acre tract and in the east line of the J. Glenn Turner 81.3 acre tract; THENCE south with the east line of said 81.3 acre tract a distance of 290 feet to a point for corner; THENCE west with an east prolongation of the south line of the J. Glenn Turner 98.8 acre tract in the Wm. Huff Survey A-648 and continuing with south line of said tract to a point for corner, said point being 400 feet east of the east line of County Road No. 4060; THENCE south and at all times 400 feet from and parallel to the east line of said county road to a point for corner, said point being in the south line of the Gunnels 40 acre tract in the Wm. Huff Survey; THENCE west with south line of said Gunnels tract a distance of 400 feet to a point for corner, said point being the southwest corner of said 40 acre tract and in the east line of County Road No. 4060; THENCE north with east line of said county road and the west line of said Gunnels tract to a point for corner, said point being 200 feet from south line of the J. Glenn Turner 98.8 acre tract; THENCE east and 200 feet north of and parallel to the south line of said Turner tract and an east prolongation of said south line to a point for corner, said point being 200 feet west of the east line of J. Glenn Turner 81.3 acre tract in the Jesse Gibson Survey A-592; THENCE east 200 feet north of and at all times parallel to the south line of the J. Glenn Turner 40 acre tract to a point for corner, said point being in the west line of County Road No. 4057; THENCE north and northwest with the west line of said county road to a point for corner, said point being in the north line of the Jesse Gibson Survey A-592; THENCE west with the north line of said Gibson Survey a distance of 200 feet to a point for corner; THENCE north and crossing the J. Bacon Survey A-1565 and the Tarrant-Denton County line to a point for corner, said point being in the north line of the Frank Wright 2 acre tract in the R. Eads Survey A-393; THENCE east with the north line of said Wright tract a distance of 300 feet to a point for corner, said point being the Northeast Corner of said Wright tract and in the west line of County Road to Roanoke; THENCE northwest and northwesterly following the west line and south line of said county road to a point for corner, said point being 350 feet east of and at right angles to the west line of R. Eads Survey; THENCE southwesterly a distance of 150 feet to a point for corner; THENCE northwesterly 150 feet from and at all times parallel to the southwest line of county road to Roanoke to a point for corner, said point being in the west line of the J. Bacon Survey A-1565; THENCE north

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with the west line of said J. Bacon Survey and the center line of a county road to a point for corner, said point being the northwest corner of the J. Glenn Turner 6.5 acre tract in the J. Bacon Survey; THENCE east with north line of said 6.5 acre tract to an inner corner of said tract, said corner being in the east line of J. Bacon Survey; THENCE south with east line of said Bacon Survey to a point for corner, said point being the southeast corner of said 6.5 acre tract and in the northeast line of county road leaving Roanoke; THENCE southeast east and south with the northeast, north and east line of county road and crossing the Denton-Tarrant County line to a point for corner, said point being in the east line of County Road No. 4057 and the Northwest corner of the R. B. Carpenter 20 acre tract in the Jesse Gibson Survey A-592; THENCE east with North line of said Carpenter tract a distance of 300 feet to a point for corner; THENCE south and at all times 300 feet from and parallel to the east line of County Road No. 4057 to a point for corner, said point being in the south line of said Carpenter tract; THENCE west with south line of said Carpenter tract to a point for corner, said point being the southwest corner of said Carpenter tract and in the east line of County Road No. 4057; THENCE south with east line of said county road and continuing on to a point for corner, said point being in the southeast corner of the R. A. Carpenter 20 acre tract; THENCE east with south line of said Carpenter tract and continuing on with the north line of county road No. 4080 to a point for corner, said point being 700 feet from the southeast corner of the A. H. Wilde Land in the G. B. Hendrick Survey A-680; THENCE north and parallel to the east line of said Wilde Tract a distance of 1000 feet to a point for corner, said point being in the east line of said Wilde tract; THENCE south with east line of said Wilde tract a distance of 1000 feet to a point for corner, said point being the southeast corner of said Wilde tract and in the north line of County Road No. 4080; THENCE northeast and east with the north line of said county road to a point for corner, said point being 1200 feet west of east line of County Road No. 4026; THENCE north a distance of 1600 feet to a point for corner; THENCE east and crossing said county road at 1200 feet and continuing on to a point for corner, said point being 200 feet east of the east line of said county road; THENCE south and at all times 200 feet from and parallel to the east line of said county road to a point for corner, said point being in the south line of the M. L. Roberts 40 acre tract in the Hrs. of C. M. Throop Survey A-1510; THENCE west with south line of said Roberts tract a distance of 200 feet to a point for corner, said point being the southwest corner of said Roberts tract and in the east line of County Road No. 4026; THENCE south with the east line of said county road and the east with the north line of County Road No. 3080 to a point for corner; THENCE south with east line of said county road to a point for corner, said point being the Northwest corner of the John McGuire Land; THENCE east with the north line of the said McGuire tract to a point for corner, said point being the southeast corner of the B. A. Zwald 136-1/3 acre tract; THENCE north with the east line of said Zwald tract to a point for corner, said point being 400 feet from the north line of Hrs. of C. M. Throop Survey, THENCE west and 400 feet south of and parallel to the north line of said Throop Survey to a point for corner, said point being a south prolongation of the east line of the A. C. Heath land in the W. H. Pea Survey A-1145; THENCE north to a point for corner, said point being the southeast corner of said Heath tract and in the south line of W. H.

*thence east  
700' to a point  
for corner*

00108



Pea Survey, THENCE west with south line of said W. H. Pea Survey a distance of 600 feet to a point for corner; THENCE north 600 feet west of and parallel to the east line of A. C. Heath tract to a point for corner, said point being in the southwest line of State Highway No. 114; THENCE northwest with the southwest line of said highway to a point for corner, said point being the north east corner of the B. K. Heath 4 acre tract in the W. H. Pea Survey; THENCE south with east line of said Heath tract to a point for corner in the southeast corner of said tract; THENCE west with south line of said tract and continuing across county road to a point for corner; THENCE south with west line of said county road to a point for corner, said point being in the southeast corner of the Max Cohen 83.43 acre tract in the C. Medlin Survey A-823; THENCE west with south line of said Cohen tract and continuing along the the south line of the J. Glenn Turner 243.52 acre tract to a point for corner in the southwest corner of the said Turner tract and the C. Medlin survey; THENCE north with the west line of said Turner tract and Medlin survey to a point for corner, said point being in the southwest line of State Highway No. 114; THENCE northwest with the southwest line of said highway to a point for corner, said point being 200 feet south and measured perpendicular from the south line of county road leaving Roanoke; THENCE west and at all times 200 feet from and parallel to the south line of said road to a point for corner, said point being in the west line of the R. Eads Survey A-393; THENCE north with the west line of said Eads survey to the point of beginning, and covering a tract of land containing 1.99 square miles.

00109

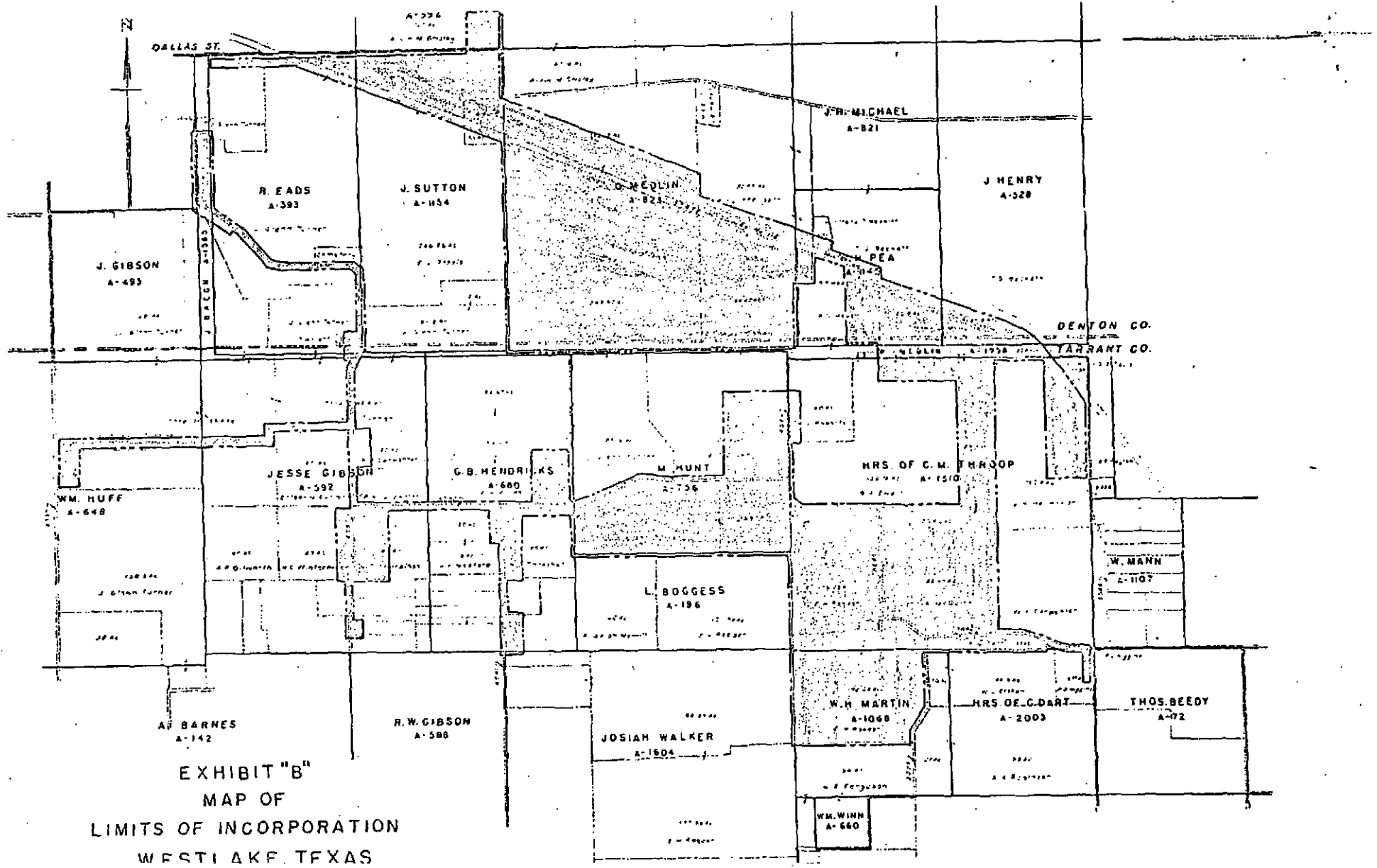


EXHIBIT "B"  
 MAP OF  
 LIMITS OF INCORPORATION  
 WESTLAKE, TEXAS

**Attachment 3**

**By-Laws**

As a governmental entity the Town of Westlake does not have Bylaws.

The By-Laws for the instrumentality of the Westlake Academy Corporation are included.

00111

BYLAWS  
of  
WESTLAKE ACADEMY CORPORATION

ARTICLE I  
POWERS AND OPERATIONS IN GENERAL

SECTION 1.1. Powers of Corporation. The Westlake Academy Corporation (the "Corporation") shall have all of the powers and authority granted to non-profit corporations under the Texas Non-Profit Corporation Act, TEX. REV. CIV. STAT. ANN. Art. 1396 (Vernon 1997), as amended (the "Act").

SECTION 1.2. Records. The Corporation shall keep complete corporate and financial records and minutes of the proceedings of its board of directors (the "Board") and of committees (if any) of the Board in accordance with applicable law. The records and minutes shall be made available for inspection at all reasonable times by any member of the Board (any member, a "Director") or by the Director's authorized agent or by any authorized representative of the Town of Westlake (the "Town").

SECTION 1.3. Regulations. The Corporation, by action of the Board, may promulgate regulations (the "Regulations") governing the Corporation's operation. The Regulations shall not conflict with, and shall be subject to, these Bylaws and the Corporation's Articles of Incorporation (the "Articles").

SECTION 1.4. Staffing Functions. Staff functions of the Corporation may be performed by employees of the Town, under the direction of the Town Manager, subject to payment by the Corporation of the actual costs of the staff functions to be performed, as from time to time may be billed to the Corporation by the Town. The Corporation shall pay the bills upon receipt (or as promptly thereafter as practicable) from any of its funds available for such payment.

ARTICLE II  
BOARD OF DIRECTORS

SECTION 2.1. Management of Corporation. The Board is responsible for the management of the Corporation.

SECTION 2.2. Number, Appointment, Term, Disqualifications, and Removal of Directors. The Board shall consist of seven Directors. The Directors constituting the initial Board are those specified in the Articles. Subsequent Directors (including Directors filling vacancies) shall be appointed by the governing body of the Town. The term of each Director is two years, provided that a Director shall continue to serve until his/her successor is appointed and assumes office. Any Director may be removed at any time (with or without cause) by the governing body of the Town.

SECTION 2.3. Meetings of Directors. (a) The Board may hold its meetings at any place designated (from time to time) by the Board. In the absence of any designation, meetings shall be held at the principal office of the Corporation. Regular meetings of the Board shall be held at such times and places as designated by resolution of the Board. A special meeting of the Board shall be held whenever called by the president or the secretary of the Corporation or by the Board at the time and place specified by the authority calling the special meeting. Unless otherwise indicated in the notice of a special meeting, any matter that may be acted upon by the Board at a regular meeting may be acted upon at a special meeting.

(b) Except as otherwise provided by law, notice to Directors of a regular meeting is not required. Notice of the time and place of each special meeting shall be given to each Director (either by personal delivery, United States mail, telephone, or telecopy) not later than two hours in advance of the meeting. Notice of

any Board meeting to persons other than Directors shall be given if and to the extent required by law.

(c) Attendance of a Director at a meeting shall constitute a waiver by the Director of any notice of meeting, unless the Director attends the meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened. A waiver of a notice in writing, signed by any person entitled to notice (whether before or after the time for giving the notice) shall be deemed to be the equivalent to the giving of notice.

SECTION 2.4. Quorum. A majority of the number of Directors fixed by these bylaws as constituting the Board shall constitute a quorum for the transacting of the business of the Corporation. The act of a majority of the Directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board except as otherwise required by law or by these Bylaws or the Articles.

SECTION 2.5. Order of Business. The Board shall consider the matters before it in such order as the Board may determine.

SECTION 2.6. Committees. The Board, by resolution adopted by a majority of the Directors in office, may designate one or more committees that, to the extent provided in the resolution, shall have the authority of the Board in the management of the Corporation. Each committee shall consist of two or more Directors. Committees that do not have the authority of the Board in the management of the Corporation may be designated by resolution of the Board or by the president of the Corporation, and membership on any committee need not be limited to Directors.

SECTION 2.7 Compensation of Directors. Directors are not entitled to receive any compensation for their services as Directors, except for reimbursement of their actual expenses incurred in the performance of their official duties.

### ARTICLE III OFFICERS

SECTION 3.1. Office Titles. The officers of the Corporation shall be a president, a vice president, a secretary, a treasurer, and such other officers as the Board may from time to time appoint. The same person may hold more than one office, except that the president shall not hold the office of secretary.

SECTION 3.2. Appointment, Term, Removal, Vacancy of Offices. Each officer shall be appointed by the Board for a term of two years and shall continue to serve until his/her successor is appointed and assumes office. Each officer is subject to removal from office (with or without cause) at any time by the vote of a two-thirds majority of the Directors in office. A vacancy in any office shall be filled in the same manner as the original appointment for the unexpired term thereof.

SECTION 3.3 President. The president shall preside at all meetings of the Board. The president is the chief executive officer of the Corporation and, subject to the control of the Board, shall have general charge and supervision of the management of the affairs of the Corporation. The president shall cause all orders and resolutions of the Board to be put into effect. The president shall sign and execute all legal documents and instruments in the name of the Corporation when authorized to do so by the Board, except when the signing and execution thereof is delegated by the Board to some other officer or to an agent of the Corporation.

SECTION 3.4. Vice-President. The vice-president shall, in the event of the absence or disability of the president, discharge the powers and duties of the president, and the vice-president shall perform such additional duties as may be assigned from time to time by the Board.

SECTION 3.5. Secretary. The secretary shall have charge of the records and correspondence of the Corporation under the direction of the president. The secretary is responsible for the giving of notice of meetings of the Board, and the secretary shall attend the Board meetings and shall take and keep minutes of, and record all votes cast at, the meetings. The secretary shall discharge such other duties as may be assigned from time to time by the president or the Board.

SECTION 3.6. Treasurer. (a) To the extent not otherwise provided in any resolution of the Board relating to the issuance of bonds or other obligations of the Corporation or to instruments authorized by the Board to provide security therefor, the treasurer shall have the custody of all the funds and securities of the Corporation and shall deposit them to the credit of the Corporation in such banks or other depositories as the Board may designate.

(b) The treasurer shall keep proper books of account and other records showing at all times the amount of the funds and other property belonging to the Corporation and of all receipts and disbursements of the Corporation. The treasurer shall, under the direction of the Board, disburse all money and sign all checks and other instruments drawn on or payable out of the funds of the Corporation and shall also make such transfers and other dispositions of the securities of the Corporation as may be ordered by the Board.

(c) The treasurer shall also discharge such additional duties as may be assigned from time to time by the Board. The treasurer shall give bond only if required to do so by the Board. The treasurer shall render to the president and to the Directors an account of all transactions of the treasurer and of the financial condition of the Corporation upon request.

SECTION 3.7. Compensation of Officers. Officers are not entitled to receive any compensation for their services as officers, except for reimbursement of their actual expenses incurred in the performance of their official duties; provided that, the secretary shall be compensated for services rendered.

#### ARTICLE IV MISCELLANEOUS PROVISIONS

SECTION 4.1. Time for Taking Effect. These Bylaws shall take effect upon their adoption by the Board.

SECTION 4.2. Resignation. Any Director or any officer of the Corporation may resign at any time. A resignation shall be made by written instrument and shall take effect at the time specified therein or, if no time is so specified, at the time of its receipt by the president or the secretary of the Corporation. The acceptance of a resignation is not necessary to make it effective unless expressly so provided in the instrument of resignation.

SECTION 4.3. Fiscal Year. The fiscal year of the Corporation shall be the annual period determined by resolution of the Board.

SECTION 4.4. Seal. The official seal of the Corporation shall be as determined by the Board. The seal shall not be necessary to the proper execution by the officers of the Corporation of any document or instrument unless otherwise specified by the Board.

SECTION 4.5. Special Requirements. The Corporation shall comply with the following special requirements:

- (a) The Corporation shall maintain its books and records separate and apart from any other legal entity.
- (b) The Corporation shall not commingle its assets with the assets of any other legal entity.

- (c) The Corporation shall maintain financial records separate from any other legal entity.
- (d) The Corporation shall maintain an "arm-length" relationship with all other legal entities except as it otherwise required by law.
- (e) The Corporation shall pay the salaries of its own employees.

SECTION 4.6. Amendments. These Bylaws may be amended at any time, and from time to time, by resolution of the Board, which amendment shall not take effect until approved by the governing body of the Town.

SECTION 4.7. Interpretation. These Bylaws shall be liberally construed to effect the purposes of the Corporation. If any part of these Bylaws is ruled invalid by a court of competent jurisdiction, the remainder of these Bylaws shall remain in effect to the fullest extent possible under the application of such ruling. References in these Bylaws to the singular number shall include the plural and vice versa (unless the context otherwise requires).

**Attachment 4**

**Affidavits**

00116



**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: \_\_\_\_\_  
 TOWN OF WESTLAKE  
 WESTLAKE 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): SCOTT FLOYD BRADLEY
2. Have you ever had your name changed? yes. If yes, give reason for the change: In 1963, name changed from Melvin Floyd Bradley to Scott Floyd Bradley because I did not like the name "Melvin" and I had not been called by that name since 1945.
- b. Maiden Name (if female) \_\_\_\_\_
- c. Other names used at any time Occasionally called "Bo" Bradley in College
3. Social Security Number: [REDACTED]
4. Date and Place of Birth: [REDACTED] - Crowell, Foard County, Texas
5. Business Address: 1256 Main Street, Ste. 252, Southlake, Texas 76092  
 Business Telephone: (817) 442-5523
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>
1998 to Present	10 Paigebrooke Lane	Westlake, Texas	76262-7417
1977 to 1998	2275 Precinct Line Rd.	Westlake, Texas	76262

7. Education: Dates, Names, Locations and Degrees

College 1959 Odessa College (AA); 1961 Texas Tech University (BA)  
Graduate Studies 1964 Southern Methodist University (JD)  
1976 Southern Methodist University (LLM in Taxation)  
Others \_\_\_\_\_

8. List Membership in Professional Societies and Associations: Texas Bar Association;  
American Bar Association; 9.  
Life Fellow, Texas Bar Foundation

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
<u>SEE EXHIBIT A</u>			

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? YES  
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): 09/21/64 - Texas Bar No. 0283000; 01/15/1965 - United States District Court for the Northern District; 12/23/1965 - United States Court of Appeals; 11/06/1972 - United States Supreme Court; 11/19/1975 - United States Tax Court

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? NO  
If yes, give details: \_\_\_\_\_

16. Have you ever been adjudged bankrupt? NO, BUT SEE EXHIBIT B

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? YES, SEE EXHIBIT B

19. Are you now, or have you been, within the past five years, a plaintiff or defendant in any lawsuit? YES. If so, please furnish details: SEE EXHIBIT C

Dated and signed this 13th day of FEBRUARY,  
2001, at SOUTHLAKE, 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.

Scott Bradley  
(Signature of Affiant)

State of TEXAS  
County of TARRANT

Personally appeared before me the above named Scott Bradley  
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 13th day of  
FEBRUARY, 2001.

(Notary Public)

My commission expires 2004

(SEAL)



Janet L. Perone

# EXHIBIT A

## Employment Record Scott Bradley

1994 to Present	Mayor, Town of Westlake, 3 Village Circle, Ste. 207, Westlake, Texas 76202	Title: Mayor
1988 to Present	Bradley & Bradley, P.C., 1256 Main Street, Ste.252, Southlake, Texas 76092	Title: President
1986 -- 1988	Baker & McKenzie, 4500 Trammell Crow Center, 2001 Ross Avenue, Dallas, Texas 75201-2916	Title: Partner
1974 -- 1986	Jenkins & Gilchrist, 1445 Ross Avenue, Ste. 3200, Dallas, Texas 75202	Title: Partner

00120

A-21a

## EXHIBIT B

In February 1985, my wife Kelly Pace Bradley and I, dba Paigebrooke Development Company, purchased 200 acres near Roanoke, Texas, which we developed into a residential subdivision. We borrowed almost \$6 million from Seguin Savings Association (SSA) to fund the acquisition and development costs.

In February 1987, SSA defaulted under the loan agreement. Subsequently, SSA failed and came under the control of the Federal Savings and Loan Insurance Corporation (FSLIC). Even though SSA -- not we -- was the defaulting party, the FSLIC regulators nevertheless called the note and attempted to foreclose on our property. Under Texas law, foreclosures (though wrongful) cannot be stayed without posting a bond in the full amount of the value of the property (at that time, in excess of \$10 million). We did not have \$10 million; consequently, the only avenue available for us to avoid the foreclosure was to file for protection under Chapter 11 of the Federal Bankruptcy Code. This action was filed October 6, 1987, docket number 487-42772-MT-11, in the United States Bankruptcy Court for the Northern District of Texas, Fort Worth Division.

My wife and I then initiated multiple lawsuits in the district courts of Tarrant County and Bexar County, Texas, as well as in the U.S. District Courts for the Northern District of Texas and the Western District of Texas, to determine our rights under the loan agreement. The litigation ensued in several courts over several years. One of the cases went to the United States Supreme Court. Along the way, the bankruptcy action took on the following docket numbers, even though each docket number represented the same case:

- 487-42772-MT-11 in the United States Bankruptcy Court for the Northern District of Texas, Fort Worth Division;
- Docket number 90-41750 in the United States Bankruptcy Court for the Eastern District of Texas; and
- Docket number 491-41196-MT-11 in the United States Bankruptcy Court for the Northern District of Texas, Fort Worth Division.

Upon conclusion of part of the litigation, the action represented by these docket numbers was dismissed on my motion, **without any adjudication of bankruptcy**. The last of the litigation was successfully concluded on February 6, 1996, with SSA's ultimate successor, Commonwealth Land Title Insurance Company.

The following points should be made:

1. This was a **business** bankruptcy filing associated with Paigebrooke Development Company. All personal creditors were paid as scheduled throughout the progress of the bankruptcy case. Only SSA was delayed in receiving payment. SSA was delayed only because SSA -- not we -- breached the loan agreement.
2. There was no final adjudication of bankruptcy; the bankruptcy petition was *voluntarily withdrawn*.
3. **At no time was my wife or I relieved of any indebtedness. In fact, all of our debt was paid in full, including the approximately \$6 million in notes owed to SSA (the notes were ultimately acquired by Commonwealth Land Title Insurance Company).**

# EXHIBIT C

## Litigation Involving Scott Bradley Over the Past Five (5) Years

1. *Scott Bradley vs. Carroll Huntress, et al.*  
Cause No. 342-169048-97  
342<sup>nd</sup> Judicial District Court, Tarrant County, Texas

Scott Bradley is Mayor of the Town of Westlake, Texas. In 1997, certain dissident town aldermen attempted to remove Bradley from office for alleged improper conduct. Bradley sued to have the alleged ouster be declared void. This case was essentially superceded by a quo warranto action brought on the relation of Bradley's purported successor, Dale White, seeking a declaration that he was the true mayor of Westlake. (See No. 2 below). A more detailed description of the outcome of this case is contained in section 2 below.

2. *The State of Texas ex rel Dale White vs. Scott Bradley*  
Cause No. 342-169138-97  
342<sup>nd</sup> Judicial District Court, Tarrant County, Texas

The trial court ruled in favor of Bradley, finding the attempted removal of Bradley from office to be invalid and that Bradley was the lawful mayor of Westlake. The Court of Appeals reversed the trial court's ruling.

The Texas Supreme Court accepted the case on Bradley's Petition for review and reversed the Court of Appeals. The Texas Supreme Court ruled Bradley's purported ouster was void and that Bradley was and is the Mayor of Westlake. Bradley still serves as the Mayor of Westlake.

3. *Hillwood Development, et al. vs. Scott Bradley, et al.*  
Cause No. 97-05260-L  
193<sup>rd</sup> Judicial District Court, Dallas County, Texas

As a corollary to the attempted removal of Bradley from office, the same dissident town aldermen attempted to dismantle the Town of Westlake by purportedly disannexing approximately 90% of the Town's land and ceding that land to the surrounding communities of Fort Worth, Southlake and Roanoke. Bradley and other newly elected Aldermen vigorously opposed these efforts. Westlake filed suits against the surrounding communities and the major landowner to have the land transfers declared void.

Hillwood Development Company, the major landowner in the Town, sued Bradley along with the other town officials who opposed the disannexations. Bradley and the other town officials counterclaimed against Hillwood seeking damages.

The case was settled and the claims dismissed. The land purportedly disannexed to Fort Worth and Southlake has been returned to Westlake.

4. *Scott Bradley, et al. vs. Commonwealth Title Company*  
Cause No. 342-148120-93  
342<sup>nd</sup> Judicial District Court, Tarrant County, Texas

The case involved a dispute between Bradley and Commonwealth Title Company concerning certain discrepancies related to loans secured by real estate; the security for those loans and amounts allegedly due and owing on those loans.

The case was settled and dismissed in February, 1996.

00122

A-21c

**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: \_\_\_\_\_  
Town of Westlake  
Westlake 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): Truitt DeLee Brown II
2. Have you ever had your name changed? NO If yes, give reason for the change: \_\_\_\_\_  
\_\_\_\_\_
- b. Maiden Name (if female) \_\_\_\_\_  
c. Other names used at any time \_\_\_\_\_
3. Social Security Number: [REDACTED]
4. Date and Place of Birth: [REDACTED] Corsicana, Tx.
5. Business Address: 6200 Denton Hwy. Watauga, Tx. 76148  
Business Telephone: 817-834-2702
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>
1980- present	13298 Thornton Dr.	Westlake, Tx.	76262-9677

00123

7. Education: Dates, Names, Locations and Degrees

College \_\_\_\_\_

Graduate Studies \_\_\_\_\_

Others ASA school of Aeronautics, Meacham Field, Ft. Worth, Tx.  
Comercial Pilots Degree  
Aircraft and Powerplant Degree

8. List Membership in Professional Societies and Associations: \_\_\_\_\_

Alderman for town of Westlake 9.

Co-Chairman of economics development board

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
1978 to present	Browns Auto Supplys	6200 Denton Hwy. Watauga, Tx. 76148	
		5028 Broadway Ft. Worth, Tx. 76117	

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):  
A/P 11-16-89 Federal Aviation Administration  
Airplane Single & Multiengine land & Centerline Thrust & Instrument &  
Commercial Dated 03-10-88 by Federal Aviation Administration

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: \_\_\_\_\_

00124



15. Will you or members of your immediate family be employed by (directly or through contract) or receive remuneration from the proposed charter school? NO  
If yes, give details: \_\_\_\_\_

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 \_\_\_\_\_

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.

Juitt D. Brown II  
(Signature of Affiant)

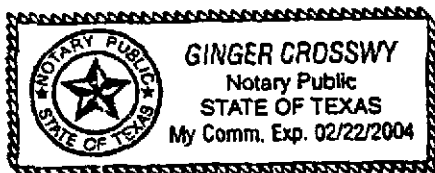
State of Texas  
County of Tarrant

Personally appeared before me the above named Juitt D. Brown II 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 2/22/2004



Ginger Crosswy

00125

**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: \_\_\_\_\_

Town of Westlake

Westlake 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): Francis William Frey, Jr.

2. Have you ever had your name changed? No If yes, give reason for the change: \_\_\_\_\_

b. Maiden Name (if female) \_\_\_\_\_

c. Other names used at any time Bill Frey

3. Social Security Number: [REDACTED]

4. Date and Place of Birth: [REDACTED] New Castle, PA

5. Business Address: N/A Retired

Business Telephone: \_\_\_\_\_

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>
<u>1987 to Present</u>	<u>5924 Janet Ct</u>	<u>Westlake, TX 76262</u>	

06126

7. Education: Dates, Names, Locations and Degrees

College 1950-1954 Westminster College New Wilmington, PA - BBA

Graduate Studies \_\_\_\_\_

Others Gannon University - Erie, PA Management Course  
Michigan State University E. Lansing, Mich. Engineering  
Harvard University Boston, MA Marketing

8. List Membership in Professional Societies and Associations: None

9.

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
1985-1987	General Telephone Co. of IL.	Bloomington, IL.	State VP - General Manager
1981-1985	GTE Telephone Operations HQ	Stamford, CT/Irving, TX	Asst. VP Business Relatic
1979-1981	General Telephone Co. of KY	Lexington, KY	VP Revenue Requirements
1977-1979	General Telephone Co. of Southwest	Texarkana, TX	Area Operations Manager
1973-1977	General Telephone Co of SOWthwest	SanAngelo, TX	BUSINESS Relations Director

11. Present employer may be contacted: Yes No (Circle One) N/A

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): 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? No  
If yes, give details: \_\_\_\_\_

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 \_\_\_\_\_

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.

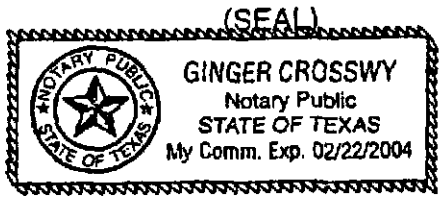
Francis William Faugh  
(Signature of Affiant)

State of Texas  
County of Tarrant

Personally appeared before me the above named Francis William Faugh 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 2/22/04



Ginger Crosswy

00128

**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: \_\_\_\_\_  
Town of Westlake  
Westlake 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): Fred Ehrman Held

2. Have you ever had your name changed? No If yes, give reason for the change: \_\_\_\_\_

b. Maiden Name (if female) \_\_\_\_\_

c. Other names used at any time \_\_\_\_\_

3. Social Security Number: [REDACTED]

4. Date and Place of Birth: [REDACTED] Dallas, Texas

5. Business Address: Retired

Business Telephone: \_\_\_\_\_

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>
<u>1987</u>	<u>4105 Aspen Lane</u>	<u>Westlake, Texas</u>	<u>76262</u>

00129

7. Education: Dates, Names, Locations and Degrees

College \_\_\_\_\_

Graduate Studies \_\_\_\_\_

Others 1956-1957 USAFI Courses - Retail Principle & Practices

8. List Membership in Professional Societies and Associations: \_\_\_\_\_

Member Keller Lions Club 9.

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
1961 - 1991	Elliott's Hardware	4901 Maple Ave. Dallas, Texas	President - CEO

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): \_\_\_\_\_

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: \_\_\_\_\_

00130

15. Will you or members of your immediate family be employed by (directly or through contract) or receive remuneration from the proposed charter school? No  
If yes, give details: \_\_\_\_\_

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? Yes. If so, please furnish details: Suits that have been resolved pertaining to town of Westlake as an Alderman

Dated and signed this 23 day of January,  
20 01, at \_\_\_\_\_

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.

Fred E. Held  
(Signature of Affiant)

State of Texas  
County of Tarrant

Personally appeared before me the above named Fred E. Held 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 23 day of  
January, 20 01.

(SEAL)

(Notary Public)

My commission expires May 3, 2004



Lori L. Horak

00131

**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: \_\_\_\_\_  
Town of Westlake  
Westlake 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): Larry James Sparrow

2. Have you ever had your name changed? No If yes, give reason for the change: \_\_\_\_\_

b. Maiden Name (if female) \_\_\_\_\_

c. Other names used at any time \_\_\_\_\_

3. Social Security Number: [REDACTED]

4. Date and Place of Birth: [REDACTED] Durham, NC

5. Business Address: 4035 Aspen Lane Westlake, TX 76262

Business Telephone: 817-431-4620

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>
<u>10/99 - present</u>	<u>4035 Aspen Lane</u>	<u>Westlake, TX 76262</u>	
<u>9/94 - 10/99</u>	<u>1340 Bently Court</u>	<u>Southlake, TX</u>	
<u>5/92 - 9/94</u>	<u>15 South Rim St.</u>	<u>Thousand Oaks, LA</u>	
<u>3/89 - 5/92</u>	<u>400 Milan Court</u>	<u>Irving, TX</u>	

00132



7. Education: Dates, Names, Locations and Degrees

College University of Illinois - Champaign, Illinois MBA 1981

Graduate Studies \_\_\_\_\_

Others \_\_\_\_\_

8. List Membership in Professional Societies and Associations: \_\_\_\_\_

9.

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
12/67 - 8/00	GTE		President Wholesale Markets

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): 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: \_\_\_\_\_

00133

15. Will you or members of your immediate family be employed by (directly or through contract) or receive remuneration from the proposed charter school? No  
If yes, give details: \_\_\_\_\_

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 \_\_\_\_\_

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.

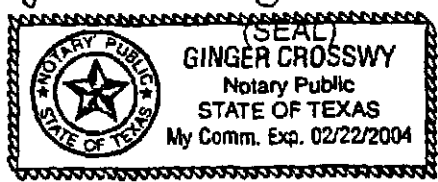
Jany Brown  
(Signature of Affiant)

State of Texas  
County of Tarrant

Personally appeared before me the above named Larry Sparrow 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 2/22/04



Ginger Crosswy

00134

**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: \_\_\_\_\_

Town of Westlake - Westlake 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): Donald Robert Redding

2. Have you ever had your name changed? No If yes, give reason for the change: \_\_\_\_\_

b. Maiden Name (if female) \_\_\_\_\_

c. Other names used at any time \_\_\_\_\_

3. Social Security Number: [REDACTED]

4. Date and Place of Birth: [REDACTED] Caney Kansas

5. Business Address: N/A

Business Telephone: \_\_\_\_\_

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>
1980 - Present	5925 Janet Ct.	Westlake, TX	76262

7. Education: Dates, Names, Locations and Degrees

College Kansas State University, Kansas - BA Electrical Engineering/Business Admin

Graduate Studies \_\_\_\_\_

Others \_\_\_\_\_

8. List Membership in Professional Societies and Associations: N/A

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
1961-1991	IBM Corp	Various	Various Engineering & Sales Mngmt.
1991-1994	IBM Corp	Ft. Worth, TX	Marketing Consultant
Currently Retired			

11. Present employer may be contacted: Yes No (Circle One) N/A

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? N/A

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):

1975 Federal Aviation Administration (FAA) Pilots Certificate - (Current)

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? N/A 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? No  
If yes, give details: \_\_\_\_\_

16. Have you ever been adjudged bankrupt? No

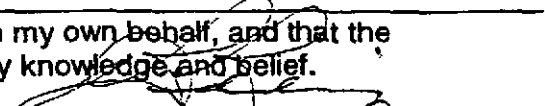
17. Have you ever been convicted or had a sentence imposed or suspended or had pronouncement of a sentence suspended or been pardoned for conviction of or pleaded guilty or nolo contendere to any information or indictment charging any felony, or charging a felony or misdemeanor involving moral turpitude, 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? Yes. If so, please furnish details: Plaintiff Redding vs. Town of Westlake, Defendant Hillwood corp. vs. Scott Bradlet Etal, Plaintiff Countersuit to above

Dated and signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_

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 Tarrant

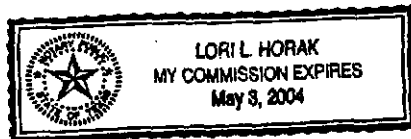
Personally appeared before me the above named Donald Robert Redding personally known to me, who, being duly sworn, deposes and says that he/she executed the above instrument and that the statements and answers contained therein are true and correct to the best of his/her knowledge and belief.

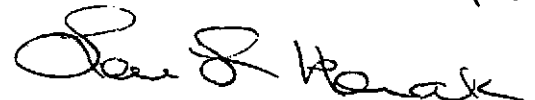
Subscribed and sworn to before me this 26 day of January, 2001.

(SEAL)

(Notary Public)

My commission expires May 3, 2004





**Attachment 5**

**Credit Report**

As a governmental entity the Town of Westlake doe not have a credit report.

00138

A-37

**Attachment 7**

**Newspaper Notice of Public Hearing**

As a governmental entity, the Town of Westlake is required to post notice of all public hearings. These notices are attached.

00139

A-39



# Town of Westlake

**Where's Westlake**

**The Big Breakup**

**Headline News**

**Around Westlake**

**Virtual Town Tour**

**The Town Hall**

**Meeting Agendas**

**Westlake History**

**What's Changed**

**Search This Site**

**More Web Links**

**Welcome to the online home of the Town of Westlake, Texas.**

News for the Town's residents:

Westlake 5th grade students are encouraged to participate in the Arbor Day National Poster Contest. The national first place winner will receive a \$1000 savings bond and other rewards at the National Awards Weekend in Nebraska City, Nebraska. [Click here for more information](#) on the contest.

There will be a meeting of the Westlake Academy organizational team on Tuesday, January 23, 2001, at 7:00 p.m. in the South Dining Room on Campus Circle. Everyone is invited to attend.

The section of Dove Road between Pearson Lane and Precinct Line Road will be closed for approximately four months. We are in the process of rebuilding all of our streets beginning with this section. We are sorry for any inconvenience this may cause. The timing is not the best but could not be helped.

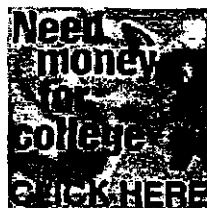
Be aware that there are people working in Westlake who are after your money. See Headline News at the left for more information.

There are new pictures of the Fidelity Investments campus construction progress under the Virtual Town Tour tab on the left.

## **Trophy Club - Westlake Department of Public Safety**

For anyone who would like to assist in police, fire and emergency medical services operations, a DPS Auxiliary is being formed. Call David Brown at 817-431-2879 if you are interested in the auxiliary.

And for those of you wishing more participation, the DPS is looking for volunteer fire fighters. Call the Trophy Club/Westlake fire chief at 817-430-1911, ext. 204 if you would like to learn more about this.



Do you have a high school student looking for a college scholarship? [Texas Student Housing Corporation](#) may have an answer for you.

Please explore this site and learn about Westlake, its past, present,

00140

A-40



## Officials keep fingers crossed in charter-school bid

By Jaime Jordan

Staff Writer

Town officials are anxiously awaiting the outcome of a State Board of Education committee's review of 18 original charter schools Thursday and Friday.

But the town won't be cheering on the schools up for renewal. In fact, they'll be hoping some schools won't make the cut.

"We would like to have a charter, and whether it's a new one or one that's been tossed out doesn't make a difference to us," Westlake Mayor Scott Bradley said.

### State committee reviewing original 18 facilities

Westlake officials announced late last year that the town would apply for its own charter school to open in 2002 with 400 students.

Charter schools are publicly funded schools that are freed from a number of regulations for traditional public schools in order to encourage innovative educational approaches.

But the state, which limits open-enrollment charters to 120, has its fill.

Town leaders are counting on the state

revoking some charters so that Westlake will have a shot.

In addition, the town is lobbying against a legislative push calling for a moratorium on new charter schools. A state legislative committee report released in late December pointed out numerous problems with charter schools.

"We're watching it, and we're lobbying" against the moratorium, said Town Manager Trent Petty. "We're right in the middle of it."

Westlake has launched a letter-writing campaign against the freeze.

"Our position is, you don't throw out the concept because one or two of them have failed," Mr. Petty said. "We're not against the provisions in the report. The only thing we don't support is putting a moratorium on it. The concept is a good one."

Representatives from the state's first 18 charter schools, approved in 1995, met with the committee in early January and

Please see TOWN, 2N.

## Town hopes for charter school

Continued from Page 1N.

were given a list of items to correct before this week, said DeFita Culbertson, a Texas Education Agency spokeswoman.

"When the charter schools were approved in 1995, they were issued a charter that was good for five years," Ms. Culbertson said. "At the end, the process in place is to renew or not renew those charters."

Problems ranged from late audits, financial questions, deficits and insufficient data collection, Ms. Culbertson said.

"All of them had something minor that they needed to get fixed before they could get the charter renewed," Ms. Culbertson said.

Some problems were more serious. The Medical Center Charter School in Houston recorded a

\$207,396 deficit in its financial statements, Ms. Culbertson said.

Many schools have been able to explain or correct problems with their charters. One school's \$98,000 deficit was cleared up, and it is operating in the black, Ms. Culbertson said. Another school's deficit resulted from a typographical error.

"Most of them were able to answer to the board as to what the problems were," she said.

John Brooks, a consultant with Millennium Education Consulting Group, which was hired to help Westlake with its charter school application, said one of Westlake's strengths is a strong financial backing.

Mr. Brooks was in Austin this week as part of another conference, but he took the opportunity to visit that state's charter school

office.

"No one will guess at this point how these schools are going to fare in the review process," he said. "So we'll just wait and see."

It's up to the committee to decide what to do with schools that fail to make the corrections.

"This is the first round of renewals," Ms. Culbertson said. "As with everything associated with this process, everything is new."

In the meantime, Westlake officials said they are thinking positively.

"It's a great opportunity, and I think the area is ready for a charter school," alderman Buddy Brown said. "So if we get an opportunity, we'll take it."

Staff writer Jaime Jordan can be reached at [jjordan@dallasnews.com](mailto:jjordan@dallasnews.com) and at 817-410-9602, ext. 4967.

14-2

# TOWN OF WESTLAKE, TEXAS



## NOTICE OF INFORMATIONAL MEETING

### TO THE CITIZENS OF THE TOWN OF WESTLAKE, TEXAS:

Notice is hereby given that there will be an informational meeting at 7:00 p.m. on Wednesday, January 17, 2001 in the Marriott Hotel, 5 Village Circle, in the Town of Westlake, Texas. The agenda is as follows:

1. Meeting called to order.
2. Discuss creating a Charter School in the Town.
3. Adjournment.

### CERTIFICATION

I certify that the above notice was posted on the front door of the Town Hall of the Town of Westlake, 3 Village Circle, Suite 207, Westlake, Texas, on Friday, January 12, 2001 at 5:00 p.m., under the Open Meetings Act, Chapter 551 of the Texas Government Code.

A handwritten signature in cursive script, appearing to read 'Ginger Crosswy', is written over a solid horizontal line.

Ginger Crosswy, Town Secretary

00142

A-42

# TOWN OF WESTLAKE, TEXAS



## NOTICE OF INFORMATIONAL MEETING

### TO THE CITIZENS OF THE TOWN OF WESTLAKE, TEXAS:

Notice is hereby given that there will be an informational meeting at 7:00 p.m. on Tuesday, January 23, 2001 in the South Dining Room, Campus Circle, in the Town of Westlake, Texas. The agenda is as follows:

1. Meeting called to order.
2. Discuss creating a Charter School in the Town.
3. Adjournment.

### CERTIFICATION

I certify that the above notice was posted on the front door of the Town Hall of the Town of Westlake, 3 Village Circle, Suite 207, Westlake, Texas, on Friday, January 19, 2001 at 5:00 p.m., under the Open Meetings Act, Chapter 551 of the Texas Government Code.

A handwritten signature in cursive script, appearing to read 'Ginger Crosswy', is written over a solid horizontal line.

Ginger Crosswy, Town Secretary

00143

# TOWN OF WESTLAKE, TEXAS



## NOTICE OF STRATEGIC PLANNING SESSION

### TO THE CITIZENS OF THE TOWN OF WESTLAKE, TEXAS:

Notice is hereby given that there will be a Strategic Planning Meeting at 7:00 p.m. on Tuesday, January 9, 2001 in Suite 207, 3 Village Circle, in the Town of Westlake, Texas. The agenda is as follows:

1. Meeting called to order.
2. Discuss creating a Charter School in the Town.
3. Adjournment.

### CERTIFICATION

I certify that the above notice was posted on the front door of the Town Hall of the Town of Westlake, 3 Village Circle, Suite 207, Westlake, Texas, on Friday, January 5, 2001 at 1:00 p.m., under the Open Meetings Act, Chapter 551 of the Texas Government Code.

A handwritten signature in cursive script, appearing to read 'Ginger Crosswy', is written over a horizontal line.

Ginger Crosswy, Town Secretary

00144

**Attachment 8**  
**Public Hearing Registration Log**

00145

A-45

**Family Educational Rights and Privacy Act Protected Material**

4 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).**

**Attachment 9**  
**Synopsis of Meeting**

00150

## Synopsis of Meeting

Informational public hearings were conducted on

January 9, 2001  
7:00 p.m.  
Town Hall  
Solana  
Westlake, TX

January 16, 2001  
7:00 p.m.  
Solana Marriot  
Westlake, TX

January 22, 2001  
7:00 p.m.  
IBM Cafeteria  
Westlake, TX

The presentation, at each informational meeting, was conducted by three members of the Millennium Education Consulting Group. Each presentation was an extensive overview of the charter school concept which included:

- History of charter schools in the United States and in Texas.
- History of Westlake Academy
- Application Process
- Proposed curriculum
- Financing of the charter school

After the hour and half presentation, time was made available for a period of questions and answers.

- Q. If I work on a charter committee, will my child be guaranteed a place in the school?
- A. No, an open-enrollment charter accepts students on a first come, first served basis.
  
- Q. Will students with special needs be accommodated?
- A. Absolutely, an open-enrollment charter school is a public school and does not discriminate on any basis.
  
- Q. Is there tuition?
- A. No, as other public schools, there is not cost associated with attending an open enrollment charter school.

00151



- Q. Will the students wear uniforms?  
A. This is a decision to be made by the Board and committee members.
- Q. Where will the school be housed?  
A. The City Manger is currently in negotiations for the property. As soon as the town is at liberty to release this information, it will be made available to the public.

00152

**Attachment 10**

**Business Arrangements**

The financial commitment of the Town of Westlake is reflected in the instrumentality resolution attached.

00153

**A RESOLUTION ORDERING THE CREATION OF A NONPROFIT CORPORATION  
PURSUANT TO THE TEXAS NON-PROFIT CORPORATION ACT, APPROVING  
ARTICLES OF INCORPORATION AND BYLAWS FOR, AND APPOINTING THE  
INITIAL DIRECTORS OF, THE CORPORATION, APPOINTING CERTAIN  
CONSULTANTS, AND RESOLVING RELATED MATTERS**

WHEREAS, this Board of Aldermen (the "Board"), as the governing body of the Town of Westlake, Texas (the "Town"), hereby find that it is in the public interest that a non-profit corporation (the "Corporation") be created under the Texas Non-Profit Corporation Act (the "Act") to act on behalf of the Town as its duly constituted authority and instrumentality, within the meaning of the Internal Revenue Code of 1986, as amended, for the purpose of providing educational services and facilities;

WHEREAS, the Act empowers, among other things, the Corporation to acquire a charter, pursuant to Chapter 12, Subchapter D of the Education Code (the "Education Code"), provide education services, and acquire, finance, and operate educational facilities and facilities related thereto, as contemplated by the Education Code and/or other law;

WHEREAS, it is the intent of this Board that the Corporation shall have all powers authorized under the Act and other law to enable it to apply for and obtain a charter under the Education Code and provide education services and acquire, finance, and operate educational facilities and facilities related thereto, as contemplated by the Education Code, the Act, and/or other law;

WHEREAS, the Act authorizes the Corporation to issue revenue bonds ("Bonds") and/or to enter into other obligations ("Obligations") that, among other things, will facilitate providing education services and facilities and facilities related thereto;

WHEREAS, no Bonds or Obligations of the Corporation will constitute obligations (whether special, general, or moral) of the Town;

WHEREAS, the Act provides that the directors of the Corporation are to be appointed by the Board;

WHEREAS, the Articles of Incorporation (the "Articles") of the Corporation shall provide that no modification of the Articles or the Bylaws (the "Bylaws") of the Corporation shall take effect unless approved by this Board;

WHEREAS, this Board intends, by the adoption of this Resolution, to take all action necessary to order the creation of the Corporation with all of the corporate powers and authority granted under the Act and other law;

WHEREAS, the meeting at which this Resolution has been considered was open to the public as required by law, and public notice of the time, place, and subject of the meeting has been given in accordance with Chapter 551, Government Code;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF WESTLAKE, TEXAS:**

**SECTION 1. The findings and declarations contained in the preamble of this Resolution are hereby incorporated as part of this Resolution.**

00154

SECTION 2. This Board hereby finds and determines that it is in the best interest of the Town and its inhabitants that the Corporation, to be named as specified in the Articles, be created pursuant to the Act to act on behalf of the Town as its duly constituted authority and instrumentality for the purposes and with the powers and authority prescribed by the Act and other law.

SECTION 3. This Board hereby orders the creation of the Corporation and approves the Articles in substantially the form attached to this Resolution as an exhibit, and hereby authorizes the incorporators of the Corporation (as identified in such Articles) to file the Articles with the Secretary of State in accordance with law. In the event that the name for the Corporation specified in the Articles is not available, the incorporators are hereby authorized to change the Corporation's name in the Articles without the further approval of the Town.

SECTION 4. This Board hereby appoints the persons identified in the Articles to serve as the initial members of the board of directors of the Corporation.

SECTION 5. This Board hereby approves the initial Bylaws of the Corporation in substantially the form attached to this Resolution as an exhibit.

SECTION 6. It is intended that the Corporation be a duly constituted authority and instrumentality of the Town within the meaning of regulations and/or revenue rulings of the Treasury Department and/or the Internal Revenue Service of the United States promulgated under Section 115 of the Internal Revenue Code of 1986.

SECTION 7. With respect to the Town and its instrumentalities, the Board of Aldermen hereby appoints Larry Williamson as financial advisor, Thomas Allen Moon as finance counsel, and Jenkins & Gilchrist, P. C. as special finance counsel.

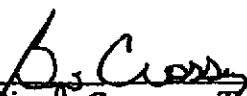
SECTION 8. This Resolution shall take effect immediately upon its adoption.

00155

PASSED AND APPROVED ON THIS 12<sup>TH</sup> DAY OF FEBRUARY, 2001.

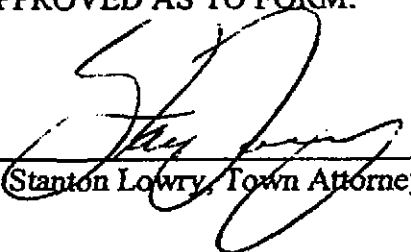
ATTEST:

  
\_\_\_\_\_  
Scott Bradley, Mayor

  
\_\_\_\_\_  
Ginger Crosswy, Town Secretary

  
\_\_\_\_\_  
Trent Petty, Town Manager

APPROVED AS TO FORM:

  
\_\_\_\_\_  
L. Stanton Lowry, Town Attorney

00156

A-55a

**Attachment 11**  
**Notice of Intent**  
**As**  
**Appears in Local Newspaper**

00157

A-5b

**PUBLISHER'S AFFIDAVIT**

I solemnly swear that a true and correct copy of the Notice of Intent to Apply for Open Enrollment Charter was published in *THE KELLER CITIZEN*, a newspaper having general circulation in the counties of Denton and Tarrant, and that the dates that said issues of the newspaper bore in which such notice was published were January 30, 2001.

A copy of the notice as published, clipped from the newspaper is attached hereto.



Pam Nolte, Classified Ad Manager

THE STATE OF TEXAS §

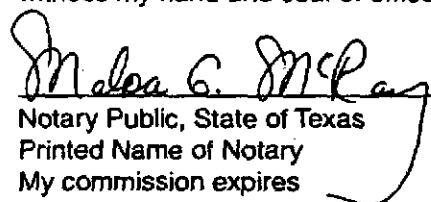
§

COUNTY OF TARRANT §

SWORN TO AND SUBSCRIBED BEFORE ME

Pam Nolte

this 6th day of February, 2001, to certify which witness my hand and seal of office.



Notary Public, State of Texas  
Printed Name of Notary  
My commission expires



00158

# NOTICE OF INTENT TO APPLY FOR OPEN-ENROLLMENT CHARTER SCHOOL

The Town of Westlake is applying to the State Board of Education for approval to operate an open-enrollment charter school ("charter school") to be located in Westlake, TX. 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:

Name of the sponsoring entity sponsoring the charter school:

Town of Westlake

Chief Executive Officer of the proposed school:

Scott Bradley

Board members of the sponsoring entity:

Scott Bradley, Mayor

Fred Held, Mayor Pro Tem

Don Redding

Larry Sparrow

Buddy Brown

Bill Frey

Proposed location of school:

Westlake, Texas

Brief description of the school:

Westlake Academy is an open-enrollment charter that will offer an International Baccalaureate rigorous academic curriculum. The school will serve students in grades K-12.

Planned opening date:

Fall 2002

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, TX 78701



**Attachment 12**

**Verification of Mailing**

Notice was not mailed to the Town of Westlake since they are the sponsoring entity.

Notice was sent to each member of the Tarrant County and Denton Country  
Commissioner's Court.

00160

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

Complete items 1 and/or 2 for additional services.  
Complete items 3, 4a, and 4b.

Print your name and address on the reverse of this form so that we can return this card to you.

Attach this form to the front of the mailpiece, or on the back if space does not permit.

Write "Return Receipt Requested" on the mailpiece below the article number.

The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

3. Article Addressed to:  
*Scott Arney*  
*110 W. Hickory 3rd fl. or*  
*Denton, TX. 76201*

4a. Article Number *6171*

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery

5. Received By: (Print Name)  
*Justin Clark*

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Addressee or Agent)  
*Justin Clark*

Thank you for using Return Receipt Service.

PS Form 3811, December 1994 102595-99-8-0223 Domestic Return Receipt

7099 3400 0016 9377 6171

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

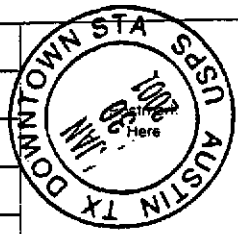
Postage	\$ 34
Certified Fee	190
Return Receipt Fee (Endorsement Required)	150
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 3.74</b>

Recipient's Name (Please Print Clearly) (to be completed by mailer)  
*Scott Arney*

Street, Apt. No., or PO Box No.  
*110 W. Hickory 3rd floor*

City, State, ZIP  
*Denton, TX. 76201*

PS Form 3800, February 2000 See Reverse for Instructions



00161

7099 3400 0018 9377 6232

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only. No Insurance Coverage Provided)*

Recipient's Name (Please Print Clearly, to be completed by mailer)  
**Bobbie Mitchell**

Street, Apt. No., or PO Box No.  
**190 N. Valley Parkway**

City, State, Zip  
**Denton, TX 75067**

Postage \$ **34**

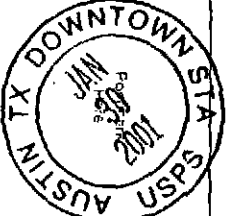
Certified Fee \$ **190**

Return Receipt Fee (Endorsement Required) \$ **150**

Restricted Delivery Fee (Endorsement Required) \$ **0**

Total Postage & Fees \$ **3.74**

PS Form 3800, February 2000 See Reverse for Instructions



7099 3400 0018 9377 6270

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only. No Insurance Coverage Provided)*

Recipient's Name (Please Print Clearly, to be completed by mailer)  
**Bobbie J. Mitchell**

Street, Apt. No., or PO Box No.  
**190 N. Hickory 3rd Floor**

City, State, Zip  
**Denton, TX 76201**

Postage \$ **34**


Certified Fee \$ **190**

Return Receipt Fee (Endorsement Required) \$ **150**

Restricted Delivery Fee (Endorsement Required) \$ **0**

Total Postage & Fees \$ **3.74**

PS Form 3800, February 2000 See Reverse for Instructions



Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b.

Print your name and address on the reverse of this form so that we can return this card to you.

Attach this form to the front of the mailpiece, or on the back if space does not permit.

Write "Return Receipt Requested" on the mailpiece below the article number.

The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

3. Article Addressed to:  
**Bobbie J. Mitchell**  
**110 W. Hickory St. 3rd Floor**  
**Denton, TX 76201**

4a. Article Number **6270**

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery **2-1-91**

8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)  
**Jenny Chan**

6. Signature (Addressee or Agent)

PS Form 3811, December 1994 102595-99-8-0223 Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b.

Print your name and address on the reverse of this form so that we can return this card to you.

Attach this form to the front of the mailpiece, or on the back if space does not permit.

Write "Return Receipt Requested" on the mailpiece below the article number.

The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

3. Article Addressed to:  
**Bobbie Mitchell**  
**190 N. Valley Parkway**  
**Suite 120**  
**Lewisville, TX 75067**

4a. Article Number **6232**

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery **2-1-91**

8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)

6. Signature (Addressee or Agent)  
**Bobbie Mitchell**

PS Form 3811, December 1994 102595-99-8-0223 Domestic Return Receipt

Thank you for using Return Receipt Service.

00162

A-61

7099 3400 0018 9377 6256

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only - No Insurance Coverage Provided)*

Postage \$ 34  
Certified Fee 1.90  
Return Receipt Fee (Endorsement Required) 1.50  
Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees \$ 3.74

Recipient's Name (Please Print Clearly; (to be completed by mailer))  
Sandy Jacobs  
Street, Apt. No., or PO Box No. 110 W. Hickory 3rd Floor  
City, State, ZIP+4 110 W. Hickory 3rd Floor  
Denton TX, 76201

PS Form 3810, February 2000 See Reverse for Instructions

DOWNTOWN STA SPSN  
AUSTIN TX  
JAN 06 1002

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**  
 Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b.  
 Print your name and address on the reverse of this form so that we can return this card to you.  
 Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 Write "Return Receipt Requested" on the mailpiece below the article number.  
 The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery

3. Article Addressed to:  
Sandy Jacobs  
1029 W. Rosemeade  
Carrollton, TX. 75007

4a. Article Number 6249

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery 1/27/01

5. Received By: (Print Name) C. Winstead

6. Signature (Addressee or Agent) C. Winstead

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102595-99-B-0223 Domestic Return Receipt

Thank you for using Return Receipt Service.

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only - No Insurance Coverage Provided)*

Postage \$ 34  
Certified Fee 1.90  
Return Receipt Fee (Endorsement Required) 1.50  
Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees \$ 3.74

Recipient's Name (Please Print Clearly; (to be completed by mailer))  
Sandy Jacobs  
Street, Apt. No., or PO Box No. 10299 W. Rosemeade  
City, State, ZIP+4 10299 W. Rosemeade  
Carrollton TX, 75007

PS Form 3810, February 2000 See Reverse for Instructions

DOWNTOWN STA SPSN  
AUSTIN TX  
JAN 06 1002

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**  
 Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b.  
 Print your name and address on the reverse of this form so that we can return this card to you.  
 Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 Write "Return Receipt Requested" on the mailpiece below the article number.  
 The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery

3. Article Addressed to:  
Sandy Jacobs  
110 W. Hickory 3rd Floor  
Denton, TX. 76201

4a. Article Number 6256

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery 1-21-01

5. Received By: (Print Name) Jennifer Pharr

6. Signature (Addressee or Agent) Jennifer Pharr

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102595-99-B-0223 Domestic Return Receipt

Thank you for using Return Receipt Service.

A-62

00163

Is your RETURN ADDRESS completed on the reverse side?

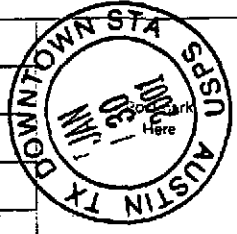
<b>SENDER:</b> <input type="checkbox"/> Complete items 1 and/or 2 for additional services. <input type="checkbox"/> Complete items 3, 4a, and 4b. <input type="checkbox"/> Print your name and address on the reverse of this form so that we can return this card to you. <input type="checkbox"/> Attach this form to the front of the mailpiece, or on the back if space does not permit. <input type="checkbox"/> Write "Return Receipt Requested" on the mailpiece below the article number. <input type="checkbox"/> The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee):  1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery
3. Article Addressed to:  <i>Tom Vandergriff</i> <i>100 E. Weatherford</i> <i>Ft. Worth, TX 76196</i>	4a. Article Number <i>6188</i>	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
5. Received By: (Print Name) <i>Brenda Sellers</i>	7. Date of Delivery	
6. Signature (Addressee or Agent)  <i>FEB 01 2000</i>	8. Addressee's Address (Only if requested and fee is paid)	

Thank you for using Return Receipt Service.

PS Form 3811, December 1994 102595-89-B-0223 Domestic Return Receipt

7099 9384 9377 6188

<b>U.S. Postal Service</b> <b>CERTIFIED MAIL RECEIPT</b> <small>(Domestic Mail Only; No Insurance Coverage Provided)</small>	
Postage	\$ <i>34</i>
Certified Fee	<i>190</i>
Return Receipt Fee <small>(Endorsement Required)</small>	<i>150</i>
Restricted Delivery Fee <small>(Endorsement Required)</small>	
<b>Total Postage &amp; Fees</b>	<b>\$ <i>3.74</i></b>
<small>Recipient's Name (Please Print Clearly) (to be completed by addressee)</small> <i>Tom Vandergriff</i>	
<small>Street, Apt. No., or PO Box No.</small> <i>100 E. Weatherford</i>	
<small>City, State, ZIP+4</small> <i>Ft. Worth, TX 76196</i>	
<small>PS Form 3800, February 2000 <span style="float: right;">See Reverse for Instructions</span></small>	



0016:

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1.  Addressee's Address
- 2.  Restricted Delivery

3. Article Addressed to:

J. D. Johnson  
100 E. Weatherford  
Fort Worth, TX 76196

4a. Article Number

6225

4b. Service Type

- Registered  Certified
- Express Mail  Insured
- Return Receipt for Merchandise  COD

7. Date of Delivery

5. Received By: (Print Name)

*[Signature]*

6. Signature (Addressee or Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 FEB 04 2001

102595-99-8-0223 Domestic Return Receipt

Thank you for using Return Receipt Service.

7099 3400 0000 9100 9377 6225

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

Postage	\$ 34
Certified Fee	190
Return Receipt Fee (Endorsement Required)	150
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.74



Recipient's Name (Please Print Clearly) (to be completed by mailer)  
 J. D. Johnson  
 Street, Apt. No., or PO Box No.  
 100 E. Weatherford  
 City, State, ZIP+4  
 Fort Worth, Texas 76196

PS Form 3800, February 2000 See Reverse for Instructions

00165

A-64

is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

Complete items 1 and/or 2 for additional services.  
 Complete items 3, 4a, and 4b.  
 Print your name and address on the reverse of this form so that we can return this card to you.  
 Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 Write "Return Receipt Requested" on the mailpiece below the article number.  
 The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address  
2.  Restricted Delivery

3. Article Addressed to:  
Glen Whitley  
100 E. Weatherford  
Ft. Worth, TX. 76196

4a. Article Number  
6218

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery

5. Received By: (Print Name)  
*Frank Sellers*

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Addressee or Agent)  
FEB 01 2001

Thank you for using Return Receipt Service.

PS Form 3811, December 1994 102595-99-8-0223 Domestic Return Receipt

7099 340E 00HE 6602 201A 9377 621A

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$ 34
Certified Fee	190
Return Receipt Fee (Endorsement Required)	150
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 3.74</b>

Postmark Here  
AUSTIN TX  
FEB 03 2001  
NVP

Recipient's Name (Please Print Clearly) (to be completed by mailer)  
Glen Whitley  
Street, Apt. No., or PO Box No.  
100 E. Weatherford  
City, State, ZIP+4  
Fort Worth, TX. 76196

PS Form 3800, February 2000 See Reverse for Instructions

00166

A-65

Is your RETURN ADDRESS completed on the reverse side?

<b>SENDER:</b> <input type="checkbox"/> Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b. <input type="checkbox"/> Print your name and address on the reverse of this form so that we can return this card to you. <input type="checkbox"/> Attach this form to the front of the mailpiece, or on the back if space does not permit. <input type="checkbox"/> Write "Return Receipt Requested" on the mailpiece below the article number. <input type="checkbox"/> The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee):  1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery
3. Article Addressed to: <i>Marti Van Ravenswaay</i> <i>100 East Weatherford</i> <i>Ft. Worth, Tx. 76196</i>	4a. Article Number <i>6201</i>	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
5. Received By: (Print Name) <i>Handy Seller</i>	7. Date of Delivery	
6. Signature (Addressee or Agent)	8. Addressee's Address (Only if requested and fee is paid)	

Thank you for using Return Receipt Service.

PS Form 3811, December 1994 FEB 01 2001 102595-99-8-0223 Domestic Return Receipt

7099 3400 0016 9377 6201

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
Postage	\$ <i>34</i>
Certified Fee	<i>190</i>
Return Receipt Fee (Endorsement Required)	<i>150</i>
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ <i>3.74</i></b>
Recipient's Name (Please Print Clearly) (to be completed by mailer) <i>Marti Van Ravenswaay</i> Street, Apt. No., or PO Box No. <i>100 E Weatherford</i> City, State, ZIP+4 <i>Fort Worth TX 76196</i>	



00167

A-66



Is your RETURN ADDRESS completed on the reverse side?

<b>SENDER:</b> <input type="checkbox"/> Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b. <input type="checkbox"/> Print your name and address on the reverse of this form so that we can return this card to you. <input type="checkbox"/> Attach this form to the front of the mailpiece, or on the back if space does not permit. <input type="checkbox"/> Write "Return Receipt Requested" on the mailpiece below the article number. <input type="checkbox"/> The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee):  1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery	
3. Article Addressed to:  Cynthia White 110 W. Hickory 3rd Floor Denton, TX 76201		4a. Article Number 6263	
		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
		7. Date of Delivery 2-1-01	
5. Received By: (Print Name) [Signature]		8. Addressee's Address (Only if requested and fee is paid)	
6. Signature (Addressee or Agent)			

Thank you for using Return Receipt Service.

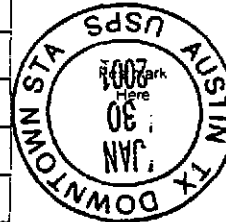
PS Form 3811, December 1994

102595-99-8-0223 Domestic Return Receipt

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only, No Insurance Coverage Provided)

7099 3400 00JA 9377 6263

Postage	\$ 34
Certified Fee	190
Return Receipt Fee (Endorsement Required)	150
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 3.74</b>



Recipient's Name (Please Print Clearly) (to be completed by mailer):  
 Cynthia White  
 Street, Apt. No., or PO Box No.:  
 110 W. Hickory 3rd floor  
 City, State, ZIP+4:  
 Denton TX 76201

PS Form 3800, February 2000

See Reverse for Instructions

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Is your RETURN ADDRESS completed on the reverse side?

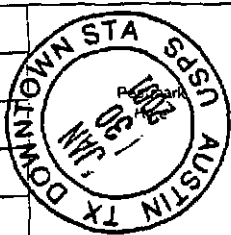
<b>SENDER:</b> <input type="checkbox"/> Complete items 1 and/or 2 for additional services. <input type="checkbox"/> Complete items 3, 4a, and 4b. <input type="checkbox"/> Print your name and address on the reverse of this form so that we can return this card to you. <input type="checkbox"/> Attach this form to the front of the mailpiece, or on the back if space does not permit. <input type="checkbox"/> Write "Return Receipt Requested" on the mailpiece below the article number. <input type="checkbox"/> The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee):  1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery
3. Article Addressed to:  Dianne Brasby 100 East Weatherford Ft. Worth, TX. 76196	4a. Article Number  6195	
	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
	7. Date of Delivery	
5. Received By: (Print Name)  Dianne Brasby	8. Addressee's Address (Only if requested and fee is paid)	

Thank you for using Return Receipt Service.

Return Receipt

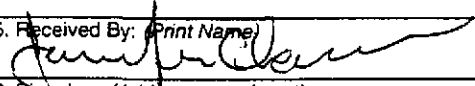
7099 3400 0018 9377 6195

U.S. Postal Service <b>CERTIFIED MAIL RECEIPT</b> (Domestic Mail Only, No Insurance Coverage Provided)	
Postage \$ 34	
Certified Fee 1.90	
Return Receipt Fee (Endorsement Required) 1.50	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$ 3.74	
Recipient's Name (Please Print Clearly) (to be completed by mailer) Dianne Brasby Street, Apt. No., or PO Box No. 100 E Weatherford City, State, ZIP+4 Fort Worth, TX. 76196	



00163

Is your RETURN ADDRESS completed on the reverse side?

<b>SENDER:</b> <input type="checkbox"/> Complete items 1 and/or 2 for additional services. <input type="checkbox"/> Complete items 3, 4a, and 4b. <input type="checkbox"/> Print your name and address on the reverse of this form so that we can return this card to you. <input type="checkbox"/> Attach this form to the front of the mailpiece, or on the back if space does not permit. <input type="checkbox"/> Write "Return Receipt Requested" on the mailpiece below the article number. <input type="checkbox"/> The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee):  1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery
3. Article Addressed to:  Jim Carter 110 W. Hickory St. 3rd Floor Denton, TX. 76201	4a. Article Number 8144	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
5. Received By: (Print Name) Jim Carter	7. Date of Delivery 2-1-01	8. Addressee's Address (Only if requested and fee is paid)
6. Signature (Addressee or Agent) 		

Thank you for using Return Receipt Service.

PS Form 3811, December 1994

102595-99-B-0223 Domestic Return Receipt

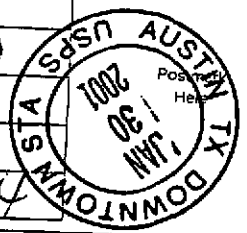
7099 3400 0018 9377 8144

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$ 34
Certified Fee	190
Return Receipt Fee (Endorsement Required)	150
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 3.74</b>

Recipient's Name (Please Print Clearly) (to be completed by mailer)  
 Jim Carter  
 Street, Apt. No., or PO Box No.  
 110 W. Hickory 3rd floor  
 City, State, ZIP+4  
 Denton, TX. 76201

PS Form 3800, February 2000 See Reverse for Instructions



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**Attachment 13**  
**Schedule of Salaries**

00171

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## Proposed Salary Schedule

Chief Executive Officer	\$60,000 - \$90,000
Principal	50,000 - \$80,000
Business Manager	35,000 - \$55,000
Teacher	35,000 - \$55,000
Academic Counselor	35,000 - \$55,000
PEIMS Clerk	25,000 - \$30,000

00172

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**Attachment 14**

**Sample Employment Contract**

The Board is in the process of working with lawyers to prepare various employment contracts.

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**Attachment 15**

**Employment Policies**

A detailed and thorough Faculty/Staff handbook is in the process of being compiled.

0017

**Attachment 16**  
**Administrator's Affidavit**

00175



**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: \_\_\_\_\_

Town of Westlake

Westlake 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): Trent O. Petty

2. Have you ever had your name changed? No If yes, give reason for the change: \_\_\_\_\_

b. Maiden Name (if female) \_\_\_\_\_

c. Other names used at any time \_\_\_\_\_

3. Social Security Number: [REDACTED]

4. Date and Place of Birth: [REDACTED] Lubbock, Texas

5. Business Address: 3 Village Circle Suite 207 Westlake, TX 76262

Business Telephone: 817-430-4857

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>
99 - Present	1021 Simmons	Keller TX	76244
97 - 99	106 Caw Creek	Grapevine, TX	76051
91 - 92		Southlake, TX	76092

00176

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7. Education: Dates, Names, Locations and Degrees

College Texas Tech University - MPA, City Management 1986  
University of Texas of The Permian Basin - BA Political Science 1984  
 Graduate Studies \_\_\_\_\_  
 Others \_\_\_\_\_

8. List Membership in Professional Societies and Associations: Ridley, Baylor Hospital, Grapevine  
Bl of Trustees Chairman North East Leadership Forum, International 9.  
City Management Association - numerous others

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
1998 - Present	Petty & Associates, Inc.	Keller, TX	President
1997 - 1999	CPMA, Inc	Grapevine, TX	President
1992 - 1997	City of grapevine	Grapevine, TX	City Manager
1990 - 1992	City of grapevine	Grapevine, TX	Assistant City Manager
1988 - 1990	City of Lubbock	Lubbock, TX	Assistant to the City Manager

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): \_\_\_\_\_  
 \_\_\_\_\_

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: \_\_\_\_\_

00177  
 A-76

15. Will you or members of your immediate family be employed by (directly or through contract) or receive remuneration from the proposed charter school? No  
If yes, give details: \_\_\_\_\_

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 23 day of January, 2001, at \_\_\_\_\_

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]  
(Signature of Affiant)

State of Texas  
County of Tarrant

Personally appeared before me the above named Trent O. Petty 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 23 day of January, 2001.

(Notary Public)

My commission expires May 3, 2004

(SEAL)



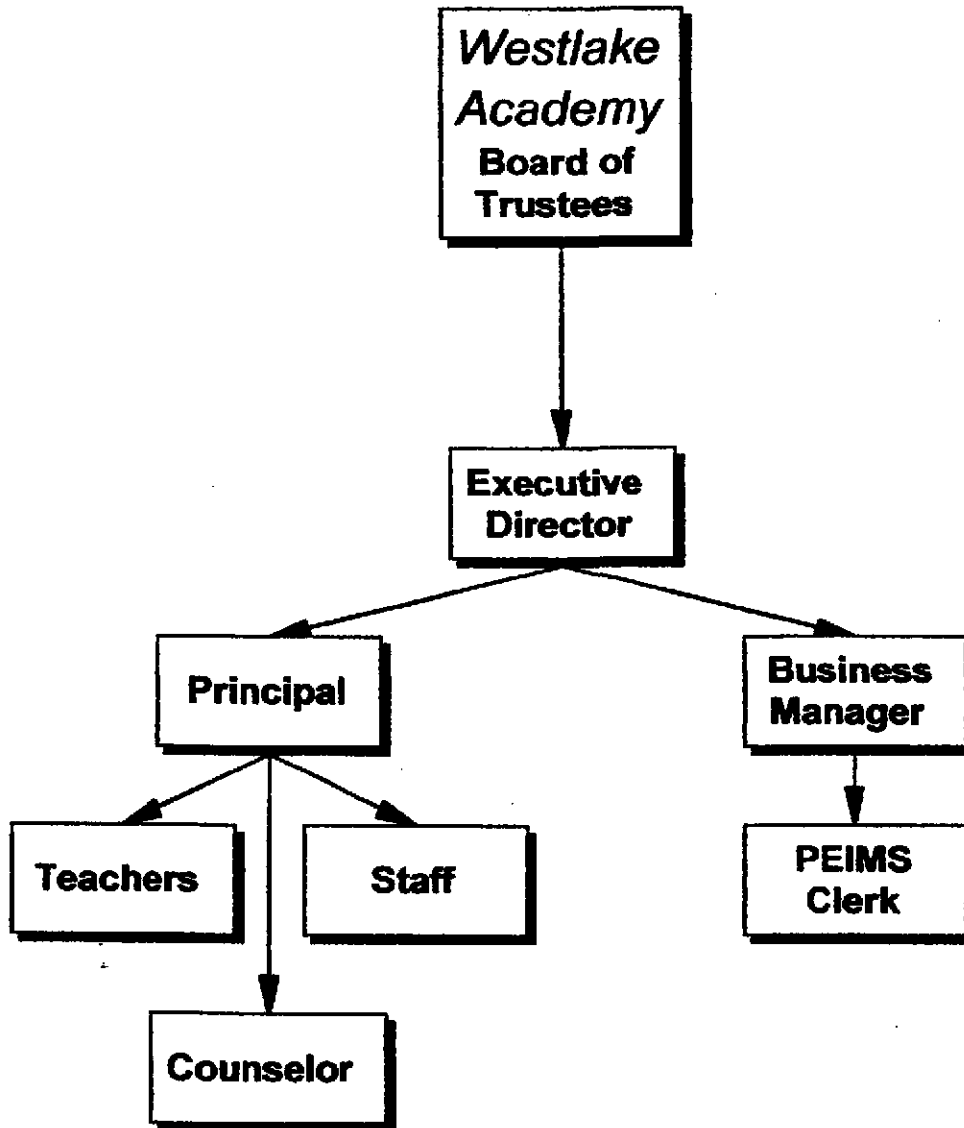
[Signature]

0073

**Attachment 17**  
**Organizational Chart**

00173

# ***Westlake Academy*** **Organizational Chart**



00180

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**Attachment 18**

**Letters of Credit / Private Sources of Funds**

The attached instrumentality resolution reflects financial commitment from the Town of Westlake.

00181

A RESOLUTION ORDERING THE CREATION OF A NONPROFIT CORPORATION  
PURSUANT TO THE TEXAS NON-PROFIT CORPORATION ACT, APPROVING  
ARTICLES OF INCORPORATION AND BYLAWS FOR, AND APPOINTING THE  
INITIAL DIRECTORS OF, THE CORPORATION, APPOINTING CERTAIN  
CONSULTANTS, AND RESOLVING RELATED MATTERS

WHEREAS, this Board of Aldermen (the "Board"), as the governing body of the Town of Westlake, Texas (the "Town"), hereby find that it is in the public interest that a non-profit corporation (the "Corporation") be created under the Texas Non-Profit Corporation Act (the "Act") to act on behalf of the Town as its duly constituted authority and instrumentality, within the meaning of the Internal Revenue Code of 1986, as amended, for the purpose of providing educational services and facilities;

WHEREAS, the Act empowers, among other things, the Corporation to acquire a charter, pursuant to Chapter 12, Subchapter D of the Education Code (the "Education Code"), provide education services, and acquire, finance, and operate educational facilities and facilities related thereto, as contemplated by the Education Code and/or other law;

WHEREAS, it is the intent of this Board that the Corporation shall have all powers authorized under the Act and other law to enable it to apply for and obtain a charter under the Education Code and provide education services and acquire, finance, and operate educational facilities and facilities related thereto, as contemplated by the Education Code, the Act, and/or other law;

WHEREAS, the Act authorizes the Corporation to issue revenue bonds ("Bonds") and/or to enter into other obligations ("Obligations") that, among other things, will facilitate providing education services and facilities and facilities related thereto;

WHEREAS, no Bonds or Obligations of the Corporation will constitute obligations (whether special, general, or moral) of the Town;

WHEREAS, the Act provides that the directors of the Corporation are to be appointed by the Board;

WHEREAS, the Articles of Incorporation (the "Articles") of the Corporation shall provide that no modification of the Articles or the Bylaws (the "Bylaws") of the Corporation shall take effect unless approved by this Board;

WHEREAS, this Board intends, by the adoption of this Resolution, to take all action necessary to order the creation of the Corporation with all of the corporate powers and authority granted under the Act and other law;

WHEREAS, the meeting at which this Resolution has been considered was open to the public as required by law, and public notice of the time, place, and subject of the meeting has been given in accordance with Chapter 551, Government Code;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF WESTLAKE, TEXAS:

SECTION 1. The findings and declarations contained in the preamble of this Resolution are hereby incorporated as part of this Resolution.

00182

SECTION 2. This Board hereby finds and determines that it is in the best interest of the Town and its inhabitants that the Corporation, to be named as specified in the Articles, be created pursuant to the Act to act on behalf of the Town as its duly constituted authority and instrumentality for the purposes and with the powers and authority prescribed by the Act and other law.

SECTION 3. This Board hereby orders the creation of the Corporation and approves the Articles in substantially the form attached to this Resolution as an exhibit, and hereby authorizes the incorporators of the Corporation (as identified in such Articles) to file the Articles with the Secretary of State in accordance with

law. In the event that the name for the Corporation specified in the Articles is not available, the incorporators are hereby authorized to change the Corporation's name in the Articles without the further approval of the Town.

SECTION 4. This Board hereby appoints the persons identified in the Articles to serve as the initial members of the board of directors of the Corporation.

SECTION 5. This Board hereby approves the initial Bylaws of the Corporation in substantially the form attached to this Resolution as an exhibit.

SECTION 6. It is intended that the Corporation be a duly constituted authority and instrumentality of the Town within the meaning of regulations and/or revenue rulings of the Treasury Department and/or the Internal Revenue Service of the United States promulgated under Section 115 of the Internal Revenue Code of 1986.

SECTION 7. With respect to the Town and its instrumentalities, the Board of Aldermen hereby appoints Larry Williamson as financial advisor, Thomas Allen Moon as finance counsel, and Jenkins & Gilchrist, P. C. as special finance counsel.

SECTION 8. This Resolution shall take effect immediately upon its adoption.

00183



PASSED AND APPROVED ON THIS 12<sup>TH</sup> DAY OF FEBRUARY, 2001.

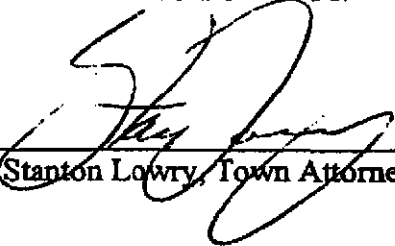
ATTEST:

  
\_\_\_\_\_  
Scott Bradley, Mayor

  
\_\_\_\_\_  
Ginger Crosswy, Town Secretary

  
\_\_\_\_\_  
Trent Petty, Town Manager

APPROVED AS TO FORM:

  
\_\_\_\_\_  
L. Stanton Lowry, Town Attorney

00184

A-82a

**Attachment 19**  
**Start-up Budget**

00185

## Startup Budget for Westlake Academy 2001-2002

### Charter School Budget Categories

	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Net Assets at Beginning of Year</b>				\$0
<b>Estimated Revenues:</b>				
Local Sources	5700			\$150,000
State Sources	5800			\$0
Federal Sources	5900			\$0
Other Sources	7900			\$0
<b>Total Estimated Revenues</b>		\$0	\$0	\$150,000
<b>Estimated Expenses:</b>				
Payroll Costs	6100			\$100,000
Professional and Contracted Services	6200			\$50,000
Supplies and Materials	6300			\$0
Other Operating Costs	6400			\$0
Debt Expense	6500			\$0
<b>Total Estimated Expenses</b>		\$0	\$0	\$150,000
<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	\$0

00186

**Attachment 20**  
**Three-year Budget**

00187

**Charter School Budget Categories**

	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Net Assets at Beginning of Year</b>				\$0
<b>Estimated Revenues:</b>				
Local Sources	5700			\$140,000
State Sources	5800			\$1,613,935
Federal Sources	5900			\$40,000
Other Sources				\$0
<b>Total Estimated Revenues</b>		\$0	\$0	\$1,793,935
<b>Estimated Expenses:</b>				
Payroll Costs	6100			\$1,130,000
Professional and Contracted Services	6200			\$412,000
Supplies and Materials	6300			\$180,500
Other Operating Costs	6400			\$32,000
Debt Expense	6500			\$0
<b>Total Estimated Expenses</b>		\$0	\$0	\$1,754,500
<b>Gains</b>	7950			\$39,435
<b>Losses</b>	8950			\$0
<b>Change in Net Assets</b>		\$0	\$0	\$39,435
<b>Net Assets at End of Year</b>		\$0	\$0	\$39,435

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			\$945,000
Professional and Contracted Services		6200			\$10,000
Supplies and Materials		6300			\$120,000
Other Operating Costs		6400			\$20,000
Debt Expense		6500			\$0
<b>Total Instruction</b>			\$0	\$0	\$1,095,000
<b>Instructional Resources and Media Services</b>	<b>12</b>				
Payroll Costs		6100			\$25,000
Professional and Contracted Services		6200			\$4,000
Supplies and Materials		6300			\$40,000
Other Operating Costs		6400			\$1,000
Debt Expense		6500			\$0
<b>Total Instructional Resources and Media Services</b>			\$0	\$0	\$70,000
<b>Curriculum Development and Instructional Staff Development</b>	<b>13</b>				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$15,000
Supplies and Materials		6300			\$3,000
Other Operating Costs		6400			\$6,000
Debt Expense		6500			\$0
<b>Total Curriculum and Instructional Staff Development</b>			\$0	\$0	\$24,000

00189

Charter School Budget Categories (Continued)

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Instructional Leadership:</b>	<b>21</b>				
Payroll Costs		6100			\$20,000
Professional and Contracted Services		6200			\$6,000
Supplies and Materials		6300			\$1,500
Other Operating Costs		6400			\$1,000
Debt Interest		6500			\$0
<b>Total Instructional Leadership</b>			\$0	\$0	\$28,500
<b>School Leadership:</b>	<b>23</b>				
Payroll Costs		6100			\$85,000
Professional and Contracted Services		6200			\$3,000
Supplies and Materials		6300			\$4,000
Other Operating Costs		6400			\$3,000
Debt Interest		6500			\$0
<b>Total School Leadership</b>			\$0	\$0	\$95,000
<b>Guidance, Counseling and Evaluation Services</b>	<b>31</b>				
Payroll Costs		6100			\$55,000
Professional and Contracted Services		6200			\$4,000
Supplies and Materials		6300			\$12,000
Other Operating Costs		6400			\$1,000
Debt Interest		6500			\$0
<b>Total Guidance, Counseling and Evaluation Services</b>			\$0	\$0	\$72,000

00193

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Social Work Services:</b>	<b>32</b>				
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>	<b>33</b>				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$20,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Health Services</b>			\$0	\$0	\$20,000
<b>Student Transportation</b>	<b>34</b>				
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 Student Transportation</b>			\$0	\$0	\$0

00191



Charter School Budget Categories (Continued)

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Food Services:</b>	<b>35</b>				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$140,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Food Services</b>			\$0	\$0	\$140,000
<b>Cocurricular/Extracurricular Activities:</b>	<b>36</b>				
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 Cocurricular/Extracurricular Activities:</b>			\$0	\$0	\$0
<b>General Administration:</b>	<b>41</b>				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$30,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total General Administration</b>			\$0	\$0	\$30,000

00182

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			\$0
Professional and Contracted Services		6200			\$150,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Plant Maintenance and Operations</b>			\$0	\$0	\$150,000
<b>Security and Monitoring Services:</b>					
	52				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$15,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Security and Monitoring Services:</b>			\$0	\$0	\$15,000
<b>Data Processing Services:</b>					
	53				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$15,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Data Processing Services</b>			\$0	\$0	\$15,000

00193

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			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Fund Raising</b>			\$0	\$0	\$0

**Charter School Budget Categories**

	<b>Object Code</b>	<b>Unrestricted Net Assets</b>	<b>Temporarily Restricted Net Assets</b>	<b>Total</b>
<b>Net Assets at Beginning of Year</b>				\$39,435
<b>Estimated Revenues:</b>				
Local Sources				\$210,000
State Sources				\$2,420,903
Federal Sources				\$40,000
Other Sources				\$0
<b>Total Estimated Revenues</b>		\$0	\$0	\$2,670,903
<b>Estimated Expenses:</b>				
Payroll Costs	6100			\$1,710,000
Professional and Contracted Services	6200			\$592,000
Supplies and Materials	6300			\$208,000
Other Operating Costs	6400			\$74,000
Debt Expense	6500			\$0
<b>Total Estimated Expenses</b>		\$0	\$0	\$2,584,000
<b>Gains</b>	7950			\$86,903
<b>Losses</b>	8950			\$0
<b>Change in Net Assets</b>		\$0	\$0	\$86,903
<b>Net Assets at End of Year</b>		\$0	\$0	\$126,338

00195

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Instruction</b>	11				
Payroll Costs		6100			\$1,517,000
Professional and Contracted Services		6200			\$30,000
Supplies and Materials		6300			\$120,000
Other Operating Costs		6400			\$45,000
Debt Expense		6500			\$0
<b>Total Instruction</b>			\$0	\$0	\$1,712,000
<b>Instructional Resources and Media Services</b>	12				
Payroll Costs		6100			\$27,000
Professional and Contracted Services		6200			\$6,000
Supplies and Materials		6300			\$60,000
Other Operating Costs		6400			\$1,000
Debt Expense		6500			\$0
<b>Total Instructional Resources and Media Services</b>			\$0	\$0	\$94,000
<b>Curriculum Development and Instructional Staff Development</b>	13				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$20,000
Supplies and Materials		6300			\$3,000
Other Operating Costs		6400			\$23,000
Debt Expense		6500			\$0
<b>Total Curriculum and Instructional Staff Development</b>			\$0	\$0	\$46,000

00196

Charter School Budget Categories (Continued)

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Instructional Leadership:</b>	<b>21</b>				
Payroll Costs		6100			\$21,000
Professional and Contracted Services		6200			\$6,000
Supplies and Materials		6300			\$2,000
Other Operating Costs		6400			\$1,000
Debt Interest		6500			\$0
<b>Total Instructional Leadership</b>			\$0	\$0	\$30,000
<b>School Leadership:</b>	<b>23</b>				
Payroll Costs		6100			\$88,000
Professional and Contracted Services		6200			\$4,000
Supplies and Materials		6300			\$5,000
Other Operating Costs		6400			\$3,000
Debt Interest		6500			\$0
<b>Total School Leadership</b>			\$0	\$0	\$100,000
<b>Guidance, Counseling and Evaluation Services</b>	<b>31</b>				
Payroll Costs		6100			\$57,000
Professional and Contracted Services		6200			\$6,000
Supplies and Materials		6300			\$18,000
Other Operating Costs		6400			\$1,000
Debt Interest		6500			\$0
<b>Total Guidance, Counseling and Evaluation Services</b>			\$0	\$0	\$82,000

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Social Work Services:</b>	<b>32</b>				
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>			<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Health Services:</b>	<b>33</b>				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$30,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Health Services</b>			<b>\$0</b>	<b>\$0</b>	<b>\$30,000</b>
<b>Student Transportation</b>	<b>34</b>				
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 Student Transportation</b>			<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Food Services:</b>	<b>35</b>				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$210,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Food Services</b>			<b>\$0</b>	<b>\$0</b>	<b>\$210,000</b>
<b>Cocurricular/Extracurricular Activities:</b>	<b>36</b>				
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 Cocurricular/Extracurricular Activities:</b>			<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>General Administration:</b>	<b>41</b>				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$40,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total General Administration</b>			<b>\$0</b>	<b>\$0</b>	<b>\$40,000</b>

00193



**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			\$0
Professional and Contracted Services		6200			\$200,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Plant Maintenance and Operations</b>			\$0	\$0	\$200,000
<b>Security and Monitoring Services:</b>					
	52				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$20,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Security and Monitoring Services:</b>			\$0	\$0	\$20,000
<b>Data Processing Services:</b>					
	53				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$20,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Data Processing Services</b>			\$0	\$0	\$20,000

00200

Charter School Budget Categories (Continued)

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Community Services:</b>	<b>61</b>				
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>	<b>81</b>				
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 Fund Raising</b>			\$0	\$0	\$0

00201

**Charter School Budget Categories**

	<b>Object Code</b>	<b>Unrestricted Net Assets</b>	<b>Temporarily Restricted Net Assets</b>	<b>Total</b>
<b>Net Assets at Beginning of Year</b>				\$126,338
<b>Estimated Revenues:</b>				
Local Sources				\$280,000
State Sources				\$3,227,870
Federal Sources				\$40,000
Other Sources				\$0
<b>Total Estimated Revenues</b>		\$0	\$0	\$3,547,870
<b>Estimated Expenses:</b>				
Payroll Costs	6100			\$2,355,000
Professional and Contracted Services	6200			\$753,500
Supplies and Materials	6300			\$291,500
Other Operating Costs	6400			\$96,000
Debt Expense	6500			\$0
<b>Total Estimated Expenses</b>		\$0	\$0	\$3,496,000
<b>Gains</b>	7950			\$51,870
<b>Losses</b>	8950			\$0
<b>Change in Net Assets</b>		\$0	\$0	\$51,870
<b>Net Assets at End of Year</b>		\$0	\$0	\$178,208

00202

**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			\$2,145,000
Professional and Contracted Services		6200			\$40,000
Supplies and Materials		6300			\$180,000
Other Operating Costs		6400			\$75,000
Debt Expense		6500			\$0
<b>Total Instruction</b>			\$0	\$0	\$2,440,000
<b>Instructional Resources and Media Services</b>	<b>12</b>				
Payroll Costs		6100			\$30,000
Professional and Contracted Services		6200			\$8,000
Supplies and Materials		6300			\$75,000
Other Operating Costs		6400			\$2,000
Debt Expense		6500			\$0
<b>Total Instructional Resources and Media Services</b>			\$0	\$0	\$115,000
<b>Curriculum Development and Instructional Staff Development</b>	<b>13</b>				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$20,000
Supplies and Materials		6300			\$4,000
Other Operating Costs		6400			\$14,000
Debt Expense		6500			\$0
<b>Total Curriculum and Instructional Staff Development</b>			\$0	\$0	\$38,000

00203

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Instructional Leadership:</b>	<b>21</b>				
Payroll Costs		6100			\$22,000
Professional and Contracted Services		6200			\$7,500
Supplies and Materials		6300			\$2,500
Other Operating Costs		6400			\$1,000
Debt Interest		6500			\$0
<b>Total Instructional Leadership</b>			\$0	\$0	\$33,000
<b>School Leadership:</b>	<b>23</b>				
Payroll Costs		6100			\$92,000
Professional and Contracted Services		6200			\$5,000
Supplies and Materials		6300			\$6,000
Other Operating Costs		6400			\$3,000
Debt Interest		6500			\$0
<b>Total School Leadership</b>			\$0	\$0	\$106,000
<b>Guidance, Counseling and Evaluation Services</b>	<b>31</b>				
Payroll Costs		6100			\$66,000
Professional and Contracted Services		6200			\$8,000
Supplies and Materials		6300			\$24,000
Other Operating Costs		6400			\$1,000
Debt Interest		6500			\$0
<b>Total Guidance, Counseling and Evaluation Services</b>			\$0	\$0	\$99,000

00200

**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			\$40,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Health Services</b>			\$0	\$0	\$40,000
<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>Total Student Transportation</b>			\$0	\$0	\$0

00205

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Food Services:</b>	<b>35</b>				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$280,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Food Services</b>			\$0	\$0	\$280,000
<b>Cocurricular/Extracurricular Activities:</b>	<b>36</b>				
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 Cocurricular/Extracurricular Activities:</b>			\$0	\$0	\$0
<b>General Administration:</b>	<b>41</b>				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$45,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total General Administration</b>			\$0	\$0	\$45,000

00206

**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Plant Maintenance and Operations:</b>	<b>51</b>				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$250,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Plant Maintenance and Operations</b>			\$0	\$0	\$250,000
<b>Security and Monitoring Services:</b>	<b>52</b>				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$25,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Security and Monitoring Services:</b>			\$0	\$0	\$25,000
<b>Data Processing Services:</b>	<b>53</b>				
Payroll Costs		6100			\$0
Professional and Contracted Services		6200			\$25,000
Supplies and Materials		6300			\$0
Other Operating Costs		6400			\$0
Debt Expense		6500			\$0
<b>Total Data Processing Services</b>			\$0	\$0	\$25,000

00207



**Charter School Budget Categories (Continued)**

	Function Code	Object Code	Unrestricted Net Assets	Temporarily Restricted Net Assets	Total
<b>Community Services:</b>	<b>61</b>				
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>	<b>81</b>				
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 Fund Raising</b>			\$0	\$0	\$0

00208

**Attachment 21**

**Cash-flow**

00209

0-117

Cash Flow Projection Worksheet Yr 1  
 For the Fiscal Year Ended August 31st, 2002

Name of Charter School Westlake Academy  
 Contact Person Marvin Judah  
 Telephone (972) 223-9100

Rounded to Even Dollars

	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
<b>Begin Balance</b>												
<b>Cash Inflows</b>												
Local Sources	\$25,000	\$15,000	\$15,000	\$10,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000		
State Sources	\$246,298	\$124,148	\$124,148	\$124,148	\$124,148	\$124,148	\$124,148	\$124,148	\$124,148	\$124,148	\$124,148	\$124,157
Federal Sources			\$40,000									
Loans												
<b>Total Receipts</b>	<b>\$273,298</b>	<b>\$139,148</b>	<b>\$179,148</b>	<b>\$134,148</b>	<b>\$139,148</b>	<b>\$139,148</b>	<b>\$139,148</b>	<b>\$139,148</b>	<b>\$139,148</b>	<b>\$139,148</b>	<b>\$124,148</b>	<b>\$124,157</b>
<b>Cash Outgoes</b>												
Payroll	\$94,167	\$94,167	\$94,167	\$94,167	\$94,167	\$94,167	\$94,167	\$94,167	\$94,167	\$94,167	\$94,167	\$94,163
Services Professional Services	\$8,700	\$8,700	\$8,700	\$8,700	\$8,700	\$8,700	\$8,700	\$8,700	\$8,700	\$8,700	\$2,500	\$8,700
Rent												
Utilities	\$20,000	\$18,000	\$8,000	\$12,000	\$15,000	\$15,000	\$8,000	\$8,000	\$14,000	\$3,000	\$3,000	\$13,000
Other Services	\$28,750	\$18,750	\$18,750	\$13,750	\$18,750	\$18,750	\$18,750	\$18,750	\$18,750	\$18,750	\$3,750	\$3,750
Supplies	\$35,000	\$30,000	\$30,000	\$20,000	\$15,000	\$12,500	\$10,000	\$7,500	\$5,000	\$2,500	\$2,500	\$10,500
Travel & Other Operating	\$4,500	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500	\$1,500	\$4,500
Principal and Interest for Loans and Other Financing Obligations												
Purchase of Equipment, Furniture, Buildings, Land and Other Capital Outlay												
<b>Total Cash Outgoes</b>	<b>\$191,117</b>	<b>\$170,117</b>	<b>\$162,117</b>	<b>\$151,117</b>	<b>\$154,117</b>	<b>\$151,617</b>	<b>\$142,117</b>	<b>\$139,617</b>	<b>\$143,117</b>	<b>\$107,417</b>	<b>\$107,417</b>	<b>\$134,613</b>
<b>Excess (Deficiency) Cash Inflows to Cash Outgoes for the Month</b>	<b>\$82,181</b>	<b>(\$30,969)</b>	<b>\$17,031</b>	<b>(\$16,969)</b>	<b>(\$14,969)</b>	<b>(\$12,469)</b>	<b>(\$2,969)</b>	<b>(\$469)</b>	<b>(\$3,969)</b>	<b>\$16,731</b>	<b>\$16,731</b>	<b>(\$10,456)</b>
<b>Ending Balance</b>	<b>\$82,181</b>	<b>\$51,212</b>	<b>\$68,243</b>	<b>\$51,274</b>	<b>\$36,305</b>	<b>\$23,836</b>	<b>\$20,867</b>	<b>\$20,398</b>	<b>\$16,429</b>	<b>\$33,160</b>	<b>\$49,891</b>	<b>\$39,435</b>

00210  
0-118

Cash Flow Projection Worksheet Yr 2  
 For the Fiscal Year Ended August 31st, 2003

Name of Charter School Westlake Academy  
 Contact Person Marvin Judah  
 Telephone (972)223-8100

Rounded to Even  
 Dollars

	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
<b>Eqg Balance</b>												
<b>Cash Inflows</b>												
Local Sources	\$32,500	\$22,500	\$22,500	\$20,000	\$22,500	\$22,500	\$22,500	\$22,500	\$22,500	\$22,500		
State Sources	\$201,742	\$201,742	\$201,742	\$201,742	\$201,742	\$201,742	\$201,742	\$201,742	\$201,742	\$201,742	\$201,742	\$201,741
Federal Sources			\$40,000									
Loans												
<b>Total Receipts</b>	<b>\$234,242</b>	<b>\$224,242</b>	<b>\$264,242</b>	<b>\$221,742</b>	<b>\$224,242</b>	<b>\$224,242</b>	<b>\$224,242</b>	<b>\$224,242</b>	<b>\$224,242</b>	<b>\$224,242</b>	<b>\$201,742</b>	<b>\$201,741</b>
<b>Cash Outgoes</b>												
Payroll	\$142,500	\$142,500	\$142,500	\$142,500	\$142,500	\$142,500	\$142,500	\$142,500	\$142,500	\$142,500	\$142,500	\$142,500
Services Professional Services	\$20,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$12,000	\$18,000
Rent												
Utilities	\$27,000	\$23,000	\$12,000	\$15,000	\$18,000	\$18,000	\$12,000	\$12,000	\$15,000	\$4,000	\$4,000	\$18,000
Other Services	\$37,834	\$27,834	\$27,834	\$25,334	\$27,834	\$27,834	\$27,834	\$27,834	\$27,834	\$5,334	\$5,334	\$5,328
Supplies	\$35,000	\$35,000	\$35,000	\$30,000	\$15,000	\$12,500	\$10,000	\$7,500	\$5,000	\$2,500	\$2,500	\$18,000
Travel & Other Operating	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$7,500	\$7,500	\$14,000
Principal and Interest for Loans and Other Financing Obligations												
Purchase of Equipment, Furniture, Buildings, Land and Other Capital Outlay												
<b>Total Cash Outgoes</b>	<b>\$287,334</b>	<b>\$243,334</b>	<b>\$232,334</b>	<b>\$227,834</b>	<b>\$218,334</b>	<b>\$215,834</b>	<b>\$207,334</b>	<b>\$204,834</b>	<b>\$205,334</b>	<b>\$173,834</b>	<b>\$173,834</b>	<b>\$213,828</b>
<b>Excess (Deficiency) Cash Inflows to Cash Outgoes for the Month</b>	<b>(\$53,092)</b>	<b>(\$18,092)</b>	<b>\$31,908</b>	<b>(\$8,092)</b>	<b>\$5,908</b>	<b>\$8,408</b>	<b>\$16,908</b>	<b>\$19,408</b>	<b>\$18,908</b>	<b>\$27,908</b>	<b>\$27,908</b>	<b>(\$12,085)</b>
<b>Ending Balance</b>	<b>\$8,343</b>	<b>(\$12,749)</b>	<b>\$19,159</b>	<b>\$13,067</b>	<b>\$18,975</b>	<b>\$27,383</b>	<b>\$44,291</b>	<b>\$63,699</b>	<b>\$82,607</b>	<b>\$110,515</b>	<b>\$138,423</b>	<b>\$126,338</b>

00211  
 2-11-0

Cash Flow Projection Worksheet Yr 3  
 For the Fiscal Year Ended August 31st, 2004

Name of Charter School Westlake Academy  
 Contact Person Marvin Judah  
 Telephone (972) 223-9100

Rounded to Even  
 Dollars

	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
<b>Beg Balance</b>												
<b>Cash Inflows</b>												
Local Sources	\$50,000	\$30,000	\$30,000	\$20,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000		
State Sources	\$268,989	\$268,989	\$268,989	\$268,989	\$268,989	\$268,989	\$268,989	\$268,989	\$268,989	\$268,989	\$268,989	\$268,991
Federal Sources			\$40,000									
Loans												
<b>Total Receipts</b>	<b>\$318,989</b>	<b>\$296,989</b>	<b>\$338,989</b>	<b>\$268,989</b>	<b>\$296,989</b>	<b>\$298,989</b>	<b>\$298,989</b>	<b>\$298,989</b>	<b>\$298,989</b>	<b>\$298,989</b>	<b>\$268,989</b>	<b>\$268,991</b>
<b>Cash Outgoes</b>												
Payroll	\$196,250	\$196,250	\$196,250	\$196,250	\$196,250	\$196,250	\$196,250	\$196,250	\$196,250	\$196,250	\$196,250	\$196,250
Services Professional Services	\$25,000	\$12,875	\$12,875	\$12,875	\$12,875	\$12,875	\$12,875	\$12,875	\$12,875	\$15,000	\$15,000	\$20,000
Rent												
Utilities	\$30,000	\$25,000	\$15,000	\$18,000	\$22,000	\$22,000	\$15,000	\$15,000	\$20,000	\$5,000	\$5,000	\$22,000
Other Services	\$57,167	\$37,167	\$37,167	\$27,167	\$37,167	\$37,167	\$37,167	\$37,167	\$37,167	\$7,167	\$7,167	\$7,163
Supplies	\$45,000	\$45,000	\$40,000	\$30,000	\$25,000	\$20,000	\$15,000	\$15,000	\$10,000	\$10,000	\$10,000	\$26,500
Travel & Other Operating	\$6,500	\$6,500	\$6,500	\$6,500	\$6,500	\$6,500	\$6,500	\$6,500	\$6,500	\$6,500	\$6,500	\$16,000
Principal and Interest for Loans and Other Financing Obligations												
Purchase of Equipment, Furniture, Buildings, Land and Other Capital Outlay												
<b>Total Cash Outgoes</b>	<b>\$359,917</b>	<b>\$322,792</b>	<b>\$307,792</b>	<b>\$290,792</b>	<b>\$299,792</b>	<b>\$294,792</b>	<b>\$282,792</b>	<b>\$282,792</b>	<b>\$282,792</b>	<b>\$241,917</b>	<b>\$241,917</b>	<b>\$287,913</b>
<b>Excess (Deficiency) Cash Inflows to Cash Outgoes for the Month</b>	<b>(\$40,928)</b>	<b>(\$23,803)</b>	<b>\$31,197</b>	<b>(\$1,803)</b>	<b>(\$803)</b>	<b>\$4,197</b>	<b>\$16,197</b>	<b>\$16,197</b>	<b>\$16,197</b>	<b>\$27,072</b>	<b>\$27,072</b>	<b>(\$18,922)</b>
<b>Ending Balance</b>	<b>\$85,410</b>	<b>\$61,607</b>	<b>\$92,804</b>	<b>\$91,001</b>	<b>\$90,198</b>	<b>\$94,395</b>	<b>\$110,592</b>	<b>\$126,789</b>	<b>\$142,986</b>	<b>\$170,058</b>	<b>\$197,130</b>	<b>\$178,208</b>

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**Attachment 22**

**Business Procedures Handbook**

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# **BUSINESS OFFICE PROCEDURES MANUAL**

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# SECTION A

- I. PURCHASING
- II. REQUEST FOR REIMBURSEMENT

00219

## Section A

### I. PURCHASING

#### Purchasing Authority

The employee must have verbal or written approval of the Superintendent, business manager, or campus principal before purchasing or charging supplies or materials.

Purchase requisition procedures as outlined in this manual will be followed for all District purchases.

Students are not allowed to purchase or charge items for the District.

#### Purchase Orders/Purchase Requisitions

All purchases for which the District is responsible will be made through the following process:

1. Payments will be made through the business office by purchase order (Exhibit B) only.
2. Submit requests for supplies or materials on requisition forms (Exhibit A) to the campus principal or supervisor. These forms are available at each campus or through the business office. After approval, the requisition is to be forwarded to the business office for authorization and processing.
3. Requisitions must be filled out completely and must be coded for budgetary account distribution. Signatures of the employee and campus principal or supervisor must appear at the bottom of the form. Information concerning whether the purchase order & requisition is to be mailed, faxed, or returned to the employee for phone ordering should also be included.

#### Order Completion

The yellow copy of the requisition will be returned to the employee with the purchase order number recorded at the top. This copy should be retained by the employee until the order is complete. On completion of the order the yellow copy, with all packing slips attached and the completion date noted, will be forwarded to the business office for payment processing.

#### Back Orders

Sufficient time needs to be allowed for delivery of supplies or materials within the school year. The employee is responsible for notifying the vendor concerning back orders or reordering.

#### Charge Purchases

Periodically it is necessary to charge supplies or materials at local businesses. Verbal approval from the campus principal or supervisor must be obtained prior to any charge purchases being made.

### Receipts

It is the responsibility of the employee to forward receipts for all charge purchases to the business office within 3 days.

### Payment Policy

Payment procedures will be as follows:

1. Vendors will be paid for goods purchased by the District only after the business office has received a proper invoice, all pertinent receipts, and the yellow copy of the purchase requisition from the employee with the order completion date noted.
2. All payments will be approved by the Superintendent and/or business manager.
3. All payments will be submitted to the Board for final approval at the regular meeting on the second Tuesday of each month. Checks will be issued the next day.

## II. REQUEST FOR REIMBURSEMENT

District purchases made by an employee with personal funds can be reimbursed through the following process:

1. Retain all receipts.
2. Obtain a reimbursement of expenditures form (Exhibit C) from the business office.
3. Complete and return the reimbursement of expenditures form to the business office for approval along with all receipts. The request will not be processed without valid receipts.
4. The request will be processed for payment during the next accounts payable cycle.

## SECTION B

- I. EMPLOYEE TRAVEL
- II. STUDENT TRAVEL

00222

## Section B

### I. EMPLOYEE TRAVEL

#### Authorization

District employees must obtain verbal approval from the Superintendent, campus principal, or supervisor before travel arrangements are made.

#### Travel Arrangements

Employees may request the business office to make travel arrangements. All necessary information concerning the trip will be submitted to the business office with ample time for arrangements to be made. Travel arrangements may also be made by the employee. A credit card number can be obtained from the business office for use when making arrangements. The most economical means should always be taken into consideration when making any arrangements for which the District will be responsible.

Arrangements for travel by school vehicle are to be made by e-mailing the maintenance department. Except in emergency situations, requests should be made at least 3 days prior to the trip.

#### Travel Expenses

Employees may request cash for travel expenses. Cash advance procedures are as follows:

1. Obtain a cash advance request form (Exhibit D) from the business office.
2. Completed form will be returned to the business office no later than 3 days prior to needed cash advance.
3. Obtain a cash advance verification form (Exhibit E) after returning from trip.
4. Completed form will be returned to the business office along with all receipts and any cash remaining within 5 days upon returning from trip. Receipts must equal the amount of money spent.

District credit cards can be issued to employees when cash is not preferred. Receipts for such expenses and credit cards will be turned in to the business office within 3 days upon returning from trip.

#### Travel Reimbursement



Travel expenses paid for by an employee with personal funds can be reimbursed by following these procedures:

1. Retain all receipts.
2. Obtain a reimbursement of expenses form (Exhibit C) from the business office.
3. Completed form along with valid receipts attached will be returned to the business office within 5 days upon returning from trip. The form will not be processed without receipts.
4. The reimbursement will be processed for payment during the next accounts payable cycle.

## II. STUDENT TRAVEL

### Meals

Recommended student meal prices are \$6.50 at the district level, \$8.00 at the regional level, and \$10.00 at the state level for each meal including tip. Meals for overnight trips may average this amount. Employees must obtain a purchase order (Exhibit B) from the business office for student meals for which the District is responsible. Requests must be made at least 3 days prior to trip. Employees will be responsible for selecting places to eat and determining if the establishment will accept a purchase order for payment. Receipts for student meals will be forwarded to the business office within 3 days upon returning from trip.

All other questions concerning student travel are addressed in the Travel section.

## SECTION C

- I. FIXED ASSETS
- II. INVENTORY

00225

## Section C

### I. FIXED ASSETS

A fixed asset is an item purchased by the District and will remain fixed in one location. These are items that will have a lifetime use of at least 5 years and value of \$500.00 or more. Such items are desks, chairs, tables, computers, etc.

All fixed assets purchased by the District are assigned an inventory number for tracing purposes. A black adhesive backed sticker, with the assigned inventory number indicated on it, is affixed to the item after payment has been made. In cases when it is not possible for the adhesive sticker to be affixed to the item, the assigned inventory number will be written on the item with a permanent marker, and kept on file by the fixed assets coordinator.

### II. INVENTORY

When an item is moved from one location to another, an inventory receipt/transfer record form (Exhibit F) will be completed by the employee and returned to the fixed assets coordinator.

If an item is damaged beyond repair or lost, an inventory removal form (Exhibit G) will be completed by the employee and returned along with the adhesive sticker, when available, to the fixed assets coordinator.

An annual inventory of school property will be conducted each spring and District employees are responsible for verifying and accounting for all fixed assets assigned to the employee.

# SECTION D

- I. EQUIPMENT REPAIR
- II. WORK ORDERS

00227

## Section D

### I. EQUIPMENT REPAIRS

All employees must have verbal or written approval of the Superintendent, business manager, or campus principal before any equipment is scheduled for repair.

Employees will be responsible for selecting a vendor to repair the equipment and determining if the vendor will accept a purchase order for payment. The most economical means should always be taken into consideration when making repair arrangements for which the District will be responsible.

### II. WORK ORDERS

Work order procedures will be as follows:

1. Submit a work order request (Exhibit H) to the Superintendent. These forms are available at each campus or through the administration office. After prioritizing, the request will be forwarded to the maintenance supervisor by the Superintendent.
2. On completion of the job, the work order, with the completion date noted, will be forwarded to the Superintendent by the maintenance supervisor for final approval.
3. The work order will be forwarded to the employee initiating the work order by the Superintendent for signature of approval.
4. The work order should be resubmitted until the work is satisfactory.

## SECTION E

- I. PAYROLL PROCEDURES
- II. SUPPLEMENTAL PAY/OVERTIME

00229

Section E

I. PAYROLL PROCEDURES

Check Issuance

Payroll checks will be issued on the 25th of each month. Should this day fall on a weekend or during a school holiday, checks will be issued on Friday or the last day of school before the holiday.

Payroll checks will be issued early only when an employee will be out of town on the scheduled pay date. Verbal approval will be given by the Superintendent and/or business manager.

Payroll Cycles

The annual pay cycles will be as follows:

**Professional Personal**

12-month employees	July 1-June 30
11-month employees	August 1-July 31
10-month employees	Sept. 1-August 31

**Secretaries, Clerks, Aides**

12-month employees	July 1-June 30
11-month employees	August 1-July 31
10-month employees	Sept. 1-August 31

**Maintenance and Food Service**

12-month employees	Sept. 1-August 31
9- month employees	Sept. 1- May 31

Enrollment

Enrollment for payroll deductions occurs during teacher inservice in August.

Deduction Changes

Payroll deduction change procedures will be as follows:

1. Obtain a payroll deduction change form (Exhibit I) from the business office.
2. Complete and return the payroll deduction change form to the business office by the first of

the month. This is necessary in order for the change to be effective for the current pay period.

Deduction changes for the Winkler County Credit Union should be handled directly through that institution.

### Employee Tax Information

Employees will complete a new W-4 during teacher inservice in August each year. This information may be updated as needed during the year by obtaining a new W-4 from the business office. The new form must be submitted to the business office by the 15th day of the month in order for the change to be effective for the current pay period.

## II. SUPPLEMENTAL PAY/OVERTIME

### Supplemental Pay/Overtime

Supplemental pay and/or overtime procedures will be as follows:

1. Obtain a supplemental pay request form or time card (Exhibit J & K) from the business office.
2. Complete and return the supplemental pay request form or time card to the business office. The request will not be processed without the signature of the campus principal or supervisor.
3. All requests for supplemental pay and/or overtime must be submitted to the business office by the 15th day of the month in order to receive payment during the current pay period. Should this day fall on a weekend, the employee will have until noon on the following Monday to submit the request.



## SECTION F

- I. LEAVES AND ABSENCES
- II. VACATION REGULATIONS

00232

Section F

I. LEAVES AND ABSENCES

Pre-approved absence procedures will be as follows:

1. Obtain a pre-approved personal leave request form (Exhibit L) from the administration office, campus principal, or supervisor.
2. Complete and return the pre-approved personal leave request form to the campus principal or supervisor at least 3 days prior to date of request for approval.
3. Once approved, submit the pre-approved personal leave request form to the Superintendent for final approval.

Procedures for absences not pre-approved will be as follows:

1. Notify the campus principal or supervisor by 7:00 a.m. on the day of absence so that arrangements for a substitute can be made, if necessary.
2. Obtain an absence from duty form (Exhibit M) from the administration office, campus principal or supervisor upon returning to work.
3. Complete and return the absence from duty form immediately to the campus principal or supervisor for approval.
4. Once approved, submit the absence from duty form to the Superintendent for final approval.

II. VACATION REGULATIONS

Vacation Schedules

All employees in positions requiring 12 months of service per year, who have one or more years of service with the District, shall be eligible for a paid vacation.

The vacation schedule will be as follows:

Years of Service	Vacation
1-5	2 weeks
6-10	3 weeks
11-19	4 weeks
20 or more	5 weeks

### Vacation Regulations

Vacation regulations will be as follows:

1. Vacation days are earned July 1 to June 30.
2. Ten carryover days are permitted each year. All other vacation days not taken by June 30 will be lost.
3. Vacation schedules must have prior approval and be placed on the calendar so that adequate staff is available to operate the District.
4. A formal request for vacation must be submitted to the Superintendent and/or supervisor on a District request for vacation form.

### Vacation Requests

Vacation request procedures will be as follows:

1. Obtain a request for vacation form (Exhibit N) from the administration office or supervisor.
2. Complete and return the request for vacation form to the supervisor for approval.
3. Once approved, submit the request for vacation form to the Superintendent for final approval.

A record of accrued leave benefits will be kept in the administration office. Current leave balances will be reported each month on employee's check stub. It is the responsibility of the employee to verify these balances each month for accuracy.

# SECTION G

## I. MISCELLANEOUS

00235

## Section G

### I. MISCELLANEOUS

#### Mail Processing

All parcels to be mailed must be separated into local and out of town stacks and delivered to the administration office by 2:30 p.m. each day for processing. Parcels delivered after that time will be mailed the following day.

#### Faxing

All items to be faxed are the responsibility of the employee. Employees may use the fax machine in the administration office during regular office hours. Students will not be allowed to fax items for the District or its employees.

#### Supplies

Miscellaneous supplies such as chalk, pens, pencils, file folders, tape, etc., can be obtained through the administration office.

#### Insurance Forms

Insurance claim forms can be obtained through the business office.

#### Damaged or Lost Property

In the event of burglary, vandalism, or any activity that results in damaged or lost District property, employees shall report the incident to the campus principal or supervisor. The principal or supervisor shall notify the police and the Superintendent's office. The Superintendent and/or business manager shall notify the District's insurance claims handler of the damage or loss.

#### Injury Reporting

An employee injured on the job shall notify the campus principal or supervisor by the end of the work day. The injury shall be reported to the business manager within 3 days for the purpose of completing workers' compensation reports. The business manager will complete and sign the report and a copy of the report will be provided to the employee. An injury not considered minor by the campus principal or supervisor should be referred immediately to a doctor or medical facility.

An employee absent from work due to an on the job injury, and receiving workers' compensation

benefits, must have weekly contact with the campus principal or supervisor unless other arrangements are made.

### Heating/Cooling Requests

Periodically it is necessary for the heating or cooling system to be extended beyond normal school hours.

Extended hour heating or cooling request procedures will be as follows:

1. Obtain a request for extended hours heating/cooling form (Exhibit O) from the Superintendent's secretary in the administration office.
2. Completed form will be returned to the Superintendent's secretary no later than 3 days prior to date of request. Incomplete forms will be returned.

# EXHIBITS

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## EXHIBITS

- A. REQUISITION
- B. PURCHASE ORDER
- C. REIMBURSEMENT OF EXPENDITURES
- D. CASH ADVANCE REQUEST
- E. CASH ADVANCE VERIFICATION
- F. INVENTORY RECEIPT/TRANSFER RECORD
- G. INVENTORY REMOVAL
- H. WORK ORDER REQUEST
- I. PAYROLL DEDUCTION CHANGE
- J. SUPPLEMENTAL PAY REQUEST
- K. TIME CARD
- L. PERSONAL LEAVE REQUEST
- M. ABSENCE FROM DUTY REPORT
- N. REQUEST FOR VACATION
- O. REQUEST FOR EXTENDED HOURS

00239







REIMBURSEMENT OF EXPENDITURES

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

---

MEAL REIMBURSEMENT

EMPLOYEE MEALS \$ \_\_\_\_\_

STUDENT MEALS \$ \_\_\_\_\_

TOTAL MEAL REIMBURSEMENT \$ \_\_\_\_\_

---

OTHER REIMBURSEMENT

REGISTRATION FEE \$ \_\_\_\_\_

PARKING, TAXI, ETC. \$ \_\_\_\_\_

SUPPLIES \$ \_\_\_\_\_

GAS \$ \_\_\_\_\_

MISCELLANEOUS \$ \_\_\_\_\_

TOTAL OTHER REIMBURSEMENT \$ \_\_\_\_\_

TOTAL REIMBURSEMENT DUE \$ \_\_\_\_\_

---

REASON FOR EXPENDITURE \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

---

EMPLOYEE SIGNATURE

---

BUSINESS OFFICE APPROVAL

00242

A-150

## CASH ADVANCE REQUEST

PAY TO: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ACTIVITY: \_\_\_\_\_  
 PLACE: \_\_\_\_\_  
 DEPARTURE: \_\_\_\_\_  
 RETURN: \_\_\_\_\_

MEALS

EMPLOYEE MEALS \_\_\_\_\_ @ \$10.00 = \$ \_\_\_\_\_

STUDENT MEALS \_\_\_\_\_ @ \$ 6.50 = \$ \_\_\_\_\_

\_\_\_\_\_ @ \$ 8.00 = \$ \_\_\_\_\_

\_\_\_\_\_ @ \$10.00 = \$ \_\_\_\_\_

TOTAL ADVANCE REQUEST FOR MEALS \$ \_\_\_\_\_

OTHER ADVANCE REQUESTS

REGISTRATION FEE \$ \_\_\_\_\_

PARKING, TAXI, ETC. \$ \_\_\_\_\_

MISCELLANEOUS \$ \_\_\_\_\_

TOTAL OTHER ADVANCE REQUESTS \$ \_\_\_\_\_

TOTAL CASH ADVANCE REQUESTED \$ \_\_\_\_\_

\_\_\_\_\_  
 SIGNATURE OF EMPLOYEE

\_\_\_\_\_  
 BUSINESS OFFICE APPROVAL

00243

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## CASH ADVANCE VERIFICATION

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

MEAL EXPENDITURES

EMPLOYEE MEALS \$ \_\_\_\_\_

STUDENT MEALS \$ \_\_\_\_\_

TOTAL MEAL EXPENDITURES \$ \_\_\_\_\_

OTHER EXPENDITURES

REGISTRATION FEE \$ \_\_\_\_\_

PARKING, TAXI, ETC. \$ \_\_\_\_\_

MISCELLANEOUS \$ \_\_\_\_\_

TOTAL OTHER EXPENDITURES \$ \_\_\_\_\_

CASH ADVANCE RECEIVED \$ \_\_\_\_\_

TOTAL EXPENDITURES \$ \_\_\_\_\_

TOTAL CASH RETURNED \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

DIFFERENCE DUE TO EMPLOYEE \$ \_\_\_\_\_

\_\_\_\_\_  
EMPLOYEE SIGNATURE\_\_\_\_\_  
BUSINESS OFFICE APPROVAL

00244



INVENTORY REMOVAL

MATERIALS AND EQUIPMENT STOLEN, DESTROYED, DAMAGED, OR LOST

# OF ITEMS	NAME AND DESCRIPTION OF ITEM	STOLEN	DESTROYED	DAMAGED	PURCH. PRICE & YEAR

APPROVAL:

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SUPERVISOR SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
FIXED ASSET COORDINATOR

\_\_\_\_\_  
DATE

WORK ORDER REQUEST

\_\_\_\_\_  
BUILDING & ROOM NO.

\_\_\_\_\_  
DATE

WORK NEEDED AS FOLLOWS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REPORTED BY: \_\_\_\_\_

APPROVAL:

\_\_\_\_\_  
SUPERINTENDENT

\_\_\_\_\_  
MAINTENANCE SUPERVISOR

\_\_\_\_\_  
EMPLOYEE

00247



PAYROLL DEDUCTION CHANGE FORM

NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

Please stop the following payroll deductions effective this pay period.

\_\_\_\_\_  
COMPANY

\_\_\_\_\_  
AMOUNT

\_\_\_\_\_  
COMPANY

\_\_\_\_\_  
AMOUNT

\_\_\_\_\_  
COMPANY

\_\_\_\_\_  
AMOUNT

\_\_\_\_\_  
COMPANY

\_\_\_\_\_  
AMOUNT

\_\_\_\_\_  
COMPANY

\_\_\_\_\_  
AMOUNT

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
SOCIAL SECURITY NUMBER

\_\_\_\_\_  
BUSINESS OFFICE APPROVAL



NAME AND SOCIAL SEC.  
NUMBER OF EMPLOYEE

WEEK BEGINNING	SUN.		MON.		TUES.		WED.		THURS.		FRI.		SAT.		TOTAL HOURS
	IN OUT	HRS.	IN OUT	HRS.	IN OUT	HRS.	IN OUT	HRS.	IN OUT	HRS.	IN OUT	HRS.	IN OUT	HRS.	

I certify the foregoing to be a correct account of the time worked.

Date \_\_\_\_\_

Signature \_\_\_\_\_

PERSONAL LEAVE REQUEST

\_\_\_\_\_  
NAME

\_\_\_\_\_  
CAMPUS

\_\_\_\_\_  
DATE OF REQUESTED LEAVE

REASON FOR ABSENCE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE

APPROVAL:

\_\_\_\_\_  
CAMPUS PRINCIPAL OR SUPERVISOR

\_\_\_\_\_  
SUPERINTENDENT

NAME OF SUBSTITUTE(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENCE FROM DUTY REPORT

EMPLOYEE NAME \_\_\_\_\_

CAMPUS \_\_\_\_\_

CAUSE OF ABSENCE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

DATE(s) OF ABSENCE: \_\_\_\_\_

NUMBER OF DAYS ABSENT: \_\_\_\_\_

EMPLOYEE SIGNATURE \_\_\_\_\_

STATE PERSONAL LEAVE    DAYS  
NONDISCRETIONARY        \_\_\_\_\_  
DISCRETIONARY            \_\_\_\_\_

STATE SICK LEAVE    DAYS  
PERSONAL ILLNESS        \_\_\_\_\_  
ILLNESS OR DEATH        \_\_\_\_\_  
IN IMMEDIATE  
FAMILY  
FAMILY EMERGENCY        \_\_\_\_\_  
NATURAL DISASTER        \_\_\_\_\_

TOTAL DAYS                    \_\_\_\_\_

TOTAL DAYS                    \_\_\_\_\_

LOCAL LEAVE                DAYS  
SICK LEAVE                    \_\_\_\_\_  
PERSONAL LEAVE              \_\_\_\_\_  
OTHER                         \_\_\_\_\_

TOTAL DAYS                    \_\_\_\_\_

NAME OF SUBSTITUTE(s): \_\_\_\_\_ DATES: \_\_\_\_\_

\_\_\_\_\_ DATES: \_\_\_\_\_

SIGNATURE OF SUPERVISOR \_\_\_\_\_

00252

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REQUEST FOR VACATION

I request that my vacation time be approved for the following dates:

\_\_\_\_\_

I understand that vacation time may not be taken until it is earned and only 10 days are cumulative from year to year.

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CAMPUS

APPROVAL:

\_\_\_\_\_  
SUPERINTENDENT OR SUPERVISOR

\_\_\_\_\_  
DATE

00253

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**Attachment 23**  
**Monthly Budget Status Report**

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**Westlake Academy  
Westlake Texas**

**Combined Statement of Revenue, Expenditures  
and Changes in Fund Balance**

**For Month Ended September, 2000**

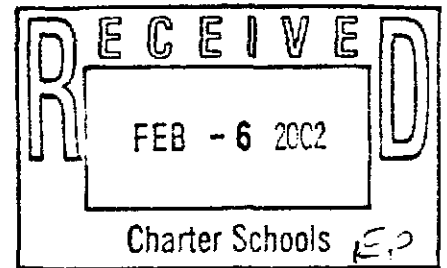
**General Operating Funds**

Code	Description	Amended Budget	Actual	Variance	Percentage
<b>Revenues:</b>					
5700	Local, Intermediate and Out-of-State	\$ -	\$ -	\$ -	0.00%
5800	State Program Revenues	-	-	-	0.00%
5900	Federal Program Revenues	-	-	-	0.00%
<b>Total Revenues</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>0.00%</b>
<b>Expenditures:</b>					
11	Instruction	\$ -	\$ -	\$ -	0.00%
12	Instruction Resources & Media Services	-	-	-	0.00%
13	Curriculum & Instructional Staff Developr	-	-	-	0.00%
21	Instructional Leadership	-	-	-	0.00%
23	School Leadership	-	-	-	0.00%
31	Guidance & Counseling Services	-	-	-	0.00%
32	Attendance	-	-	-	0.00%
33	Health Services	-	-	-	0.00%
34	Pupil Transportation	-	-	-	0.00%
35	Food Services	-	-	-	0.00%
36	Extracurricular Activities	-	-	-	0.00%
41	General Administration	-	-	-	0.00%
51	Maintenance & Operations	-	-	-	0.00%
52	Security Services	-	-	-	0.00%
53	Data Processing Service	-	-	-	0.00%
61	Community Services	-	-	-	0.00%
71	Debt Service	-	-	-	0.00%
81	Facilities Acquisition & Construction	-	-	-	0.00%
<b>Total Expenditures</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>0.00%</b>
<b>Other Sources/Uses:</b>					
	Other Sources	\$ -	\$ -	\$ -	0.00%
	Other Uses	-	-	-	0.00%
<b>Total Other Sources/Uses</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>0.00%</b>
Excess (Deficiency) of Revenues & Other Sources Over Expenditures & Other Uses		\$ -	\$ -	-	
Estimated Beginning Fund Balance		\$ -	-	-	
<b>Estimated Ending Fund Balance</b>		<b>\$ -</b>	<b>\$ -</b>	<b>-</b>	

00255



Westlake Academy



This contract is executed between the Texas State Board of Education (the "Board") and Westlake 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.

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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.

<b>Financial Management</b>
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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.

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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.

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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.

<b>This Agreement</b>
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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.

00263



Entered into this \_\_\_ day of January 2002.

Texas State Board of Education

Grace Shore 2/15/02  
By Grace Shore, Chairman

Charter Holder

Scott Bradley 1/28/02  
(signature/date)

Scott Bradley

Chairperson, Governing Board of Charter Holder

Trent Petty 2/5/02  
(signature/date)

Trent Petty

Chief Operating Officer of Charter School

00264

westlake Acad.

Entered into this \_\_\_ day of January 2002.

Texas State Board of Education

Grace Shore 2/15/02  
By Grace Shore, Chairman

Charter Holder

Scott Bradley 1/28/02  
(signature/date)

Scott Bradley  
Chairperson, Governing Board of Charter Holder

Trent Petty 2/5/02  
(signature/date)

Trent Petty  
Chief Operating Officer of Charter School

00265

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO	1376	
CONNECTION TEL		98174301812
SUBADDRESS		
CONNECTION ID		
ST. TIME	02/19 12:30	
USAGE T	00'25	
PGS. SENT	1	
RESULT	OK	

Entered into this \_\_\_ day of January 2002.

Texas State Board of Education

Grace Shore 2/15/02  
By Grace Shore, Chairman

Charter Holder

Scott Bradley 1/28/02  
(signature/date)

Scott Bradley  
Chairperson, Governing Board of Charter Holder

Trent Petty 2/5/02  
(signature/date)

Trent Petty  
Chief Operating Officer of Charter School

**Attachment 24**

**Lease Agreement**

A lease agreement for facilities will be executed upon granting of the charter and the completion of the facilities.

The Town of Westlake's commitment to providing facilities for Westlake Academy is reflected in the instrumentality resolution.

00267

A-164

A RESOLUTION ORDERING THE CREATION OF A NONPROFIT CORPORATION  
PURSUANT TO THE TEXAS NON-PROFIT CORPORATION ACT, APPROVING  
ARTICLES OF INCORPORATION AND BYLAWS FOR, AND APPOINTING THE  
INITIAL DIRECTORS OF, THE CORPORATION, APPOINTING CERTAIN  
CONSULTANTS, AND RESOLVING RELATED MATTERS

WHEREAS, this Board of Aldermen (the "Board"), as the governing body of the Town of Westlake, Texas (the "Town"), hereby find that it is in the public interest that a non-profit corporation (the "Corporation") be created under the Texas Non-Profit Corporation Act (the "Act") to act on behalf of the Town as its duly constituted authority and instrumentality, within the meaning of the Internal Revenue Code of 1986, as amended, for the purpose of providing educational services and facilities;

WHEREAS, the Act empowers, among other things, the Corporation to acquire a charter, pursuant to Chapter 12, Subchapter D of the Education Code (the "Education Code"), provide education services, and acquire, finance, and operate educational facilities and facilities related thereto, as contemplated by the Education Code and/or other law;

WHEREAS, it is the intent of this Board that the Corporation shall have all powers authorized under the Act and other law to enable it to apply for and obtain a charter under the Education Code and provide education services and acquire, finance, and operate educational facilities and facilities related thereto, as contemplated by the Education Code, the Act, and/or other law;

WHEREAS, the Act authorizes the Corporation to issue revenue bonds ("Bonds") and/or to enter into other obligations ("Obligations") that, among other things, will facilitate providing education services and facilities and facilities related thereto;

WHEREAS, no Bonds or Obligations of the Corporation will constitute obligations (whether special, general, or moral) of the Town;

WHEREAS, the Act provides that the directors of the Corporation are to be appointed by the Board;

WHEREAS, the Articles of Incorporation (the "Articles") of the Corporation shall provide that no modification of the Articles or the Bylaws (the "Bylaws") of the Corporation shall take effect unless approved by this Board;

WHEREAS, this Board intends, by the adoption of this Resolution, to take all action necessary to order the creation of the Corporation with all of the corporate powers and authority granted under the Act and other law;

WHEREAS, the meeting at which this Resolution has been considered was open to the public as required by law, and public notice of the time, place, and subject of the meeting has been given in accordance with Chapter 551, Government Code;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF WESTLAKE, TEXAS:

SECTION 1. The findings and declarations contained in the preamble of this Resolution are hereby incorporated as part of this Resolution.

00260

SECTION 2. This Board hereby finds and determines that it is in the best interest of the Town and its inhabitants that the Corporation, to be named as specified in the Articles, be created pursuant to the Act to act on behalf of the Town as its duly constituted authority and instrumentality for the purposes and with the powers and authority prescribed by the Act and other law.

SECTION 3. This Board hereby orders the creation of the Corporation and approves the Articles in substantially the form attached to this Resolution as an exhibit, and hereby authorizes the incorporators of the Corporation (as identified in such Articles) to file the Articles with the Secretary of State in accordance with

law. In the event that the name for the Corporation specified in the Articles is not available, the incorporators are hereby authorized to change the Corporation's name in the Articles without the further approval of the Town.

SECTION 4. This Board hereby appoints the persons identified in the Articles to serve as the initial members of the board of directors of the Corporation.

SECTION 5. This Board hereby approves the initial Bylaws of the Corporation in substantially the form attached to this Resolution as an exhibit.

SECTION 6. It is intended that the Corporation be a duly constituted authority and instrumentality of the Town within the meaning of regulations and/or revenue rulings of the Treasury Department and/or the Internal Revenue Service of the United States promulgated under Section 115 of the Internal Revenue Code of 1986.

SECTION 7. With respect to the Town and its instrumentalities, the Board of Aldermen hereby appoints Larry Williamson as financial advisor, Thomas Allen Moon as finance counsel, and Jenkins & Gilchrist, P. C. as special finance counsel.

SECTION 8. This Resolution shall take effect immediately upon its adoption.

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PASSED AND APPROVED ON THIS 12<sup>TH</sup> DAY OF FEBRUARY, 2001.

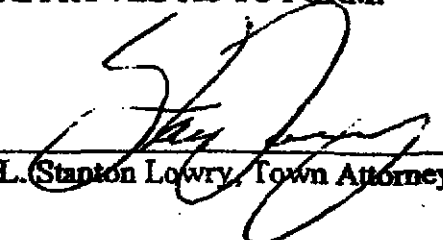
ATTEST:

  
\_\_\_\_\_  
Scott Bradley, Mayor

  
\_\_\_\_\_  
Ginger Crosswy, Town Secretary

  
\_\_\_\_\_  
Trent Petty, Town Manager

APPROVED AS TO FORM:

  
\_\_\_\_\_  
L. Stanton Lowry, Town Attorney

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A-166a

**Attachment 25**  
**School Calendar**

0027.



# Westlake Academy

## 2002-2003 School Calendar

August 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

September 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					

October 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		

November 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

December 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		

January 03						
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	

Reporting Periods	[Begin/End]	Days Taught
1 <sup>st</sup> Reporting Period	8/19/02 - 9/27/02	29
2 <sup>nd</sup> Reporting Period	9/30/02 - 11/8/02	29
3 <sup>rd</sup> Reporting Period	11/11/01 - 12/20/02	27
4 <sup>th</sup> Reporting Period	1/06/03 - 2/14/03	28
5 <sup>th</sup> Reporting Period	2/17/03 - 4/04/03	30
6 <sup>th</sup> Reporting Period	4/07/03 - 5/29/03	37
<b>Total Days Taught</b>		<b>180</b>

Holiday <input type="radio"/>	Date
Labor Day	September 2, 2002
Thanksgiving	November 20-22, 2002
Christmas	December 23 - January 3
Martin L. King	January 20, 2003
Spring Break	March 17 - 21, 2003
Easter	April 20, 2003

Staff Development <input type="checkbox"/>	
October 14, 2002	February 17, 2003

Bad Weather Make Up days	
April 21, 2003	May 30, 2003

Teacher Work Days	
August 14, 2002	August 15, 2002
August 16, 2002	May 31
December 20, 2002	

**Legend**  
 Begin Attendance Reporting Period [   
 End Attendance Reporting Period ]  
 Holiday   
 Staff Development   
 Bad Weather Make Up days  
 Teacher Work Days

February 03						
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	

March 03						
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					

April 03						
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			

May 03						
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					

June 03						
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						

July 03						
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					

00272

A-16

**Attachment 26**

**PEG Draft**

## Peg Draft

Westlake Academy will adhere to the guidelines for the admission of students eligible for a public education grant (PEG) as set forth in the Texas Education Code. Under the guidelines set forth in the Public Education grant program a parent of a student enrolled in any of the districts listed may make application to attend Westlake Academy during the school year.

The charter school or public school chosen by a student's parents 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 discriminates on the basis of a student's race, ethnicity, academic achievement, athletic abilities, language proficiency, sex or socioeconomic status. Westlake Academy reserves the right to reject students based on criteria described within the charter application.

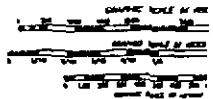
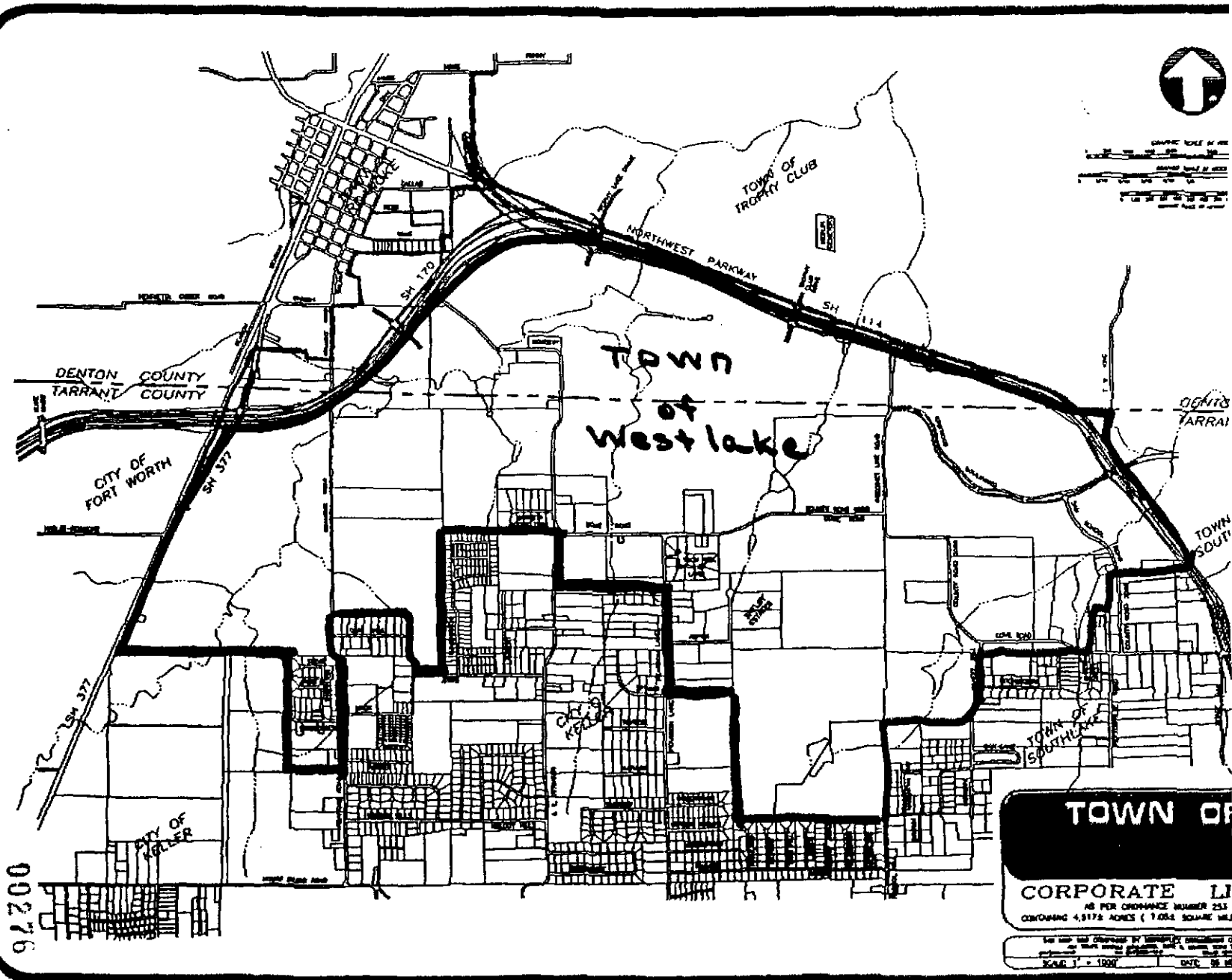
A student enrolled in a school identified under the PEG program has the right to request a transfer to another school in his/her current district or in a charter school. Students seeking reenrollment in Westlake Academy shall follow the same procedures for enrollment as other applicants and will be considered 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.

**Attachment 27**

**Area Map**

00275

A-17v



TOWN  
 of  
 Westlake

00276

**TOWN OF**

**CORPORATE LI**

AS PER ORDINANCE NUMBER 253

CONTAINING 4,917.8 ACRES ( 7.084 SQUARE MILE

DATE 08 90

11-0

**Attachment 28**  
**Return Receipts**  
**For**  
**Statement of Impact**

00277



## WESTLAKE

February 14, 2001

Keller ISD  
350 Keller Parkway  
Keller, Texas 76248-3447

SAMPLE

Dear Superintendent and President of the Board of Trustees:

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

Specifically, the guidelines approved by the State Board of Education require that the enclosed form, entitled Statement of Impact, and copy of the application for the proposed open-enrollment charter school be sent to each district that may be affected. Information is required if the proposed open-enrollment charter may adversely impact a district financially, or if the proposed charter may impact the student enrollment of a district in a manner that impairs the district's ability to comply with a court order. The enclosed form may be completed by any district that may be affected, signed by the district's board president and superintendent, and returned to the Texas Education Agency, Document Control Center, Room 6-108, 1701 North Congress Avenue, Austin, TX 78701. It should be received no later than April 20, 2001 for the information to be considered by the State Board of Education.

It is requested that you review the enclosed application, and complete the State of Impact form, and submit it to the Texas Education Agency. If you have questions about the process for approval of open-enrollment charter schools, please contact the Division of Charter Schools at (512) 463-9575. If you have questions about the enclosed application for approval of an open-enrollment charter school affecting your school district, please contact Trent Petty at 817-430-0941.

Sincerely,

Scott Bradley  
Mayor

00270

SAMPLE

**Statement of Impact  
Open-Enrollment Charter School**

**Purpose of this form:** The sponsoring entity entered below is submitting an application to the State Board of Education for approval to operate or amend an open-enrollment charter school. The name and location of the proposed charter school is provided:

Westlake Academy  
#3 Village Circle  
Suite 207  
Westlake, TX 76262

In accordance with Texas Education Code, Section 12.110(d)(2), this form must be provided to any school district likely to be affected by the open-enrollment charter school. That school district may then submit this form to the State Board of Education information relating to any financial difficulty that a loss in enrollment may have on the district, information pertaining to any impact on student enrollment that may impair a district's ability to comply with a court order affecting the district, and any other information it wishes to share with the board. For more detailed information about the proposed charter, contact the sponsoring entity indicated above.

**Note:** under Texas Education Code 12.106, an approved open-enrollment charter school is entitled to the distribution of the available school fund for a student attending the charter school to which the district in which the student resides would be entitled. This would include any benefits and any transportation allotment for which the student is eligible under Chapter 42. An approved open-enrollment charter is also entitled to a portion of the tax revenue collected by the school district for maintenance and operation as provided in Texas Education Code 12.107.

**Instructions:** Submit the completed form signed by the district superintendent and board president to:

The Texas Education Agency  
Division of Charter Schools  
1701 North Congress Avenue  
Austin, TX 78701

**The form should be received by the agency by April 20, 2001 for consideration by the State Board of Education** with respect to approval of the proposed open-enrollment charter school. For information about the procedures for approval of open-enrollment charter schools, please contact Division of Charter Schools at (512) 463-9575.

00279

A-173a



SAMPLE

Statement of Impact  
For Charter Application

Name of Proposed Charter School: Westlake Academy

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.)

\_\_\_\_\_  
(District Name)

\_\_\_\_\_  
(County-District Identification Number)

\_\_\_\_\_  
(District Address)

\_\_\_\_\_  
(Signature of Board President)

\_\_\_\_\_  
(Print Board President's Name)

\_\_\_\_\_  
(Signature of Superintendent)

\_\_\_\_\_  
(Print Superintendent's Name)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Phone Number)

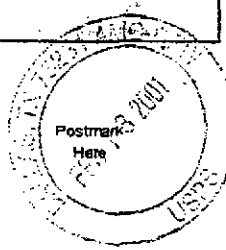
00280

A-1736

7000 1670 0002 8005 4297

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$ 6.35
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 9.75</b>

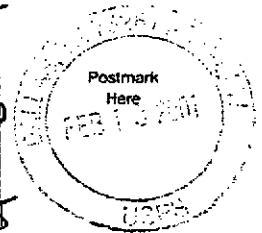


Sent To Northwest 1SD  
 Street, Apt. No., or PO Box No.  
1800 State Hwy. 114  
 City, State, ZIP+4  
Justin, TX. 76247-8700  
 PS Form 3800, May 2000 See Reverse for Instructions

7000 1670 0002 8005 4310

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$ 5.15
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 8.55</b>

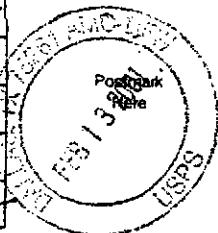


Sent To Carroll 1SD  
 Street, Apt. No., or PO Box No.  
120 North Carroll Ave.  
 City, State, ZIP+4  
Southlake, TX. 76092-9405  
 PS Form 3800, May 2000 See Reverse for Instructions

7000 1670 0002 8005 4303

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$ 5.15
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 8.55</b>

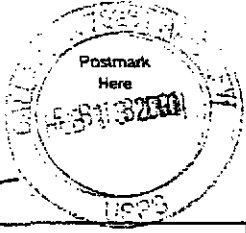


Sent To Denton 1SD  
 Street, Apt. No., or PO Box No.  
P.O. Box 2387  
 City, State, ZIP+4  
Denton, TX. 76202-2387  
 PS Form 3800, May 2000 See Reverse for Instructions

7000 1670 0002 8005 4280

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$ 5.15
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 8.55</b>

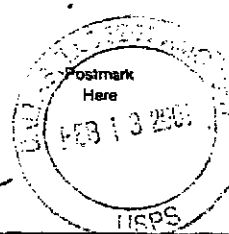


Sent To Keller 1SD  
 Street, Apt. No., or PO Box No.  
350 Keller Parkway  
 City, State, ZIP+4  
Keller, TX. 76248-3447  
 PS Form 3800, May 2000 See Reverse for Instructions

7000 1670 0002 8005 4327

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$ 5.15
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 8.55</b>



Sent To Argyle 1SD  
 Street, Apt. No., or PO Box No.  
P.O. Box 989  
 City, State, ZIP+4  
Argyle, Texas 76226-0989  
 PS Form 3800, May 2000 See Reverse for Instructions

00781

A-173c

WESTLAKE CHARTER SCHOOL

**Evidence of Nonprofit Status:** N/A. The charter holder will be the Town of Westlake. Governmental entities are eligible to hold charters pursuant to TEC § 12.101(a)(4). Westlake has established a nonprofit corporation to act on its behalf in establishing and operating the Westlake Academy (Resolutions, Attachment 1). The exemption of this corporation from federal income tax is a separate question,<sup>1</sup> but whether it is exempt or not, the State Board of Education still has statutory authority under the Education Code to grant a charter to the Town of Westlake.

From TEA's standpoint, the nonprofit corporation will occupy basically the position of a school management board, with ultimate accountability for compliance with the charter resting with the Town of Westlake. The resolutions provide that no bonds or obligations of the nonprofit corporation constitute obligations of the Town of Westlake (Attachment 1). If the corporation has authority under the Texas Non-Profit Corporation Act to issue revenue bonds that by their terms are payable only from revenues of the school, and that do not otherwise bind the Town of Westlake, the exercise of that authority presents no problem for TEA. However, the applicant should recognize that nothing in the Resolutions will keep the charter holder (Town of Westlake) from being obligated for ordinary debts of its charter school. The contract for charter, which will need to be signed by the Mayor on behalf of the Town of Westlake and not just by the board chair and CEO of the Westlake Academy Corporation, provides in part: "Charterholder may not delegate, assign, subcontract or otherwise alienate any of its rights or responsibilities under the charter." Therefore, for example:

- If an attendance audit reveals that Foundation School Program (FSP) funds have been overpaid to the school, and TEA needs to reclaim funds, the amount of the overpayment will be an obligation of the Town of Westlake;
- When the school contracts for educational materials or services, those debts will be obligations of the Town of Westlake;
- If the school fails to make the proper contributions to the Teacher Retirement System (TRS) for its employees, and TRS places a warrant hold on payments of state money to the charter holder, that warrant hold would include any amounts payable to the Town of Westlake, including FSP funds paid by TEA. The Town of Westlake will be the payee for FSP funds from TEA.

**Public Notice:** OK (Attachments 7-9, 11-12).

**Facilities:** The exact location and nature of the proposed facilities are not described. The application says that facilities will be "innovatively cross-utilized" between the Westlake Academy and the Town of Westlake (p. 48). Does this mean that existing

<sup>1</sup> As an instrumentality of the Town of Westlake, the corporation should be exempt from federal taxation under I.R.C. § 115 as long as it is serving an "essential governmental function." See, e.g., Rev. Rul. 77-261; PLR 200022028.

TOWN OF WESTLAKE – p. 2

municipal facilities will be made available to the school, or does it mean that school facilities constructed with state funds will be used more generally for municipal purposes? Note that newly enacted TEC § 12.128 provides that property purchased or leased with state funds “may be used only for a purpose for which a school district may use school district property.” The reason for raising the question is that although the application says that “[t]he Town of Westlake’s resolution to provide space and facilities for Westlake Academy is in Attachment 24” (p. 48), in fact Attachment 24 authorizes the creation of a nonprofit corporation to issue revenue bonds that will help provide educational facilities “and facilities related thereto,” but specifies that no such bonds or obligations will be obligations of the Town of Westlake.

**Geographic Boundaries:** OK (p. 51 & Attachment 27).

**Impact Statement:** OK (pp. 51-52 & Attachment 28).

**Admissions:** The application describes a first-come, first-served system (pp. 86-87). Instead, to be consistent with federal guidelines and the charter contract, the school should designate an application period, and at the end of that period conduct a lottery of all applicants in any grade level for which applications exceed available space. Siblings of Westlake Academy students may be exempted from the lottery according to federal guidelines.

**Governance Structure:** (pp. 15-19, 89-91 & Attachments 2-3). We received bylaws but not articles of incorporation for the Westlake Academy Corporation. Also, the application on pages 18-19 describes the officer positions of the Westlake Academy Corporation but does not answer the other application prompts concerning the corporation’s board of directors (the manner in which they are selected and removed from office, how vacancies on the board are filled, etc.). The bylaws included as Attachment 3 answer these questions to some extent.

## Contingencies



Margaret E. Baker  
Senior Counsel  
Division of Legal Services  
1701 N. Congress Ave.  
Austin, Texas 78701-1494

January 16, 2002

Dear Ms. Baker:

I appreciate your letter of January 3, 2002 conveying the outstanding conditions to complete the Town of Westlake's legal contingencies.

Per your instructions, on behalf of the Town of Westlake and the Board of Aldermen, I want to convey our understanding that the Town of Westlake will hold the Charter awarded by the State Board of Education.

I have verified that the missing page from the Articles of Incorporation for the Westlake Academy Corporation has been provided to you.

In addition, I received a telephone voice message from Ms. Eartha Patrick at TEA telling us that the TEA staff has cleared whatever accounting contingencies may have existed.

The Town of Westlake is currently in the architectural selection phase of the project. It is our understanding that once the legal contingencies have been addressed to TEA's satisfaction that we may expect our Charter contract. Please notify us as soon as possible if we are confused about the next step in the process so that we may remedy any problems immediately.

Sincerely



Trent Betty  
Town Manager

3 Village Circle • Suite 207 Solana • Westlake, Texas 76262  
Metro: 817-430-0941 • Fax: 817-430-1812 • [www.westlake-tx.org](http://www.westlake-tx.org)

AUTOMATIC COVER SHEET

DATE : JAN-18-02 12:40 PM

TO :

FAX #: 15124753662

FROM : TOWN OF WESTLAKE

FAX #: 817 4301812

2 PAGES WERE SENT

(INCLUDING THIS COVER SHEET)

Contingencies

*Fred Hejd*

Fred Hejd, Incorporator

*Don Redding*

Don Redding, Incorporator

*Fanny Sparrow*

Fanny Sparrow, Incorporator

*Buddy Brown*

Buddy Brown, Incorporator

*Bill Frey*

Bill Frey, Incorporator

*Scott Bradley*

Scott Bradley, Incorporator

Mary Midgette

1/3 str.

PH: 817-430-0141

Send copy of  
1st str.

Contingencies

STATE OF TEXAS

COUNTY OF TARRANT

I, the undersigned, a Notary Public of the State of Texas, certify that on this 12<sup>th</sup> day of February, 2001, personally appeared before me SCOTT BRADLEY, FRED HELD, DON REDDING, LARRY SPARROW, BUDDY BROWN, and BILL FREY who, being by me first duly sworn, severally declared that they are the persons who signed the foregoing document as incorporators and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the date and year above written.

*Ginger Crosswy*  
Notary Public, State of Texas

[SEAL]

Ginger Crosswy

My Commission Expires: 2/22/04





Contingencies



WESTLAKE

Town of Westlake  
3 Village Circle, Ste. 207  
Westlake, TX 76262  
817-430-0941  
817-430-1812 - Fax

facsimile transmittal

To: \_\_\_\_\_ Fax: \_\_\_\_\_

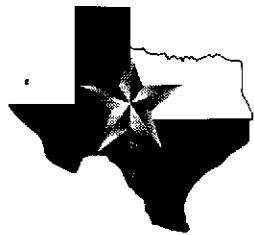
From: \_\_\_\_\_ Date: \_\_\_\_\_

Re: \_\_\_\_\_ Pages: \_\_\_\_\_

CC: \_\_\_\_\_

- Urgent     For Review     Please Comment     Please Reply     Please Recycle

*fax to  
Maggie Baker  
512 475-3062*



# 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

January 3, 2002

Mr. Trent Petty  
Town Manager, Town of Westlake  
3 Village Circle, Suite 207  
Westlake, TX 76262  
Fax (817) 430-1812

**VIA FACSIMILE**

Re: Legal Contingencies for Westlake Academy

Dear Mr. Petty:

I have reviewed your letter dated December 10, 2001, regarding the legal contingencies of which you were previously informed. There are two matters that must be addressed to resolve all legal contingencies. First, statements in your letter reflect that you are confused about the meaning of the terms "sponsoring entity" and "charter holder" and about the roles of the Town of Westlake and the Westlake Academy Corporation.

Both "sponsoring entity" and "charter holder" refer to the entity that is eligible to receive a charter under Texas Education Code Chapter 12, Subchapter D (i.e., a governmental entity or a 501(c)(3) nonprofit corporation). The application for charter school that was approved by the State Board of Education listed the Town of Westlake as the sponsoring entity for the proposed charter. Thus, the Town of Westlake, not the Westlake Academy Corporation, will be the entity that holds the charter, or the charter holder. From TEA's standpoint, the Westlake Academy Corporation is essentially a managing school board. Accordingly, the statements in your letter that the Westlake Academy Corporation "must be the charter holder" and "will operate the school completely" are incorrect. The Town of Westlake will be the charter holder and will be ultimately responsible for the operation of the charter school. The charter contract which will be entered into with the Town of Westlake will provide in part that the Town of Westlake, as the charter holder, "may not delegate, assign, subcontract or otherwise alienate any of its rights or responsibilities under the charter." Please acknowledge that you understand the above-described issue.

Second, please provide the missing page from the Articles of Incorporation for the Westlake Academy Corporation. Once these matters are resolved, I will notify the Charter School Division that all legal contingencies have been corrected.

Please contact me at (512) 475-3432 if you have any additional questions. Thank you for your cooperation.

Sincerely,

*Margaret E. Baker*

Margaret E. Baker  
Senior Counsel  
Division of Legal Services

c: Mary Perry  
Ertha Patrick

**IMPORTANT MESSAGE**

FOR Maggie

DATE 12/10 TIME 12:30 A.M. P.M.

FROM John Brooks

OF \_\_\_\_\_

PHONE 440-565-2756  
AREA CODE NUMBER EXTENSION

FAX

MOBILE  
AREA CODE NUMBER TIME TO CALL

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input type="checkbox"/>
CAME TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	RUSH	<input type="checkbox"/>
RETURNED YOUR CALL	<input type="checkbox"/>	WILL FAX TO YOU	<input type="checkbox"/>

MESSAGE Re: your letter dated 11/28/01 to Mr. Petty at Westlake Academy Charter School

SIGNED \_\_\_\_\_

# Transmission Report

**Contingencies**

Date/Time  
Local ID  
Local Name  
Company Logo

1- 3-02;10:15AM  
512. 463 8298  
TEA LEGAL SERVICES  
FAX REPLY TO 512-475-3662

This document was confirmed.  
(reduced sample and details below)  
Document Size Letter-S

**TEXAS EDUCATION AGENCY**  
Division of Legal Services  
1701 North Congress Avenue, Suite 2-150  
Austin, Texas 78701

Facsimile Transmission Sheet

Date: 1/3/02 Number of pages including cover sheet 3

To: MR. TRENT PETTY From: Margaret E. Baker  
TOWN MANAGER Senior Counsel  
TOWN OF WESTLAKE Fax: (512) 475-3662  
Tel.: (512) 463-9720

Fax: 817-430-1812  
Tel.: \_\_\_\_\_

Remarks:  
RE: WESTLAKE ACADEMY

Confidentiality Notice

This facsimile transmission and its accompanying documents may contain confidential information that is protected by state and/or federal law or attorney-client privilege. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by collect telephone call to arrange for the return of the documents.

Total Pages Scanned : 3 Total Pages Confirmed : 3

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	574	918174301812	1- 3-02;10:13AM	1'26"	3/ 3	EC		CP 9600

Notes :

EC: Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
BC: Broadcast Send	MP: Multi-Poll	PG: Polling a Remote	PI: Power Interruption
CP: Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
HS: Host Scan	HP: Host Print	FO: Forced Output	WT: Waiting Transfer
HF: Host Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send

# TEXAS EDUCATION AGENCY

Division of Legal Services  
1701 North Congress Avenue, Suite 2-150  
Austin, Texas 78701

## Facsimile Transmission Sheet

Date: 1/3/02 Number of pages including cover sheet 3

To: MR. TRENT PETTY  
TOWN MANAGER  
TOWN OF WESTLAKE

From: Margaret E. Baker  
Senior Counsel  
Fax: (512) 475-3662  
Tel.: (512) 463-9720

Fax: 817-430-1812

Tel.: \_\_\_\_\_

Remarks:

RE: WESTLAKE ACADEMY  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Confidentiality Notice

This facsimile transmission and its accompanying documents may contain confidential information that is protected by state and/or federal law or attorney-client privilege. The information is intended only for the use of the individuation or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking or any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by collect telephone call to arrange for the return of the documents.

M.P.V

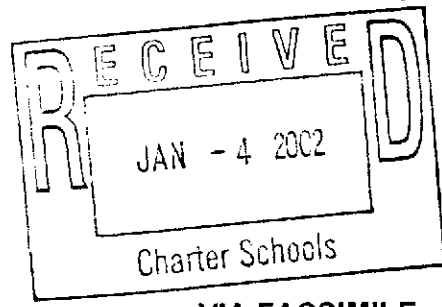
Contingencies



# 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



VIA FACSIMILE

January 3, 2002

Mr. Trent Petty  
Town Manager, Town of Westlake  
3 Village Circle, Suite 207  
Westlake, TX 76262  
Fax (817) 430-1812

Re: Legal Contingencies for Westlake Academy

Dear Mr. Petty:

I have reviewed your letter dated December 10, 2001, regarding the legal contingencies of which you were previously informed. There are two matters that must be addressed to resolve all legal contingencies. First, statements in your letter reflect that you are confused about the meaning of the terms "sponsoring entity" and "charter holder" and about the roles of the Town of Westlake and the Westlake Academy Corporation.

Both "sponsoring entity" and "charter holder" refer to the entity that is eligible to receive a charter under Texas Education Code Chapter 12, Subchapter D (i.e., a governmental entity or a 501(c)(3) nonprofit corporation). The application for charter school that was approved by the State Board of Education listed the Town of Westlake as the sponsoring entity for the proposed charter. Thus, the Town of Westlake, not the Westlake Academy Corporation, will be the entity that holds the charter, or the charter holder. From TEA's standpoint, the Westlake Academy Corporation is essentially a managing school board. Accordingly, the statements in your letter that the Westlake Academy Corporation "must be the charter holder" and "will operate the school completely" are incorrect. The Town of Westlake will be the charter holder and will be ultimately responsible for the operation of the charter school. The charter contract which will be entered into with the Town of Westlake will provide in part that the Town of Westlake, as the charter holder, "may not delegate, assign, subcontract or otherwise alienate any of its rights or responsibilities under the charter." Please acknowledge that you understand the above-described issue.

Second, please provide the missing page from the Articles of Incorporation for the Westlake Academy Corporation. Once these matters are resolved, I will notify the Charter School Division that all legal contingencies have been corrected.

Please contact me at (512) 475-3432 if you have any additional questions. Thank you for your cooperation.

Sincerely,

*Margaret E. Baker*

Margaret E. Baker  
Senior Counsel  
Division of Legal Services

c: Mary Perry ✓  
Ertha Patrick





# 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

November 28, 2001

Mr. Trent Petty  
Town Manager, Town of Westlake  
3 Village Circle, Suite 207  
Westlake, TX 76262  
Fax (817) 430-1812

VIA FACSIMILE

Re: Legal Contingencies for Westlake Academy

Dear Mr. Petty:

I have reviewed the information that you submitted addressing the legal contingencies of which you were previously informed. Though the information reflects that you have resolved most of the contingencies, there are several matters that must be corrected.

Your letter states that the Town of Westlake will be responsible for the legal obligations of the charter school, including the obligation to pay off any revenue bonds that are sold. The three February 12, 2001 resolutions in Attachments 1 and 24, however, conflict with these statements in that they states as follows: "WHEREAS, no Bonds or Obligations of the Corporation will constitute obligations (whether special, general, or moral) of the Town." It would seem that formal action by the Board of Aldermen is needed to clarify the issue of the Town of Westlake's responsibility for the obligations of the corporation and the school.

In addition, you provided a copy of Westlake Academy's Articles of Incorporation that consists of three pages but does not include any signatures. It appears that the last page of the document is missing. Please provide the missing page so that we will have a complete document.

Finally, House Bill 6, which became effective on September 1, 2001, added requirements that all charters granted: (1) prohibit discrimination in admissions based on artistic ability and (2) specify the manner in which a school will distribute to parents information related to the qualifications of each professional employee. (See Texas Education Code section 12.111(6), (11)). Accordingly, you need to amend your application by providing an appropriate non-discrimination statement and a statement regarding how you will inform parents of each professional employee's qualifications.

Once these matters are resolved, I will notify the Charter School Division that all legal contingencies have been corrected. Please contact me at (512) 475-3432 if you have any questions.

Sincerely,

*Margaret E. Baker*

Margaret E. Baker  
Senior Counsel  
Division of Legal Services

c: Mary Perry  
Ertha Patrick

# Transmission Report

Contingencies

Date/Time  
Local ID  
Local Name  
Company Logo

1-15-02; 4:18PM  
512-483 8298  
TEA LEGAL SERVICES  
FAX REPLY TO 512-475-3662

This document was confirmed.  
(reduced sample and details below)  
Document Size Letter-S

**TEXAS EDUCATION AGENCY**  
Division of Legal Services  
1701 North Congress Avenue, Suite 2-150  
Austin, Texas 78701

Facsimile Transmission Sheet

Date: 1/15/02 Number of pages including cover sheet 3

To: MARY MIDGETTE From: Margaret E. Baker  
Senior Counsel  
Fax: (512) 475-3662  
Tel.: (512) 483-9720

Fax: 817-430-1812  
Tel.: \_\_\_\_\_

Remarks:  
RE: WESTLAKE ACADEMY

Confidentiality Notice

This facsimile transmission and its accompanying documents may contain confidential information that is protected by state and/or federal law or attorney-client privilege. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by collect telephone call to arrange for the return of the documents.

Total Pages Scanned : 3 Total Pages Confirmed : 3

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1	856	918174301812	1-15-02; 4:18PM	1'24"	3/ 3	EC		CP 9600

Notes :

EC: Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
BC: Broadcast Send	MP: Multi-Poll	PG: Polling a Remote	PI: Power Interruption
CP: Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
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# TEXAS EDUCATION AGENCY

Division of Legal Services  
1701 North Congress Avenue, Suite 2-150  
Austin, Texas 78701

## Facsimile Transmission Sheet

Date: 1/15/02 Number of pages including cover sheet 3

To: MARY MIDGETTE  
\_\_\_\_\_  
\_\_\_\_\_

From: Margaret E. Baker  
Senior Counsel  
Fax: (512) 475-3662  
Tel.: (512) 463-9720

Fax: 817-430-1812

Tel.: \_\_\_\_\_

Remarks:

RE: WESTLAKE ACADEMY  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Confidentiality Notice

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# Transmission Report

**Contingencies**

Date/Time  
Local ID  
Local Name  
Company Logo

11-29-01; 9:27AM  
512.463.8298  
TEA LEGAL SERVICES  
FAX REPLY TO 512-475-3662

This document was confirmed.  
(reduced sample and details below)  
Document Size Letter-S

Texas Education Agency 1701 North Congress Suite 2-110 Austin TX 78701

## FAX

Date: 11/29/01  
Number of pages including cover sheet: 3

To: MR. TRENT PERRY  
TOWN MANAGER  
TOWN OF WESTLAKE

Phone: \_\_\_\_\_  
Fax phone: 817-430-1812  
CC: \_\_\_\_\_

From: Office of Legal Services  
MARGARET E. BAKER

Phone: (512) 463-8720  
Fax phone: (512) 475-3662

REMARKS:  Urgent  For your review  Reply ASAP  Please comment

RE: WESTLAKE ACADEMY

Total Pages Scanned : 3 Total Pages Confirmed : 3

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	21	918174301812	11-29-01; 9:25AM	1'21"	3/ 3	EC		CP 9600

Notes :

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CP: Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
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HF: Host Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send

Contingencies

# FAX

Date: 11/29/01  
 Number of pages including cover sheet: 3

To: MR. TRENT PERRY  
TOWN MANAGER  
TOWN OF WESTLAKE

Phone: \_\_\_\_\_  
 Fax phone: 817-430-1812  
 CC: \_\_\_\_\_

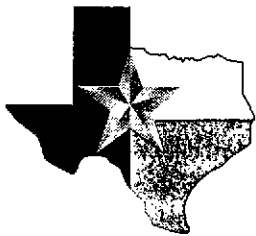
From: Office of Legal Services

MARGARET E. BAKER

Phone: (512) 463-9720  
 Fax phone: (512) 475-3662

REMARKS:     Urgent     For your review     Reply ASAP     Please comment

RE: WESTLAKE ACADEMY



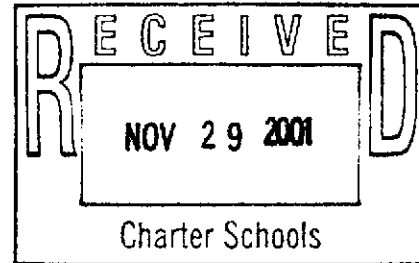
Jim Nelson  
Commissioner of Education

Contingencies

# TEXAS EDUCATION AGENCY

1701 North Congress Ave. ★ Austin, Texas 78701-1494 ★ 512/463-9734 ★ FAX: 512/463-9838 ★ <http://www.tea.state.tx.us>

November 28, 2001



VIA FACSIMILE

Mr. Trent Petty  
Town Manager, Town of Westlake  
3 Village Circle, Suite 207  
Westlake, TX 76262  
Fax (817) 430-1812

Re: Legal Contingencies for Westlake Academy

Dear Mr. Petty:

I have reviewed the information that you submitted addressing the legal contingencies of which you were previously informed. Though the information reflects that you have resolved most of the contingencies, there are several matters that must be corrected.

Your letter states that the Town of Westlake will be responsible for the legal obligations of the charter school, including the obligation to pay off any revenue bonds that are sold. The three February 12, 2001 resolutions in Attachments 1 and 24, however, conflict with these statements in that they states as follows: "WHEREAS, no Bonds or Obligations of the Corporation will constitute obligations (whether special, general, or moral) of the Town." It would seem that formal action by the Board of Aldermen is needed to clarify the issue of the Town of Westlake's responsibility for the obligations of the corporation and the school.

In addition, you provided a copy of Westlake Academy's Articles of Incorporation that consists of three pages but does not include any signatures. It appears that the last page of the document is missing. Please provide the missing page so that we will have a complete document.

Finally, House Bill 6, which became effective on September 1, 2001, added requirements that all charters granted: (1) prohibit discrimination in admissions based on artistic ability and (2) specify the manner in which a school will distribute to parents information related to the qualifications of each professional employee. (See Texas Education Code section 12.111(6), (11)). Accordingly, you need to amend your application by providing an appropriate non-discrimination statement and a statement regarding how you will inform parents of each professional employee's qualifications.

Once these matters are resolved, I will notify the Charter School Division that all legal contingencies have been corrected. Please contact me at (512) 475-3432 if you have any questions.

Sincerely,

*Margaret E. Baker*

Margaret E. Baker  
Senior Counsel  
Division of Legal Services

c: Mary Perry ✓  
Ertha Patrick





RECEIVED  
DEC 17 PM 10:10  
LEGAL SERVICES

Margaret Baker  
Senior Counsel  
Texas Education Agency  
Division of Legal Services  
1701 N. Congress Ave.  
Austin, Texas 78701

December 10, 2001

Dear Ms. Baker

Thank you for the time you have spent reviewing the Westlake Academy Charter School application. I appreciate your patience and diligence as we seek to answer all the questions and correct any errors or oversights still existing in our application. I am glad to provide the following response concerning the issues discussed in your letter and more specifically in our telephone conversation.

In order to attempt to clarify the outstanding issues, I am referring directly to a Texas Education Agency, Division of School Financial Audits Memorandum sent to Mary Perry, Manager of the Division of Charter Schools by Ramon Medina, Senior Audit Manager, Charter School Audits Section on June 9, 2001. The memorandum noted the following under subheading Statement Describing Sponsoring Entity, page 12:

1. The applicant stated "As a government entity, The Town of Westlake found that it was in the public interest that a non-profit corporation, The Westlake Academy Corporation, be created under the Texas Non-Profit Corporation Act to act on behalf of the Town as its duly constituted authority and instrumentality, within the meaning of the Internal Revenue Code of 1986, as amended, for the purpose of providing educational services and facilities." However, the applicant identified the sponsoring entity as the Town of Westlake, Texas on the coversheet. The applicant should clearly identify the entity that applied for the charter"

#### ANSWER

The sponsoring entity for the charter school application is The Town of Westlake. The idea, the vision, the planning and implementation of the Westlake Academy are all direct results of the Board of Alderman of the Town of Westlake directing the staff to hire the consultants, retain the lawyers and submit the application for the Westlake Academy. Structurally, the Town received input from legal staff, our consultants and TEA concerning the creation of the non -profit corporation to operate and manage the school. This entity is the Westlake Academy Corporation (see application Section I, part G, p.12), which was created as an instrumentality of the Town of Westlake. As the resolution indicates, the Town maintains 100% responsibility, ownership and control of the Westlake Academy through its instrumentality, the Westlake Academy Corporation. Accordingly, The Westlake Academy Corporation must be the charter holder.

It is the Town's intent to issue debt, build, own and operate *the facilities* which house the Westlake Academy. The Town of Westlake will then lease that portion of the facilities used by the school to the Westlake Academy Corporation to operate the school in accordance with the application. We believe this arrangement makes the best use of tax revenues by focusing them on teaching, curriculum and operation rather than debt service.

The Westlake Academy Corporation, like any non-profit corporation created under Chapter 12, Subchapter D of the Education Code, is authorized to issue debt. While it is not contemplated

## Contingencies

that the Corporation will ever have to issue debt, the fact remains that if it did, then the Corporation would be responsible for issuing and supporting that debt, not the Town of Westlake. The separation of these entities would not only be practically necessary for municipal finance purposes but legally necessary for a Type A General Law City. Therefore, as stated in the application and cited in your letter, no Bonds or Obligations *of the Corporation* will constitute obligations of the Town.

The Town of Westlake will jointly use the Westlake Academy facilities. All administrative functions of the Town and the Academy will be housed under one roof in the facilities built by the Town of Westlake. The unified management and control of the school and the Town are one of the unique features that we believe will lead to a more efficient and effective organization structure for the school. The vision for the school is for many of the same classrooms that house children during the day be available for adult continuing education programs and corporate training at night. These classes and uses would be offered and maintained by the Town of Westlake as owner of the facility.

Appropriate proportioning of expenses and separation of funds between the Town of Westlake and the Westlake Academy Corporation will be strictly maintained and accounted for as required by municipal GAAP and standard municipal financial reporting and disclosure.

The structure of the Westlake Academy Corporation as described in the Resolution clearly demonstrates the Town's commitment to oversee and govern the Westlake Academy. Specific steps taken by the Town to illustrate this commitment to TEA and the Board of Education include the Town owning, supervising and controlling the facilities; the Town appointed the Town Manager as CEO of the School and the Mayor as Chairman of the Board; and finally, the Town appointed each of the elected Alderman to fill all school board positions. This organization structure should clearly demonstrate the control and accountability required by the Legislature, instructed by the State Board of Education and sought by TEA. The Westlake Academy Corporation will operate the school completely. It is fully acknowledged and understood that the holder of the charter, The Westlake Academy Corporation, may not and will not delegate, assign, subcontract or otherwise alienate any of its rights or responsibilities under the charter.

This provision is fully understood and agreed to. I apologize for any confusion that may have resulted from subsequent communications regarding the Town's role in the management and daily operation of the school

You also cited the need to amend the application to provide appropriate non-discrimination statement and a statement regarding how we will inform parents of each professional employee's qualifications. These amendments have been made and are attached for your review. While we are more than happy to illustrate our non-discrimination policy, I find it curious that TEA would add this requirement when the legislature passed it *after the application deadline had already passed*. Is this a retroactive requirement? If so, we will be happy to comply, or if it will be simpler, we can send the statement without having to necessarily amend the application. I will await your direction one-way or the other.

If you have any further questions, please do not hesitate to call me at (817) 430-4857. We appreciate your help and patience as we continue toward building a unique and very special school that will open a new door to excellence in Public Education for the State of Texas.

Sincerely,



Trent O. Petty  
Town Manager

## Contingencies

Westlake Academy will prohibit discrimination in admissions based on artistic ability and we will inform the parents of the qualifications of the professional employees that teach their children. This information will be disseminated in a brochure that will be published each year that gives a brief vita of the staff of the school. There will be current records about each teacher's qualifications, which will be readily available in the office and throughout the year for parents to view whenever they wish.

With regard to the non-discrimination statement, we assert that in its enrollment procedures Westlake Academy will not discriminate on the basis of artistic or athletic ability.

WESTLAKE CHARTER SCHOOL

**Evidence of Nonprofit Status:** N/A. The charter holder will be the Town of Westlake. Governmental entities are eligible to hold charters pursuant to TEC § 12.101(a)(4). Westlake has established a nonprofit corporation to act on its behalf in establishing and operating the Westlake Academy (Resolutions, Attachment 1). The exemption of this corporation from federal income tax is a separate question,<sup>1</sup> but whether it is exempt or not, the State Board of Education still has statutory authority under the Education Code to grant a charter to the Town of Westlake.

From TEA's standpoint, the nonprofit corporation will occupy basically the position of a school management board, with ultimate accountability for compliance with the charter resting with the Town of Westlake. The resolutions provide that no bonds or obligations of the nonprofit corporation constitute obligations of the Town of Westlake (Attachment 1). If the corporation has authority under the Texas Non-Profit Corporation Act to issue revenue bonds that by their terms are payable only from revenues of the school, and that do not otherwise bind the Town of Westlake, the exercise of that authority presents no problem for TEA. However, the applicant should recognize that nothing in the Resolutions will keep the charter holder (Town of Westlake) from being obligated for ordinary debts of its charter school. The contract for charter, which will need to be signed by the Mayor on behalf of the Town of Westlake and not just by the board chair and CEO of the Westlake Academy Corporation, provides in part: "Charterholder may not delegate, assign, subcontract or otherwise alienate any of its rights or responsibilities under the charter." Therefore, for example:

- If an attendance audit reveals that Foundation School Program (FSP) funds have been overpaid to the school, and TEA needs to reclaim funds, the amount of the overpayment will be an obligation of the Town of Westlake;
- When the school contracts for educational materials or services, those debts will be obligations of the Town of Westlake;
- If the school fails to make the proper contributions to the Teacher Retirement System (TRS) for its employees, and TRS places a warrant hold on payments of state money to the charter holder, that warrant hold would include any amounts payable to the Town of Westlake, including FSP funds paid by TEA. The Town of Westlake will be the payee for FSP funds from TEA.

**Public Notice:** OK (Attachments 7-9, 11-12).

**Facilities:** The exact location and nature of the proposed facilities are not described. The application says that facilities will be "innovatively cross-utilized" between the Westlake Academy and the Town of Westlake (p. 48). Does this mean that existing

*Trent Petty*  
*Dr. Sam Brown*  
*Scott Bruden*  
*Marion*

<sup>1</sup> As an instrumentality of the Town of Westlake, the corporation should be exempt from federal taxation under I.R.C. § 115 as long as it is serving an "essential governmental function." See, e.g., Rev. Rul. 77-261; PLR 200022028.

*corp's instrument of  
Town of Westlake*

*classroom space used for  
other purposes*

TOWN OF WESTLAKE – p. 2

municipal facilities will be made available to the school, or does it mean that school facilities constructed with state funds will be used more generally for municipal purposes? Note that newly enacted TEC § 12.128 provides that property purchased or leased with state funds “may be used only for a purpose for which a school district may use school district property.” The reason for raising the question is that although the application says that “[t]he Town of Westlake’s resolution to provide space and facilities for Westlake Academy is in Attachment 24” (p. 48), in fact Attachment 24 authorizes the creation of a nonprofit corporation to issue revenue bonds that will help provide educational facilities “and facilities related thereto,” but specifies that no such bonds or obligations will be obligations of the Town of Westlake.

**Geographic Boundaries:** OK (p. 51 & Attachment 27).

**Impact Statement:** OK (pp. 51-52 & Attachment 28).

**Admissions:** The application describes a first-come, first-served system (pp. 86-87). Instead, to be consistent with federal guidelines and the charter contract, the school should designate an application period, and at the end of that period conduct a lottery of all applicants in any grade level for which applications exceed available space. Siblings of Westlake Academy students may be exempted from the lottery according to federal guidelines.

**Governance Structure:** (pp. 15-19, 89-91 & Attachments 2-3). We received bylaws but not articles of incorporation for the Westlake Academy Corporation. Also, the application on pages 18-19 describes the officer positions of the Westlake Academy Corporation but does not answer the other application prompts concerning the corporation’s board of directors (the manner in which they are selected and removed from office, how vacancies on the board are filled, etc.). The bylaws included as Attachment 3 answer these questions to some extent.

Contingencies

# WESTLAKE ACADEMY

## FACSIMILE TRANSMITTAL SHEET

TO Mary Perry	FROM Mary Midgert
COMPANY TEA Division of Charter Schools	DATE 11/5/01
FAX NUMBER 512-463-9838	TOTAL NO. OF PAGES INCLUDING COVER 8
PHONE NUMBER 512-463-9734	SENDER'S REFERENCING NUMBER Charter response
RE Charter Application Audit Response	YOUR REFERENCE NUMBER

URGENT   
 FOR REVIEW   
 PLEASE COMMENT   
 PLEASE REPLY   
 PLEASE RECYCLE

NOTES/COMMENTS

Mary,

I believe you and Dr. John Brooks have discussed this letter via phone conversations. Here is the final version, signed, etc.

Would you please give me a call and let me know what the next step is in requesting the extension for opening that we discussed earlier in the year. I believe that this letter is the last item you need from us before issuing the charter contract. If there is anything further, please do not hesitate to call me.

Thank you for your help in this matter.

RECEIVED  
 NOV 5 2001  
 LEGAL COUNSEL

NOV - 6 2001  
 Charter Schools

#3 VILLAGE CIRCLE SUITE 207  
 WESTLAKE, TEXAS 76262  
 PHONE 817-430-0941 FAX 817-430-1812



Contingencies

October 24, 2001

Ms. Mary Perry, Manager  
Division of Charter Schools  
Texas Education Agency  
1701 North Congress Avenue  
Austin, Texas 78701-1494

Dear Ms. Perry:

In Response to the Memorandum to you from the Charter School Audits Section dated June 9, 2001, concerning the Charter Application for Westlake Academy, The Town of Westlake wishes to respond to the concerns pointed out in the following manner:

**FINANCE REVIEW:**➤ Statement describing sponsoring entity, page 12

The Town of Westlake applied for and received the charter. For organizational purposes, the Town elected to create a new division, much like any other city department by organizing and appointing the "Westlake Academy" as described in Attachment #1, Resolution 01-05 of the application. To eliminate any doubt as to the Town's intentions and organizing structure, the Board of Aldermen appointed themselves acting in their elected capacity and responsibility to the Town of Westlake as the Directors of the Academy. Furthermore, they appointed the Town Manager, acting in his capacity as Town Manager, as the Executive Director; and the Mayor as Chairman of the Board of Directors.

By creating the "Westlake Academy" and structuring the organization under the control of the elected Board of Aldermen and the Town Manager, the Board insured the Town's ability to sell bonds identified for the school, as well as provide permanent ownership, management and control of the school by the Town.

➤ Student attendance (excused and unexcused absences), page 43

The School acknowledges that we will be governed by the Student Attendance Accounting Handbook and other applicable state and federal regulations in determining if a student is present or absent and, consequently, if the charter school is entitled to Foundation School Program funds.

3 Village Circle • Suite 207 Solana • Westlake, Texas 76262  
Metro: 817-430-0941 • Fax: 817-430-1812 • www.westlake-tx.org

310

## Contingencies

**SPECIAL EDUCATION REVIEW:**➤ Child Find

Westlake Academy accepts the responsibility to implement a system of Child Find as a charter school / local education agency of the State as stated on page 73 of our application.

➤ Confidentiality

No information was requested.

➤ Procedural Safeguards

No information was requested.

➤ Prior notice by agency; content of notice

No information was requested.

➤ Observation (assessment/evaluation) 34CFR 300.531-300.5443; TEC 29.004; 19 TAC 89.1015;89.1040

Westlake Academy will provide for the **Evaluation Procedures, Determination of Needed Evaluation Data, Reevaluation, Additional Team Members, Observation, and Written Reports** in compliance with 34CFR 300.531-300.5443; TEC 29.004; 19 & TAC 89.1015; 89.1040. When the professional staff is hired and can participate in the development process of these procedures. The rules of the Texas Education Agency and Federal Regulations (as illustrated in the Side by Side document produced by the Special Education Division of the Texas Education Agency dated August 2001) will be followed.

➤ Development and Implementation of the IEP

Westlake Academy will designate that IEPs must be in effect at least within 90 days of initial referral. The Individual Education Plans will be prepared by the ARD meeting, which must occur no later than 90 days from the initial referral. The Admission Review & Dismissal committees are to meet once a year and within 90 days of the initial referral. The content of IEPs, Our responsibility for Transition Services, and the accountability for IEPs; will be designated as the professional staff is hired and can participate in the development process of these procedures. The rules of the Texas Education Agency and Federal Regulations (as illustrated in the Side by Side document produced by the Special Education Division of the Texas Education Agency dated August 2001) will be followed.

➤ Least Restrictive Environment (LRE) Placement



## Contingencies

The continuum of alternative placements will use as a guide; the rules of the Texas Education Agency and Federal Regulations (as illustrated in the Side by Side document produced by the Special Education Division of the Texas Education Agency dated August 2001) (pages 149 -192). Generally, all LREs will be made on an individual basis, using the total continuum of services discussed above. Placements will be made annually by the ARD committee. Students will be given opportunities in nonacademic settings to be mainstreamed with regular students.

### ➤ Transitional Planning

Westlake Academy will follow 34 CFR 300.29, TEC 29.011: TAC 89.1110, and the Transition MOU. This is stipulated in the Side by Side document produced by the Special Education Division of the Texas Education Agency dated August 2001, on pages 23 - 35.

### ➤ Certified Personnel

Westlake Academy will follow 34 CFR 300.23, 300.136, TAC 89.1131 and SBEC certification guidelines where appropriately applied to Charter Schools. The rules of the Texas Education Agency and Federal Regulations (as illustrated in the Side by Side document produced by the Special Education Division of the Texas Education Agency dated August 2001)(pages 15 - 18) will be followed.

### ➤ Services to Expelled Students

No information was requested.

## LEGAL REVIEW:

### ➤ Evidence of Nonprofit Status

The Mayor will sign the contract for charter and the Town of Westlake will be ultimately responsible for all legal obligations of the school.

### ➤ Public Notice

No information was requested

### ➤ Facilities

State funds will not be used to construct the Academy. By creating the "Westlake Academy" and structuring the organization under the control of the elected Board of Aldermen and the Town Manager, the Board insured the Town's ability to sell bonds identified for the school, as well as provide permanent ownership, management and

## Contingencies

control of the school by the Town. Areas such as a library, performing arts center, recreational areas, and service maintenance facilities will serve both the Town and the School. The obligation to pay the bonds off will rest with the Town of Westlake.

➤ Geographic Boundaries

No information was requested.

➤ Impact Statement

No information was requested

➤ Admissions

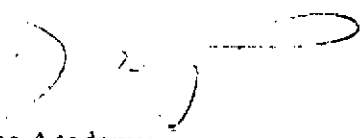
Student from outside the Academy's boundaries as established in the charter, will be subject to an application process, to be consistent with federal guidelines and the charter contract. The Academy will designate an application period, and at the end of that period it will conduct a lottery of all applicants in any grade level for which applications exceed available space. Siblings of Westlake Academy students, children of employees and Charter School Founders will be exempted from the lottery.

➤ Governance Structure:

Articles of Incorporation for the Westlake Academy Corporation are attached to this letter, and will serve to answer the manner in which Westlake Academy Corporation's Board of Directors is selected and removed from office, how the vacancies on the board are filled, etc.

I hope that this will serve to address each of the questions pointed out by the Agency Internal Review Team. If there is additional information needed, I will be glad to provide it. We appreciate the opportunity to create an environment that challenges student, educators and our community. We are building a truly great Academy which all Texas may be proud of.

Sincerely,

  
Trent Petty  
CEO, Westlake Academy  
Town Manager, Town of Westlake

## Contingencies

COPY

ARTICLES OF INCORPORATION  
of  
WESTLAKE ACADEMY

We, the undersigned natural persons, of the age of eighteen (18) years or more, acting on behalf of and as directed by the Town of Westlake, Texas (the "Town"), as the incorporators of a nonprofit corporation (the "Corporation") created under the Texas Non-Profit Corporation Act, TEX. REV. CIV. STAT. ANN. Art. 1396 (Vernon 1997), as amended (the "Texas Non-Profit Corporation Act"), do hereby adopt the following Articles of Incorporation for the corporation ("Corporation"):

## ARTICLE I

The name of the Corporation is "Westlake Academy."

## ARTICLE II

The Corporation is a nonprofit corporation created under the Texas Non-Profit Corporation Act.

## ARTICLE III

The duration of the Corporation is perpetual (subject to dissolution according to law as provided in these Articles of Incorporation).

## ARTICLE IV

The purpose of the Corporation is to act on behalf of the Town as its duly constituted authority and instrumentality and, in connection therewith, to exercise all powers and authority granted under the Texas Non-Profit Corporation Act and other applicable law.

## ARTICLE V

The Corporation shall have no members and is a nonstock corporation.

## ARTICLE VI

The street address of the initial registered office of the Corporation is 3 Village Circle, Suite 207, Westlake, Texas 76262, and the name of the initial registered agent at that address is Scott Bradley.

## ARTICLE VII

All powers and authority of the Corporation shall be vested in a board of directors (the "Board"), subject to limitations imposed by law or otherwise, each member of which shall be appointed by resolution of the governing body of the Town. The number of directors and their terms of office shall be fixed by the bylaws of the Corporation consistent with the Texas Non-Profit Corporation Act. The directors shall serve without compensation, except that they shall be entitled to reimbursement for the actual expenses they incur in the performance of their official duties.

Contingencies

COPY

ARTICLE VIII

The number of directors constituting the initial Board shall be six. The respective names and addresses of the initial directors, are as follows:

	Name of Initial Director	Address
1	Scott Bradley	10 Paigebrooke Lane Westlake, TX 76262
2	Fred Held	4105 Aspen Lane Westlake, TX 76262
3	Don Redding	5925 Janet Court Westlake, TX 76262
4	Larry Sparrow	4035 Aspen Lane Westlake, TX 76262
5	Buddy Brown	13298 Thornton Drive Westlake, TX 76262
6	Bill Frey	5924 Janet Court Westlake, TX 76262

ARTICLE IX

The respective names and street addresses of the incorporators, each of whom is a citizen of the State of Texas and at least 18 years of age, are as follows:

	Name of Incorporator	Address
1	Scott Bradley	10 Paigebrooke Lane Westlake, TX 76262
2	Fred Held	4105 Aspen Lane Westlake, TX 76262
3	Don Redding	5925 Janet Court Westlake, TX 76262
4	Larry Sparrow	4035 Aspen Lane Westlake, TX 76262
5	Buddy Brown	13298 Thornton Drive Westlake, TX 76262
6	Bill Frey	5924 Janet Court Westlake, TX 76262

ARTICLE X

On February 12, 2001 the governing body of the Town duly adopted a resolution ordering the creation of the Corporation, authorizing the Corporation to act on behalf of the Town as its duly constituted authority and instrumentality, and approving the form of these Articles of Incorporation.

Contingencies

COPY

ARTICLE XI

These Articles of Incorporation and/or the Bylaws of the Corporation may be amended from time to time by a majority vote of the entire membership of the Board with the approval of the governing body of the Town. Neither the Corporation's initial bylaws nor any amendment thereof shall take effect until approved by the governing body of the Town.

ARTICLE XII

No dividends shall be paid by the Corporation and no part of its earnings shall be distributed to or inure to the benefit of the Corporation's directors or officers or to any private person, firm, corporation, or association except in reasonable amounts for services rendered.

ARTICLE XIII

To the extent permitted by law, the governing body of the Town, in its discretion and without any action by the Board, may at any time change the structure, organization, programs, or activities of the Corporation or may dissolve the Corporation. If the Board determines that the Corporation's purposes have been substantially accomplished, and all of the Corporation's debts and claims have been satisfied, or satisfaction thereof has been provided for, the Board shall, upon approval by the governing body of the Town, dissolve the Corporation. Any dissolution of the Corporation shall be subject to any limitations on the impairment of contracts prescribed by the respective constitutions and other applicable law of the United States of America and the State of Texas. If the Corporation is dissolved when it has, or is entitled to, any interest in any funds or other property of any kind (real, personal, or mixed), the interest shall not be transferred to private ownership but shall be transferred and delivered to the Town (after satisfaction or provision for satisfaction of the Corporation's debts and claims has been made).

ARTICLE XIV

Regardless of any other provisions of these Articles of Incorporation or the laws of the State of Texas, the Corporation shall not:

- (1) permit any part of the net earnings of the Corporation to inure to the benefit of any private individual (except that reasonable compensation may be paid for personal services rendered to or for the Corporation affecting one or more of its purposes);
- (2) devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise; or
- (3) participate in, or intervene in (including the publication or distribution of statements), any political campaign on behalf of any candidate for public office.

IN WITNESS WHEREOF, we have executed these Articles of Incorporation on this 12th day of February, 2001.

AUTOMATIC COVER SHEET

DATE : NOV-05-01 08:25 PM

TO :

FAX # : 15124639838

FROM : TOWN OF WESTLAKE

FAX # : 817 4301812

9 PAGES WERE SENT

(INCLUDING THIS COVER SHEET)

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**WESTLAKE CHARTER SCHOOL**

**Evidence of Nonprofit Status:** N/A. The charter holder will be the Town of Westlake. Governmental entities are eligible to hold charters pursuant to TEC § 12.101(a)(4). Westlake has established a nonprofit corporation to act on its behalf in establishing and operating the Westlake Academy (Resolutions, Attachment 1). The exemption of this corporation from federal income tax is a separate question,<sup>1</sup> but whether it is exempt or not, the State Board of Education still has statutory authority under the Education Code to grant a charter to the Town of Westlake.

From TEA's standpoint, the nonprofit corporation will occupy basically the position of a school management board, with ultimate accountability for compliance with the charter resting with the Town of Westlake. The resolutions provide that no bonds or obligations of the nonprofit corporation constitute obligations of the Town of Westlake (Attachment 1). If the corporation has authority under the Texas Non-Profit Corporation Act to issue revenue bonds that by their terms are payable only from revenues of the school, and that do not otherwise bind the Town of Westlake, the exercise of that authority presents no problem for TEA. However, the applicant should recognize that nothing in the Resolutions will keep the charter holder (Town of Westlake) from being obligated for ordinary debts of its charter school. The contract for charter, which will need to be signed by the Mayor on behalf of the Town of Westlake and not just by the board chair and CEO of the Westlake Academy Corporation, provides in part: "Charterholder may not delegate, assign, subcontract or otherwise alienate any of its rights or responsibilities under the charter." Therefore, for example:

- If an attendance audit reveals that Foundation School Program (FSP) funds have been overpaid to the school, and TEA needs to reclaim funds, the amount of the overpayment will be an obligation of the Town of Westlake;
- When the school contracts for educational materials or services, those debts will be obligations of the Town of Westlake;
- If the school fails to make the proper contributions to the Teacher Retirement System (TRS) for its employees, and TRS places a warrant hold on payments of state money to the charter holder, that warrant hold would include any amounts payable to the Town of Westlake, including FSP funds paid by TEA. The Town of Westlake will be the payee for FSP funds from TEA.

**Public Notice:** OK (Attachments 7-9, 11-12).

**Facilities:** The exact location and nature of the proposed facilities are not described. The application says that facilities will be "innovatively cross-utilized" between the Westlake Academy and the Town of Westlake (p. 48). Does this mean that existing

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<sup>1</sup> As an instrumentality of the Town of Westlake, the corporation should be exempt from federal taxation under I.R.C. § 115 as long as it is serving an "essential governmental function." See, e.g., Rev. Rul. 77-261; PLR 200022028.

## Contingencies

## TOWN OF WESTLAKE – p. 2

municipal facilities will be made available to the school, or does it mean that school facilities constructed with state funds will be used more generally for municipal purposes? Note that newly enacted TEC § 12.128 provides that property purchased or leased with state funds “may be used only for a purpose for which a school district may use school district property.” The reason for raising the question is that although the application says that “[t]he Town of Westlake’s resolution to provide space and facilities for Westlake Academy is in Attachment 24” (p. 48), in fact Attachment 24 authorizes the creation of a nonprofit corporation to issue revenue bonds that will help provide educational facilities “and facilities related thereto,” but specifies that no such bonds or obligations will be obligations of the Town of Westlake.

**Geographic Boundaries:** OK (p. 51 & Attachment 27).

**Impact Statement:** OK (pp. 51-52 & Attachment 28).

**Admissions:** The application describes a first-come, first-served system (pp. 86-87). Instead, to be consistent with federal guidelines and the charter contract, the school should designate an application period, and at the end of that period conduct a lottery of all applicants in any grade level for which applications exceed available space. Siblings of Westlake Academy students may be exempted from the lottery according to federal guidelines.

**Governance Structure:** (pp. 15-19, 89-91 & Attachments 2-3). We received bylaws but not articles of incorporation for the Westlake Academy Corporation. Also, the application on pages 18-19 describes the officer positions of the Westlake Academy Corporation but does not answer the other application prompts concerning the corporation’s board of directors (the manner in which they are selected and removed from office, how vacancies on the board are filled, etc.). The bylaws included as Attachment 3 answer these questions to some extent.





Contingencies

6 July 2001

Texas Education Agency Board  
Charter School Division  
Ms. Susan Barnes

Via Facsimile 512-463-9732

Re: The Westlake Academy Charter School, Generation 7 Application

Dear Ms. Barnes and Members of the State Board of Education:

During the Westlake Academy Charter School, Generation 7 Application Hearing on June 28, 2001, the Board asked questions and made suggestions concerning the Town's application. Please accept the following information to satisfy the comments and concerns raised by the Board

**Admission Policy:** The Town was notified that in order to receive Federal funds, the application process would have to be a lottery. The Town will comply with all State and Federal guidelines that will allow us to access the Federal funds and still comply with State law.

**Curriculum:** The application states that the Westlake Academy would be an International Baccalaureate (IB) curriculum, however, as members of the Board pointed out, the Academy must be in existence for three years before it can implement that program. It is the intention of the Academy to put in place the curriculum components that will lead to being certified in the International Baccalaureate program and the Academy embraces the idea of using Advance Placement (AP) curriculum to bridge that three years. Moreover, the Academy will strongly consider using the AP on a continuing basis even after the IB Curriculum is put into place.

**Teacher Qualifications:** The Board wanted clarification on the issue of teachers being required to have bachelor degrees and certifications. The Town agreed that all teachers would have at least a Bachelor's degree. Certification will be also required in all cases unless unique experiential learning special short-term conditions dictate otherwise.

**Length of School Days:** The Westlake Academy will offer a school day commensurate with curriculum certification demands, age of students and elective opportunities. In no cases will the school day be shorter than the neighboring ISD's in any grade.

We appreciate the opportunity to clarify these questions on the application and look forward to answering questions of you or the Board later this week.

Sincerely,



Trent Petty,  
Town Manager

3 Village Circle • Suite 207 Solana • Westlake, Texas 76262  
Metro: 817-430-0941 • Fax: 817-430-1812 • [www.westlake-tx.org](http://www.westlake-tx.org)

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On May 12, 2000, the State Board of Education (SBOE) adopted changes to Policy 4.3, Disclosure of Campaign Contributions and Gifts. These changes require expanded reporting from those who wish to enter into a contract, grant, or charter with the SBOE. A continuing duty to report exists after the grant, charter, or contract is issued.

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

Individual making report: Trent O. Petty  
Employer or Company represented: Town of Westlake  
Position: Town Manager  
Services rendered to SBOE or contract, grant, or charter issued by SBOE:  
NONE

**Transaction 1.**

DATE: \_\_\_\_\_ AMOUNT: \_\_\_\_\_  
NAME OF PERSON(S) RECEIVING BENEFIT OR CONTRIBUTION: \_\_\_\_\_

DETAILED DESCRIPTION OF EXPENDITURE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Transaction 2.**

DATE: \_\_\_\_\_ AMOUNT: \_\_\_\_\_  
NAME OF PERSON(S) RECEIVING BENEFIT OR CONTRIBUTION: \_\_\_\_\_

DETAILED DESCRIPTION OF EXPENDITURE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Transaction 3.**

DATE: \_\_\_\_\_ AMOUNT: \_\_\_\_\_  
NAME OF PERSON(S) RECEIVING BENEFIT OR CONTRIBUTION: \_\_\_\_\_

DETAILED DESCRIPTION OF EXPENDITURE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# TEXAS EDUCATION AGENCY

1701 North Congress Ave. ★ Austin, Texas 78701-1494 ★ 512/463-9734 ★ FAX: 512/463-9838 ★ <http://www.tea.state.tx.us>

December 3, 2003

Scott Bradley  
Town of Westlake  
3 Village Circle, Ste 207  
Westlake, TX 76262

Dear Mr. Bradley:

Enclosed is a signed contract for the Westlake Academy Charter School. This one is for your school files, and the other original has been placed in your files at the Texas Education Agency.

I look forward to working with you and your school.

Sincerely,

A handwritten signature in black ink, appearing to read "Ertha Patrick". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Ertha Patrick, Division Manager  
Division of Charter Schools

CC: Trent Petty

Enclosure

**CONTRACT FOR OPEN-ENROLLMENT CHARTER**

This contract is executed between the **Texas State Board of Education** (the "Board") and **Town of Westlake** ("Charter Holder") for a Seventh Generation open-enrollment charter to operate Westlake Academy Charter School, a Texas public school.

**General**

1. **Definitions.** As used in this contract: "Charter" means the Seventh Generation open-enrollment charter, as provided by, Chapter 12, Subchapter D, Texas Education Code, granted by this contract.

"Charter Holder" means the sponsoring entity identified in the charter application and the entity to which a charter is granted by this contract.

"Charter school" means the Seventh Generation open-enrollment charter school. The charter school is part of the public school system of Texas and is a charter school within the meaning of 20 U.S.C. § 8066.

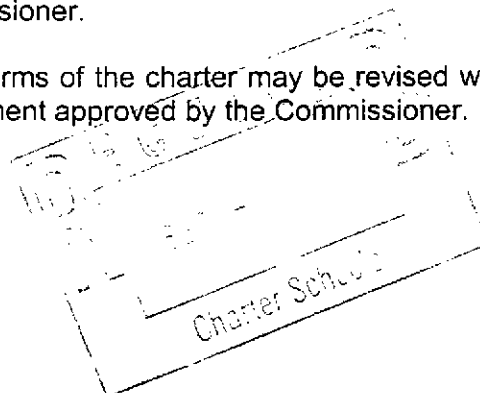
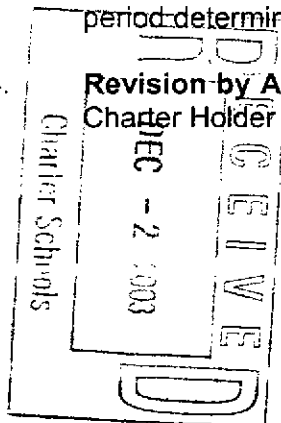
"Agency" means the Texas Education Agency

"Commissioner" means the Commissioner of Education.

2. **The Charter.** This contract grants to Charter Holder a Seventh Generation open-enrollment charter under Texas Education Code Chapter 12, Subchapter D. The terms of the charter include: (a) this contract; (b) applicable law; (c) Request for Application RFA 701-01-004 (d) any condition, amendment, modification, revision or other change to the charter adopted or ratified by the Board or the Commissioner; (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 the aforementioned (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 its employees in support of its application for charter. Action inconsistent with the terms of the charter shall constitute a material violation of the charter.

3. **Term of Charter.** The charter shall be in effect from the date of execution through August 1, 2006 unless renewed or terminated. The grant of this charter does not create an entitlement to a renewal of the charter. The charter may be renewed for an additional period determined by the Commissioner.

4. **Revision by Agreement.** The terms of the charter may be revised with the consent of Charter Holder by written amendment approved by the Commissioner.



<b>Students</b>
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5. **Open-enrollment.** Admission and enrollment of students shall be open to any person who resides within the geographic boundaries stated in the charter application and who is eligible for admission based on lawful criteria identified in the charter application. Total enrollment shall not exceed the maximum number of students set out in the charter application. The charter school's admission policy shall prohibit discrimination on the basis of sex, national origin, ethnicity, religion, disability, academic, artistic, or athletic ability, or the district the student would otherwise attend.
6. **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 officers or directors) shall be nonsectarian in its programs, policies, employment practices, and all other operations.
7. **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 (ADA), 42 U.S.C. §§ 12131-12165, and implementing regulations; Chapter 29, Texas Education Code, and implementing rules; and court cases applying these laws. Among the charter school's legal responsibilities in this area are the following:
  - (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 who contact the charter school regarding enrollment.
  - (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.
  - (d) **Monitoring.** The charter school's implementation of the laws 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 Agency; and others.
  - (e) **Due Process Hearings.** The charter school's implementation of the laws governing education of children with disabilities will also be subject to scrutiny by

the courts if litigation against Charter Holder is brought by individuals affected by the actions of the charter school.

- 8. **Student Performance and Accountability.** Charter Holder shall satisfy Chapter 39, Subchapters B, C, D, and G of the Texas Education Code, and related Agency rules, as well as the student performance accountability criteria stated in its application for charter.

**Financial Management**

- 9. **Federal Withholding Requirements.** Failure to comply with Internal Revenue Service withholding regulations shall constitute a material violation of the charter.
- 10. **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.

**Governance and Operations**

- 11. **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.

**This Agreement**

- 12. **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 superseded by this contract.
- 13. **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.
- 14. **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 RFA 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).
- 15. **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.
- 16. **Venue.** Any suit arising under this contract shall be brought in Travis County, Texas.
- 17. **Governing Law.** In any suit arising under this contract, Texas law shall apply.

18. **Laws and Rules Applicable.** By executing this contract, the undersigned representatives of Charter Holder represent that they have read and understand the rules adopted by the Board and the Commissioner pursuant to Texas Education Code Chapter 12, Subchapter D and that they have had full opportunity to consult with their own legal counsel concerning said rules prior to executing this agreement. The undersigned representatives further understand and agree that: (a) the terms of this contract, and of the Seventh Generation open-enrollment charter created by this contract, include all applicable state and federal laws, including all applicable rules and regulations; (b) the rules and regulations adopted pursuant to state and federal law may be adopted, amended or repealed from time to time; and (c) all such changes to the rules and regulations applicable to Charter Holder shall become an essential part of this contract and of the open-enrollment charter created by this contract, as of the effective date provided in the rule or regulation.
19. **Eligibility and Authority.** By executing this contract, Charter Holder represents that it is an "eligible entity" within the meaning of Section 12.101 (a), Texas Education Code. Charter Holder shall immediately notify the Commissioner 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 21 day of Nov 2003.

Texas State Board of Education:		Town of Westlake:	
<u>Geraldine Miller</u>	<u>9/2/03</u>	<u>Scott Bradley</u>	<u>9/2/03</u>
Geraldine Miller, Chair	Date	Scott Bradley, Chair	Date

Westlake Academy Charter School:

<u>Trent Petty</u>	<u>9/3/03</u>
Trent Petty,	Date
Chief Operating Officer	