Date of Receipt by TEA:	Date of Committee Review:
	Date of SBOE Review:
Approved Not Approved	Beginning Date of Operation:

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

<u>Instructions:</u> The open-enrollment charter proposal must be submitted in contractual form including, in the order of the items below, these same components. Attach the following after the answers to the questions below: (1) signed facilities agreement, (2) evidence of parental/community support for the proposed charter, and (3)documentation of non-profit status.

Submit two copies of the completed application with attachments to the Texas Education Agency, Document Control Center, 1701 North Congress Ave., Austin, Texas 78701. For assistance, contact the Division of Charter Schools at (512) 463-9575.

Date of proposed opening: _january or August 1999	
Name of Proposed Charter School: COMQUEST ACADEMY	
an open-enrollment charter under TEC 12.1011 (a)(2) (75% rule) (applicants for the charter must complete additional question #1 sign the additional assurance found on page	10 and
Type of charter sought: an open-enrollment charter under (check only one) TEC 12.1011(a)(1)	
Zip: 77375 Phone Number: 281-351-0724 FAX: 281-351-0724	
Sponsor Address: 31089 Quinn Road City: Tomball	
The applicant is an "eligible entity" under the following category (check one):  an institution of higher education (TEC 61.003);  X a tax-exempt organization [ 501(c)(3)];  a private/independent institution of higher education (TEC 61.003);  a governmental entity.	•
Name of Sponsoring Entity: Comquest Alliance	
Chief Operating Officer of Proposed Charter: Tanis L. Stanfield Title: Principal/Director	

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Correspo	ondence Ad	dress: 31089	Quinn Road			_	
		exas		ZIP:	77375	<del>-</del>	
Grade Levels:	9-12	Initial Est. Enroilment:	45	Maximum Enroilment:	70	_	
The chai	ter will prim	narily serve an a	area that is geo	graphically: _ _ -	x urban suburban x rural		
The prop	osed charte	er will be located	d in State Board	d District 16	(number).		
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# ANSWERS TO QUESTIONS IN PRESRIBED ORDER

# [1] Give the long range vision (5-10 years) and the goals (of at least the first year) of the school.

Comquest Academy (CA) proposes to build upon its 29 years of expertise working with youth to establish a core educational opportunity for "high-risk" students (students who are falling through the cracks but do not qualify for programs that offer help), and an opportunity to learn relative job skills.

Experience that involved working with the various populations of students ranging from bilingual, limited-english speaking, migrant, early childhood, special-education (all populations) gifted and talented as teacher and administrator as well as has having the barrio's of San Antonio, to the Ward and Acres Homes area of Houston.

One of the most beneficial and influential experiences for the author was years of 4-H, the Motto being "Learn by Doing", and learning to begin projects and see them through to the end. This is a difficult initiative to instill in students but necessary to begin a task and achieve a product or productive end. The author's experienced-based knowledge has facilitated refining teaching strategies and the ability to set up programs that achieve the most return for time/effort invested, this is very important for "high-risk" learners who need justification or relevance for tasks.

### Comquest Academy's Program

- CA's program will initially be set up for grades 9-12.
- The program will begin with a small population of 45-70 in the first year, possibly two.
- We expect to grow to a school serving from 150 to 350 students at the end
  of five to seven years. Bigger is not necessarily better for education
  therefore our vision is to keep our school smaller, not more than 350
  students, more personable and concentrating on academic growth instead
  of number growth.
- At the end of year two or three we will consider expanding our grade levels to include grade 7 and 8. This would enable us to get an earlier start on basic skill mastery and to guide the students abilities to employ the skills.

- This program is scheduled to start up in January of 1999 or August of 1999
- CA's academic program will address the Texas Essential Knowledge and Skills covered in the Texas adopted curriculum.
- CA's jobs skills program will involve developing skills and discipline to meet a program developed by business friends of CA.

The most pressing goal is to prevent students from becoming casualities ("atrisk") of a system that does not address difficult transition periods for students. There are some students who need an opportunity to get back on their feet when they are victims of life events beyond their control. CA would offer a nurturing environment for all students but especially those "who get knocked down," so to speak, so they can get up again. We want them to get up again, we want them to aspire to develop life long skills and abilities so they are not only getting a core curriculum education but job-skills training.

#### Goals for success

• Nurturing relationships with companies that can help make our mission successful, so that we offer our students a chance to meet people and go places that will serve as resources for them in the future. We want them to feel comfortable aspiring for success they might have only dreamed of. Community contacts with Compaq, Hughes-Christensen, Progressive Pumps, Delta-Controls, Anadarko Oil, and Southwestern Bell, etc. to mention a few have been made to assist this charter school in developing valid in-house skills and jobs training programs as well as possibly offer future employment to our students who have satisfactorily demonstrated marketable job skills acquisition. These businesses will send representatives to visit our students, make presentations and provide tours of their operations to our students.

Long range vision-to see the list of companies grow and the jobs skills program grow.

• Offering the quality education that would enable students who aspire to continue on to college as well as the opportunity to excel as their ability dictates, not as the system dictates. We want our students to see passing TAAS as only the beginning of their successes.

Long range vision-to continually increase the utilization of programs in place with area colleges so that our students can get college credits during high school, to promote the students thinking toward preparing for college or continuing to improve their knowledge base.

• Small size would give CA the advantage of growing with the students and community it serves. We realize that often there is a window of opportunity to reach our students and once it is passed, it can be forever. To move at a snails pace in developing programs to meet the needs of our community and address societal changes is to miss the window of opportunity, especially with the technology of today. Growing with our populations and modifying our programs in a timely manner is to the best advantage of the students we serve. Student populations differ frequently from year to year which requires being flexible to meet the students needs.

Long-range vision to grow academically, to make modest size increases, to grow technically so that our skills keep pace with employability demands.

• Making the schools the best that they can be will be our constant mission. We realize there are essential components to teaching difficult populations the essential skills. One of the most essential is employing personnel who choose to work with these students. If students know you are working with them because you choose to, they will work harder for you.

Long-range vision to employ and keep personnel who work effectively with our particular populations.

• Teaching students to be teachers develops discipline and being able to relate to the teacher's task. The author found it also fosters **students** maintaining discipline in the classroom. A great benefit is that students don't realize they are sharpening their own skills while helping one another learn, the student-teacher develops an interest in seeing the students they have helped succeed, and we hope desires to teach as a certified teacher one day.

Long-range vision to entice students to want to be teachers, to develop a very useful skill, any-where they may work, to learn to teach their own children some day.

The author of this document currently works in an alternative school setting with a student population of Pass and Discipline students. Pass students are striving to make up years lost to failures in school. Discipline students are sent to our school for various discipline problems they have had on the other regular campuses. It is often difficult to tell the students there for Discipline apart from the students in the Pass program. Students frequently become discipline problems when they are in over their heads in academics. They never got the basics down, and their way of coping with this is to lash out at authority. Students are there because the regular classrooms on the traditional campus are not structured enough, other students are angry about traumatic events in their lives and take it out on their teachers.

To employ staff that desire to work with these students is critical. If their needs are not met the students behavior gets worse and they start suffering stronger consequences for their more serious actions. The students become angrier, and you can observe a rapid spiral downward for these students and their relationship with the schools, and society. They seek out other students who are battling it out with the schools and before you realize it has happened you have a gang of angry youth. More times than not this situation is avoidable. The author has found that you pay now by intervening before you have an out of control student. The alternative is to pay later by being the victim of crimes committed by such a student and then you pay to keep the student in prisons or jails.

Short term and long term vision of the author is to operate a campus for our students that addresses Individualized Learning Styles in the three modalities auditory, visual and kinesthetic.

Experience has taught us first hand that teaching using these modalities and teaching to the Individuals Learning Style improves learning.

We have a belief and that is: an ounce of prevention is worth a pound of cure - a pound that often has little, if any, positive effect because the pound of cure is a day late and a dollar short.

Working in an alternative setting has reinforced the fact that some students are **not** going to be successful in traditional school environments, they **require** and **can** be successful in a smaller-nurturing setting where they cannot be overly-stimulated and negatively influenced.

The author currently works with the alternative program in Tomball Independent School District. The district has reviewed the alternative program and has determined that their program will be more effective if the students come to them earlier, grades 5-8, for a skills building program. This is a valid conclusion. However, there is a population of students that are currently high school or entering high school students that feel great apprehension about being sent back to a setting they have found was not a match for them. This change of program means they must return to the high school where they will be in bigger classes, with the students who have strong negative influences over them. The students who currently attend this program are very concerned about how they are going to succeed back at the regular campus. The fear expressed by some of the students of returning to the traditional campus turned to despair at the end of last school year, such that several of the students are considering dropping out, or waiting until they turn 17 to take the GED. Their fear is also valid. They cannot cope with the numbers, over-stimulation, peer influence or the faster paced academic demands. They know they will be drawn like a magnet back into trouble and problems, they feel inadequate to battle.

The author was asked, by the students, to speak to persons who might reconsider this move, the author did and this reconsideration was not a possibility. Therefore, the motivation to begin a charter school, to address the growing numbers of this student population, was born. Just as a parent would strive to get help or solutions for a sick or drowning child, the author feels compelled to answer the needs expressed by these students.

Some students in this population are more experienced and world-wise than their peers and have valid reasons to expedite their schooling. They would not be good influences for the general populations on the regular campus. Some are the equivalent of forcing a round peg through a square hole, they don't fit and don't want to fit. Others still hate school, don't want to go, see no relevance in school and make everyone else's school experience miserable because they are forced to be there.

The author of this proposal has been very successful with this population, and proposes to offer a program to effectively address the educational needs of the majority of this population. CA would like to fill the gap that is being created by the restructuring of the old program that was in place in the alternative campus in Tomball Independent School District, and take those students that were in the Pass Program and offer them alternative opportunities. With a hand picked dedicated staff and personnel who like working with this population and are committed to this undertaking-this program will achieve its goals. The academic program and job-skills program that will be developed and implemented are discussed in question number 3.

[2] Describe the governing structure of the openenrollment charter, including board composition, selection process and responsibilities describe the role administrators, faculty, parents, students, and members in the leadership and decision-making of the school.

The governing structure of the open-enrollment charter will be composed of a board of five members. Each of the board members will head a committee including a finance committee, budget committee, and election committee.

Charter School Principal

Faculty Representative

Parent Representative

Community Representative

Community, faculty, staff, or parent

Representative

The board will be made up of CA affiliated members who indicate in writing their desire to serve on the board, an election committee headed by one of the CAC board members will review letters of interest and resume's of the members. The committee will present a slate of qualified applicants to the board for approval. These qualified applicants names will be submitted to a meeting of the parents, teachers, and staff of the school for a sealed vote election. The election committee will count the votes.

A Parent Advisory Committee will meet with the principal to discuss the vision of the school and to have their input on the vision and direction of the school. At this time suggestions or concerns raised from the suggestion box will be discussed.

Faculty meetings will provide an opportunity for faculty involvement in decision-making of the school. The CA Board faculty representative will report back to the faculty any relative information.

The students will have an organization formed by the students, sponsored by a CAC faculty or administrative member to meet and elect a representative that may attend the CA Board meetings and request an opportunity to address relative issues.

# [3] Describe the educational program to be offered, including the required curriculum under the Texas Education Code(TEC) #28.002, and student attendance requirements:

### Curriculum tied to vision and goals

One of the most exciting facets of the education we will offer at Comquest Academy will be the opportunity to offer job-skills. These job skills will be developed through an assembly-operation, and packaging operation that Compaq friends of our school have offered to help set up. One of the managers from Hughes-Christensen company has offered to help develop a job-skills training program that will prepare our students for work in a manufacturing work environment, with the possibility of offering employment to those who have proven acquisition of the necessary skills.

Comquest Academy (CA) proposes to build upon its 29 years of expertise in serving various educational populations by taking our experienced-based knowledge to refine teaching strategies and offer programs that achieve the most return for time/effort investment.

### Addressing Different Learning Styles

Teaching to Individualized Learning Styles will be an important component in the instructional program at Comquest Academy. CA's aim will be to serve the "high-risk" population. "High-risk" would be defined as those students who are falling through the cracks but do not qualify for programs that offer help and yet need special services.

#### Innovative and varied instructional practice, examples

Working in alternative settings at present has helped us realize some students are not going to be successful in traditional school environments-they require and can be successful in smaller-nurturing settings where they cannot be overly-stimulated and negatively influenced. Other "high-risk" students require help in coping with difficult home situations, or traumatic events which can result in the student quitting school unnecessarily. Experience has taught us that teaching using the three modalities: auditory, visual and kinesthetic improves learning. These techniques coupled with teaching concepts that are relative to the students lives engages learners interests longer and enables them to apply the acquired learning. Adapting learning to a recipe-type step by step procedure also prevents the learner from becoming over-whelmed with information. Integration of subjects has also proven to be very successful tool with the "high-risk". This can be as simple as reading a recipe and following the step-by-step directions which produce a product, two subjects reading and math are integrated into the teaching of this assignment and could be extended to chemistry/science, writing(describing the product, for example), there are creative ways of making the learning enjoyable, nurturing and relative.

Our experience has seen these teaching strategies prove themselves with significant percentage increases in TAAS performance/students passing who hadn't passed before.

While computers will serve as a tool for skill practice, writing practice, to teach students to use programs, internet and develop research skills, CA will be conservative about computer-assisted learning labs, experience has taught us that the "high-risk" population has spent much of their lives sitting in front of a screen and has had little opportunity to develop socially or in their ability to interact appropriately. Computer labs at our current school have suffered frequent sabotage, and disablement by students so they would not have to work on them. Even GED students resented the individualized programs taught by a computer and faired much better when assisted by instructional staff.

Reading will be a very important focus of our academic program, it is the key to learning, our advisor from Hughes Christensen says many of their production problems stem from persons in the work place who do not read instructions or have problems understanding them. Our reading will be tied to the relevance in our lives today and after public education. Experience again, has proven if reading is enjoyable and non-threatening, even students who "hate" to read discover they like it and are proud of reading material only the "smart" kids read at the traditional campus. At the alternative school the author found newspaper articles of high interest to the students, the students practiced reading and summarizing a series of science-related articles about mutated frogs. The students defined the words from the articles that had never had relevance to them before. Several of these students live near ponds and began checking for mutated frogs there. These were not highly motivated learners but when information is relevant they too will willingly participate.

### Provision for special populations

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This was a strategy to demonstrate how we constantly use the skills the TAAS tests for. This was subject integration of science knowledge, writing a summary (english), vocabulary usage, and spelling-they took a spelling test over the new words, and using resources. These strategies work for special education, limited english speaking students and unmotivated learners. Teachers will make every effort to give students of language or other special needs appropriately modified assignments.

Satisfactory assignment completion will be tied to a reward system--visual charting of student accomplishments to motivate learners and aide student's transition into appreciation and realization that the ultimate reward is the learning itself. For satisfactorily completed subject assignments the students earn time to work crossword puzzles, jigsaw puzzles or work on a group project, for example, drawing a large picture of Scrooge from the cover of the book, The Christmas Carol for our display art. These strategies also help subtly rebuild student confidence and fosters a rejuvenation of student trust in persons of authority. To see that authority as those who will leave no stone unturned endeavoring to assist the students in maintaining a track of consistent

progress, success, and development into an employable, worthwhile, contributing member of our society.

### Attendance goals and strategies

CA will meet and exceed the state's attendance statistics for this student population. Attendance of the students in the author's program was excellent, especially considering the backgrounds many of these students come from. When the high-risk/at-risk student population is learning valid information and the classroom is well managed, student attendance is good. For the duration of the author's teaching career this has been the case, no matter if it is the Fifth Ward or Acres Homes in Houston, the barrios of San Antonio or the 95% Bilingual/ESL population of Gordon Elem. in Houston Independent School District (some of the 5<sup>th</sup> grade students taught there were missing their roofing jobs to be at school)

From the onset of opening attendance will be addressed so that the importance of it is stressed to everyone concerned.

To address attendance problems the CA will work closely with the parents, if this attempt after numerous tries is not successful, there are resources and avenues to call on for assistance with this problem.

Our mission statement: SCHOOLABILITY IS EMPLOYABILITY. Our mission is to provide both a setting and professional staff that create a positive and safe environment so that the probability of success in school{many times a first successful school experience} is maximized and in turn maximizes success in the workplace.]

#### Who wins?

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- (1) Student. Fear of failure is replaced by experience of competency
- (2) The community. Instead of the community supporting non-productive and possibly even dangerous individuals these individuals are productive and contributing members of the community
- (3) The employer. Students contribute to the advancement of the workplace while advancing their scholastic standing
- (4) The Staff. The reward of interfacing student, community, and workplace success

Comquest Academy will serve students grades 9 through 12. If Comquest Academy sees the need CA would expand to serve grades 6, 7, and 8, if there is space available. The advantage would be getting to the students earlier to improve skills and maintain them.

Comquest Academy will emphasize an educational methodology that

• addresses multiple learning styles

- places learning in real world contexts
- focus on skills that enhance the employability of our students—teamwork, good decision making and problem solving skills.

The first year of operation CA proposes to enroll from 40-70 students.

Management of time, stress, and anger will be integrated into instruction. This information will help students understand how management of these can enhance learning. They will also realize ways they can improve their learning processing skills, and reduce the negative influence stress or anger for example has over their success.

Students will develop stronger skills for coping with peer pressure toward drinking, drugs, gangs, and attitudes toward parental or school authority.

Teens dealing with traumatic events in their lives will have an opportunity to address these issues and discover ways they may be able to effectively cope.

Teens with academic hang-ups will be given an opportunity to overcome those hang-ups and learn to take it one step at a time.

Charting of student progress will be encouraged to provide a visual measure of student progress for self-evaluation and learning to aspire to reach higher goals and for those who need additional help to seek it. A reward system will be incorporated to acknowledge student success, efforts and encourage the student to reach for extended growth. Students will be encouraged to seek out other students with skill strengths to help them achieve the mastery of problem skills. The climate of the classrooms will be one of non-threatening, students encouraging other students, and celebrating victories others experience.

A Student Support Team (SST) will meet to discuss students who may have special needs or to share positive progress of students, as well as other student issues. This team will be directed by the counselor and will be an avenue for addressing tardies, attendance, or other concerns for other staff to be aware of, meetings will be set up by the counselor to meet at least 4 times a month.

### Curriculum

#### Texas Essential Knowledge and Skills

The curriculum will include the required core curriculum for the State of Texas, language arts, math, science, and social studies, as the starting points for instruction, enhanced by creative teaching strategies. This curriculum covers Texas Essential Knowledge and Skills. Appreciation of music, dance, theater, art, health, computer technology and physical education will be integrated into the core subject instruction. Job-skills preparation {resumes, interviews, application, presentation, etc.,} Job-skills{computer programming, computer-assembly, landscape, child care, real estate, auto care, cosmetology, construction, etc.,} Life Skills{pet care, travel, budget, cooking,

insurance, mortgage, etc.,} Social skills {anger-management, emotional management, etc.,} Problem-solving skills, appropriate-interactive skills, etc.

### Language Arts:

The curriculum is literature based. Vocabulary, spelling, grammar and comprehension skills, are integrated within the literature program. Writing will include being taught a basic recipe which will be expanded until the student has developed the strengths to write about subject assignments independently—successfully. Communication skills speaking and writing will be developed so that student may successfully make presentations using appropriate tools of technology. As students develop these skills there will be opportunities for valid experience working in teams, or groups to take projects—be self-directed and produce a desirable outcome. These are skills being expected in businesses today and are skills we expect our students to acquire.

Reading assignments will include books about different races and their struggles to overcome barriers in society. These books will be read, and discussed in class to offer students a chance to explore attitudes and their need to change as the barriers came down. Discussions about barriers and attitudes of today will be teacher supervised and directed.

#### Science:

The science curriculum would emphasize hands-on experimentation, problem-solving, methods analysis and functional knowledge of scientific phenomena. The multi-sensory approach facilitates experiments, field trips, visits from guest scientists, local experts, exploring National Geographic, etc., newspaper, internet and student presenters for an extension of learning and understanding of concepts. Reading, interpreting, analyzing information would be skills frequently developed from basic to more advanced for mastery. Building an information bank and library of relative articles relative for improving life, subject knowledge, and relative to employment possibilities will be an ongoing project of the science department. Science is relatively and easily integrated into the teaching of the other subject areas.

#### Environmental Education:

CA would teach responsibility toward the health of our planet and cities. Hands-on projects would serve as a means of becoming aware of the critical relationships between man and the natural environment. Scientists and persons who work in industry would share knowledge of the delicate balance between industry and protection of the quality of life we must have to survive. CA will plan at least two projects a semester to promote environmental education, community goodwill and serve as an example of ways, we, as individuals can contribute to the health and welfare of our community. Students would be responsible self-directed team to plan, organize and involve our whole school in this endeavor.

### Mathematics:

The math curriculum program is based on major mathematical ideas and concepts—and their connections relevant to everyday life. Throughout all mathematics, the concepts of numbers, operations, logic and graphics are sustained. Math concepts will be strengthened by offering periods of basic skill reinforcement for better performance results as concepts progress. Math will be integrated as appropriate as frequently with the other subject areas to reduce the fear many students have toward math. Students will understand math's relevance in our everyday lives by exposures to learning to budget, how to finance a car, etc., what is involved in buying a house.

### Social Studies:

Interrelationship between the past, present and future will be integrated into all curriculum subjects. Discipline integration includes the historical significance of science and math and their advances which permit and encourage technical advances. The curriculum is based on instructional units. This curriculum develops the understanding that history and social science are about real people in real places. Social Studies would be integrated into the teaching of other subject areas as possible.

### Culturally inclusive, respectful curriculum

Students will research and discuss leaders from all races and their contributions to society. Displays will be visible of this effort to share with the school. The students will participate in a cultural study of foods from the backgrounds represented in class and our neighboring countries.

#### **Extracurricular Activities**

To address extracurricular activities for the school, many of our students will be interested in going to jobs after school. Those who will not be will be given an opportunity to sign up for a golf team, or a track team, and perhaps a debate team the first year. In future years we would expand this as funds and interest dictate.

#### **Special Education**

CA will operate in a way that addresses individual learning styles. The author of this proposal has extensive Special Education experience and understands the ARD process, IEP's, FAPE, due process, and services for expelled students. The author is presently working in an alternative school with students who qualify for special programs, and has been an Administrator in charge of Special Services for schools in Houston Independent School District. A counselor/diagnostician will be a part of the staff of CA and will monitor for CA's compliance with state and federal mandates.

### Disciplinary Concerns

Teachers will be expected to employ structured, well-managed, nurturing, and high interest teaching strategies in their classrooms. Since the author currently works in an alternative setting and understands that realistically there will be times when a students

The appropriate discipline procedures would depend on the problems that the student is causing, and if the conduct threatens the safety and welfare of the other students. There are procedures and guidelines addressed for these in the school's Code of Conduct book which CA would develop. There are also guidelines that dictate appropriate action by the school. These procedures are understood and would be followed by CA.

For general talking or minor misbehavior the teacher would follow this guide. Teachers will have posted classroom conduct expectations.

- •The procedures that the author has found effective is to assume for the first time the student lacks experience with a teacher who expects compliance with rules and the codes of conduct in the class.
- •The teacher speaks to the student in private to emphasize class conduct expectations. If there is a second occurrence the same day, the teacher should again address this in private with a warning.
- •The teacher should also keep records of the conduct and the way it was handled.
- •If there was a third time the same day, the parents are called or teacher may opt to take student to talk with the principal about what the school conduct expectations are and consequences for noncompliance.
- •If this does not help, isolation from the other students would be another avenue.
- •If parents have not been called this would be the next step and a discipline write-up. The principal decides based on the teachers attempts the most appropriate action.
- The Student Support Team should meet to discuss possible interventions. The authors experience has been that usually the student is tired by this time of his off-task or inappropriate behaviors being addressed and will settle down to be on task most of the time.
- •If not the district guidelines should be reviewed for appropriate steps from there.

[4] Describe the accountability measures the school will use to evaluate student performance.

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

Students in the open-enrollment charter will take the exit TAAS test. We will achieve a passing rate that meets or exceeds standards for the selected student population.

- (b)Describe any additional accountability provisions in addition to those required under Texas Education Code, Subchapters B,C,D, and G, Chapter 39, by which the performance of the open-enrollment charter will be addressed: Provide the deadline or intervals by which the performance of the open-enrollment charter will be assessed:
- •Student suggestion/concerns box, kept on file-documentation filed as how these were addressed
- •Parent suggestion/concerns box, these will be kept on file, documentation will also be filed as how these were addressed
- •End of the year parental evaluation forms with the minimum, average rate of good
- •Minimum monthly progress reports
- •Actual application employment tests-Goal is passing level
- •Number completing internships and/or entering career-related jobs
- (c)Provide the timelines by which the report of the performance of the open-enrollment school will be submitted to the State Board of Education.

CA's Charter School will provide PEIMS information to TEA in a timely manner. A School Year-End Report will be submitted each June 15<sup>th</sup>, while the charter is valid.

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

See attachment A, Statement of Impact

Comquest Academy Charter will serve youth from Harris and Montgomery County.

Tomball Independent School District and Magnolia Independent School Districts will be the districts from which the school will most likely draw students. The Statement of Impact form was sent to these districts on July 24, 1998.

# [6] Describe the geographical area served by the program.

Comquest Academy will draw students from north Harris, Montgomery, and possibly Waller counties. Much of this area of Harris county is rural, and small city. The area of service-will extend north of Tomball up highway 249 to intersection with 149, going south on 249 to Louetta, west on 2920 to Muesche Road, and east on 2920 to Hufsmith.

[7] Specify any type of enrollment process to be used. (For admission to an open-enrollment charter school, the person operating the school may require the students seeking admission to complete and submit applications not later than a reasonable deadline the school establishes.) Indicate whether the open-enrollment charter provides of the exclusion of a students who has a documented history of criminal offense, juvenile court adjudication, or discipline problems under TEC, chapter 37, Subchapter A:

Comquest Academy Charter admits students of any race, color, national and ethnic origin, religion and gender. CAC does not exclude from enrollment individuals who have been a part of of the judicial system, or who have documented discipline problems from their previous campus. CAC will conduct orientation sessions to inform parents and students of the school's programs. Initial interviews will be conducted with each enrollee to inform them of academic goals, discipline guidelines, and attendance requirements, applications will be made available to those who have officially withdrawn from their home schools. If the need arises to have a waiting list, priority will be then given to applicants whose report cards indicate a "high-risk" status. Students attempting to avoid disciplinary action from their current school district (for example an Alternative Education Placement assignment) by enrolling in CAC will not be allowed to enroll, however when their assignment is completed they may apply and will be considered on a case by case basis. Falsifying records and enrollment information could be grounds for dismissal from Comquest Academy Charter.

[8] Specify the qualifications to be met by professional employees (administrators, teachers, counselors) of the program. Will the school automatically run a criminal history check on all employees? Describe the teaching philosophy proposed by the school.

Employees of the Comquest Academy Charter School will be screened for strong, effective, teenage interactive skills. All employees will be sought for the highest quality of proven experience of their field. Director of Counseling/Skills Training will be Texas state certified and report to the Director of Academics. All employees will have a security clearance and at least two local letters of reference on file. The Director of Academics will have supervisory or mid-management certification in the state of Texas. There will be a Special-Education certified employee within the academy.

The teaching philosophy will be that all students can learn and provided the climate conducive to learning, most students will meet and /or exceed our learning expectations. Those expectations of learning, improving and acquiring the skills to manage the academic assignments, and learn to be a dependable, punctual, individual, capable of attending to task assignments that can be job or academically related. Our staff as professionals will be expected to employ strategic methods of instruction to best educate our students, and brain-storm as a team to find effective ways to reach those who challenge us. Everyone that works for Comquest Academy take responsibility for striving to make our students successful.

- [9] Describe how the following aspects of school support will be handled in the school: finances, budgeting, audits, PEIMS, facilities, food service, and transportation.
- (a) Describe the process by which the governance structure of the open-enrollment charter will adopt an annual budget:
- 1. The Chief Financial Officer(CFO) analyzes a comparison of actual vs. budgeted expenditures for the previous year.
- 2. The CFO surveys all staff to ensure correct budgeting in line with the time and effort to the program.
- 3. The CFO reviews contractual and overhead expenses, e.g. equipment rental and maintenance, rent, utilities, insurance, to ensure correct budget allocation to the program.
- 4. Staff provide information on needed supplies, equipment and other expenditures for an effective program.
- 5. A draft budget is prepared for review by the Finance Committee and Charter School Governance Board. The Finance Committee is chaired by the CAC Board Treasurer.

- 6. Comments from the Finance Committee and the Charter School Governance Board are incorporated into a second draft. Further comments are solicited.
- 7. The final proposed budget is submitted by the Finance Committee and the Charter School Governance Board to the CA Board of Directors for approval.
- (b) Submit a proposed budget as an attachment to this application using the budget template provided. Explain how the school will conduct its business office, with what personnel. See attachment B, Proposed Budget

To conduct its business office, the CAC will have a qualified employee to manage the daily recording of business affairs. This staff member will be responsible to collect, record and input PEIMS data information. This member and the Director will review the information together for accuracy, sign and submit the data reports as instructed by TEA.

(c) Describe the manner in which an annual audit of the financial and programmatic operations of the open-enrollment charter will be conducted.

An audit of the financial records will be conducted annually by an independent accounting firm selected by the Comquest Academy Charter Governance Board.

The audit report is presented to the Finance Committee and the Charter School Governance Board.

(d) Describe the manner in which the charter will participate in the Public Education Information Management System (PEIMS) information, as required by state statute or by State Board of Education rule.

CAC will provide TEA with timely reports of all information required by the PEIMS, according to the state mandated schedules.

(e) Describe the facilities to be used: If the facility to be used for an open-enrollment charter school is a facility of a school district, describe the terms established by the board of trustees or other governing body of the district stipulating the relationship between the proposed charter school and the district pertaining to the use of the facility. Attach a copy of the agreement, or pending agreement, signed by the president of the board of trustees or other governing body of the school district, the chair or president of the governing body of the proposed open-enrollment charter school, and the chief operating officer of the proposed charter. If the facility is not operated by a school district, attach a copy of the agreement, or pending agreements, signed by the entity owning and operating the facility and the chief operating officer of the proposed charter. The SBOE will not consider an application that does not have an agreement of some sort for a building.

### See attachment C, Letter of Agreement for Facilities Usage

The facility to be used is located at 401 Oxford, Tomball, Texas. The building is about 3000 square feet with the possibility of more space if needed.

(f) Describe provisions for transportation, if any, for students served by the openenrollment charter school: For the first year Comquest Academy Charter at present does not plan to provide transportation to the school, however would reconsider if students needing transportation cannot make other arrangements, the Director would discuss this with the Board and come to a decision taking into consideration student needs. CAC will strongly consider this for the second year of operation and thereafter. CAC will be in a very accessible location, many of the students CAC will likely appeal to live in concentrated areas in close proximity to this location.

(g) Describe provisions for food service, if any, for students served by the openenrollment charter school.

For the first year CAC at present does not plan to offer food service the first year, however CAC does have kitchen facilities available and does plan to look at offering food service the second year.

[10] Provide a draft of a board policy providing for the admission of students eligible for a public education grant under Texas Education Code, Subchapter G, Chapter 29. Describe how the school will implement the policy.

Comquest Academy Charter will work with the governance board to have a policy in place of accepting students eligible for a public education grant into our school.

### **FACILITY USE AGREEMENT**



July 23, 1998

Tanis L. Stanfield, Chief Program Officer Comquest Academy 401 Oxford Tomball, Texas 77375

Dear Mrs. Stanfield,

First Baptist Church of Tomball, is the owner of the facility located at 401 Oxford. A structure owned by the church on its grounds could be available to Comquest Academy for its educational and training programs.

Comquest Academy would be responsible for utilities, insurance expenses, and building maintenance.

The terms of this letter of intent are contingent upon Comquest Academy receiving a charter to operate an open-enrollment charter school from the State Board of Education by September, 1998.

Sincerely,

Pastor Dick Lintelman

Pastor First Baptist Church Tomball

Tanis L. Stanfield

1.

Chief Operating Officer

# EVIDENCE OF PARENTAL AND COMMUNITY SUPPORT

	er

### **PETITION**

### Application of Comquest Academy to Become an Open-Enrollment Charter School

We, the undersigned parents or guardians of school-age children within the Comquest Academy service area, support Comquest Academy's application to the Texas Education Agency to become an open-enrollment charter school.

PRINT NAME	ADDRESS	PHONE NUMBER	SIGNATURE
( 7			
·			<u> </u>
<b>~</b>			

96030

### **BUDGET TEMPLATE**

## Comquest Academy for Learning Charter (CAL) Proposed Budget-SUMMARY

### DETAIL FOR YEAR ONE ON FOLLOWING PAGE

	School Year 1999-2000
Projected Enrollment	45
Revenues	
Charter School Funds	\$180,000
Grants	•
Total Revenues	\$180,000
Expenditures	
Personnel:	#00 000
Academic Skills Instructional Staff	\$80,000
Career Preparation Staff	
Counseling & Support Services Staff	
Operations & Instructional Administration St	aff \$60,000
Sub-Total Personnel	\$140,000.
Operating Expenses	
Occupancy	\$8,000
Telephone	2,500.
Postage	2,000.
Equipment Rental	3,000.
Insurance	11,000.
Educational Supplies & Materials	3,000.
Office Supplies	3,000.
Travel	. 2,000.
Staff Development	1,000.
Van Expense	1,800.
Substitute Teachers	1,800.
, as	
Audit	900.
Audit Total Operating Expenses	

Total

\$180,000.

### **Articles of Incorporation**

of

### COMQUEST ACADEMY A NON-PROFIT CORPORATION July 23, 1998

### ARTICLE ONE NAME

1.01 The name of the Corporation is Comquest Academy.

### ARTICLE TWO DURATION

2.01 The Corporation shall continue in perpetuity

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### ARTICLE THREE NONPROFIT CORPORATION

3.01 The corporation is a nonprofit corporation. Upon dissolution, all of the Corporation's assets shall be distributed to the State of Texas or an organization exempt from taxes under Internal Revenue Code Section 501(c)(3) for one or more purposes that are exempt under the Texas franchise tax.

### ARTICLE FOUR PURPOSE

4.01 The purpose for which the Corporation is organized is for the purpose of education activities within the meaning of the Internal Revenue Code Section 501(c)(3) and Texas Tax Code Section 11.18(c)(1). Specifically, the Corporation is organized to operate an educational facility for open-enrollment, state funded public education, to promote such children's educational development, both academically and physically, emotionally, socially and intellectually, by providing such children with a schedule of individual and group educational activities.

### ARTICLE FIVE REGISTERED OFFICE / REGISTERED LOCATION

### Registered Agent

5.01 The registered office is located at 401 Oxford, Tomball, Texas 77375.

### Registered Location

5.02 The name of the registered agent of the corporation at such address is Tanis L. Stanfield.

### Principal Office

5.03 The principal office of the corporation shall be located in the City of Tomball, County of Harris, Texas.

### Other Offices

5.04 The corporation may also have offices at such other places, within the State of Texas, where the corporation is qualified to do business, as the Board of Directors may from time to time designate, or the business of the corporation may require.

### ARTICLE SIX MEMBERSHIP ORGANIZATION

- 6.01 The corporation can be a membership organization.
- 7.01 The management of the affairs of the corporation can be vested in its members.

### ARTICLE EIGHT BOARD OF DIRECTORS

8.01(a) The corporation shall have a Board of Directors which shall carry out the business and affairs of the corporation and exercise all corporate powers subject to the limitations imposed by the Texas Non-Profit Corporation Act, the Articles of Incorporation and these by laws.

- (b) "Directors," when used in relation to any power or duty requiring collective action, means Board of Directors including the Founding Director.
- (c)"Founding Director" means Tanis L. Stanfield.

#### **BOARD OF DIRECTORS**

NAMES

ADDRESSES

Tanis L. Stanfield

31089 Quinn Road
Tomball, Texas 77375

Vicky Manis

33502 Winchell Place
Magnolia, Texas 77355

Diana Parker

P. O. Box 638
Tomball, Texas 77377

### Size of Board of Directors

8.02 The qualifications, manner of selection, duties, terms, and other matters relating to the Board of directors (referred to as the "Board of Directors") shall be provided in the bylaws. The minimum number of the Board of Directors shall consist of no less than three (3) members. The number of directors may be increased or decreased from time to time by majority vote of the Board of Directors, but in no event shall any decrease have the effect of shortening the term of an incumbent Director.

### Resignation

8.03 Any Director of the corporation may resign at any time by giving written notice to the Board of directors. Such resignation shall take effect upon receipt or at any later time specified therein.

### Removal for Cause

8.04 (a) Any Director may be removed for cause at any time during his/her term of office by voting of a majority of the Board of Directors at a regularly scheduled meeting or at special meeting called for that purpose.

### Limitation on Liability of Directors

8.05 A director is not liable to the Corporation or members for monetary damages for an act or omission in the director's capacity as director except to the extent otherwise provided by a statute of the State of Texas.

### Indemnification

8.06 The Corporation may indemnify a person who was, is or is threatened to be made a named defendant or respondent in litigation or other proceedings because the person is or was a director or other person related to the corporation as provided by the provisions in the Act governing indemnification. As provided in the bylaws, the Board of Directors shall have the power to define the requirements and limitations for the Corporation to indemnify directors, officers, or others related to the Corporation.

### ARTICLE NINE INCORPORATORS

9.01 The name and street address of the incorporator is:

Tanis L. Stanfield 31089 Quinn Road Tomball, Texas 77375

10. Except as otherwise provided in these Articles, the Corporation shall have all of the other powers provided in the Act.

The Corporation is a nonprofit corporation. Upon dissolution, all of the Corporation's assets shall be distributed to the State of Texas or an organization exempt from taxes under Internal Revenue Code Section 501(c)(3) for one or more purposes that are exempt under the Texas franchise tax.

The Corporation shall have no power to take any action that would be inconsistent with the requirements for a tax exemption under Internal Revenue Code Section 501(c)(3) and related regulations, rulings, and procedures. The Corporation shall have no power to take any action that would be inconsistent with the requirements for receiving tax deductible charitable contributions under Internal Revenue Code Section 170(c)(2) and related regulations, rulings, and procedures. Regardless of any other provision in these Articles of Incorporation or state law, the Corporation shall have no power to:

1. Engage in activities or use its assets in manners that are not in furtherance of one or more exempt purposes, as set forth

above and defined by the Internal Revenue Code and related regulations, rulings and procedures, except to an insubstantial degree.

- 2. Serve a private interest other than one that is clearly incidental to an overriding public interest.
- 3. Devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise, except as provided by the Internal Revenue Code and related regulations, rulings, and procedures.
- 4. Participate in or intervene in any political campaign on behalf of or in opposition to any candidate for public office. The prohibited activities include the publishing or distributing of statements and any other direct or indirect campaign activities.
- 5. Have objectives that characterize it as an "action organization" as defined by the Internal Revenue Code and related regulations, rulings, and procedures.
- 6. Distribute its assets on dissolution other than for one or more exempt purposes; on dissolution, the Corporation's assets shall be distributed to the state government for a public purpose, or to an organization exempt from taxes under Internal Revenue Code Section 501(c)(3) to be used to accomplish the general purposes for which the Corporation was organized.

### ARTICLE SIX RESTRICTIONS AND REQUIREMENTS

- 6.01 The Corporation shall not pay dividends or other corporate income to its directors or officers or otherwise accrue distributable profits or permit the realization of private gain. The Corporation shall have no power to take any action prohibited by the Act.
- 6.02 The Corporation shall have no power to take any action that would be inconsistent with the requirements for a tax exemption under Internal Revenue Code Section 501(c)(3) and related regulations, rulings, and procedures. The Corporation shall have no power to take any action that would be inconsistent with the requirements for receiving tax deductible charitable contributions under Internal Revenue Code Section 170(c)(2) and related regulations, rulings, and procedures. Regardless of any other provision in these Articles of Incorporation or state law, the Corporation shall have no power to:
  - a. Engage in activities or use its assets in manners that are not in furtherance of one or more exempt purposes, as set forth above and defined by the Internal Revenue Code and related regulations, rulings, and procedures, except to an insubstantial degree.
  - b. Serve a private interest other than one that is clearly incidental to an overriding public interest.
  - c. Devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise, except as provided by the Internal Revenue Code and related regulations, rulings, and procedures.
  - d. Participate in or intervene in any political campaign on behalf of or in opposition to any candidate for public office. The prohibited activities include the publishing or distributing of statements and any other direct or indirect campaign activities.
  - e. Have objectives that characterize it as an "action organization" as defined by the Internal Revenue Code and related regulations, rulings, and procedures.
  - f. Distribute its assets on dissolution other than for one or more exempt purposes; on dissolution, the Corporation's assets shall be distributed to the state government

The Corporation shall make distributions at such times and in such manners as to avoid the tax under Internal Revenue Code Section 4942. The Corporation shall not engage in any act of self-dealing as defined in Section 4941(d). The Corporation shall not retain excess business holdings as defined in Section 4943(c). The Corporation shall not make any investments that would subject it to the tax described in Section 4944. The Corporation shall not make any taxable expenditures as defined in Section 4945(e).

	Executed this day of, 1998.	
	Tanis L. Stanfield	
ГН	STATE OF TEXAS	
COI	NTY OF HARRIS	
he	BEFORE ME, the undersigned Notary Public on this day personally appeared re me Tanis L. Stanfield, who after being by me first duly sworn declared that he is serson who signed the foregoing document as incorporator, and that the statements in contained are true and correct.	
iay	IN WITNESS WHEREOF, I have hereunto set my hand and seal this of, 1998.	
	NOTARY PUBLIC FOR THE STATE OF TEXA	15

### ARTICLE FIVE POWERS

5.01 Except as otherwise provided in these Articles, the Corporation shall have all of the powers provided in the Act.

art !!	Activities and Operational Information (Continued)	
€ Give	e the following information about the organization's governing body:	
a Name	ses, addresses, and titles of officers, directors, trustees, etc.	b Annual compensation
s	SER ATTACHED LIST	NONE
	· · · · · · · ·	
. Do :	any of the above persons serve as members of the governing body by reason of being p	sublic officials or being
	ointed by public officials?	. —
If •	Yes, name those persons and explain the basis of their selection or appointment.	
	•	•
	•	
	any members of the organization's governing body "disqualified persons" with respect to	
	er than by reason of being a member of the governing body) or do any of the members	
	iness or family relationship with *disqualified persons*? (See Specific Instructions, Pa 'Yes, * explain.	ırt II, Line 4d.) Yes 🗵
	•	
	•	
		X Yes
	s the organization control or is it controlled by any other organization? he organization the outgrowth of (or successor to) another organization, or does it have a	
	another organization by reason of interlocking directorates or other factors?	
lf ei	of these questions is answered "Yes," explain.	
	FIRST BAPTIST CHURCH	*.
	s or will the organization directly or indirectly engage in any of the following transactions	
-	inization or other exempt organization (other than a 501(c)(3) organization); (a) grants; (b) points of accilities or equipment; (d) loans or loan guarantees; (e) reimbures.	
	ngements; (f) performance of services, membership, or fundraising solicitations; or (g) sha	aring of facilities.
equip	pment, mailing lists or other assets, or paid employees?	
If "	Yes," explain fully and identify the other organizations involved.	
	he organization financially accountable to any other organization?	Yes X

investment income.) If any assets are not fully operational, explain their status, what additional steps remain to be completed. at when such final steps will be taken, If "None," indicate "N/A."	What assets does the organization have that are used in the performance of its exempt function? (Do not include property producing investment income.) If any assets are not fully operational, explain their status, what additional steps remain to be completed, and when such final steps will be taken, If "None," indicate-"N/A."					
NONE						
Will the organization be the beneficiary of tax-exempt bond financing within the next 2 years?	X No					
Will any of the organization's facilities or operations be managed by another organization or individual under a contractual agreement?	X No					
Is the organization a party to any leases?  If either of these questions is answered "Yes," attach a copy of the contracts and explain the relationship	I Na					
· ·						
Is the organization a membership organization?  Yes 'Complete the following:	X No					
Describe the organization's membership requirements, and attach a schedule of membership fees and dues.						
Describe the organization's present and proposed efforts to attract members, and attach a copy of any descriptive literature or promotional material used for this purpose.						
What benefits do (or will) the members receive in exchange for their payment of dues?						
If the organization provides benefits, services or products, are the recipients required, or will they be required, to pay for them?  If "Yes," explain how the charges are determined, and attach a copy of the current fee schedule.  SEE ATTACHED FEE SCHEDULE	☐ No					
Does or will the organization limit its benefits, services or products to specific individuals or classes  Of individuals?  N/A  Yes	X No					
If "Yes," explain how the recipients or beneficiaries are or will be selected.						
	( <del>)</del>					
Does or will the organization attempt to influence legislation?  If "Yes," explain. Also, give an estimate of the percentage of the organization's time and funds that it devotes or plans to devote to this activity.	I No					
Does or will the organization intervene in any way in political campaigns, including the publication or distribution of statements?  If "Yes," explain fully,	X No					
	Will any of the organization be the beneficiary of tax-except bond financing within the next 2 years?  Will any of the organization's facilities or operations be naneged by another organization or individual under a contractual agreement)  Will any of the organization's facilities or operations be naneged by another organization or individual under a contractual agreement)  Will any of the organization's party to any leases?  We is the organization a party to any leases?  If either of these questions is answered "Yes," attach a copy of the contracts and explain the relationship between the applicant and the other parties.  Is the organization a membership organization?  If "Yes," complete the following:  Describe the organization's present and proposed efforts to attract members, and attach a copy of any descriptive literature or premotional material used for this purpose.  What benefits do (or will) the members receive in exchange for their payment of dues?  What benefits do (or will) the members receive in exchange for their payment of dues?  What benefits do (or will) the members receive in exchange for their payment of dues?  If the organization provides benefits, services or products, are the recipients required, or will they be required, to pay for them?  If "Yes," explain how the charges are determined, and attach a copy of the current fee schedule.  SEE ATTACKED FEE SCHEDULE  Does or will the organization limit its benefits, services or products to specific individuals or classes of individuals?  If "Yes," explain how the recipients or beneficiaries are or will be selected.  Does or will the organization stempt to influence legislation?  Yes  Oces or will the organization intervene in any way in political campaigns, including the publication or distribution or distribution or plans to devote to this activity.					

Pa —	rt III Technical Requirements	
1	Are you filing Form 1023 within 15 months from the end of the month in which your organization was created X Yes or formed? If you answer "Yes," do not answer questions, on lines 2 through 7.	io
2	If one of the exceptions to the 15-month filing requirement shown below applies, check the appropriate box and proceed to question 8.	
	Exceptions - You are not required to file an exemption application within 15 months if the organization:	
	(a) Is a church, interchurch organization of local units of a church, a convention or association of churches, or an integrated auxiliary of a church (see instructions);  (b) Is not a private foundation and normally has gross receipts of not more than \$5,000 in each tax year; or	
	(c) is a subordinate organization covered by a group exemption letter, but only if the parent or supervisory organization timely submitted a notice covering the subordinate.	_
3	If the organization does not meet any of the exceptions on line 2, are you filing Form 1023 within 27 months from the end of the month in which the organization was created or formed?	0
	If "Yes," your organization qualifies under section 4.01 of Rev. Proc. 92-85, 1992-42, LR.B. 32, for an automatic 12-month extension of the 15-month filing requirement. Do not answer questions 4 through 7.	
	If "No." answer question 4.	
4	If you answer "No" to question 3, has the organization been contacted by the IRS regarding its failure to file Form 1023 within 27 months from the end of the month in which the organization was created or formed?	0
	If "No." your organization qualifies for an extension of time to apply under the "reasonable action and good faith" requirements of section 5.01 of Rev. Proc. 92-85. Do not answer questions 5 through 7.	
	If "Yes," answer question 5.	_
5	If you answer "Yas" to question 4, does the organization wish to request relief from the 15-month filing requirement?	0
	If "Yes," give the reasons for not filing this application prior to being contacted by the IRS. See Specific Instructions, Part III, Line 5, before completing this item. Do not answer questions 6 and 7.	
	If "No." answer question 6.	
5	If you answer "No" to question 5, your organization's qualification as a section 501(cX3) organization can be recognized only from the date this application is filed with your key District Director. Therefore, do you want us to consider the application as a request for recognition of exemption as a section 501(cX3) organization from the date the application is received and not retroactively to the date the organization	
	was created or formed? Yes No	• —
7	If you answer "Yes" to the question on line 6 above and wish to request recognition of section 501(c)(4) status for the period beginning with the date the organization was formed and ending with the date the Form 1023 application was received (the effective date of the organization's section 501(c)(3) status), check here \( \bigcirc and attach a completed page 1 of Form 1024 to this application.	

Pa	rt III	Technical Requirements (Continued)	
8		ganization a private foundation?  a (Answer question on line 9.)  (Answer question on line 10 and proceed as instructed.)	
9		nswer "Yas" to the question on line 8, does the organization claim to be a p s (Complete Schedule E)	private operating foundation?
	After ans	swering the question on this line, go to Part IV.	·
10	checking	aswer "No" to the question on line 8, indicate the public charity classification the box below that most appropriately applies:	
		As a church or a convention or association of churches	Sections 509(a)(1)
		(CHURCHES MUST COMPLETE SCHEDULE A.)	and 170(bX1XAXi)
			Sections 509(a)(1)
	ь 🗔	As a school (MUST COMPLETE SCHEDULE B.)	and 170(b)(1)(A)(ii)
	¢	As a hospital or a cooperative hospital service organization, or a	
		medical research organization operated in conjunction with a	Sections 509(a)(1)
		hospital (MUST COMPLETE SCHEDULE C.)	and 170(b)(1)(A)(iii)
		•	Sections 509(a)(1)
	d	As a governmental unit described in section 170(c)(1).	and 170(b)(1)(A)(v)
	e	As being operated solely for the benefit of, or in connection with.	
		one or more of the organizations described in a through d, g, h, or i	
		(MUST COMPLETE SCHEDULE D.)	Section 509(a)(3)
	f	As being organized and operated exclusively for testing for public	a continu
		safety.	Section 509(a)(4)
	9	As being operated for the benefit of a college or university that is	Sections 509(a)(1)
	h	As receiving a substantial part of its support in the form of	and 170(b)(1)(A)(iv)
	18	contributions from publicly supported organizations, from a	Sections 509(a)(1)
		governmental unit or from the general public.	and 170(b)(1)(A)(vi)
	i X	As normally receiving not more than one-third of its support from	- 174(A)(1/A)(1/A)
	٠ ـــ	gross investment income and more than one-third of its support from	
		contributions, membership fees, and gross receipts from activities	
		related to its exempt functions (subject to certain exceptions).	Section 509(a)(2)
			Sections 509(a)(1)
	;	The organization is a publicly supported organization but is not sure	and 170(b)(1)(A)(vi)
		whether it meets the public support test of block h or block i. The	or
		organization would like the IRS to decide the proper classification.	Section 509(a)(2)

If you checked one of the boxes a through f in question 10, go to question 15.

If you checked box g in question 10, go to questions 12 and 13.

If you checked box h, i, or j, go to question 11.

Pa	rt III	Technical Requirements (Continued)			
11	If you c	hecked box h, I, or I on line 10. has the organization completed a tax year of at least 8 months?			
		s - Indicate whether you are requesting:			
		A definitive ruling (Answer questions on lines 12 through 15.)			
	[	An advance ruling (Answer questions on lines 12 and 15 and attach two Forms 872-C completed and signe	d)		
	X No	- You must request an advance ruling by completing and signing two Forms 872-C and at	tachlı	ng th	em to the
		pilcation.			
12		rganization received any unusual grants during any of the tax years shown in Part IV-A, attach a list for the contributor; the date and the amount of the grant, and a brief description of the nature of the grant, N/A.	each	year	showing the
13	if you a	re requesting a definitive ruling under section 170(b)(1)(A)(iv) or (vi), check here   and: N/A			<del></del>
		of line 8, column (e) of Part IV-A			
1		list showing the name and amount contributed by each person (other than a governmental unit on) whose total gifts, grants, contributions, etc., were more than the amount you entered on line 13a above.	or "p	ublicly	supported"
14		re requesting a definitive ruling under section 509(a)(2), check here and: N/A			
		of the years included on lines 1, 2, and 9 of Part IV-A, attach a list showing the name of and amor	ınt re	caiva	from each
	*disqualif	ied person." (For a definition of "disqualified person." see Specific Instructions, Part II, Line 4d.)			
t		of the years included on line 9 of Part IV-A, attach a list showing the name of and amount received			
		'disqualified person') whose payments to the organization were more than \$5,000. For this purpose,	cayer.	incl	ides, but is
		d to, any organization described in sections 170(b)(1)(A)(i) through (vi) and any government agency or bureau.			1.4.44
15		if your organization is one of the following. If so, complete the required schedule. (Submit only	v		If "Yes,"
	mose scr	nedules that apply to your organization. Do not submit blank schedules.)	Yes	No	Schedule:
				-	
	Is the or	ganization a church?		x	A
	Is the or	ganization, or any part of it, a school?		x	В
	is the or	ganization, or any part of it, a hospital or medical research organization?		<u> </u>	<u> </u>
		to the second Velocity of the second velocity		x	٥
	is the or	ganization a section 509(a)(3) supporting organization?		-	
	is the or	ganization a private operating foundation?		x	Ε
	.,	ganization a private operating foundation/			
	is the or	ganization, or any part of it, a home for the aged or handicapped?		x	F
		•			
	Is the or	ganization, or any part of it, a child care organization?	X		G
				_	
	Does the	organization provide or administer any scholarship benefits, student aid, etc.?		X	Н
	Man at a	variation school and a will is take over the facilities of a fine profit institution?		x	1
	rias the c	organization taken over, or will it take over, the facilities of a "for profit" institution?	1	<u> </u>	<del></del>

#### Part IV Financial Data

Complete the financial statements for the current year and for each of the 3 years immediately before it. If in existence less than 4 years, complete the statements for each year in existence. If In existence less than 1 year, also provide proposed budgets for the 2 years following the current year.

			f Revenue and E	xpenses		<del>,</del>
		Current tax	3 prior tax ye	ars or proposed bud	get for 2 years	ļ
1	Gifts, grants, and contributions received (not including unusual grants-see instructions)	(a) From N/A	(b) 19 <u>95</u>	(c) 19 96	(d) 19	(e) TOTAL
١.	Membership fees received					
2			<u> </u>			
3	Gross investment income (see instructions for definition)					
4	Net income from organization's unrelated business activities not included on line 3					
5	Tax revenues levied for and either paid to or spent on behalf					
	of the organization		<u> </u>			
8	Value of services or facilities furnished by a governmental unit to the organization without charge (not including the value					
Revenue	of services or facilities generally furnished the public without charge)					
,					<del></del>	
	gain or loss from sale of capital	•				-
	assets) (attach schedule)		0	0		
8	Total (add lines 1 through 7) Gross receipts from admissions.	<del></del>				
	sales of merchandise or services, or furnishing of facilities in any activity that is not an unrelated business within the meaning of section		474,720	480,000		
1	513		474,720	480,000		
11			114,720	1557444	_	
11	assets (attach schedule)					
		· · · · · · · · · · · · · · · · · · ·	. —		<u></u>	
12			· · · · · · · · · · · · · · · · · · ·	-		
	through 12)		474,720	480,000		
	Fundraising expenses					
15	Committee gifts, grants, and similar					
16	amounts paid (attach schedule)					
1.	of members (attach schedule)					
17	Compensation of afficers,					
	directors, and trustees (attach					
	schedule)		224 400	220 000		
18 19			314,400	320,000		
_	Interest		1,200	1,200		
20	Depreciation and depletion				·	
22	Other (attach schedule) SEE SCH		159,120	158,800		eko (j. 1925.) o e o (j. 1925.) Najvenije
23	Total expenses (add lines 14					
	through 22)		474,720	480,000		
24	Excess of revenue over					
	expenses (line 13 minus fine 23)		o	0		

#### Part IV Financial Data (Continued)

ntories  is and notes receivable (attach schedule)  orate stocks (attach schedule)  is and loans (attach schedule)  or investments (attach schedule)  eciable and depletable assets (attach schedule)	5 6 7	2,000
ounts receivable, net  Intories  Is and notes receivable (attach schedule)  Is are stocks (attach schedule)  Is are investments (attach schedule)  Is are investments (attach schedule)	2 3 4 5 6 7	2,000
ntories  is and notes receivable (attach schedule)  orate stocks (attach schedule)  itgage loans (attach schedule)  or investments (attach schedule)  eciable and depletable assets (attach schedule)	3 4 5 6	
ntories  is and notes receivable (attach schedule)  orate stocks (attach schedule)  itgage loans (attach schedule)  or investments (attach schedule)  eciable and depletable assets (attach schedule)	5 6 7	
ds and notes receivable (attach schedule)  orate stocks (attach schedule)  digage loans (attach schedule)  or investments (attach schedule)  eciable and depletable assets (attach schedule)	5 6 7	
eciable and depletable assets (attach schedule)	6	
r investments (attach schedule)	7	
r investments (attach schedule)	7	
eciable and depletable assets (attach schedule)		
	<del>-</del> +	
	اه	
	3	
·	- 1	2,000
Total assets (add lines 1 through 10)	11	. 2,000
Liabilities		
ounts payable	12	
ributions, gifts, grants, etc., payable	13	
tgages and notes payable (attach schedule)	14	
r liabilities (attach schedule)	15	
Total liabilities (add lines 12 through 15)	16	
Fund Balances or Net Assets		
I fund balances or net assets	17	2,000
Total liabilities and fund balances or net assets (add line 16 and line 17)	18	2,000
	Total assets (add lines 1 through 10)  Liabilities  ounts payable  tributions, gifts, grants, etc., payable  tributions (attach schedule)  Total liabilities (attach schedule)  Fund Balances or Net Assets  Total liabilities and fund balances or net assets (add line 16 and line 17)  Total liabilities and fund balances or net assets (add line 16 and line 17)  Total liabilities and fund balances or net assets (add line 16 and line 17)	Total assets (add lines 1 through 10)  Liabilities  Dunts payable  tributions, gifts, grants, etc., payable  trigages and notes payable (attach schedule)  Total liabilities (add lines 12 through 15)  10  11  12  13  14

#### Instructions

Line 5.-

If your organization's services are not available to the general public, indicate the particular group or groups that may utilize the services.

REMINDER - If this organization claims to operate a school, then it must also fill out Schedule B.

### CREDENTIALS OF SPONSORING ENTITY AND ALL BOARDS' MEMBERS

#### DIANA PARKER

P. O. Box 638 Tomball, Texas 77377 (281) 351-5946

#### BUSINESS EXPERIENCE

Jan. 1998 to Present

Second Administrative Judicial Region, Children's

Protective Services Cluster Court. Court

Administrator / Court Reporter.

Duties: maintaining a certified record, scheduling the court's docket for ten counties, maintaining all correspondence and data necessary, communicating with CPS, scheduling court facilities, keeping current with monthly grant and financial reports, tracking all

cases for appropriate docketing.

Sept. 1994 to Dec. 1997

Freelance and official court reporter for various court

reporting firms and counties.

1985 through 1987

Chasewood Bank, new account representative **Duties**: opening new accounts, certificate of deposits, retirement accounts; daily and monthly accruals; computer input; balancing certificate of

deposits; monthly reports.

#### **EDUCATION**

Oct. 1993

Certified Shorthand reporter

Jan. 1988 to Oct. 1993

Shirley Baker School of Court Reporting

Sept. 1981 to May 1983

Stephen F. Austin State University

May 1981

J. Frank Dobie High School

#### TANIS L. STANFIELD 31089 QUINN ROAD TOMBALL, TEXAS 77375 281-351-0724

#### **ACCOMPLISHMENTS**

Í

- Taught students at Tomball School District Alternative School. I chose to work with this population to get accustomed to the TEA guidelines that apply to this particular type of school and also to work with students that often don't get teachers that are enthusiastic with this work. I taught all subject areas spanning grade 4-8. I also assisted the counselor with getting help and setting up a consistent self-help program for those who have suffered various crisis in their lives or emotional upheaval. Served as the special education representative from this campus to handle various matters with that program, ARDS etc. Also worked with ESL identified students. Served Pass students and Discipline students in the same classroom. Managed the Tech-Lab also for Intermediate and Junior students. Have taken time with the counselor to visit every alternative as well as other programs in the surrounding area to learn their philosophy effectiveness and success. (1995- present)
- Substituted for Magnolia ISD in a Behavior Adjustment Class while taking off time for personal matters and professional growth. Worked with the Star program, a boot-camp like program that was funded in Magnolia. (1994-95)
- Worked on Educational Diagnostician Certification-Lamar University (1994)
- ESL Pullout Program-Gordon Elementary, HISD. Identified new ESL students in the school, screen for LAS testing. Test students in English and Spanish, determine appropriate program, placement and recommendations. LPAS/LEP contact person on campus. Charged with monitoring records, updating, reporting state peims information. Meet with Spanish-speaking parents about their concerns or special needs. ARD representative for students receiving services for LEP students. (1991)
- Special Education, supervise special education programs in six elementary schools. Cover secondary when necessary. Programs included ECH, Multihandicapped, self-contained generic, functional, resource, speech and BAC/BIC Programs. Interface with LEP supervisor in the district to get appropriate services or resource arrangements for this population. Arranged for program placement, transportation and special needs arrangements for ECH, Multihandicapped and Functional Living Programs. Worked with Satellite District Superintendent and District Principal as a troubleshooter to handle particularly difficult situations in the district. Inserviced teachers on change of guidelines etc. information as it came from TEA, or other

procedures. Implemented an effective program for compliance monitoring and management. Served on Task force and developed a guide for reliable K-Card and Misse information (our funds depended on this reporting). Met periodically with administrators and teachers of other districts to discuss successful and test programs in their districts. Set up group to allow parents to air concerns and bridge gap of trust between HISD and public. Trained in the Distar and Neuhaus Phonics and Reading Programs. (1989-91)

- Inserviced school staff about Special Services, met with building administrators to report progress of Special Education students, chair ARDS, provide individualized instruction. Provided all appropriate services as Bilingual Resource Teacher K-5, ARD chairperson. Cunningham Elementary-HISD(1988)
- Provided appropriate services for Autistic Class(BIC) Welch Middle School, HISD. Chaired and arranged ARDS, offered various opportunities for learning independent functional living in the community, record keeping, individualized instruction. Made special charts and taught students to use them when shopping to figure tax etc., worked with Randalls to get a map of the store made to teach the students how to use it in the store.(1987-88)
- Tutor-Private for children with Learning Disabilities. School VIP(1980-88)
- Designs by Tanis, Commercial and Residential Flooring and Decorating Service(1978-87)
- Bilingual/SLIC-ESL Set up SLIC centers, screen, and test students, maintain compliance recording. Peterson/Almeda/Red Elementaries-HISD(1978-80)
- Train VIPS to administer Kindergarten Screening Instruments (Language) in Spanish. Maintain compliance of State folders with state and federal guidelines, train teachers in behavior modifications, management systems, to write IEP's, keep daily records, organization skills and timed tests. Trained and certified in the Monterey Reading Program-a very successful program. Resource Teacher LLD/KPLC, HISD Almeda Elementary "Teacher of the Year-1977. (1975-78)
- Kindergarten Teacher-HISD, Intercity School near U of H-Blackshear Elementary, taught class of 39 Kindergarten all day, made teaching and instructional materials. (1974-75)
- Migrant/Bilingual Reading Teacher K-6, Barrios of San Antonio, SAISD-Brewer Elementary-San Antonio, Texas. Developed sequential materials for our Bilingual Program. Successfully involved barrio parents weekly in their children's educational instruction. (1974)
- 1973-Las Cruces Public Schools-6<sup>th</sup> grade, 1969-70-Hobbs Public Schools-Librarian & 1968-Headstart volunteer

## DISCLOSURE OF LITIGATION AND CRIMINAL HISTORIES

#### DISCLOSURE OF LITIGATION OR CRIMINAL CONVICTIONS

Disclosure of litigation, whether civil or criminal, in which the sponsoring entity of the of the proposed charter school has been a party.

The sponsoring entity of Comquest Academy has not been involved in any litigation concerning civil suits, bankruptcy proceedings, criminal prosecution, and any administrative process in which an agency of federal, state or local government has taken adverse licensing or disciplinary action.

There have been no criminal convictions involving the sponsoring entity of Comquest Academy, within the past ten years. No employee, or chief operating officer or any other member of the governing of the sponsoring entity, has had criminal convictions within the past ten years. Officers, employees, or governing board members on any entity proposing to contract with the sponsoring entity for conducting the day-to-day operations and management of the charter school have not had any criminal convictions.

The Austin DPS officer, Bob Ripper is running criminal checks for Comquest Academy to verify this information. This information should come July 24, 1998. The local police department delayed this information because they verified with the local school district that there is only one person in Tomball Independent School District authorized to request this information. They did not understand the charter school process or understand

why I would request this information.

If this information is not received by the time it is necessary to leave with this document I will try to enclose a receipt of request.



#### **Facsimile Cover Sheet**

To: Agency: Phone: Fax:	tario L Stanfield: Correguest Academy: 281-351-0724
DPS Service: Phone:	Bob Ripper Crime Records (512) 424-2023 (512) 424-2961
Date:	7-24-98
# of pages including	this cover page:

#### Comments:

I am in receipt of your riguest for a user number, and were orocess it within the next week.

July 23, 1998
Comquest Academy
Tanis L. Stanfield, Chief Program Officer
31089 Quinn
Tomball, Texas 77375
1-218-351-0724

Dear Mr. Bob Ripper,

I spoke to Deanie today at the 512-424-2474 number about criminal checks that have to run on potential board members and employees of a new charter school, Comquest Academy. The checks must be run to submit the application for the persons that the checks will be run on to be eligible for those positions. Deanie said a user ID number needed to be requested from you. This is my request for that number. I would like the taped or recorded information. If it is possible for you to verify this request at the earliest opportunity, it would be greatly appreciated. This information is needed as soon as possible and would have been requested sooner, however the local police department was calling Tomball Independent School District with your phone number information instead of the number they were given. I currently work for TISD and there is only one person authorized to request this information for the district. My request involves a proposal for a charter grant, and they did not understand about charter schools.

In an effort to attempt to speed up this process, I am going to enclose the names of the individuals to have the criminal checks. If you have any questions or wish to verify this information in any way, I am enclosing phone numbers for this purpose. The Senior Director for Texas Education Agency Charter Schools is Brooks Flemister - phone 512-463-9575, Sally Friedli - Charter School Resource Center 210-348-7890.



Thank you for your assistance in this matter.

The verification of requested information can be faxed or called into this number. 1-281-351-0724

Sincerely, Fanis LS fanfield Tanis Stanfield

## **ATTACHMENTS**

ATTACHMENT A STATEMENT OF IMPACT

ATTACHMENT B PROPOSED BUDGET

ATTACHMENT C LETTER OF FACILITIES USAGE

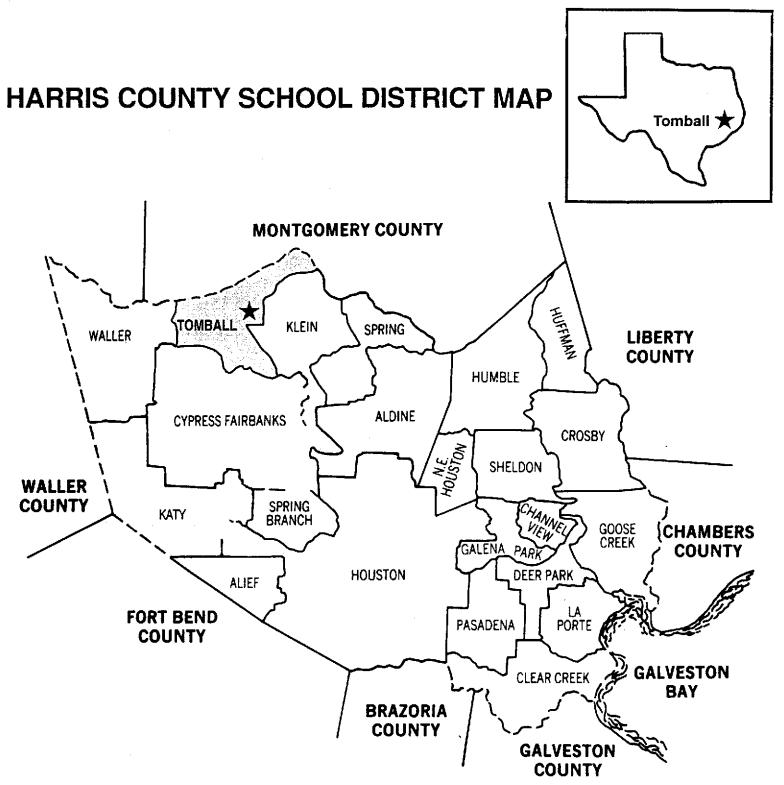
## ATTACHMENT A STATEMENT OF IMPACT

# RECEIVED JUL 2 3 1998 PERSONNEL DEPT. TOMBALL ISD charter application

**Tomball Independent School District** Montgomen County Montgomery County Hārris County Stagecoach Walnut Creek Spring Creek Harris County FM 2920 Waller-Tomball CYPRESS-ROSEHILL RD Exxon Private Road Holderrieth Mueschke Juergen Road Telge Road Boudreaux Road Road Grant Road Shaw 8 Spring dypress Secondary & Intermediate Schools 1 Tomball High School 30330 Quinn Road, Tomball, Texas 77375 2 Tomball Junior High School 30403 Quinn Road, Tomball, Texas 77375 Cypress Creek 3 Beckendorf Intermediate School 1110 Baker Drive, Tomball, Texas 77375 4 Tomball Intermediate School 723 West Main, Tomball, Texas 77375 Other Facilities Elementary Schools & Attendance Zones 9 Central Office 5 Decker Prairie Elementary School 211 West Main, Tomball, Texas 77375 27429 Decker Prairie Rosehill Road Magnolia, Texas 77355

- 10 Special Services 709 West Main, Tomball, Texas 77375
- 11 Transportation 1055 Baker Drive, Tomball, Texas 77375
- 12 Ancillary Services & Cherry Street School 310 South Cherry Street, Tomball, Texas 77375

6 Lakewood Elementary School
15614 Gettysburg Dr., Tomball, Texas 77375



WHERE DISTRICT IS PARTLY OUTSIDE HARRIS COUNTY THE COUNTY LINE IS SHOWN BY DASHES — — — —

Tomball Independent School District 221 West Main Tomball, Texas 77375

Telephone: (713) 357-3100

July 23, 1998

Comquest Alliance 31089 Quinn Road Tomball, Texas 77375

Dear Superintendent and President of the Board of Trustees:

This is to inform you that Comquest Academy 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 of amendment of an open-enrollment charter school.

Specifically, the guidelines approved by the State Board of Education required that the enclosed form, entitled Statement of Impact, and a copy of the application for the proposed open-enrollment charter school be sent to each district that may be affected. Information is requested if the proposed 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, Texas 78701. It should be received no later than August 31, 1998, for the information to be considered by the State Board of Education.

It is requested that you review the enclosed application, complete to Statement of Impact form, and submit it to the Texas Education Agency. If you have questions about the process for approval of open-enrollment charter schools, please contact Brooks Flemister in the 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 Tanis L. Stanfield at (281) 351-0724.

Sincerely,

Janis L. Stanfield, CEO of Comquest Academy

	Staten	nent of Impact	
Name of Proposed C	harter School:		· · · · · · · · · · · · · · · · · · ·
Check the appropriat	e response below:		
	open-enrollment cl nool district to a sign	harter school <u>is</u> <u>not</u> expect nificant degree.	ed to adversely
impact the sch	nool district in the fo impact in the space	harter school (amendment) bllowing manner: e below and/or attach any s	•
	•		
			•
		,	
(District Name	<b>;</b> )	(County-District Identifi	cation Number)
	(District Add	dress)	
(Signature of E	Board President)	(Print Board Pre	esident's Name)
		<u> </u>	
(Signature of S	Superintendent)	(Print Superinte	ndent's Name)
(Date	:)	(Phone Numbe	er)

## ATTACHMENT B PROPOSED BUDGET

## Comquest Academy for Learning Charter (CAL) Proposed Budget-SUMMARY

#### DETAIL FOR YEAR ONE ON FOLLOWING PAGE

,
ear 1999-2000
45
\$180,000
ŕ
\$180,000
\$80,000
\$ 60,000 <b>\$140,000</b> .
\$8,000 2,500. 2,000. 3,000. 11,000. 3,000. 2,000. 1,000. 1,800. 1,800. 900. \$40,000.

Total

\$180,000.

### **SUPPORT LETTERS**

Dr. Jack Christie, D.C. Chairman, State Board of Education Texas Education Agency 1701 North Congress Avenue Austin, Texas 78701

July 20, 1998

Dear Dr. Christie,

I am pleased to offer support and assistance for the open-enrollment charter school application submitted by Comquest Academy.

I have recently started working with Children's Protective Services Cluster Court in ten various counties. I have visited several residential treatment centers and group homes. I have seen first hand the need for open-enrollment charter schools. The age group in which Comquest Academy is attempting to target is in dire need of a school that works with the individual needs of each child. I know Tanis Stanfield and the children she has taught. She focuses on ways to motivate the children, challenges them, and leads them to a sense of self accomplishment.

The communities of northwest Harris County and southwest Montgomery County would benefit greatly from Comquest Academy. I will happily support the efforts of Comquest Academy. Should you have any questions, please call me at (281) 351-5946.

With best regards, Wara Parker

Diana Parker

## Cherry Street students take pride in new 'Pass' program

By MIKE WARREN

ThisWeekend Correspondent

Students at Cherry Street School. fomoun independent School District's alternative school, are getting industrial-strength classroom instruction.

And it seems to be working.

All eight sixth and seventh graders enrolled in the school's "Pass" program last year successfully crammed two years of schooling into one to successfully get back on their ageaporopriate grade level.

And numerous other students achieved more credits at Cherry Street School than they had the previous year, said Catherine Bellon,

school dean.

"Our ultimate goal with the "Pass" students is to help those who are one to two years behind their peers achieve parity," she said. "We have been extremely lucky since the program's inception in 1988."

The "Pass" program includes computer-assisted instruction that all as a later to be prepared at their own pace in reading and math. Bel-

lon said

"While we use computer-aided instruction, students also receive daily instruction from their teacher," she said. "There might be five students in a class, each at a different point in their instruction."

Elementary and junior high school students in the "Pass" program receive instruction in four core subjects: language arts, math, science and social studies, Bellon said. The school's flexibility enables eighth-graders to begin high school courses in subjects they have not had trouble with, while learning to pass courses they failed in eighth-grade. Bellon said.

"High school students are instructed in core subjects in our campus, and leave to attern classes at the high school to address electives,"

sne said.

Other programs housed at Cherry Street School include a GED program, adaptive behavior unit alternative education program and a disciplinary component, which was the reason the school was founded in 1987, Bellon said.

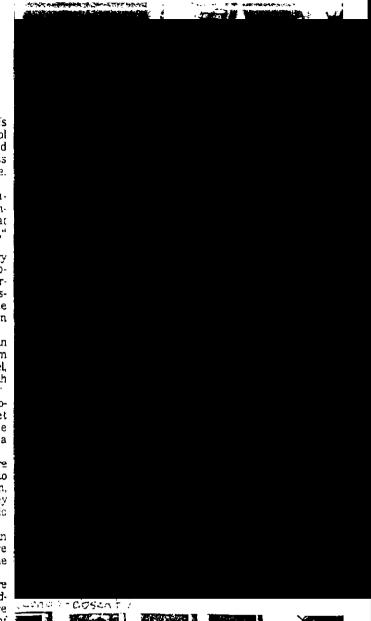
"It is our goal to keep students in school," she said. "If we can get them on (the age-appropriate) grade level, the odds are they will graduate with their peers."

Bellon believes the need for programs offered at Cherry Street School is expanding because changes in society have created a larger at-risk population.

"We have more students who are transfert" she said. "They move into the district and, for some reason, they are not achieving what they need in their classrooms. They do better in a small group setting."

Cherry Street School was built in 1936, and the school needs to move to another building to expand, she said.

"We are limited in space and are operating out of two portable buildings," she said "With more from, we can expand to meet the needs of more students in the district."





#### Committee members to serve as Comquest Academy Board

#### Tanis Stanfield

Tanis began her educational experiences in 1968 as a Headstart volunteer and active 4-H Youth Leader. The interest in teaching and helping others came naturally and was a fulfilling profession for Tanis. The desire to help those who lacked educational guidance and training grew over the years really charted a path or quest for her that is still strong today. Challenges of working with difficult to reach youth or youth who have not had an easy go in life has never lost its appeal to her. For a time Tanis left teaching to be a more work on her masters degree and run a decorating business. When Tanis finished her Masters Degree in Education she wasted no time getting back in the classroom and by now all of her . Tanis has always tried to live by the 4-H motto that was reinforced constantly in 4-H, To Make the Best Better and to Learn By Doing. These philosophies have been incorporated into her teaching and make learning relative, and the students looked forward to it. Tanis has taught in Migrant, English as a Second Language, Bilingual, Special Education-Resource-Grades 2-6, Generic, Trainable Mentally Retarded (TMR-Autistic), Emotionally Disturbed, Kindergarten, Grades 6, Alternative Education-Grades 4-8. She has served as an Administrator in Houston Independent School District in Special Education for six elementary schools-heavy special education services-covering the full gamut of services from Early Childhood to BIC/BAC, covered Middle Schools and High Schools when necessary. She was part of a task force in HISD that inserviced teachers and administrators in Cite-Based Decision Making, and helped develop a manual over PEIMS reporting to cut the error rate significantly in HISD.

#### Diana Parker

Underwood and Stoval as an Administrator for the court. Diana has facilitated the birth of Montgomery Cluster Courts under Judge Underwood's direction and vision. These have significantly reduced the case load backup problems that have long plagued the courts. Diana interfaces with all area counties and strives to continually improve the Cluster Courts efforts for the maximum benefit to Montgomery County youth. Diana has a determined desire to see the youth of this area and surrounding area get help especially when difficult and traumatic events in their lives send their life experiences out of control. She has the opportunity to see on a daily basis the benefits Comquest Academy could offer many of the "high-risk" youth of our community.

#### Dan Gilmore

Associate Pastor of Education and Administration for First Baptist Church of Tomball, has been involved in the growth and development of students in the Tomball area for years. Dan has worn many hats over the years for the church including serving as interim Pastor of Music and in other areas to help the church operate smoothly. His passion is in helping youth develop to the full potential of their abilities and to help youth who have

made bad choices learn to make better choices. He is dedicated to helping youth overcome obstacles and hardships in life as well as help youth who have failed regain their self-esteem, and the desire to take on challenges again.

#### **Dorthy Fugua**

Has spent many hours teaching, volunteering and chaperoning on various youth outings. Dorthy worked as the Director of the Childcare for the First Baptist Church for several years.

Dorthy always makes time even when her schedule is impossible to see that supervision needs are covered for youth events so that the youth are able to go. She works tirelessly and without hesitation for improving educational opportunities for students in the Tomball community. Dorthy has had the opportunity to work with many of the students Comquest Academy would help, either as a volunteer or as their teacher.

Dorthy has devoted many long hours of service to committees for Tomball Independent School District, including the CIT, District Wide EIC, Bond Proposal committees(to name a few), etc.

Her Bachelors of Arts in Teaching is from Sam Houston State University and has completed graduate hours from Texas A&M University in Educational Psychology.

#### Vicky Manis

Vicky presently and for the past eighteen years has worked for First Baptist Church Childcare program as its Director. As the Director Vicky has seen many of the youth of Tomball develop from toddlers into teenagers and knows many of the parents and youth of the Tomball, Klein, Spring, and Magnolia. The reputation of the facility she runs is outstanding and always has a lengthy waiting list to get in, the childcare facility at this church has been one of the reasons this church has gained a reputation of reaching out to the youth of this community and as being place where the youth can develop into wholesome, law-abiding, contributing citizens of the community. Teachers of all Tomball schools have their young children at this childcare because of the confidence they have in this facility. Vicky has spent many hours volunteering for the public schools serving on the District Wide and local committees for educational improvement in the schools. Vicky was very touched by the Comquest Academy Charter endeavor and has believed in it so strongly she campaigned to get the church to help the charter get off the ground for the application process. She sees the great need for this program in the community and believes strongly in this effort.

Vicky attended Texas Tech University.

Tomball First Baptist Church Child Care Center, Inc. would allow Comquest Academy to operate under their 501 (c) (3) Non-profit Organization status until Comquest Academy is able to secure their own. Tomball First Baptist Church Child Care Center, Inc. has provided a copy to be included with the Comquest Academy charter application. Members of the Board are working presently to get the 501 (c) (3) Non-profit status secured.

Tanis Stanfield Director

comquest teadering

#### **BYLAWS OF**

#### TOMBALL FIRST BAPTIST CHURCH CHILD CARE CENTER, INC.

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#### ARTICLE ONE - CORPORATE CHARTER AND OFFICES

#### 1.01 CORPORATE CHARTER PROVISIONS

Each provision of the Corporation's Charter shall be observed until amended by Restated Articles or Articles of Amendment duly filed with the Texas Secretary of State.

#### 1.02 REGISTERED OFFICE AND AGENT

The address of the registered office provided in the Articles of Incorporation, as duly filed with the Texas Secretary of State, is 411 Oxford, Tomball, Texas 77375.

The name of the registered agent of the Corporation at such address, as set forth in its Articles of Incorporation, is Dan Gilmore.

The registered agent or office may be changed by filing a Statement of Change of Registered Agent or Office or Both with the Texas Secretary of State, and not otherwise. Such filing shall be made promptly with each change. Arrangements for each change in registered agent or office shall ensure that the Corporation is not exposed to the possibility of a default judgment. Each successive registered agent shall be of reliable character and well informed of the necessity of immediately furnishing the papers of any lawsuit against the Corporation to its attorneys.

#### 1.03 BUSINESS OFFICES

The address of the initial principal office of the Corporation is hereby established as 411 Oxford, Tomball, Texas 77375.

The Corporation may have additional business offices within the State of Texas, and where it may be duly qualified to do business outside of Texas, as the Board of Directors may designate or the business of the Corporation may require.

#### 1.04 AMENDMENT AND REPEAL OF BYLAWS

The Board of Directors may alter, amend, or repeal these Bylaws, and adopt new Bylaws. All such Bylaw changes shall take effect upon adoption by the Directors. Notice of Bylaws changes shall be given in or before notice of the first Church' meeting following their adoption.

#### ARTICLE TWO - NO MEMBERS

#### 2.01 NO MEMBERS

The Corporation shall have no members.

#### 2.02 CHURCH AUTHORITY

First Baptist Church (hereinafter referred to as the "Church") located at 411 Oxford Street, Tomball, Texas 77375, a religious association, pursuant to the Revised Civil Statutes of the State of Texas, Article 1396, Section C, shall have the power to appoint and remove all Directors of the Corporation at its sole discretion. Such appointments and removals shall be performed by the pastor of the Church and all such appointments and removals shall be deemed to be with the full authority of the Church.

#### ARTICLE THREE - DIRECTORS AND DIRECTORS' MEETINGS

#### 3.01 POWERS

The business and affairs of the Corporation and all corporate powers shall be exercised by or under authority of the Board of Directors, subject to the limitations imposed by law, the Articles of Incorporation, and these Bylaws.

#### 3.02 VACANCIES

Vacancies on the Board of Directors shall exist upon: (a) the failure of the Church to elect the full authorized number of Directors to be voted for at any Church' meeting at which any Director is to be elected; (b) a declaration of vacancy under Section 2.03(a) of these Bylaws; (c) an increase in the authorized number of Directors; or (d) the death, resignation, or removal of any Director.

#### 3.02(a) DECLARATION OF VACANCY

A majority of the Board of Directors may declare the office of a Director vacant if the Director is adjudged incompetent by a court; is convicted of a crime involving moral turpitude; or fails to accept the office of Director, either by a letter of acceptance or by attending a meeting of the Board of Directors within thirty (30) days of notice of election.

#### 3.02(b) FILLING VACANCIES BY DIRECTORS

Vacancies other than those caused by an increase in the number of Directors shall be temporarily filled by majority vote of the remaining Directors, though less than a quorum, or by a

sole remaining Director. Each Director so elected shall hold office until a successor is appointed by the Church. Vacancies reducing the number of Directors to less than six (6) shall be filled before the transactions of any other business.

#### 3.02(c) FILLING VACANCIES

Any vacancy on the Board of Directors, including those caused by an increase in the number of Directors, shall be filled by the Church at the next annual meeting or at a special meeting called for that purpose. Upon the resignation of a Director tendered to take effect at a future time, the Board or the Church may elect a successor to take office when the resignation becomes effective.

#### 3.03 REMOVAL OF DIRECTORS

The entire Board of Directors or any individual Director may be removed from office by the Church.

#### 3.04 ACTION BY CONSENT OF BOARD WITHOUT MEETING

Any action required or permitted to be taken by the Board of Directors may be taken without a meeting and shall have the same force and effect as a unanimous vote of Directors if all the Directors consent to the action in writing. Such consent may be given individually or collectively.

#### 3.05 PLACE OF MEETINGS

Meeting of the Board of Directors shall be held at any place within or without the State of Texas as may be designated by the Board.

#### 3.06 REGULAR MEETINGS

Regular meetings of the Board of Directors shall be held, without call or notice, monthly and at any other regularly repeating times as the Directors may designate.

#### 3.07 SPECIAL MEETINGS

Special meetings of the Board of Directors for any purpose may be called at any time by the President or, if the President is absent or unable or refuses to act, by any Vice President or any four (4) Directors. Written notice of the special meeting, stating the time and place of the meeting, shall be mailed ten (10) days before, or personally delivered so as to be received by each Director no later than two (2) days before, the day appointed for the meeting. The notice may include a tentative agenda, but the meeting shall not be confined to any agenda included with the notice, and none is required.

Upon providing notice, the Secretary or other officer sending notice shall sign and file in the corporate Record Book a statement of the details of the notice given to each Director. If such statement should later not be found in the Corporate Record Book, due notice shall be presumed.

# 3.08 QUORUM

The presence throughout any Directors' meeting, or adjournment thereof, of a majority of the authorized number of Directors shall be necessary to constitute a quorum to transact any business, except to adjourn. If a quorum is present, every act done or resolution passed by a majority of the Directors present and voting shall be the act of the Board of Directors, unless the act of a greater number is required by law, the Articles of Incorporation, or these Bylaws. Directors present by proxy shall not be counted toward a quorum.

# 3.09 ADJOURNMENT AND NOTICE OF ADJOURNED MEETINGS

A quorum of the Directors may adjourn any Directors' meeting to meet again at a stated hour on a stated day. Notice of the time and place where an adjourned meeting will be held need not be given to absent Directors if the time and place are fixed at the adjourned meeting. In the absence of a quorum, a majority of the Directors present may adjourn to a set time and place if notice is duly given to the absent Church, or until the time of the next regular meeting of the Board.

#### 3.10 CONDUCT OF MEETINGS

The President shall chair all meetings of the Board of Directors. In the President's absence, the Vice President or a Chairman chosen by a majority of the Directors present shall preside. The Secretary of the Corporation shall act as Secretary of the Board meetings. When the Secretary is absent from any meeting, the Chairman may appoint any person to act as Secretary of the meeting.

# 3.11 NUMBER OF DIRECTORS

The number of Directors shall be six (6), none of whom need be residents of Texas or Church. The number of Directors may be increased or decreased by amendment of these Bylaws. Any decrease in the number of Directors shall not have the effect of reducing the total number of Directors below three, nor of shortening the tenure which any incumbent Directors would otherwise enjoy.

#### 3.12 TERM OF OFFICE

Directors shall be entitled to hold office for three (3) years or until removed or their successors are elected and qualified. New Directors will be selected by the Church prior to the end of each three (3) year term.

# 3.13 COMPENSATION

Directors as such shall not receive salaries for their services, but by resolution of the Board of Directors a fixed sum plus expenses of attendance, if any, may be paid to Directors for attendance at each meeting of the Board. This policy does not preclude any Director from serving the Corporation in any other capacity and receiving compensation for such additional service.

# 3.14 INDEMNIFICATION OF DIRECTORS AND OFFICERS

The Corporation shall indemnify all officers, Directors, employees, and agents to the extent required by law. The Board of Directors may, by separate resolution, provide for additional indemnification as allowed by law.

# 3.15 INSURING DIRECTORS, OFFICERS, AND EMPLOYEES

The Corporation may purchase and maintain insurance, or make any other arrangement, on behalf of any person as permitted by Article 2.22A(R) of the Texas Non-Profit Corporation Act, whether or not the Corporation has the power to indemnify that person against liability for any acts.

# 3.16 BOARD COMMITTEES - AUTHORITY TO APPOINT

The Board of Directors may designate one or more committees to conduct the business and affairs of the Corporation to the extent authorized. Each Board committee shall contain at least two (2) Church, a majority of whom must be Directors. The Board shall have the power to change the powers and Membership of, fill vacancies in, and dissolve any committee at any time. Church of any committee shall receive such compensation as the Board of Directors may from time to time provide. The designation of any committee and the delegation of authority thereto shall not operate to relieve the Board of Directors, or any member thereof, of any responsibility imposed by law. The Board may also elect or appoint Church' committees, but these committees shall not conduct the business of the Corporation.

#### 3.17 PROXIES

A Director may vote in person or by proxy executed in writing. No proxy shall be valid after three (3) months from the date of its execution. Each proxy shall be revocable unless expressly provided therein to be irrevocable and otherwise irrevocable by law.

# ARTICLE FOUR - OFFICERS

#### 4.01 TITLE AND APPOINTMENT

The officers of the Corporation shall be a President, a Vice President, a Secretary, a Treasurer, and such other officers as the Board may designate. Any two or more officers, except President and Secretary, may be held by the same person. All officers shall be elected by and hold office at the pleasure of the Board of Directors, which shall fix the compensation and tenure, not to exceed one (1) year, of all officers. The Board of Directors may delegate this power to appoint officers to any officer or committee, and such officer or committee shall have full authority over the officers they appoint, subject to the power of the Board as a whole. Election or appointment of an officer shall not of itself create contract rights.

# 4.02 REMOVAL AND RESIGNATION

Any officer may be removed, with or without cause, by vote of a majority of the Directors at any meeting of the Board, or by any committee or officer upon whom that power of removal may be conferred by the Board. Such removal shall be without prejudice to the contract rights, if any, of the person removed. Any officer may resign at any time by giving written notice to the Board of Directors, the President, or the Secretary of the Corporation. Any resignation shall the effect upon receipt or at any later time specified therein. Unless otherwise specifies therein, the acceptance of such resignation shall not be necessary to make it effective.

#### 4.03 VACANCIES

Should any vacancy occur in any office of the Corporation, the Board of Directors may elect any acting successor to hold office for the unexpired term or until a permanent successor is elected.

# 4.04 COMPENSATION

The compensation of the officers shall be fixed from time to time by the Board of Directors, and no officer shall be prevented from receiving a salary because the officer is also a a Director of the Corporation.

# 4.05 PRESIDENT

The President shall be the chief executive officer of the Corporation, subject to the control of the Board of Directors. The President shall have general supervision, direction, and control of the business and officers of the Corporation, shall have the general powers and duties of management usually vested in the office of President of a corporation; shall have such other powers and duties as may be prescribed by the Board of Directors or the Bylaws; and shall be ex

officio a member of all standing committees, including the executive committee, if any. In addition, the President shall preside at all meetings of the Board of Directors.

# 4.06 VICE PRESIDENT

The Vice President(s) shall have such powers and perform such duties as form time to time may be prescribed by these Bylaws, the Board of Directors, or the President. In the absence or disability of the President, the senior Vice President shall perform all the duties of the President, pending action by the Board. While so acting, the senior Vice President shall have all the powers of, and be subject to all the restrictions on, the President.

# 4.07 SECRETARY

The Secretary shall:

- (A) See that all notices are duly given as required by law, the Articles of Incorporation, or these Bylaws. In case of the absence or disability of the Secretary, or the Secretary's refusal or neglect to act, notice may be given and served by an Assistant Secretary or by the President, Vice President, or Board of Directors.
- (B) Be custodian of the minutes of the Corporation's meetings, it Corporate Record Book, its other records, and any seal which it may adopt. When the Corporation exercises its right to use a seal, the Secretary shall see that the seal is embossed upon all documents authorized to be executed under seal in accordance with these Bylaws.
- (C) In general, perform all duties incident to the office of Secretary, and such other duties as from time to time may be required by these Bylaws generally by the President, by the Board of Directors, or by law.

# 4.08 TREASURER

The Treasurer shall:

- (A) Have charge and custody of, and be responsible for, all funds and securities of the Corporation, and deposit all funds in the name of the Corporation in those banks, trust companies, or other depositories as the Board of Directors select.
  - (B) Receive, and give receipt for, monies due and payable to the Corporation.
- (C) Disburse or cause to be disbursed the funds of the Corporation as may be directed by the Board of Directors, taking proper vouchers for those disbursements.

- (D) If required by the Board of Directors or the President, give to the Corporation a bond to assure the faithful performance of the duties of the Treasurer's office and the restoration to the Corporation of all corporate books, papers, vouchers, money, and other property of whatever kind in the Treasurer's possession or control, in case of the Treasurer's death, resignation, retirement, or removal from office. Any such bond shall be in a sum satisfactory to the Board of Directors, with one or more individual sureties or with a surety company satisfactory to the Board of Directors.
- (E) In general, perform all the duties incident to the office of Treasurer, and such other duties as from time to time may be assigned to the Treasurer by Article Six of these Bylaws, by these Bylaws generally, by the President, by the Board of Directors, or by law.

# 4.09 ASSISTANT SECRETARY AND ASSISTANT TREASURER

The Assistant Secretary and Assistant Treasurer shall have such powers and perform such duties as the Secretary or Treasurer, respectively, or as President or Board of Directors may prescribe. In the absence of the Secretary or Treasurer, the Assistant Secretary or Assistant Treasurer, respectively, may perform all the functions of the Secretary or Treasurer.

## ARTICLE FIVE - AUTHORITY TO EXECUTE INSTRUMENTS

# 5.01 NO AUTHORITY ABSENT SPECIFIC AUTHORIZATION

These Bylaws provide certain authority for the execution of instruments. The Board of Directors, except as otherwise provided in these bylaws, may additionally authorize any officer(s) or agent(s) to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation. Such authority may be general or confined to specific instances. Unless expressly authorized by these Bylaws or the Board of Directors, no officer, agent, or employee shall have any power or authority to bind the Corporation by any contract or engagement nor to pledge its credit nor to render it liable pecuniarily for any purpose or in any amount.

#### 5.02 EXECUTION OF CERTAIN INSTRUMENTS

Formal contracts, promissory notes, deeds of trust, mortgages, pledges, and other evidences of indebtedness of the Corporation, other corporate documents, and certificates of ownership of liquid assets held by the Corporation shall be signed or endorsed by the President or Vice President and by the Secretary or Treasurer, unless otherwise specifically determined by the Board of Directors or otherwise required by law.

# ARTICLE SIX - CORPORATE RECORDS AND ADMINISTRATION

# 6.01 MINUTES OF CORPORATE MEETINGS

The Corporation shall keep at the principal office, or such other place as the Board of Directors may order, a Corporate Record Book containing minutes of all meetings of the Corporation's Church, Directors, and committees. The minutes shall show the time and place of each meeting, whether the meeting was regular or special, a copy of the notice given or written waiver thereof, and, if special, how the meeting was authorized. The minutes of all meetings shall further show the proceedings and the names of those present.

# 6.02 BOOKS OF ACCOUNT AND ANNUAL REPORTS

The Corporation shall maintain current true and accurate financial records with full and correct entries made with respect to all financial transactions, including all income and expenditures, in accordance with generally accepted accounting practices. Based on these records, the Board of Directors shall annually prepare or approve a report of the Corporation's financial activity for the preceding year. The report must conform to accounting standards as promulgated by the American Institute of Certified Public Accountants and must include a statement of support, revenue, expenses, and balance sheets for all funds. All records, books, and annual reports of the financial activity of the Corporation shall be kept at its principal office for at least three (3) years after the closing of each fiscal year and shall be available to the public for inspection and copying there during normal business hours. The Corporation may charge for the reasonable expense of preparing a copy of a record or report.

# 6.03 CORPORATE SEAL

The Board of Directors may at any time adopt, prescribe the use of, or discontinue the use of, such corporate seal as it deems desirable, and the appropriate officers shall cause such seal to be affixed to such documents as the Board of Directors may direct.

#### 6.04 FISCAL YEAR

The fiscal year of the Corporation shall be as determined by the Board of Directors and approved by the Internal Revenue Service. The Treasurer shall forthwith arrange a consultation with the Corporation's tax advisers to determine whether the Corporation is to have a fiscal year other than the calendar year. If so, the treasurer shall file an election with the IRS as early as possible, and all correspondence with the IRS, including the application for the Corporations Employer Identification Number, shall reflect such non-calendar year election.

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# 6.05 MANAGEMENT OF FUNDS

All institutional and endowment funds shall be handled pursuant to the Uniform Management of Institutional Funds Act. (Texas Property Code Sections 163.001 et seq.)

# 6.06 LOANS TO OFFICERS AND DIRECTORS

The Corporation shall not loan money to any of its Directors. Loans to officers may be made if the loans can reasonably be expected to benefit the Corporation, directly or indirectly, and are made to finance the officer's principal residence or do not exceed 50% of the officer's annual salary (100% if the loan is made during the officer's fiscal year of employment).

# 6.07 WAIVER OF NOTICE AND CONSENT TO ACTION

Meetings provided for in these Bylaws shall not be invalid for lack of notice if all persons entitled to notice either waive notice or consent to the meeting, in writing, or are present at the meeting and do not object to the notice given. Waiver or consent may be given either before or after the meeting.

Attendance at a meeting shall constitute a waiver of notice of such meeting, except where a person attends a meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting is not lawfully called or convened.

# ARTICLE SEVEN - ADOPTION OF BYLAWS

The foregoing Bylaws were adopted by the Board of Directors on the 17th day of January, 1995.

	BRENDA SKELTON	
	Kathy Kelly	· .
Corporate Seal		
	ROBERT ROBIDEAU	

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# ARTICLES OF INCORPORATION

**OF** 

FILED in the Office of the Secretary of State of Texas

TOMBALL FIRST BAPTIST CHURCH CHILD CARE CENTER, INC.

AUG 3 1 1994

Corporations Section

We, the undersigned natural persons over the age of eighteen (18), acting as incorporators, adopt the following Articles of Incorporation of TOMBALL FIRST BAPTIST CHURCH CHILD CARE CENTER, INC. (hereinafter referred to as the "Corporation") under the Texas Non-Profit Corporation Act (hereinafter referred to as the "Act"):

# ARTICLE 1

# NAME

The name of the Corporation is TOMBALL FIRST BAPTIST CHURCH CHILD CARE CENTER, INC.

# ARTICLE 2

# NONPROFIT CORPORATION

The Corporation is a nonprofit corporation. Upon dissolution, all of the Corporation's assets shall be distributed to the State of Texas or an organization exempt from taxes under Internal Revenue Code Section 501(c)(3) for one or more purposes that are exempt under the Texas franchise tax.

ARTICLE 3

DURATION

The Corporation shall continue in perpetuity.

**ARTICLE 4** 

# PURPOSES

The purposes for which the Corporation is organized are to perform charitable activities within the meaning of Internal Revenue Code Section 501(c)(3) and Texas Tax Code Section 11.18(c)(1). Specifically, the Corporation is organized to operate a charitable service center for the benefit of persons unable to afford to provide for the educational development of their children; to engage in all activities necessary, useful and expedient to

promote and further stimulate the educational development of children during the working day of adult parents by providing young children the affection, care and guidance needed; to promote such children's educational development, both academically and physically, emotionally and spiritually, socially and intellectually, by providing such children with a happy, wholesome, clean and healthful schedule of individual and group educational activities.

# ARTICLE 5

# POWERS-

Except as otherwise provided in these Articles, the Corporation shall have all of the powers provided in the Act.

# ARTICLE 6

# RESTRICTIONS AND REQUIREMENTS

The Corporation shall not pay dividends or other corporate income to its directors or officers or otherwise accrue distributable profits or permit the realization of private gain. The Corporation shall have no power to take any action prohibited by the Act.

The Corporation shall have no power to take any action that would be inconsistent with the requirements for a tax exemption under Internal Revenue Code Section 501(c)(3) and related regulations, rulings, and procedures. The Corporation shall have no power to take any action that would be inconsistent with the requirements for receiving tax deductible charitable contributions under Internal Revenue Code Section 170(c)(2) and related regulations, rulings, and procedures. Regardless of any other provision in these Articles of Incorporation or state law, the Corporation shall have no power to:

- 1. Engage in activities or use its assets in manners that are not in furtherance of one or more exempt purposes, as set forth above and defined by the Internal Revenue Code and related regulations, rulings, and procedures, except to an insubstantial degree.
- 2. Serve a private interest other than one that is clearly incidental to an overriding public interest.
- 3. Devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise, except as provided by the Internal Revenue Code and related regulations, rulings, and procedures.
- 4. Participate in or intervene in any political campaign on behalf of or in opposition to any candidate for public office. The prohibited activities include the publishing or distributing of statements and any other direct or indirect campaign activities.

- 5. Have objectives that characterize it as an "action organization" as defined by the Internal Revenue Code and related regulations, rulings, and procedures.
- 6. Distribute its assets on dissolution other than for one or more exempt purposes; on dissolution, the Corporation's assets shall be distributed to the state government for a public purpose, or to an organization exempt from taxes under Internal Revenue Code Section 501(c)(3) to be used to accomplish the general purposes for which the Corporation was organized.
- 7. Permit any part of the net earnings of the Corporation to inure to the benefit of any private shareholder or member of the Corporation or any private individual.
- 8. Carry on an unrelated trade or business except as a secondary purpose related to the Corporation's primary, exempt, purposes.

The Corporation shall make distributions at such times and in such manners as to avoid the tax under Internal Revenue Code Section 4942. The Corporation shall not engage in any act of self-dealing as defined in Section 4941(d). The Corporation shall not retain excess business holdings as defined in Section 4943(c). The Corporation shall not make any investments that would subject it to the tax described in Section 4944. The Corporation shall not make any taxable expenditures as defined in Section 4945(e).

# ARTICLE 7

# MEMBERSHIP

The Corporation shall have no members.

# ARTICLE 8

# INITIAL REGISTERED OFFICE AND AGENT

The street address of the initial registered office of the Corporation is 411 Oxford, Tomball, Texas 77375. The name of the initial registered agent at this office is Dan Gilmore.

# ARTICLE 9

# BOARD OF DIRECTORS

The qualifications, manner of selection, duties, terms, and other matters relating to the Board of Directors (referred to as the "Board of Directors") shall be provided in the bylaws. The initial Board of Directors shall consist of six (6) persons. The number of directors may be increased or decreased by adoption or amendment of bylaws. The number

of directors may not be decreased to less than three. The initial Board of Directors shall consist of the following persons at the following addresses:

# Name of Directors

# Street Address

Brenda Skelton 12415 Patridge

Pinehurst, Texas 77362

Kathy Kelly 300 Oxford

Tomball, Texas 77375

Robert Robideau 25640 Candy Lane

Magnolia, Texas 77355

Dianna DeLeon 22735 Elm Bark

Tomball, Texas 77375

Valerie Daniels P.O. Box 1109

Pinehurst, Texas 77362-1109

Jean Solomon 607 Hicks

Tomball, Texas 77375

# ARTICLE 10

# LIMITATION ON LIABILITY OF DIRECTORS

A director is not liable to the Corporation or members for monetary damages for an act or omission in the director's capacity as director except to the extent otherwise provided by a statute of the State of Texas.

# ARTICLE 11 .

# INDEMNIFICATION

The Corporation may indemnify a person who was, is, or is threatened to be made a named defendant or respondent in litigation or other proceedings because the person is or was a director or other person related to the Corporation as provided by the provisions in the Act governing indemnification. As provided in the bylaws, the Board of Directors shall have the power to define the requirements and limitations for the Corporation to indemnify directors, officers, or others related to the Corporation.

# ARTICLE 12

# CONSTRUCTION

All references in these Articles of Incorporation to statutes, regulations, or other sources of legal authority shall refer to the authorities cited, or their successors, as they may be amended from time to time.

# ARTICLE 13

# **INCORPORATORS**

The name and street address of the incorporator is:

Dan Gilmore 412 West Houston Street Tomball, Texas 77375

# ARTICLE 14

# ACTION BY WRITTEN CONSENT

Action may be taken by use of signed written consents by the number of directors, or committee members whose vote would be necessary to take action at a meeting at which all such persons entitled to vote were present and voted. Each written consent must bear the date of signature of each person signing it. A consent signed by less than all of the directors, or committee members is not effective to take the intended action unless consents, signed by the required number of persons, are delivered to the Corporation within 60 days after the date of the earliest dated consent delivered to the Corporation. Delivery must be made by hand, or by certified or registered mail, return receipt requested. The delivery may be made to the corporation's registered office, registered agent, principal place of business, transfer agent, registrar, exchange agent, or an officer or agent having custody of books in which the relevant proceedings are recorded. If the delivery is made to the Corporation's principal place of business, the consent must be addressed to the president or principal executive officer.

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

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

# THE STATE OF TEXAS

# COUNTY OF HARRIS

BEFORE ME, the undersigned Notary Public on this day personally appeared before me DAN GILMORE, who after being by me first duly sworn declared that he is the person who signed the foregoing document as incorporator, and that the statements therein contained are true and correct.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this  $\exists \varepsilon \stackrel{\text{def}}{=} day$  of lineut, 1994.

LINDA A. ZWEIFEL
NOTARY PUBLIC
State of Texas
Comm. Exp. 01-13-98

NOTARY PUBLIC FOR THE STATE OF TEXAS

ASSURANCES

ASSURANCES

CHAPTED

CHAPTED

Signature of the Chief Operating Officer certifies that the following statement are

addressed through policies adopted by the charter school and, if approved, the

chapter of the open-enrollment charter will abide by them:

- The proposed open-enrollment charter school prohibits discrimination in its (1) admission policy on the basis of sex, national origin, ethnicity, religion, disability, academic or athletic ability, or the district the child would otherwise attend in accordance with state statute.
- (2) Any educator employed by a school district before the effective date of a charter for an open-enrollment charter school operated at a school district facility will not be transferred to or employed by the open-enrollment charter school over the educator's objection.
- (3) The proposed open-enrollment charter school will retain authority to operate under the charter contingent on satisfactory student performance on assessment instruments adopted under TEC, Chapter 39, Subchapter B and as provided by the open-enrollment charter agreement approved by the State Board of Education.
- The proposed open-enrollment charter school will not impose taxes, use financial incentives or rebates to recruit students, or charge tuition other than tuition allowable under TEC Section 12.106.
- (5) If the proposed open-enrollment charter school provides transportation, it will provide transportation to each student attending the school to the same extent a school district is required by law to provide transportation to district students.
- The proposed open-enrollment charter school will operate in accordance with federal laws and rules governing public schools; applicable provisions of the Texas Constitution; state statute pertaining to provisions establishing a criminal offense; and prohibitions, restrictions, or requirements, as applicable, under state statute or rule adopted relating to:
  - the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance as determined by the commissioner;
  - criminal history records under TEC Subchapter C of Chapter 22;
  - high school graduation under TEC Section 28.025;
  - special education programs under TEC Subchapter A of Chapter 29;
  - bilingual education under TEC Subchapter B of Chapter 29;
  - prekindergarten programs under TEC Subchapter E of Chapter 29;
  - extracurricular activities under TEC Section 33.081;
  - health and safety under TEC Chapter 38; and
  - public school accountability under TEC Subchapters B, C, D, and G of Chapter

The following assurance must be included in all applications for an open-enrollment charter school under TEC § 12.1011(a)(2), the "75% Rule."

(15) The Charter School assures at least 75 percent of the prospective student population, as specified in the proposed charter, will be students who have dropped out of school or are at risk of dropping out of school as defined in TEC Section 29.081(d), and the school will maintain, as a condition of its charter, the required percentage (75%) of students who have dropped out of school or are at risk of dropping out of school as defined in TEC Section 29.081(d) each year as reported in the Public Education Information Management System (PEIMS), or relinquish its charter.

Signature of Chief Operating Officer of the School date

Signature of the Chair of the State Board of Education/ date

Date of Receipt by TEA:	Date of Committee Review:
	Date of SBOE Review:
Approved Not Approved	Beginning Date of Operation:

# Application for Approval of an Open-Enrollment Charter

<u>Instructions:</u> The open-enrollment charter proposal must be submitted in contractual form including, in the order of the items below, these same components. Attach the following after the answers to the questions below: (1) signed facilities agreement, (2) evidence of parental/community support for the proposed charter, and (3)documentation of non-profit status.

Submit two copies of the completed application with attachments to the Texas Education Agency, Document Control Center, 1701 North Congress Ave., Austin, Texas 78701. For assistance, contact the Division of Charter Schools at (512) 463-9575.

hlef Operating Officer Proposed Charter: Tanis L. Stanfield Title: Principal/Director
ame of Sponsoring Entity: Comquest Alliance
ne applicant is an "eligible entity" under the following category (check one):  an institution of higher education (TEC 61.003);  X a tax-exempt organization [ 501(c)(3)];  a private/independent institution of higher education (TEC 61.003);  a governmental entity.
ponsor Address: 31089 Quinn Road City: Tomball
ip: 77375 Phone Number: 281-351-0724 FAX: 281-351-0724
ype of charter sought: an open-enrollment charter under (check only one) TEC 12.1011(a)(1)
an open-enrollment charter under TEC 12.1011 (a)(2) (75% rule) (applicants for this charter must complete additional question #10 and sign the additional assurance found on page 30.)
larne of Proposed Charter School: COMQUEST ACADEMY
eate of proposed opening: january or August 1999

120/07/24/98-141

	ess: 401 Oxfo			Tomball	<del></del>	
Zip: <u>77375</u>	Phone Number:	281-351-0724	FAX: _2	281-351 <u>-072</u>	<b>2</b> 4	
Correspondence	Address: 31089	Quinn Road				
City: Tomball,	Texas	· .	ZIP: _7	7375	-	
Grade 9-12 Levels:	initial Est. Enroilment:	45 M	laximum inrollment: _	70	-	
The charter will p	rimarily serve an a	area that is geogra		<u>K</u> urban _ suburban <u>X</u> rural		
The proposed ch	arter will be locate	ed in State Board D	District 16	(number).		
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# ANSWERS TO QUESTIONS IN PRESRIBED ORDER

# [1] Give the long range vision (5-10 years) and the goals (of at least the first year) of the school.

Comquest Academy (CA) proposes to build upon its 29 years of expertise working with youth to establish a core educational opportunity for "high-risk" students (students who are falling through the cracks but do not qualify for programs that offer help), and an opportunity to learn relative job skills.

Experience that involved working with the various populations of students ranging from bilingual, limited-english speaking, migrant, early childhood, special-education (all populations) gifted and talented as teacher and administrator as well as has having was gained from working in the barrio's of San Antonio, to the Ward and Acres Homes area of Houston.

One of the most beneficial and influential experiences for the author was years of 4-H, the Motto being "Learn by Doing", and learning to begin projects and see them through to the end. This is a difficult initiative to instill in students but necessary to begin a task and achieve a product or productive end. The author's experienced-based knowledge has facilitated refining teaching strategies and the ability to set up programs that achieve the most return for time/effort invested, this is very important for "high-risk" learners who need justification or relevance for tasks.

# Comquest Academy's Program

- CA's program will initially be set up for grades 9-12.
- The program will begin with a small population of 45-70 in the first year, possibly two.
- We expect to grow to a school serving from 150 to 350 students at the end
  of five to seven years. Bigger is not necessarily better for education
  therefore our vision is to keep our school smaller, not more than 350
  students, more personable and concentrating on academic growth instead
  of number growth.
- At the end of year two or three we will consider expanding our grade levels to include grade 7 and 8. This would enable us to get an earlier start on basic skill mastery and to guide the students abilities to employ the skills.

- This program is scheduled to start up in January of 1999 or August of 1999.
- CA's academic program will address the Texas Essential Knowledge and Skills covered in the Texas adopted curriculum.
- CA's jobs skills program will involve developing skills and discipline to meet a program developed by business friends of CA.

The most pressing goal is to prevent students from becoming casualities ("atrisk") of a system that does not address difficult transition periods for students. There are some students who need an opportunity to get back on their feet when they are victims of life events beyond their control. CA would offer a nurturing environment for all students but especially those "who get knocked down," so to speak, so they can get up again. We want them to get up again, we want them to aspire to develop life long skills and abilities so they are not only getting a core curriculum education but job-skills training.

# Goals for success

Nurturing relationships with companies that can help make our mission successful, so that we offer our students a chance to meet people and go places that will serve as resources for them in the future. We want them to feel comfortable aspiring for success they might have only dreamed of. Community contacts with Compaq, Hughes-Christensen, Progressive Pumps, Delta-Controls, Anadarko Oil, and Southwestern Bell, etc. to mention a few have been made to assist this charter school in developing valid in-house skills and jobs training programs as well as possibly offer future employment to our students who have satisfactorily demonstrated businesses acquisition. These marketable job skills representatives to visit our students, make presentations and provide tours of their operations to our students.

# Long range vision-to see the list of companies grow and the jobs skills program grow.

• Offering the quality education that would enable students who aspire to continue on to college as well as the opportunity to excel as their ability dictates, not as the system dictates. We want our students to see passing TAAS as only the beginning of their successes.

Long range vision-to continually increase the utilization of programs in place with area colleges so that our students can get college credits during high school, to promote the students thinking toward preparing for college or continuing to improve their knowledge base.

• Small size would give CA the advantage of growing with the students and community it serves. We realize that often there is a window of opportunity to reach our students and once it is passed, it can be forever. To move at a snails pace in developing programs to meet the needs of our community and address societal changes is to miss the window of opportunity, especially with the technology of today. Growing with our populations and modifying our programs in a timely manner is to the best advantage of the students we serve. Student populations differ frequently from year to year which requires being flexible to meet the students needs.

Long-range vision to grow academically, to make modest size increases, to grow technically so that our skills keep pace with employability demands.

Making the schools the best that they can be will be our constant mission.
We realize there are essential components to teaching difficult populations
the essential skills. One of the most essential is employing personnel who
choose to work with these students. If students know you are working
with them because you choose to, they will work harder for you.

Long-range vision to employ and keep personnel who work effectively with our particular populations.

• Teaching students to be teachers develops discipline and being able to relate to the teacher's task. The author found it also fosters **students** maintaining discipline in the classroom. A great benefit is that students don't realize they are sharpening their own skills while helping one another learn, the student-teacher develops an interest in seeing the students they have helped succeed, and we hope desires to teach as a certified teacher one day.

Long-range vision to entice students to want to be teachers, to develop a very useful skill, any-where they may work, to learn to teach their own children some day.

The author of this document currently works in an alternative school setting with a student population of Pass and Discipline students. Pass students are striving to make up years lost to failures in school. Discipline students are sent to our school for various discipline problems they have had on the other regular campuses. It is often difficult to tell the students there for Discipline apart from the students in the Pass program. Students frequently become discipline problems when they are in over their heads in academics. They never got the basics down, and their way of coping with this is to lash out at authority. Students are there because the regular classrooms on the traditional campus are not structured enough, other students are angry about traumatic events in their lives and take it out on their teachers.

To employ staff that desire to work with these students is critical. If their needs are not met the students behavior gets worse and they start suffering stronger consequences for their more serious actions. The students become angrier, and you can observe a rapid spiral downward for these students and their relationship with the schools, and society. They seek out other students who are battling it out with the schools and before you realize it has happened you have a gang of angry youth. More times than not this situation is avoidable. The author has found that you pay now by intervening before you have an out of control student. The alternative is to pay later by being the victim of crimes committed by such a student and then you pay to keep the student in prisons or jails.

Short term and long term vision of the author is to operate a campus for our students that addresses Individualized Learning Styles in the three modalities auditory, visual and kinesthetic.

Experience has taught us first hand that teaching using these modalities and teaching to the Individuals Learning Style improves learning.

We have a belief and that is: an ounce of prevention is worth a pound of cure - a pound that often has little, if any, positive effect because the pound of cure is a day late and a dollar short.

Working in an alternative setting has reinforced the fact that some students are **not** going to be successful in traditional school environments, they **require** and **can** be successful in a smaller-nurturing setting where they cannot be overly-stimulated and negatively influenced.

The author currently works with the alternative program in Tomball Independent School District. The district has reviewed the alternative program and has determined that their program will be more effective if the students come to them earlier, grades 5-8, for a skills building program. This is a valid conclusion. However, there is a population of students that are currently high school or entering high school students that feel great apprehension about being sent back to a setting they have found was not a match for them. This change of program means they must return to the high school where they will be in bigger classes, with the students who have strong negative influences over them. The students who currently attend this program are very concerned about how they are going to succeed back at the regular campus. The fear expressed by some of the students of returning to the traditional campus turned to despair at the end of last school year, such that several of the students are considering dropping out, or waiting until they turn 17 to take the GED. Their fear is also valid. They cannot cope with the numbers, over-stimulation, peer influence or the faster paced academic demands. They know they will be drawn like a magnet back into trouble and problems, they feel inadequate to battle.

The author was asked, by the students, to speak to persons who might reconsider this move, the author did and this reconsideration was not a possibility. Therefore, the motivation to begin a charter school, to address the growing numbers of this student population, was born. Just as a parent would strive to get help or solutions for a sick or drowning child, the author feels compelled to answer the needs expressed by these students.

Some students in this population are more experienced and world-wise than their peers and have valid reasons to expedite their schooling. They would not be good influences for the general populations on the regular campus. Some are the equivalent of forcing a round peg through a square hole, they don't fit and don't want to fit. Others still hate school, don't want to go, see no relevance in school and make everyone else's school experience miserable because they are forced to be there.

The author of this proposal has been very successful with this population, and proposes to offer a program to effectively address the educational needs of the majority of this population. CA would like to fill the gap that is being created by the restructuring of the old program that was in place in the alternative campus in Tomball Independent School District, and take those students that were in the Pass Program and offer them alternative opportunities. With a hand picked dedicated staff and personnel who like working with this population **and** are committed to this undertaking-this program will achieve its goals. The academic program and job-skills program that will be developed and implemented are discussed in question number 3.

[2] Describe the governing structure of the openenrollment charter, including board composition, selection process and responsibilities describe the role administrators, faculty, parents, students, and members in the leadership and decision-making of the school.

The governing structure of the open-enrollment charter will be composed of a board of five members. Each of the board members will head a committee including a finance committee, budget committee, and election committee.

Charter School Principal
Faculty Representative
Parent Representative
Community Representative
Community, faculty, staff, or parent

Representative

The board will be made up of CA affiliated members who indicate in writing their desire to serve on the board, an election committee headed by one of the CAC board members will review letters of interest and resume's of the members. The committee will present a slate of qualified applicants to the board for approval. These qualified applicants names will be submitted to a meeting of the parents, teachers, and staff of the school for a sealed vote election. The election committee will count the votes.

A Parent Advisory Committee will meet with the principal to discuss the vision of the school and to have their input on the vision and direction of the school. At this time suggestions or concerns raised from the suggestion box will be discussed.

Faculty meetings will provide an opportunity for faculty involvement in decision-making of the school. The CA Board faculty representative will report back to the faculty any relative information.

The students will have an organization formed by the students, sponsored by a CAC faculty or administrative member to meet and elect a representative that may attend the CA Board meetings and request an opportunity to address relative issues.

# [3] Describe the educational program to be offered, including the required curriculum under the Texas Education Code(TEC) #28.002, and student attendance requirements:

# Curriculum tied to vision and goals

One of the most exciting facets of the education we will offer at Comquest Academy will be the opportunity to offer job-skills. These job skills will be developed through an assembly-operation, and packaging operation that Compaq friends of our school have offered to help set up. One of the managers from Hughes-Christensen company has offered to help develop a job-skills training program that will prepare our students for work in a manufacturing work environment, with the possibility of offering employment to those who have proven acquisition of the necessary skills.

Comquest Academy (CA) proposes to build upon its 29 years of expertise in serving various educational populations by taking our experienced-based knowledge to refine teaching strategies and offer programs that achieve the most return for time/effort investment.

# Addressing Different Learning Styles

Teaching to Individualized Learning Styles will be an important component in the instructional program at Comquest Academy. CA's aim will be to serve the "high-risk" population. "High-risk" would be defined as those students who are falling through the cracks but do not qualify for programs that offer help and yet need special services.

# Innovative and varied instructional practice, examples

Working in alternative settings at present has helped us realize some students are not going to be successful in traditional school environments-they require and can be successful in smaller-nurturing settings where they cannot be overly-stimulated and negatively influenced. Other "high-risk" students require help in coping with difficult home situations, or traumatic events which can result in the student quitting school unnecessarily. Experience has taught us that teaching using the three modalities: auditory, visual and kinesthetic improves learning. These techniques coupled with teaching concepts that are relative to the students lives engages learners interests longer and enables them to apply the acquired learning. Adapting learning to a recipe-type step by step procedure also prevents the learner from becoming over-whelmed with information. Integration of subjects has also proven to be very successful tool with the "high-risk". This can be as simple as reading a recipe and following the step-by-step directions which produce a product, two subjects reading and math are integrated into the teaching of this assignment and could be extended to chemistry/science, writing(describing the product, for example), there are creative ways of making the learning enjoyable, nurturing and relative.

Our experience has seen these teaching strategies prove themselves with significant percentage increases in TAAS performance/students passing who hadn't passed before.

While <u>computers</u> will serve as a tool for <u>skill practice</u>, <u>writing practice</u>, to teach students to <u>use programs</u>, <u>internet</u> and <u>develop research skills</u>, CA will be conservative about computer-assisted learning labs, experience has taught us that the "high-risk" population has spent much of their lives sitting in front of a screen and has had little opportunity to develop socially or in their ability to interact appropriately. Computer labs at our current school have suffered frequent sabotage, and disablement by students so they would not have to work on them. Even GED students resented the individualized programs taught by a computer and faired much better when assisted by instructional staff.

Reading will be a very important focus of our academic program, it is the key to learning, our advisor from Hughes Christensen says many of their production problems stem from persons in the work place who do not read instructions or have problems understanding them. Our reading will be tied to the relevance in our lives today and after public education. Experience again, has proven if reading is enjoyable and non-threatening, even students who "hate" to read discover they like it and are proud of reading material only the "smart" kids read at the traditional campus. At the alternative school the author found newspaper articles of high interest to the students, the students practiced reading and summarizing a series of science-related articles about mutated frogs. The students defined the words from the articles that had never had relevance to them before. Several of these students live near ponds and began checking for mutated frogs there. These were not highly motivated learners but when information is relevant they too will willingly participate.

# Provision for special populations

This was a strategy to demonstrate how we constantly use the skills the TAAS tests for. This was subject integration of science knowledge, writing a summary (english), vocabulary usage, and spelling-they took a spelling test over the new words, and using resources. These strategies work for special education, limited english speaking students and unmotivated learners. Teachers will make every effort to give students of language or other special needs appropriately modified assignments.

Satisfactory assignment completion will be tied to a reward system--visual charting of student accomplishments to motivate learners and aide student's transition into appreciation and realization that the ultimate reward is the learning itself. For satisfactorily completed subject assignments the students earn time to work crossword puzzles, jigsaw puzzles or work on a group project, for example, drawing a large picture of Scrooge from the cover of the book, The Christmas Carol for our display art. These strategies also help subtly rebuild student confidence and fosters a rejuvenation of student trust in persons of authority. To see that authority as those who will leave no stone unturned endeavoring to assist the students in maintaining a track of consistent

progress, success, and development into an employable, worthwhile, contributing member of our society.

# Attendance goals and strategies

CA will meet and exceed the state's attendance statistics for this student population. Attendance of the students in the author's program was excellent, especially considering the backgrounds many of these students come from. When the high-risk/at-risk student population is learning valid information and the classroom is well managed, student attendance is good. For the duration of the author's teaching career this has been the case, no matter if it is the Fifth Ward or Acres Homes in Houston, the barrios of San Antonio or the 95% Bilingual/ESL population of Gordon Elem. in Houston Independent School District (some of the 5<sup>th</sup> grade students taught there were missing their roofing jobs to be at school)

From the onset of opening attendance will be addressed so that the importance of it is stressed to everyone concerned.

To address attendance problems the CA will work closely with the parents, if this attempt after numerous tries is not successful, there are resources and avenues to call on for assistance with this problem.

[Our mission statement: SCHOOLABILITY IS EMPLOYABILITY. Our mission is to provide both a setting and professional staff that create a positive and safe environment so that the probability of success in school{many times a first successful school experience} is maximized and in turn maximizes success in the workplace.]

# Who wins?

- (1) Student. Fear of failure is replaced by experience of competency
- (2) The community. Instead of the community supporting non-productive and possibly even dangerous individuals these individuals are productive and contributing members of the community
- (3) The employer. Students contribute to the advancement of the workplace while advancing their scholastic standing
- (4) The Staff. The reward of interfacing student, community, and workplace success

Comquest Academy will serve students grades 9 through 12. If Comquest Academy sees the need CA would expand to serve grades 6, 7, and 8, if there is space available. The advantage would be getting to the students earlier to improve skills and maintain them.

Comquest Academy will emphasize an educational methodology that

• addresses multiple learning styles

- places learning in real world contexts
- focus on skills that enhance the employability of our students—teamwork, good decision making and problem solving skills.

The first year of operation CA proposes to enroll from 40-70 students.

Management of time, stress, and anger will be integrated into instruction. This information will help students understand how management of these can enhance learning. They will also realize ways they can improve their learning processing skills, and reduce the negative influence stress or anger for example has over their success.

Students will develop stronger skills for coping with peer pressure toward drinking, drugs, gangs, and attitudes toward parental or school authority.

Teens dealing with traumatic events in their lives will have an opportunity to address these issues and discover ways they may be able to effectively cope.

Teens with academic hang-ups will be given an opportunity to overcome those hang-ups and learn to take it one step at a time.

Charting of student progress will be encouraged to provide a visual measure of student progress for self-evaluation and learning to aspire to reach higher goals and for those who need additional help to seek it. A reward system will be incorporated to acknowledge student success, efforts and encourage the student to reach for extended growth. Students will be encouraged to seek out other students with skill strengths to help them achieve the mastery of problem skills. The climate of the classrooms will be one of non-threatening, students encouraging other students, and celebrating victories others experience.

A Student Support Team (SST) will meet to discuss students who may have special needs or to share positive progress of students, as well as other student issues. This team will be directed by the counselor and will be an avenue for addressing tardies, attendance, or other concerns for other staff to be aware of, meetings will be set up by the counselor to meet at least 4 times a month.

# Curriculum

# Texas Essential Knowledge and Skills

The curriculum will include the required core curriculum for the State of Texas, language arts, math, science, and social studies, as the starting points for instruction, enhanced by creative teaching strategies. This curriculum covers Texas Essential Knowledge and Skills. Appreciation of music, dance, theater, art, health, computer technology and physical education will be integrated into the core subject instruction. Job-skills preparation{resumes, interviews, application, presentation, etc.,}
Job-skills{computer programming, computer-assembly, landscape, child care, real estate, auto care, cosmetology, construction, etc.,} Life Skills{pet care, travel, budget, cooking,

insurance, mortgage, etc.,} Social skills {anger-management, emotional management, etc.,} Problem-solving skills, appropriate-interactive skills, etc.

# Language Arts:

The curriculum is literature based. Vocabulary, spelling, grammar and comprehension skills, are integrated within the literature program. Writing will include being taught a basic recipe which will be expanded until the student has developed the strengths to write about subject assignments independently—successfully. Communication skills speaking and writing will be developed so that student may successfully make presentations using appropriate tools of technology. As students develop these skills there will be opportunities for valid experience working in teams, or groups to take projects—be self-directed and produce a desirable outcome. These are skills being expected in businesses today and are skills we expect our students to acquire.

Reading assignments will include books about different races and their struggles to overcome barriers in society. These books will be read, and discussed in class to offer students a chance to explore attitudes and their need to change as the barriers came down. Discussions about barriers and attitudes of today will be teacher supervised and directed.

# Science:

The science curriculum would emphasize hands-on experimentation, problem-solving, methods analysis and functional knowledge of scientific phenomena. The multi-sensory approach facilitates experiments, field trips, visits from guest scientists, local experts, exploring National Geographic, etc., newspaper, internet and student presenters for an extension of learning and understanding of concepts. Reading, interpreting, analyzing information would be skills frequently developed from basic to more advanced for mastery. Building an information bank and library of relative articles relative for improving life, subject knowledge, and relative to employment possibilities will be an ongoing project of the science department. Science is relatively and easily integrated into the teaching of the other subject areas.

# **Environmental Education:**

CA would teach responsibility toward the health of our planet and cities. Hands-on projects would serve as a means of becoming aware of the critical relationships between man and the natural environment. Scientists and persons who work in industry would share knowledge of the delicate balance between industry and protection of the quality of life we must have to survive. CA will plan at least two projects a semester to promote environmental education, community goodwill and serve as an example of ways, we, as individuals can contribute to the health and welfare of our community. Students would be responsible self-directed team to plan, organize and involve our whole school in this endeavor.

# **Mathematics:**

The math curriculum program is based on major mathematical ideas and concepts—and their connections relevant to everyday life. Throughout all mathematics, the concepts of numbers, operations, logic and graphics are sustained. Math concepts will be strengthened by offering periods of basic skill reinforcement for better performance results as concepts progress. Math will be integrated as appropriate as frequently with the other subject areas to reduce the fear many students have toward math. Students will understand math's relevance in our everyday lives by exposures to learning to budget, how to finance a car, etc., what is involved in buying a house.

# Social Studies:

Interrelationship between the past, present and future will be integrated into all curriculum subjects. Discipline integration includes the historical significance of science and math and their advances which permit and encourage technical advances. The curriculum is based on instructional units. This curriculum develops the understanding that history and social science are about real people in real places. Social Studies would be integrated into the teaching of other subject areas as possible.

# Culturally inclusive, respectful curriculum

Students will research and discuss leaders from all races and their contributions to society. Displays will be visible of this effort to share with the school. The students will participate in a cultural study of foods from the backgrounds represented in class and our neighboring countries.

# Extracurricular Activities

To address extracurricular activities for the school, many of our students will be interested in going to jobs after school. Those who will not be will be given an opportunity to sign up for a golf team, or a track team, and perhaps a debate team the first year. In future years we would expand this as funds and interest dictate.

# **Special Education**

CA will operate in a way that addresses individual learning styles. The author of this proposal has extensive Special Education experience and understands the ARD process, IEP's, FAPE, due process, and services for expelled students. The author is presently working in an alternative school with students who qualify for special programs, and has been an Administrator in charge of Special Services for schools in Houston Independent School District. A counselor/diagnostician will be a part of the staff of CA and will monitor for CA's compliance with state and federal mandates.

# **Disciplinary Concerns**

,

Teachers will be expected to employ structured, well-managed, nurturing, and high interest teaching strategies in their classrooms. Since the author currently works in an alternative setting and understands that realistically there will be times when a students

The appropriate discipline procedures would depend on the problems that the student is causing, and if the conduct threatens the safety and welfare of the other students. There are procedures and guidelines addressed for these in the school's Code of Conduct book which CA would develop. There are also guidelines that dictate appropriate action by the school. These procedures are understood and would be followed by CA.

For general talking or minor misbehavior the teacher would follow this guide. Teachers will have posted classroom conduct expectations.

- •The procedures that the author has found effective is to assume for the first time the student lacks experience with a teacher who expects compliance with rules and the codes of conduct in the class.
- •The teacher speaks to the student in private to emphasize class conduct expectations. If there is a second occurrence the same day, the teacher should again address this in private with a warning.
- •The teacher should also keep records of the conduct and the way it was handled.
- •If there was a third time the same day, the parents are called or teacher may opt to take student to talk with the principal about what the school conduct expectations are and consequences for noncompliance.
- •If this does not help, isolation from the other students would be another avenue.
- •If parents have not been called this would be the next step and a discipline write-up. The principal decides based on the teachers attempts the most appropriate action.
- The Student Support Team should meet to discuss possible interventions. The authors experience has been that usually the student is tired by this time of his off-task or inappropriate behaviors being addressed and will settle down to be on task most of the time.
- •If not the district guidelines should be reviewed for appropriate steps from there.

# [4] Describe the accountability measures the school will use to evaluate student performance.

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

Students in the open-enrollment charter will take the exit TAAS test. We will achieve a passing rate that meets or exceeds standards for the selected student population.

- (b)Describe any additional accountability provisions in addition to those required under Texas Education Code, Subchapters B,C,D, and G, Chapter 39, by which the performance of the open-enrollment charter will be addressed: Provide the deadline or intervals by which the performance of the open-enrollment charter will be assessed:
- •Student suggestion/concerns box, kept on file-documentation filed as how these were addressed
- •Parent suggestion/concerns box, these will be kept on file, documentation will also be filed as how these were addressed
- •End of the year parental evaluation forms with the minimum, average rate of good
- •Minimum monthly progress reports
- •Actual application employment tests-Goal is passing level
- •Number completing internships and/or entering career-related jobs
- (c)Provide the timelines by which the report of the performance of the open-enrollment school will be submitted to the State Board of Education.

CA's Charter School will provide PEIMS information to TEA in a timely manner. A School Year-End Report will be submitted each June 15th, while the charter is valid.

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

See attachment A, Statement of Impact

Comquest Academy Charter will serve youth from Harris and Montgomery County. Tomball Independent School District and Magnolia Independent School Districts will be the districts from which the school will most likely draw students. The Statement of Impact form was sent to these districts on July 24, 1998.

# [6] Describe the geographical area served by the program.

Comquest Academy will draw students from north Harris, Montgomery, and possibly Waller counties. Much of this area of Harris county is rural, and small city. The area of service will extend north of Tomball up highway 249 to intersection with 149, going south on 249 to Louetta, west on 2920 to Muesche Road, and east on 2920 to Hufsmith.

[7] Specify any type of enrollment process to be used. (For admission to an open-enrollment charter school, the person operating the school may require the students seeking admission to complete and submit applications not later than a reasonable deadline the school establishes.) Indicate whether the open-enrollment charter provides of the exclusion of a students who has a documented history of criminal offense, juvenile court adjudication, or discipline problems under TEC, chapter 37, Subchapter A:

Comquest Academy Charter admits students of any race, color, national and ethnic origin, religion and gender. CAC does not exclude from enrollment individuals who have been a part of of the judicial system, or who have documented discipline problems from their previous campus. CAC will conduct orientation sessions to inform parents and students of the school's programs. Initial interviews will be conducted with each enrollee to inform them of academic goals, discipline guidelines, and attendance requirements, applications will be made available to those who have officially withdrawn from their home schools. If the need arises to have a waiting list, priority will be then given to applicants whose report cards indicate a "high-risk" status. Students attempting to avoid disciplinary action from their current school district (for example an Alternative Education Placement assignment) by enrolling in CAC will not be allowed to enroll, however when their assignment is completed they may apply and will be considered on a case by case basis. Falsifying records and enrollment information could be grounds for dismissal from Comquest Academy Charter.

[8] Specify the qualifications to be met by professional employees (administrators, teachers, counselors) of the program. Will the school automatically run a criminal history check on all employees? Describe the teaching philosophy proposed by the school.

Employees of the Comquest Academy Charter School will be screened for strong, effective, teenage interactive skills. All employees will be sought for the highest quality of proven experience of their field. Director of Counseling/Skills Training will be Texas state certified and report to the Director of Academics. All employees will have a security clearance and at least two local letters of reference on file. The Director of Academics will have supervisory or mid-management certification in the state of Texas. There will be a Special-Education certified employee within the academy.

The teaching philosophy will be that all students can learn and provided the climate conducive to learning, most students will meet and /or exceed our learning expectations. Those expectations of learning, improving and acquiring the skills to manage the academic assignments, and learn to be a dependable, punctual, individual, capable of attending to task assignments that can be job or academically related. Our staff as professionals will be expected to employ strategic methods of instruction to best educate our students, and brain-storm as a team to find effective ways to reach those who challenge us. Everyone that works for Comquest Academy take responsibility for striving to make our students successful.

- [9] Describe how the following aspects of school support will be handled in the school: finances, budgeting, audits, PEIMS, facilities, food service, and transportation.
- (a) Describe the process by which the governance structure of the open-enrollment charter will adopt an annual budget:
- 1. The Chief Financial Officer(CFO) analyzes a comparison of actual vs. budgeted expenditures for the previous year.
- 2. The CFO surveys all staff to ensure correct budgeting in line with the time and effort to the program.
- 3. The CFO reviews contractual and overhead expenses, e.g. equipment rental and maintenance, rent, utilities, insurance, to ensure correct budget allocation to the program.
- 4. Staff provide information on needed supplies, equipment and other expenditures for an effective program.
- 5. A draft budget is prepared for review by the Finance Committee and Charter School Governance Board. The Finance Committee is chaired by the CAC Board Treasurer.

- 6. Comments from the Finance Committee and the Charter School Governance Board are incorporated into a second draft. Further comments are solicited.
- 7. The final proposed budget is submitted by the Finance Committee and the Charter School Governance Board to the CA Board of Directors for approval.
- (b) Submit a proposed budget as an attachment to this application using the budget template provided. Explain how the school will conduct its business office, with what personnel. See attachment B, Proposed Budget

To conduct its business office, the CAC will have a qualified employee to manage the daily recording of business affairs. This staff member will be responsible to collect, record and input PEIMS data information. This member and the Director will review the information together for accuracy, sign and submit the data reports as instructed by TEA.

(c) Describe the manner in which an annual audit of the financial and programmatic operations of the open-enrollment charter will be conducted.

An audit of the financial records will be conducted annually by an independent accounting firm selected by the Comquest Academy Charter Governance Board.

The audit report is presented to the Finance Committee and the Charter School Governance Board.

(d) Describe the manner in which the charter will participate in the Public Education Information Management System (PEIMS) information, as required by state statute or by State Board of Education rule.

CAC will provide TEA with timely reports of all information required by the PEIMS, according to the state mandated schedules.

(e) Describe the facilities to be used: If the facility to be used for an open-enrollment charter school is a facility of a school district, describe the terms established by the board of trustees or other governing body of the district stipulating the relationship between the proposed charter school and the district pertaining to the use of the facility. Attach a copy of the agreement, or pending agreement, signed by the president of the board of trustees or other governing body of the school district, the chair or president of the governing body of the proposed open-enrollment charter school, and the chief operating officer of the proposed charter. If the facility is not operated by a school district, attach a copy of the agreement, or pending agreements, signed by the entity owning and operating the facility and the chief operating officer of the proposed charter. The SBOE will not consider an application that does not have an agreement of some sort for a building.

# See attachment C, Letter of Agreement for Facilities Usage

The facility to be used is located at 401 Oxford, Tomball, Texas. The building is about 3000 square feet with the possibility of more space if needed.

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

For the first year Comquest Academy Charter at present does not plan to provide transportation to the school, however would reconsider if students needing transportation cannot make other arrangements, the Director would discuss this with the Board and come to a decision taking into consideration student needs. CAC will strongly consider this for the second year of operation and thereafter. CAC will be in a very accessible location, many of the students CAC will likely appeal to live in concentrated areas in close proximity to this location.

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

For the first year CAC at present does not plan to offer food service the first year, however CAC does have kitchen facilities available and does plan to look at offering food service the second year.

[10] Provide a draft of a board policy providing for the admission of students eligible for a public education grant under Texas Education Code, Subchapter G, Chapter 29. Describe how the school will implement the policy.

Comquest Academy Charter will work with the governance board to have a policy in place of accepting students eligible for a public education grant into our school.

## FACILITY USE AGREEMENT



July 23, 1998

Tanis L. Stanfield, Chief Program Officer Comquest Academy 401 Oxford Tomball, Texas 77375

Dear Mrs. Stanfield,

First Baptist Church of Tomball, is the owner of the facility located at 401 Oxford. A structure owned by the church on its grounds could be available to Comquest Academy for its educational and training programs.

Comquest Academy would be responsible for utilities, insurance expenses, and building maintenance.

The terms of this letter of intent are contingent upon Comquest Academy receiving a charter to operate an open-enrollment charter school from the State Board of Education by September, 1998.

Sincerely,

Pastor Dick Lintelman

Pastor First Baptist Church Tomball

Tanis L. Stanfield

Chief Operating Officer

## EVIDENCE OF PARENTAL AND COMMUNITY SUPPORT

In order to conceal student identifiable information, per FERPA (Family Educational Rights and Privacy Act), 4 pages have been withheld. A sample page of the withheld documents follows this notice.

For more information or to request a copy of these pages, please contact:

Texas Education Agency
Division of Charter Schools
1701 N Congress Ave
Austin, TX 78701
512-463-9575 phone
512-463-9732 fax

#### **PETITION**

#### Application of Comquest Academy to Become an Open-Enrollment Charter School

We, the undersigned parents or guardians of school-age children within the Comquest Academy service area, support Comquest Academy's application to the Texas Education Agency to become an open-enrollment charter school.

PRINT NAME	ADDRESS	PHONE NUMBER	SIGNATURE

## **BUDGET TEMPLATE**

## Comquest Academy for Learning Charter (CAL) Proposed Budget-SUMMARY

### DETAIL FOR YEAR ONE ON FOLLOWING PAGE

School	Year	1999	2000
POHOOI	1 Car	エノノノ	<b>4</b> 000

L	choor rear 1999 2000
Projected Enrollment	45
Revenues Charter School Funds	\$180,000
Grants Total Revenues	\$180,000
Expenditures Personnel: Academic Skills Instructional Staff Career Preparation Staff Counseling & Support Services Staff	\$80,000
Operations & Instructional Administration Sta Sub-Total Personnel	ff \$60,000 <b>\$140,000</b> .
Operating Expenses	
Occupancy	\$8,000
Telephone	2,500.
Postage	2,000.
Equipment Rental	3,000.
Insurance	11,000.
Educational Supplies & Materials	3,000.
Office Supplies	3,000.
Travel	2,000.
Staff Development	1,000.
Van Expense	1,800.
Substitute Teachers	1,800.
Audit	900.
Total Operating Expenses	\$40,000.
Total	\$180,000.

#### **Articles of Incorporation**

of

## COMQUEST ACADEMY A NON-PROFIT CORPORATION

July 23, 1998

## ARTICLE ONE NAME

1.01 The name of the Corporation is Comquest Academy.

## ARTICLE TWO DURATION

2.01 The Corporation shall continue in perpetuity

## ARTICLE THREE NONPROFIT CORPORATION

3.01 The corporation is a nonprofit corporation. Upon dissolution, all of the Corporation's assets shall be distributed to the State of Texas or an organization exempt from taxes under Internal Revenue Code Section 501(c)(3) for one or more purposes that are exempt under the Texas franchise tax.

#### ARTICLE FOUR PURPOSE

4.01 The purpose for which the Corporation is organized is for the purpose of education activities within the meaning of the Internal Revenue Code Section 501(c)(3) and Texas Tax Code Section 11.18(c)(1). Specifically, the Corporation is organized to operate an educational facility for open-enrollment, state funded public education, to promote such children's educational development, both academically and physically, emotionally, socially and intellectually, by providing such children with a schedule of individual and group educational activities.

## ARTICLE FIVE REGISTERED OFFICE / REGISTERED LOCATION

#### Registered Agent

5.01 The registered office is located at 401 Oxford, Tomball, Texas 77375.

#### Registered Location

5.02 The name of the registered agent of the corporation at such address is Tanis L. Stanfield.

#### Principal Office

5.03 The principal office of the corporation shall be located in the City of Tomball, County of Harris, Texas.

#### Other Offices

5.04 The corporation may also have offices at such other places, within the State of Texas, where the corporation is qualified to do business, as the Board of Directors may from time to time designate, or the business of the corporation may require.

## ARTICLE SIX MEMBERSHIP ORGANIZATION

- 6.01 The corporation can be a membership organization.
- 7.01 The management of the affairs of the corporation can be vested in its members.

#### ARTICLE EIGHT BOARD OF DIRECTORS

J

8.01(a) The corporation shall have a Board of Directors which shall carry out the business and affairs of the corporation and exercise all corporate powers subject to the limitations imposed by the Texas Non-Profit Corporation Act, the Articles of Incorporation and these by laws. 8.05 A director is not liable to the Corporation or members for monetary damages for an act or omission in the director's capacity as director except to the extent otherwise provided by a statute of the State of Texas.

#### Indemnification

8.06 The Corporation may indemnify a person who was, is or is threatened to be made a named defendant or respondent in litigation or other proceedings because the person is or was a director or other person related to the corporation as provided by the provisions in the Act governing indemnification. As provided in the bylaws, the Board of Directors shall have the power to define the requirements and limitations for the Corporation to indemnify directors, officers, or others related to the Corporation.

## ARTICLE NINE INCORPORATORS

9.01 The name and street address of the incorporator is:

Tanis L. Stanfield 31089 Quinn Road Tomball, Texas 77375

10. Except as otherwise provided in these Articles, the Corporation shall have all of the other powers provided in the Act.

The Corporation is a nonprofit corporation. Upon dissolution, all of the Corporation's assets shall be distributed to the State of Texas or an organization exempt from taxes under Internal Revenue Code Section 501(c)(3) for one or more purposes that are exempt under the Texas franchise tax.

The Corporation shall have no power to take any action that would be inconsistent with the requirements for a tax exemption under Internal Revenue Code Section 501(c)(3) and related regulations, rulings, and procedures. The Corporation shall have no power to take any action that would be inconsistent with the requirements for receiving tax deductible charitable contributions under Internal Revenue Code Section 170(c)(2) and related regulations, rulings, and procedures. Regardless of any other provision in these Articles of Incorporation or state law, the Corporation shall have no power to:

1. Engage in activities or use its assets in manners that are not in furtherance of one or more exempt purposes, as set forth

- (b) "Directors," when used in relation to any power or duty requiring collective action, means Board of Directors including the Founding Director.
- (c)"Founding Director" means Tanis L. Stanfield.

#### **BOARD OF DIRECTORS**

NAMES	ADDRESSES
Tanis L. Stanfield	31089 Quinn Road Tomball, Texas 77375
Vicky Manis	33502 Winchell Place Magnolia, Texas 77355
Diana Parker	P. O. Box 638 Tomball, Texas 77377

#### Size of Board of Directors

8.02 The qualifications, manner of selection, duties, terms, and other matters relating to the Board of directors (referred to as the "Board of Directors") shall be provided in the bylaws. The minimum number of the Board of Directors shall consist of no less than three (3) members. The number of directors may be increased or decreased from time to time by majority vote of the Board of Directors, but in no event shall any decrease have the effect of shortening the term of an incumbent Director.

#### Resignation

8.03 Any Director of the corporation may resign at any time by giving written notice to the Board of directors. Such resignation shall take effect upon receipt or at any later time specified therein.

#### Removal for Cause

8.04 (a) Any Director may be removed for cause at any time during his/her term of office by voting of a majority of the Board of Directors at a regularly scheduled meeting or at special meeting called for that purpose.

#### Limitation on Liability of Directors

above and defined by the Internal Revenue Code and related regulations, rulings and procedures, except to an insubstantial degree.

- 2. Serve a private interest other than one that is clearly incidental to an overriding public interest.
- 3. Devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise, except as provided by the Internal Revenue Code and related regulations, rulings, and procedures.
- 4. Participate in or intervene in any political campaign on behalf of or in opposition to any candidate for public office. The prohibited activities include the publishing or distributing of statements and any other direct or indirect campaign activities.
- 5. Have objectives that characterize it as an "action organization" as defined by the Internal Revenue Code and related regulations, rulings, and procedures.
- 6. Distribute its assets on dissolution other than for one or more exempt purposes; on dissolution, the Corporation's assets shall be distributed to the state government for a public purpose, or to an organization exempt from taxes under Internal Revenue Code Section 501(c)(3) to be used to accomplish the general purposes for which the Corporation was organized.

## ARTICLE SIX RESTRICTIONS AND REQUIREMENTS

- 6.01 The Corporation shall not pay dividends or other corporate income to its directors or officers or otherwise accrue distributable profits or permit the realization of private gain. The Corporation shall have no power to take any action prohibited by the Act.
- 6.02 The Corporation shall have no power to take any action that would be inconsistent with the requirements for a tax exemption under Internal Revenue Code Section 501(c)(3) and related regulations, rulings, and procedures. The Corporation shall have no power to take any action that would be inconsistent with the requirements for receiving tax deductible charitable contributions under Internal Revenue Code Section 170(c)(2) and related regulations, rulings, and procedures. Regardless of any other provision in these Articles of Incorporation or state law, the Corporation shall have no power to:
  - a. Engage in activities or use its assets in manners that are not in furtherance of one or more exempt purposes, as set forth above and defined by the Internal Revenue Code and related regulations, rulings, and procedures, except toan insubstantial degree.
  - b. Serve a private interest other than one that is clearly incidental to an overriding public interest.
  - c. Devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise, except as provided by the Internal Revenue Code and related regulations, rulings, and procedures.
  - d. Participate in or intervene in any political campaign on behalf of or in opposition to any candidate for public office. The prohibited activities include the publishing or distributing of statements and any other direct or indirect campaign activities.
  - e. Have objectives that characterize it as an "action organization" as defined by the Internal Revenue Code and related regulations, rulings, and procedures.
  - f. Distribute its assets on dissolution other than for one or more exempt purposes; on dissolution, the Corporation's assets shall be distributed to the state government

The Corporation shall make distributions at such times and in such manners as to avoid the tax under Internal Revenue Code Section 4942. The Corporation shall not engage in any act of self-dealing as defined in Section 4941(d). The Corporation shall not retain excess business holdings as defined in Section 4943(c). The Corporation shall not make any investments that would subject it to the tax described in Section 4944. The Corporation shall not make any taxable expenditures as defined in Section 4945(e).

Executed this	day of, 1998.
	Tanis L. Stanfield
THE STATE OF TEXAS	
COUNTY OF HARRIS	
before me Tanis L. Stanfield, wh	signed Notary Public on this day personally appeared o after being by me first duly sworn declared that he is bing document as incorporator, and that the statements errect.
IN WITNESS WHEREO	OF, I have hereunto set my hand and seal this
	NOTARY PUBLIC FOR THE STATE OF TEXA

## ARTICLE FIVE POWERS

5.01 Except as otherwise provided in these Articles, the Corporation shall have all of the powers provided in the Act.

form 1023 (Re		Page 3
Part II	Activities and Operational Information (Continued)	
	following information about the organization's governing body:	
a Names,	addresses, and titles of officers, directors, trustees, etc.	b Annual compensation
SEK	ATTACHED LIST	NONE
appointe	of the above persons serve as members of the governing body by reason of being public officials or being public officials?  In name those persons and explain the basis of their selection or appointment.	ng Yes X N
11 103,	Tibile those persons and explain the sess of their solution of appointment	
	•	
(other the	members of the organization's governing body "disqualified persons" with respect to the organization an by reason of being a member of the governing body) or do any of the members have either a or family relationship with "disqualified persons"? (See Specific Instructions, Part II, Line 4d.)	Yes X N
5 Does the	organization control or is it controlled by any other organization?	X Yes N
is the o	ganization the outgrowth of (or successor to) another organization, or does it have a special relationship ther organization by reason of interlocking directorates or other factors?  of these questions is answered "Yes." explain.	
	FIRST BAPTIST CHURCH	
organizat sales of arrangem equipmen	will the organization directly or indirectly engage in any of the following transactions with any political on or other exempt organization (other than a 501(c)(3) organization): (a) grants: (b) purchases or assets: (c) rental of facilities or equipment; (d) loans or loan guarantees: (e) reimbursement ints: (f) performance of services, membership, or fundraising solicitations; or (g) sharing of facilities, mailing lists or other assets, or paid employees?	, Yes 🗴 N
If "Yes,"	ganization financially accountable to any other organization?	Yes X N

and the second of the second o

11 12a If the organization provides benefits, services or products, are the recipients required, or will they be 13 or plans to devote to this activity. Does or will the organization intervene in any way in political campaigns, including the publication or distribution Yes 🛣 No of statements? If "Yes," explain fully.

Pa	rt III Te	chnical Requirements	<u></u>
1		g Form 1023 within 15 months from the end of the month in which your organization was created Yes f you answer "Yes," do not answer questions on lines 2 through 7.	☐ No
2	If one of the question 8.	exceptions to the 15-month filing requirement shown below applies, check the appropriate box and proceed to	
	•	- You are not required to file an exemption application within 15 months if the organization:	
	auxili	church, interchurch organization of local units of a church, a convention or association of churches, or an integrated iary of a church (see instructions);  ot a private foundation and normally has gross receipts of not more than \$5,000 in each tax year; or	
		subordinate organization covered by a group exemption letter, but only if the parent or supervisory organization timely itted a notice covering the subordinate.	
3		ation does not meet any of the exceptions on line 2, are you filing Form 1023 within 27 the end of the month in which the organization was created or formed?	No.
		r organization qualifies under section 4.01 of Rev. Proc. 92-85, 1992-42, I.R.B. 32, for an month extension of the 15-month filing requirement. Do not answer questions 4 through 7.	
	If "No." answ	ver question 4.	<del></del>
4	file Form 102	*No* to question 3, has the organization been contacted by the IRS regarding its failure to 23 within 27 months from the end of the month in which the organization was created or Yes	∏ No
		organization qualifies for an extension of time to apply under the "reasonable action and aquirements of section 5.01 of Rev. Proc. 92-85. Do not answer questions 5 through 7.	
	If "Yes," answ	wer question 5.	
5		"Yes" to question 4, does the organization wish to request relief from the 15-month filing	☐ No
		the reasons for not filing this application prior to being contacted by the IRS. See Specific art III, Line 5, before completing this item. Do not answer questions 6 and 7.	
	if "No," answ	rer question 6.	
6	be recognized want us to co	"No" to question 5, your organization's qualification as a section 501(c)(3) organization can only from the date this application is filed with your key District Director. Therefore, do you onsider the application as a request for recognition of exemption as a section 501(c)(3) from the date the application is received and not retroactively to the date the organization	· —
	was created o	Yes Yes	∐ N∘
7	with the date	"Yes" to the question on line 6 above and wish to request recognition of section 501(c)(4) status for the period be the organization was formed and ending with the date the Form 1023 application was received (the effective date of section 501(c)(3) status), check here  and attach a completed page 1 of Form 1024 to this application.	eginning the

.

art	t III Technical Requirements (Continued)	
įs	Is the organization a private foundation?	
Ļ	Yes (Answer question on line 9.)	
	No (Answer question on line 10 and proceed as instructed.)	
-	If you answer "Yes" to the question on line 8, does the organization claim to be Yes (Complete Schedule E)	a private operating foundation?
A	After answering the question on this line, go to Part IV.	
	If you answer "No" to the question on line 8, indicate the public charity classifica	tion the organization is requesting by
ch	checking the box below that most appropriately applies:	
	checking the box below that most appropriately applies:  THE ORGANIZATION IS NOT A PRIVATE FOUNDATION BECAUSE IT QU	JALIFIES:
	-	JALIFIES:
	-	JALIFIES: Sections 509(a)(1)
	THE ORGANIZATION IS NOT A PRIVATE FOUNDATION BECAUSE IT QU	
	THE ORGANIZATION IS NOT A PRIVATE FOUNDATION BECAUSE IT QUARTER AS a church or a convention or association of churches	Sections 509(a)(1)
	THE ORGANIZATION IS NOT A PRIVATE FOUNDATION BECAUSE IT QUARTER AS a church or a convention or association of churches	Sections 509(a)(1) and 170(b)(1)(A)(i)
	THE ORGANIZATION IS NOT A PRIVATE FOUNDATION BECAUSE IT QUARTER AS a church or a convention or association of churches  (CHURCHES MUST COMPLETE SCHEDULE A.)	Sections 509(a)(1) and 170(b)(1)(A)(i) Sections 509(a)(1)
	THE ORGANIZATION IS NOT A PRIVATE FOUNDATION BECAUSE IT QUARTER AS a church or a convention or association of churches  (CHURCHES MUST COMPLETE SCHEDULE A.)  As a school (MUST COMPLETE SCHEDULE B.)	Sections 509(a)(1) and 170(b)(1)(A)(i) Sections 509(a)(1)
	THE ORGANIZATION IS NOT A PRIVATE FOUNDATION BECAUSE IT QUARTER AS a church or a convention or association of churches (CHURCHES MUST COMPLETE SCHEDULE A.)  B As a school (MUST COMPLETE SCHEDULE B.)  C As a hospital or a cooperative hospital service organization, or a	Sections 509(a)(1) and 170(b)(1)(A)(i) Sections 509(a)(1) and 170(b)(1)(A)(ii)
	As a church or a convention or association of churches  (CHURCHES MUST COMPLETE SCHEDULE A.)  As a school (MUST COMPLETE SCHEDULE B.)  As a hospital or a cooperative hospital service organization, or a medical research organization operated in conjunction with a	Sections 509(a)(1) and 170(b)(1)(A)(i) Sections 509(a)(1) and 170(b)(1)(A)(ii)  Sections 509(a)(1)
	As a church or a convention or association of churches  (CHURCHES MUST COMPLETE SCHEDULE A.)  As a school (MUST COMPLETE SCHEDULE B.)  As a hospital or a cooperative hospital service organization, or a medical research organization operated in conjunction with a	Sections 509(a)(1) and 170(b)(1)(A)(i) Sections 509(a)(1) and 170(b)(1)(A)(ii)  Sections 509(a)(1) and 170(b)(1)(A)(iii)
	As a church or a convention or association of churches (CHURCHES MUST COMPLETE SCHEDULE A.)  As a school (MUST COMPLETE SCHEDULE B.)  As a hospital or a cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital (MUST COMPLETE SCHEDULE C.)	Sections 509(a)(1) and 170(b)(1)(A)(i) Sections 509(a)(1) and 170(b)(1)(A)(ii)  Sections 509(a)(1) and 170(b)(1)(A)(iii)  Sections 509(a)(1)
	As a church or a convention or association of churches (CHURCHES MUST COMPLETE SCHEDULE A.)  As a school (MUST COMPLETE SCHEDULE B.)  As a hospital or a cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital (MUST COMPLETE SCHEDULE C.)  As a governmental unit described in section 170(cX1).	Sections 509(a)(1) and 170(b)(1)(A)(i) Sections 509(a)(1) and 170(b)(1)(A)(ii)  Sections 509(a)(1) and 170(b)(1)(A)(iii)  Sections 509(a)(1)
	As a church or a convention or association of churches (CHURCHES MUST COMPLETE SCHEDULE A.)  As a school (MUST COMPLETE SCHEDULE B.)  As a hospital or a cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital (MUST COMPLETE SCHEDULE C.)  As a governmental unit described in section 170(cX1).  As being operated solely for the benefit of, or in connection with,	Sections 509(a)(1) and 170(b)(1)(A)(i) Sections 509(a)(1) and 170(b)(1)(A)(ii)  Sections 509(a)(1) and 170(b)(1)(A)(iii)  Sections 509(a)(1)
	As a church or a convention or association of churches (CHURCHES MUST COMPLETE SCHEDULE A.)  As a school (MUST COMPLETE SCHEDULE B.)  As a hospital or a cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital (MUST COMPLETE SCHEDULE C.)  As a governmental unit described in section 170(cX1).  As being operated solely for the benefit of, or in connection with, one or more of the organizations described in a through d, g, h, or i	Sections 509(a)(1) and 170(b)(1)(A)(i) Sections 509(a)(1) and 170(b)(1)(A)(ii)  Sections 509(a)(1) and 170(b)(1)(A)(iii)  Sections 509(a)(1) and 170(b)(1)(A)(v)
	As a church or a convention or association of churches (CHURCHES MUST COMPLETE SCHEDULE A.)  As a school (MUST COMPLETE SCHEDULE B.)  As a hospital or a cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital (MUST COMPLETE SCHEDULE C.)  As a governmental unit described in section 170(cX1).  As being operated solely for the benefit of, or in connection with, one or more of the organizations described in a through d, g, h, or i (MUST COMPLETE SCHEDULE D.)	Sections 509(a)(1) and 170(b)(1)(A)(i) Sections 509(a)(1) and 170(b)(1)(A)(ii)  Sections 509(a)(1) and 170(b)(1)(A)(iii)  Sections 509(a)(1) and 170(b)(1)(A)(v)
	As a church or a convention or association of churches (CHURCHES MUST COMPLETE SCHEDULE A.)  As a school (MUST COMPLETE SCHEDULE B.)  As a hospital or a cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital (MUST COMPLETE SCHEDULE C.)  As a governmental unit described in section 170(cX1).  As being operated solely for the benefit of, or in connection with, one or more of the organizations described in a through d, g, h, or i (MUST COMPLETE SCHEDULE D.)  As being organized and operated exclusively for testing for public	Sections 509(a)(1) and 170(b)(1)(A)(i) Sections 509(a)(1) and 170(b)(1)(A)(ii)  Sections 509(a)(1) and 170(b)(1)(A)(iii)  Sections 509(a)(1) and 170(b)(1)(A)(v)  Section 509(a)(3)  Section 509(a)(4) Sections 509(a)(1)
	As a church or a convention or association of churches (CHURCHES MUST COMPLETE SCHEDULE A.)  As a school (MUST COMPLETE SCHEDULE B.)  As a hospital or a cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital (MUST COMPLETE SCHEDULE C.)  As a governmental unit described in section 170(cX1).  As being operated solely for the benefit of, or in connection with, one or more of the organizations described in a through d, g, h, or i (MUST COMPLETE SCHEDULE D.)  As being organized and operated exclusively for testing for public safety.	Sections 509(a)(1) and 170(b)(1)(A)(i) Sections 509(a)(1) and 170(b)(1)(A)(ii)  Sections 509(a)(1) and 170(b)(1)(A)(iii)  Sections 509(a)(1) and 170(b)(1)(A)(v)  Section 509(a)(3)  Section 509(a)(4)
	As a church or a convention or association of churches (CHURCHES MUST COMPLETE SCHEDULE A.)  As a school (MUST COMPLETE SCHEDULE B.)  As a hospital or a cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital (MUST COMPLETE SCHEDULE C.)  As being operated solely for the benefit of, or in connection with, one or more of the organizations described in a through d, g, h, or i (MUST COMPLETE SCHEDULE D.)  As being organized and operated exclusively for testing for public safety.  As being operated for the benefit of a college or university that is owned or operated by a governmental unit.  As receiving a substantial part of its support in the form of	Sections 509(a)(1) and 170(b)(1)(A)(i) Sections 509(a)(1) and 170(b)(1)(A)(ii)  Sections 509(a)(1) and 170(b)(1)(A)(iii)  Sections 509(a)(1) and 170(b)(1)(A)(v)  Section 509(a)(3)  Section 509(a)(4) Sections 509(a)(1)
Ti a b c d e f g	As a church or a convention or association of churches (CHURCHES MUST COMPLETE SCHEDULE A.)  As a school (MUST COMPLETE SCHEDULE B.)  As a hospital or a cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital (MUST COMPLETE SCHEDULE C.)  As a governmental unit described in section 170(cX1).  As being operated solely for the benefit of, or in connection with, one or more of the organizations described in a through d, g, h, or i (MUST COMPLETE SCHEDULE D.)  As being organized and operated exclusively for testing for public safety.  As being operated for the benefit of a college or university that is owned or operated by a governmental unit.	Sections 509(a)(1) and 170(b)(1)(A)(i) Sections 509(a)(1) and 170(b)(1)(A)(ii)  Sections 509(a)(1) and 170(b)(1)(A)(iii)  Sections 509(a)(1) and 170(b)(1)(A)(v)  Section 509(a)(3)  Section 509(a)(4) Sections 509(a)(1)

If you checked one of the boxes a through f in question 10, go to question 15.

If you checked box g in question 10, go to questions 12 and 13.

If you checked box h, i, or J, go to question 11.

related to its exempt functions (subject to certain exceptions).

whether it meets the public support test of block h or block I. The

organization would like the IRS to decide the proper classification.

The organization is a publicly supported organization but is not sure

Section 509(a)(2)

Sections 509(a)(1)

and 170(b)(1)(A)(vi)

Section 509(a)(2)

11 If you checked box h, I, or J on line 10, has the organization completed a tax year of at least 8 months?    Yes - Indicate whether you are requesting:   A definitive ruling (Answer questions on lines 12 through 15.)   An advance ruling (Answer questions on lines 12 and 15 and attach two forms 872-C completed and signed.)   X No - Year must request an advance ruling by completing and signing two Forms 872-C and attaching them to the application.   X No - Year must request an advance ruling by completing and signing two Forms 872-C and attaching them to the application.   X No - Year must request an advance ruling any of the tax years shown in Part IV-A attach a list for each year showing the name of the contributor; the date and the amount of the grant, and a brief description of the nature of the grant.    X No - Year must request any administration of the grant and a brief description of the nature of the grant.   X No -	Part III Technical	Requirements (Continued)		
Yes - Indicate whether you are requesting:   A definitive ruling (Answer questions on lines 12 and 15 and attach two forms 872-C completed and signed.)   X No - You must request an advance ruling by completing and signing two Forms 872-C and attaching them to the application.   X No - You must request an advance ruling by completing and signing two Forms 872-C and attaching them to the application. The property of the date and the amount of the grant and a brief description of the nature of the grant.   X N	11 if you checked box h.	I, or I on line 10, has the organization completed a tax year of at least 8 months?		
An advance ruling (Answer questions on lines 12 and 15 and attach two Forms 872-C completed and signed.)  X No You must request an advance ruling by completing and signing two Forms 872-C and attaching them to the application.  12 If the organization received any unusual grants during any of the tax years shown in Part IV-A, attach a list for each year showing the name of the contributor; the date and the amount of the grant and a brief description of the nature of the grant.  N/A  a Enter 2% of line 8, column (e) of Part IV-A  b Attach a list showing the name and amount contributed by each person (other than a governmental unit or "publicly supported" organization) whose total gifts, grants, contributions, etc. were more than the amount you entered on line 13a above.  14 If you are requesting a definitive ruling under section 509(a)(2), check here > soci. N/A  a For each of the years included on lines 1, 2, and 9 of Part IV-A, attach a list showing the name of and amount received from each "disqualified person." (for a definitive ruling under section 509(a)(2), check here > soci. N/A  a For each of the years included on lines 1, 2, and 9 of Part IV-A, attach a list showing the name of and amount received from each adjustified person." (for a definitive ruling under section 509(a)(2), thete here > soci. N/A  b For each of the years included on lines 9 of Part IV-A, attach a list showing the name of and amount received from each payer (other than a "disqualified person," whose payments to the organization were more than \$5.000. For this proses. "payer" includes in sections \$170(b)(1)(A)(i) through (vi) and any government agency or bureau.  15 Indicate if your organization described in sections \$170(b)(1)(A)(i) through (vi) and any government agency or bureau.  16 In the organization a church?  Is the organization a section \$509(a)(3) supporting organization?  Is the organization or any part of it, a hospital or medical research organization?  Is the organization or any part of it, a home for				
X   No - You must request an advance ruling by completing and signing two Forms 872 - C and attaching them to the application.  12 If the organization received any unusual grants during any of the tax years shown in Part IV-A, attach a list for each year showing the name of the contributor; the date and the amount of the grant and a brief description of the nature of the grant.  N/A  13 If you are requesting a definitive ruling under section 170(b)(1/A/Xiv) or (vi), check here		₹		
application.  12 If the organization received any unusual grants during any of the tax years shown in Part IV-A, attach a list for each year showing the name of the contributor; the date and the amount of the grant, and a brief description of the nature of the grant.  N/A  13 If you are requesting a definitive ruling under section 170(b)(1)(A)(i)(i) or (vi), check here ▶ and: N/A  a Enter 2% of line 8, column (e) of Part IV-A  b Attach a list showing the name and amount contributed by each person (other than a governmental unit or "publicly supported" organization) whose total gifts, grants, contributions, etc. were more than the amount you entered on line 12a above.  14 If you are requesting a definitive ruling under section 509(a)(2), check here ▶ and: N/A  a For each of the years included on lines 1, 2, and 9 of Part IV-A, attach a list showing the name of and amount received from each "disqualified person." (for a definition of "disqualified person." see Specific Instructions, Part II, Line 4d.)  b For each of the years included on lines 9 of Part IV-A, attach a list showing the name of and amount received from each relation at the stability of the second of the years included on lines 9 of Part IV-A, attach a list showing the name of and amount received from each part includes, but its not limited to, any organization described in sections 170(b)(1)(A)(i) through (vi) and any government agency or bureau.  15 Indicate if your organization is one of the following. If so, complete the required schedule. (Subait only the subschedules that apply to your organization. De not submit blank schedules.)  Yes No complete Schedules:  Is the organization or any part of it, a hospital or medical research organization?  Is the organization a private operating foundation?  Is the organization or any part of it, a hospital or medical research organization?  Is the organization, or any part of it, a child care organization?  Is the organization, or any part of it, a child care organization?  Is the organization, or any par	An advance i	ruling (Answer questions on lines 12 and 15 and attach two Forms 872-C completed and signed.)		
12 If the organization received any unusual grants during any of the tax years shown in Part IV-A attach a list for each year showing the name of the contributor; the date and the amount of the grant and a brief description of the nature of the grant.  N/A  13 If you are requesting a definitive ruling under section 170(b)(1)(A)(iv) or (vi), check here and a name of the grant and a brief description of the nature of the grant.  14 If you are requesting a definitive ruling under section 170(b)(1)(A)(iv) or (vi), check here and an accordance of the past included on the and anount contributed by each person (other than a governmental unit or "publicly supported" organization) whose total gifts, grants, contributions, etc., were more than the amount you entered on line 13 above.  14 If you are requesting a definitive ruling under section 50(a)(2), check here are grants, and the past included on the accordance of the years included on line 12, and 9 of Part IV-A, attach a list showing the name of and amount received from each disqualified person. (For a definition of "disqualified person," see Specific instructions, Part II, Line 4d.)  15 For each of the years included on line 3 of Part IV-A, attach a list showing the name of and amount received from each payer (other than a "disqualified person") whose payments to the organization were more than 15,000. For this purpose, "payer" includes, but is not inlited to, any organization described in sections 170(b)(1)(A)(I) through (iv) and any government agency or bureau.  15 Indicate if your organization is one of the following. If so, complete the required schedule. (Submit only Yes No complete Schedules.)  15 the organization or any part of it, a hospital or medical research organization?  18 the organization a section 509(a)(3) supporting organization?  29 C  30 E  31 S the organization a private operating foundation?  31 S the organization or any part of it, a hospital or medical research organization?  32 E  33 If you are requesting a definitive ruling under section o		request an advance ruling by completing and signing two Forms \$72-C and attac	ching t	nem to the
name of the contributor; the date and the anount of the grant and a brief description of the nature of the grant.  N/A  13 If you are requesting a definitive ruling under section 170(b)(1)(A)(iv) or (vi), check here  and: N/A  a Enter 2% of line 8, column (e) of Part IV-A  b Attach a list showing the name and anount contributed by each person (other than a governmental unit or "publicly supported" organization) whose total gifts, grants, contributions, etc., were more than the anount you entered on line 13 a above.  14 If you are requesting a definitive ruling under section 508(a)(2), check here  and: N/A  a For each of the years included on lines 1, 2, and 9 of Part IV-A, attach a list showing the name of and amount received from each "disqualified person." (for a definition of "disqualified person." \$40 or a definition of "disqualified person." \$40 organization were more than \$5,000. For this purpose, "payer" includes, but is not linited to any organization described in sections \$170(b)(1)(A)(i) through (vi) and any governments agency a "payer" includes, but is not linited to any organization described in sections \$170(b)(1)(A)(i) through (vi) and any governments agency or bureau.  15 Indicate if your organization is one of the following. If so, complete the required schedule. (Submit only the schedules that apply to your organization. Do not submit blank schedules.)  15 the organization, or any part of it, a school?  15 the organization a section \$506(a)(3) supporting organization?  25 Schedules  15 the organization a section \$506(a)(3) supporting organization?  27 Schedules  18 the organization a private operating foundation?  28 Schedules  19 Schedules  19 Schedules  19 Schedules  10 Schedules  10 Schedules  10 Schedules  11 Schedules  12 Schedules  13 Schedules  14 Schedules  15 Schedules  15 Schedules  16 Schedules  17 Schedules  18 Schedules  18 Schedules  19 Schedules  19 Schedules  29 Schedules  20 Schedules  20 Schedules  20 Schedules  20 Schedules  21 Schedules  21 Schedules  22 Schedules  23 Schedu		ived any unusual grants during any of the tax years shown in Part IV-A, attach a list for e	ach vear	showing the
a Enter 2% of line 8, column (e) of Part IV-A  b Attach a list showing the name and amount contributed by each person (other than a governmental unit or "publicly supported" organization) whose total gifts, grants, contributions, etc., were more than the amount you entered on line 13a above.  14 If you are requesting a definitive ruling under section 509(a)(2), check here  and: N/A  a For each of the years included on lines 3, 2, and 9 of Part IV-A, attach a list showing the name of and amount received from each "disqualified person." (For a definition of "disqualified person." (For a definition of "disqualified person." attach a list showing the name of and amount received from each payer (other than a "disqualified person." (For a definition of "disqualified person.") whose payments to the organization were more than \$5,000. For this purpose, "payer" includes, but is not limited to, any organization described in sections 170(b(1)(A/K)) through (vi) and any government agency or bureau.  15 Indicate if your organization is one of the following. If so, complete the required schedule. (Submit only those schedules that apply to your organization. Do not submit blank schedules.)  15 the organization a church?  15 the organization, or any part of it, a hospital or medical research organization?  16 the organization a private operating foundation?  17 If "Yes."  18 the organization a private operating foundation?  19 If the organization or any part of it, a home for the aged or handicapped?  10 If the organization, or any part of it, a child care organization?  10 If the organization, or any part of it, a child care organization?  10 If the organization, or any part of it, a child care organization?  11 If the organization, or any part of it, a child care organization?  12 If the organization, or any part of it, a child care organization?  13 If the organization, or any part of it, a child care organization?		the date and the amount of the grant and a brief description of the nature of the grant.	·	·
b Attach a list showing the name and amount contributed by each person (other than a governmental unit or "publicly supported" organization) whose total gifts, grants, contributions, etc., were more than the amount you entered on line 13a above.  14 If you are requesting a definitive ruling under section 509(a)(2), check here ▶ and: N/A a For each of the years included on lines 1, 2, and 9 of Part IV-A, attach a list showing the name of and amount received from each "disqualified person." (For a definition of "disqualified person." see Specific Instructions, Part II, Line 4d.)  b For each of the years included on line 9 of Part IV-A, attach a list showing the name of and amount received from each payer (other than a "disqualified person") whose payments to the organization were more than 55,000. For this purpose, "payer" includes, but is not limited to, any organization described in sections 170(b)(1)(A)(i) through (vi) and any government agency or bureau.  15 Indicate if your organization is one of the following. If so, complete the required schedule. (Submit only those schedules that apply to your organization. Do not submit blank schedules.)  15 It he organization a church?  15 It he organization, or any part of it, a hospital or medical research organization?  16 It he organization a private operating foundation?  17 If Yes.*  18 It he organization a private operating foundation?  19 If Yes.*  10 If Yes.*  10 If Yes.*  10 If Yes.*  11 Is the organization, or any part of it, a home for the aged or handicapped?  11 Is the organization, or any part of it, a child care organization?  12 If Yes organization, or any part of it, a child care organization?  13 Is the organization, or any part of it, a child care organization?  14 If Yes and Yes an	13 If you are requesting a	definitive ruling under section 170(b)(1)(A)(iv) or (vi), check here ▶ ☐ and: N/A		
b Attach a list showing the name and amount contributed by each person (other than a governmental unit or "publicly supported" organization) whose total gifts, grants, contributions, etc., were more than the amount you entered on line 13a above.  14 If you are requesting a definitive ruling under section 509(a)(2), check here ▶ and: N/A a For each of the years included on lines 1, 2, and 9 of Part IV-A, attach a list showing the name of and amount received from each "disqualified person." (For a definition of "disqualified person." see Specific Instructions, Part II, Line 4d.)  b For each of the years included on line 9 of Part IV-A, attach a list showing the name of and amount received from each payer (other than a "disqualified person") whose payments to the organization were more than 55,000. For this purpose, "payer" includes, but is not limited to, any organization described in sections 170(b)(1)(A)(i) through (vi) and any government agency or bureau.  15 Indicate if your organization is one of the following. If so, complete the required schedule. (Submit only those schedules that apply to your organization. Do not submit blank schedules.)  15 It he organization a church?  15 It he organization, or any part of it, a hospital or medical research organization?  16 It he organization a private operating foundation?  17 If Yes.*  18 It he organization a private operating foundation?  19 If Yes.*  10 If Yes.*  10 If Yes.*  10 If Yes.*  11 Is the organization, or any part of it, a home for the aged or handicapped?  11 Is the organization, or any part of it, a child care organization?  12 If Yes organization, or any part of it, a child care organization?  13 Is the organization, or any part of it, a child care organization?  14 If Yes and Yes an	a Enter 2% of line 8, colu	umn (e) of Part IV-A	•	
14 If you are requesting a definitive ruting under section 509(a)(2), check here  and: N/A a For each of the years included on lines 1, 2, and 9 of Part IV-A, attach a list showing the name of and amount received from each "disqualified person." (For a definition of "disqualified person." See Specific Instructions, Part II, Line 4d.) b For each of the years included on line 9 of Part IV-A, attach a list showing the name of and amount received from each "disqualified person." Whose payments to the organization were more than \$5,000. For this purpose, "payer" includes, but is not limited to, any organization described in sections 170(b)(1)(A)(i) through (vi) and any government agency or bureau.  15 Indicate if your organization is one of the following. If so, complete the required schedule. (Submit only those schedules that apply to your organization. Do not submit blank schedules.)  15 The organization a church?  15 It e organization, or any part of it, a school?  15 It e organization, or any part of it, a hospital or medical research organization?  16 It e organization a section 509(a)(3) supporting organization?  17 It is the organization a private operating foundation?  18 It e organization, or any part of it, a home for the aged or handicapped?  19 It is the organization, or any part of it, a child care organization?  10 It is the organization, or any part of it, a child care organization?  18 It e organization, or any part of it, a child care organization?  19 It is the organization, or any part of it, a child care organization?  10 It is the organization, or any part of it, a child care organization?  11 It is the organization, or any part of it, a child care organization?  12 It is the organization, or any part of it, a child care organization?		· · · · · · · · · · · · · · · · · · ·	*publici	y supported*
a For each of the years included on lines 1, 2, and 9 of Part IV-A, attach a list showing the name of and amount received from each "disqualified person." (For a definition of "disqualified person." see Specific Instructions, Part II, Line 4d.)  b For each of the years included on line 9 of Part IV-A, attach a list showing the name of and amount received from each payer (other than a "disqualified person") whose payments to the organization were more than \$5,000. For this purpose, "payer" includes, but is not limited to, any organization described in sections 170(b/(1/A/i)) through (vi) and any government agency or bureau.  15 Indicate if your organization is one of the following. If so, complete the required schedule. (Submit only those schedules that apply to your organization. Do not submit blank schedules.)  15 the organization a church?  15 Is the organization, or any part of it, a school?  16 Is the organization, or any part of it, a hospital or medical research organization?  17 Is the organization a section 509(a/X3) supporting organization?  18 Is the organization a private operating foundation?  19 Is the organization, or any part of it, a home for the aged or handicapped?  19 Is the organization, or any part of it, a child care organization?  20 Is the organization, or any part of it, a child care organization?  21 Is the organization, or any part of it, a child care organization?  22 Is the organization, or any part of it, a child care organization?  23 Is the organization, or any part of it, a child care organization?	organization) whose total	gifts, grants, contributions, etc., were more than the amount you entered on line 13a above,	•	
"disqualified person." (For a definition of "disqualified person." see Specific Instructions, Part II, Line 4d.)  b For each of the years included on line 9 of Part IV-A, attach a list showing the name of and amount received from than a "disqualified person." whose payments to the organization were more than \$5,000. For this purpose, "payer" includes, but is not limited to, any organization described in sections 170(bX1)(AXi) through (vi) and any government agency or bureau.  15 Indicate if your organization is one of the following, If so, complete the required schedule. (Submit only those schedules that apply to your organization. Do not submit blank schedules.)  15 Ithe organization a church?  15 Ithe organization or any part of it, a school?  15 Ithe organization, or any part of it, a hospital or medical research organization?  16 Ithe organization or any part of it, a hospital or medical research organization?  17 Ithe Yes, "A A B B B B B B B B B B B B B B B B B	14 If you are requesting a	definitive ruting under section 509(a)(2), check here ▶ ☐ and: N/A		
b For each of the years included on line 9 of Part IV-A, attach a list showing the name of and amount received from than a "disqualified person") whose payments to the organization were more than \$5,000. For this purpose, "payer" includes, but is not limited to, any organization described in sections 170(b)(1)(A)(i) through (vi) and any government agency or bureau.  15 Indicate if your organization is one of the following. If so, complete the required schedule. (Submit only those schedules that apply to your organization. Do not submit blank schedules.)  15 Ithe organization a church?  15 Ithe organization or any part of it, a school?  15 Ithe organization, or any part of it, a hospital or medical research organization?  15 Ithe organization a section 509(a)(3) supporting organization?  16 Ithe organization or any part of it, a hospital or medical research organization?  17 Ithe organization or any part of it, a hospital or medical research organization?  18 Ithe organization or any part of it, a home for the aged or handicapped?  19 Ithe organization or any part of it, a child care organization?  20 Ithe organization or any part of it, a child care organization?  21 Ithe organization or any part of it, a child care organization?  22 Ithe organization or any part of it, a child care organization?  23 Ithe organization or any part of it, a child care organization?  24 Ithe organization or any part of it, a child care organization?  25 Ithe organization or any part of it, a child care organization?  26 Ithe organization or any part of it, a child care organization?  27 Ithe organization or any part of it, a child care organization?  28 Ithe organization or any part of it, a child care organization?  28 Ithe organization or any part of it, a child care organization?  29 Ithe organization organization organization?  20 Ith	a For each of the years	included on lines 1, 2, and 9 of Part IV-A, attach a list showing the name of and amount	receive	d from each
than a "disqualified person") whose payments to the organization were more than \$5,000. For this purpose, "payer" includes, but is not limited to, any organization described in sections 170(b)(1)(A)(i) through (vi) and any government agency or bureau.  15 Indicate if your organization is one of the following. If so, complete the required schedule. (Submit only those schedules that apply to your organization. Do not submit blank schedules.)  15 It e organization a church?  15 It e organization a church?  16 It e organization or any part of it, a school?  17 It esearch organization?  18 It e organization a section 509(a)(3) supporting organization?  19 It esearch organization?  10 It e organization or any part of it, a home for the aged or handicapped?  10 It the organization, or any part of it, a child care organization?  18 It e organization, or any part of it, a home for the aged or handicapped?  19 It the organization, or any part of it, a child care organization?  20 It is the organization, or any part of it, a child care organization?  21 It end is the organization or any part of it, a child care organization?  22 It is the organization, or any part of it, a child care organization?  22 It is the organization or any part of it, a child care organization?  23 It is the organization, or any part of it, a child care organization?  24 It is the organization or any part of it, a child care organization?  25 It is the organization, or any part of it, a child care organization?  26 It is the organization or any part of it, a child care organization?  27 It is the organization or any part of it, a child care organization?  28 It is the organization or any part of it, a child care organization?  29 It is the organization or any part of it, a child care organization?	"disqualified person." (Fo	r a definition of "disqualified person," see Specific Instructions, Part II, Line 4d.)		
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	-	•		
Does the organization provide or administer any scholarship benefits, Student aid, etc.?	is the organization, or any	y part of it, a child care organization?	X	G
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And and A Second hinting at additional and agreement and ann. 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	Does the organization prov	vide or administer any scholarship benefits, student aid, etc.7	<del>-   *</del>	H
Has the organization taken over, or will it take over, the facilities of a "for profit" institution?	Has the organization taken	over, or will it take over, the facilities of a "for profit" institution?	I	1

#### Part IV Financial Data

Complete the financial statements for the current year and for each of the 3 years immediately before it. If in existence less than 4 years, complete the statements for each year in existence. If in existence less than 1 year, also provide proposed budgets for the 2 years following the current year.

- 1			Revenue and Ex	tpenses .		
		Current tax year	3 prior tax yea	rs or proposed budg	·	
1	Gifts, grants, and contributions received (not including unusual	(a) From N/A	(b) 19 <u>95</u>	(c) 19 96	(d) 19	(e) TOTAL
	grants-see instructions)					
Z	, ,,,,,					<u></u>
3	Gross investment income (see instructions for definition)					
4	Net income from organization's unrelated business activities not included on line 3					
5	Tax revenues levied for and either paid to or spent on behalf		-			
6	of the organization.  Value of services or facilities furnished by a governmental					
0 A C C C C C C C C C C C C C C C C C C	unit to the organization without charge (not including the value of services or facilities generally furnished the public without charge)	:				
7						·
	assets) (attach schedule)	•			,	
8	Total (add lines 1 through 7)		0	0		
9	Gross receipts from admissions, sales of merchandise or services, or furnishing of facilities in any activity that is not an unrelated business within the meaning of section		474,720	480,000		
1	513		474,720	480,000		
10	Gain or loss from sale of capital		4/4,/20	200,000		
	assets (attach schedule)					
12			<del>-</del>			
	through 12)		474,720	480,000	·	
14	Fundraising expenses					
15	Contributions, gifts, grants, and similar amounts paid (attach schedule)	•				
16	Disbursements to or for benefit of members (attach schedule)					
17						
18 19	schedule)			700	<u></u>	
18			314,400	320,000		1.0
19				1 200		
20			1,200	1,200		. 4
21	Depreciation and depletion		150 100	158,800		· 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.
22	Other (attach schedule) SEE SCH		159,120	130,000		10
23	Total expenses (add lines 14 through 22)		474,720	480,000		
24			o	o		

#### Part IV Financial Data (Continued)

	B. Balance Sheet (at the end of the period shown)			4/30/95
	Assets			
1	Cash	1		2,000
2	Accounts receivable, net	2		
3	Inventories			
4	Bonds and notes receivable (attach schedule)	İ		
5	Corporate stocks (attach schedule)			
-				
3	Mortgage loans (attach schedule)			
7	Other investments (attach schedule)			
3	Depreciable and depletable assets (attach schedule)	İ		
•	Land	9		
0	Other assets (attach schedule)	10		
1	Total assets (add lines 1 through 10)	11		2,000
	Llabilities			
2	Accounts payable	12		
3	Contributions, gifts, grants, etc., payable	13		
4	Mortgages and notes payable (attach schedule)			
5	Other liabilities (attach schedule)			<u> </u>
6	Total flabilities (add lines 12 through 15)			0
	Fund Balances or Net Assets			
7	Total fund balances or net assets	17		2,000
	Total liabilities and fund balances or net assets (add line 16 and line 17)	1	ì	2,000
8 ti	here has been any substantial change in any aspect of the organization's financial activities since the end of the property of the power check the box and attach a detailed explanation	eriod		

group or groups that may utilize the services.

## CREDENTIALS OF SPONSORING ENTITY AND ALL BOARDS' MEMBERS

#### DIANA PARKER

P. O. Box 638 Tomball, Texas 77377 (281) 351-5946

#### **BUSINESS EXPERIENCE**

Jan. 1998 to Present Second Administrative Judicial Region, Children's

Protective Services Cluster Court. Court

Administrator / Court Reporter.

Duties: maintaining a certified record, scheduling the court's docket for ten counties, maintaining all correspondence and data necessary, communicating with CPS, scheduling court facilities, keeping current with monthly grant and financial reports, tracking all

cases for appropriate docketing.

Sept. 1994 to Dec. 1997 Freelance and official court reporter for various court

reporting firms and counties.

1985 through 1987 Chasewood Bank, new account representative

**Duties**: opening new accounts, certificate of deposits, retirement accounts; daily and monthly accruals; computer input; balancing certificate of

deposits; monthly reports.

#### **EDUCATION**

Oct. 1993

Certified Shorthand reporter

Jan. 1988 to Oct. 1993

Shirley Baker School of Court Reporting

Sept. 1981 to May 1983

Stephen F. Austin State University

May 1981

J. Frank Dobie High School

#### TANIS L. STANFIELD 31089 QUINN ROAD TOMBALL, TEXAS 77375 281-351-0724

#### **ACCOMPLISHMENTS**

.,

- Taught students at Tomball School District Alternative School. I chose to work with this population to get accustomed to the TEA guidelines that apply to this particular type of school and also to work with students that often don't get teachers that are enthusiastic with this work. I taught all subject areas spanning grade 4-8. I also assisted the counselor with getting help and setting up a consistent self-help program for those who have suffered various crisis in their lives or emotional upheaval. Served as the special education representative from this campus to handle various matters with that program, ARDS etc. Also worked with ESL identified students. Served Pass students and Discipline students in the same classroom. Managed the Tech-Lab also for Intermediate and Junior students. Have taken time with the counselor to visit every alternative as well as other programs in the surrounding area to learn their philosophy effectiveness and success. (1995- present)
- Substituted for Magnolia ISD in a Behavior Adjustment Class while taking off time for personal matters and professional growth. Worked with the Star program, a boot-camp like program that was funded in Magnolia. (1994-95)
- Worked on Educational Diagnostician Certification-Lamar University (1994)
- ESL Pullout Program-Gordon Elementary, HISD. Identified new ESL students in the school, screen for LAS testing. Test students in English and Spanish, determine appropriate program, placement and recommendations. LPAS/LEP contact person on campus. Charged with monitoring records, updating, reporting state peims information. Meet with Spanish-speaking parents about their concerns or special needs. ARD representative for students receiving services for LEP students. (1991)
- Special Education, supervise special education programs in six elementary schools. Cover secondary when necessary. Programs included ECH, Multihandicapped, self-contained generic, functional, resource, speech and BAC/BIC Programs. Interface with LEP supervisor in the district to get appropriate services or resource arrangements for this population. Arranged for program placement, transportation and special needs arrangements for ECH, Multihandicapped and Functional Living Programs. Worked with Satellite District Superintendent and District Principal as a troubleshooter to handle particularly difficult situations in the district. Inserviced teachers on change of guidelines etc. information as it came from TEA, or other

procedures. Implemented an effective program for compliance monitoring and management. Served on Task force and developed a guide for reliable K-Card and Misse information(our funds depended on this reporting). Met periodically with administrators and teachers of other districts to discuss successful and test programs in their districts. Set up group to allow parents to air concerns and bridge gap of trust between HISD and public. Trained in the Distar and Neuhaus Phonics and Reading Programs.(1989-91)

- Inserviced school staff about Special Services, met with building administrators to report progress of Special Education students, chair ARDS, provide individualized instruction. Provided all appropriate services as Bilingual Resource Teacher K-5, ARD chairperson. Cunningham Elementary-HISD(1988)
- Provided appropriate services for Autistic Class(BIC) Welch Middle School, HISD. Chaired and arranged ARDS, offered various opportunities for learning independent functional living in the community, record keeping, individualized instruction. Made special charts and taught students to use them when shopping to figure tax etc., worked with Randalls to get a map of the store made to teach the students how to use it in the store.(1987-88)
- Tutor-Private for children with Learning Disabilities. School VIP(1980-88)
- Designs by Tanis, Commercial and Residential Flooring and Decorating Service(1978-87)
- Bilingual/SLIC-ESL Set up SLIC centers, screen, and test students, maintain compliance recording. Peterson/Almeda/Red Elementaries-HISD(1978-80)
- Train VIPS to administer Kindergarten Screening Instruments (Language) in Spanish. Maintain compliance of State folders with state and federal guidelines, train teachers in behavior modifications, management systems, to write IEP's, keep daily records, organization skills and timed tests. Trained and certified in the Monterey Reading Program-a very successful program. Resource Teacher LLD/KPLC, HISD Almeda Elementary "Teacher of the Year-1977. (1975-78)
- Kindergarten Teacher-HISD, Intercity School near U of H-Blackshear Elementary, taught class of 39 Kindergarten all day, made teaching and instructional materials. (1974-75)
- Migrant/Bilingual Reading Teacher K-6, Barrios of San Antonio, SAISD-Brewer Elementary-San Antonio, Texas. Developed sequential materials for our Bilingual Program. Successfully involved barrio parents weekly in their children's educational instruction. (1974)
- 1973-Las Cruces Public Schools-6<sup>th</sup> grade, 1969-70-Hobbs Public Schools-Librarian & 1968-Headstart volunteer

## DISCLOSURE OF LITIGATION AND CRIMINAL HISTORIES

#### DISCLOSURE OF LITIGATION OR CRIMINAL CONVICTIONS

Disclosure of litigation, whether civil or criminal, in which the sponsoring entity of the of the proposed charter school has been a party.

The sponsoring entity of Comquest Academy has not been involved in any litigation concerning civil suits, bankruptcy proceedings, criminal prosecution, and any administrative process in which an agency of federal, state or local government has taken adverse licensing or disciplinary action.

There have been no criminal convictions involving the sponsoring entity of Comquest Academy, within the past ten years. No employee, or chief operating officer or any other member of the governing of the sponsoring entity, has had criminal convictions within the past ten years. Officers, employees, or governing board members on any entity proposing to contract with the sponsoring entity for conducting the day-to-day operations and management of the charter school have not had any criminal convictions.

The Austin DPS officer, Bob Ripper is running criminal checks for Comquest Academy to verify this information. This information should come July 24, 1998. The local police department delayed this information because they verified with the local school district that there is only one person in Tomball Independent School District authorized to request this information. They did not understand the charter school process or understand

why I would request this information.

If this information is not received by the time it is necessary to leave with this document I will try to enclose a receipt of request.



### **Facsimile Cover Sheet**

To:	Tario L Stanfield	•
ency:	conquest Academy	
hone:	9	•
Fax:	281-0724	

From: Bob Ripper **DPS Service:** Crime Records Phone: (512) 424-2023

Fax: (512) 424-2961

Date: 7-24-98

# of pages including this cover page:

#### Comments:

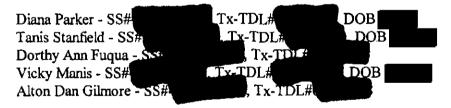
I am in receipt of your riquest for a user number, and will orocess it within the next week.

July 23, 1998 Comquest Academy Tanis L. Stanfield, Chief Program Officer 31089 Ouinn Tomball, Texas 77375 1-218-351-0724

Dear Mr. Bob Ripper,

I spoke to Deanie today at the 512-424-2474 number about criminal checks that have to run on potential board members and employees of a new charter school, Comquest Academy. The checks must be run to submit the application for the persons that the checks will be run on to be eligible for those positions. Deanie said a user ID number needed to be requested from you. This is my request for that number. I would like the taped or recorded information. If it is possible for you to verify this request at the earliest opportunity, it would be greatly appreciated. This information is needed as soon as possible and would have been requested sooner, however the local police department was calling Tomball Independent School District with your phone number information instead of the number they were given. I currently work for TISD and there is only one person authorized to request this information for the district. My request involves a proposal for a charter grant, and they did not understand about charter schools.

In an effort to attempt to speed up this process, I am going to enclose the names of the individuals to have the criminal checks. If you have any questions or wish to verify this information in any way, I am enclosing phone numbers for this purpose. The Senior Director for Texas Education Agency Charter Schools is Brooks Flemister - phone 512-463-9575, Sally Friedli - Charter School Resource Center 210-348-7890.



Thank you for your assistance in this matter.

The verification of requested information can be faxed or called into this number. 1-281-351-0724

Sincerely, Fanis I Stanfield Tanis Stanfield

### **ATTACHMENTS**

ATTACHMENT A STATEMENT OF IMPACT

ATTACHMENT B PROPOSED BUDGET

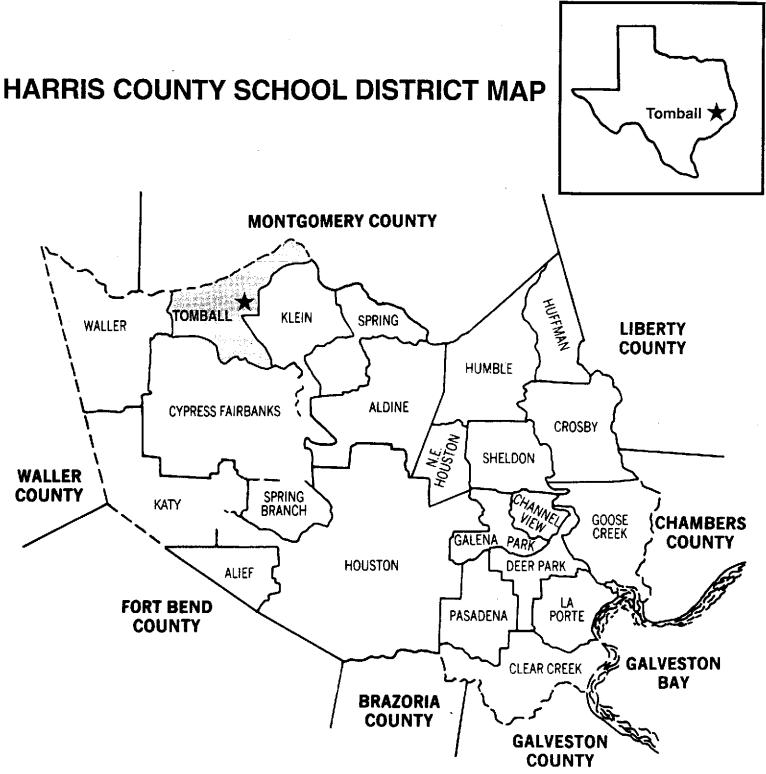
ATTACHMENT C LETTER OF FACILITIES USAGE

# ATTACHMENT A STATEMENT OF IMPACT

## RECEIVED

**Tomball Independent School District** Montgomery County Montgomery County Hārrís coe .Counity Stagecoach Walnut Creek Rose hill Zion Road Spring Creek Harris County FM 2920 Waller-Tomball CYPRESS-ROSEHILL RD. Exxon Private Road Holderrièth. Mueschke Juergen Road Boudreaux Road Road Grant Road Shaw 8 Spring dypress Secondary & Intermediate Schools 1 Tomball High School 30330 Quinn Road, Tomball, Texas 77375 Tomball Junior High School 30403 Quinn Road, Tomball, Texas 77375 Cypress Creek 3 Beckendorf Intermediate School 1110 Baker Drive, Tomball, Texas 77375 4 Tomball Intermediate School 723 West Main, Tomball, Texas 77375 Other Facilities Elementary Schools & **Attendance Zones** 9 Central Office 5 Decker Prairie Elementary School 211 West Main, Tomball, Texas 77375 27429 Decker Prairie Rosehill Road Magnolia, Texas 77355 10 Special Services 709 West Main, Tomball, Texas 77375 Lakewood Elementary School 149. 15614 Gettysburg Dr., Tomball, Texas 77375 11 Transportation 1055 Baker Drive, Tomball, Texas 77375 7 Tomball Elementary School 1110 West Hufsmith, Tomball, Texas 77375 12 Ancillary Services & Cherry Street School 8 Willow Creek Elementary School 310 South Cherry Street, Tomball, Texas 77375

18302 N. Eldridge Parkway, Tomball, Texas 77375



WHERE DISTRICT IS PARTLY OUTSIDE HARRIS COUNTY THE COUNTY LINE IS SHOWN BY DASHES — — — —

Tomball Independent School District 221 West Main Tomball, Texas 77375

Telephone: (713) 357-3100

July 23, 1998

Comquest Alliance 31089 Quinn Road Tomball, Texas 77375

Dear Superintendent and President of the Board of Trustees:

This is to inform you that Comquest Academy 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 of amendment of an open-enrollment charter school.

Specifically, the guidelines approved by the State Board of Education required that the enclosed form, entitled Statement of Impact, and a copy of the application for the proposed open-enrollment charter school be sent to each district that may be affected. Information is requested if the proposed 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, Texas 78701. It should be received no later than August 31, 1998, for the information to be considered by the State Board of Education.

It is requested that you review the enclosed application, complete to Statement of Impact form, and submit it to the Texas Education Agency. If you have questions about the process for approval of open-enrollment charter schools, please contact Brooks Flemister in the 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 Tanis L. Stanfield at (281) 351-0724.

Sincerely,

Tanis L. Stanfield, CEO of Comquest Academy

Janis & Stanfild

	Stater	ment of Impact
Name of Proposed Cl	harter School:	· ·
Check the appropriate	e response below:	
	open-enrollment cool district to a sig	charter school <u>is <b>not</b></u> expected to adversely inificant degree.
impact the sch	ool district in the fo impact in the space	harter school (amendment) <u>is</u> expected to ollowing manner: e below and/or attach any supporting
	1*	
(District Name	)	(County-District Identification Number)
	(District Add	dress)
	••	
(Signature of B	oard President)	(Print Board President's Name)
(Signature of Si	uperintendent)	(Print Superintendent's Name)
(Date)		(Phone Number)

# ATTACHMENT B PROPOSED BUDGET

## Comquest Academy for Learning Charter (CAL) Proposed Budget-SUMMARY

## DETAIL FOR YEAR ONE ON FOLLOWING PAGE

School Year 1999-20	000
---------------------	-----

50.	School 1 car 1999-2000		
Projected Enrollment	45		
Revenues Charter School Funds	\$180,000		
Grants	Ψ100,000		
Total Revenues	\$180,000		
Expenditures Personnel: Academic Skills Instructional Staff Career Preparation Staff Counseling & Support Services Staff	\$80,000		
Operations & Instructional Administration Staff Sub-Total Personnel	\$ 60,000 <b>\$140,000</b> .		
Operating Expenses Occupancy Telephone Postage Equipment Rental Insurance Educational Supplies & Materials Office Supplies Travel Staff Development Van Expense Substitute Teachers Audit Total Operating Expenses	\$8,000 2,500. 2,000. 3,000. 11,000. 3,000. 2,000. 1,000. 1,800. 1,800. 900. \$40,000.		
Total	\$180,000.		

## SUPPORT LETTERS

Dr. Jack Christie, D.C. Chairman, State Board of Education Texas Education Agency 1701 North Congress Avenue Austin, Texas 78701

July 20, 1998

Dear Dr. Christie,

I am pleased to offer support and assistance for the open-enrollment charter school application submitted by Comquest Academy.

I have recently started working with Children's Protective Services Cluster Court in ten various counties. I have visited several residential treatment centers and group homes. I have seen first hand the need for open-enrollment charter schools. The age group in which Comquest Academy is attempting to target is in dire need of a school that works with the individual needs of each child. I know Tanis Stanfield and the children she has taught. She focuses on ways to motivate the children, challenges them, and leads them to a sense of self accomplishment.

The communities of northwest Harris County and southwest Montgomery County would benefit greatly from Comquest Academy. I will happily support the efforts of Comquest Academy. Should you have any questions, please call me at (281) 351-5946.

With best regards,

Diana Parker

,

Diana Tarker

156

## Cherry Street students take pride in new 'Pass' program

By MIKE WARREN ThisWeekend Correspondent

Students at Cherry Street School, Tomball Independent School District's alternative school, are getting industrial alternative school, are getting struction.

And it seems to be working.

All eight sixth and seventh graders enrolled in the school's "Pass" program last year successfully crammed two years of schooling into one to successfully get back on their age-appropriate grade level.

And numerous other students achieved more credits at Cherry Street School than they had the previous year, said Camerine Bellon, school dean.

"Our ultimate goal with the "Pass" students is to help those who are one to two years behind their opers achieve parity," she said. "We have been extremely lucky since the program's inception in 1988."

The "Pass" program includes computer-assisted instruction that their own pace in reading and math, Bellon said.

"While we use computer-aided instruction, students also receive daily instruction from their teacher," she said. "There might be five students in a class, each at a different point in their instruction."

Elementary and junior high school students in the "Pass" program receive instruction in four core subjects: language arts, math, science and social studies, Bellon said. The school's flexibility enables eighth-graders to begin high school courses in subjects they have not had trouble with, while learning to pass courses they failed in eighth-grade, Bellon said.

"High school students are instructed in core subjects in our campus, and leave to atter classes at the high school to address electives," she said.

Other programs housed at Cherry Street School include a GED program, adaptive behavior unit, alternative education program and a disciplinary component, which was the reason the school was founded in 1987, Bellon said.

"It is our goal to keep students in school, she said. "If we can get them on (the age-appropriate) grade level, the odds are they will graduate with their peers."

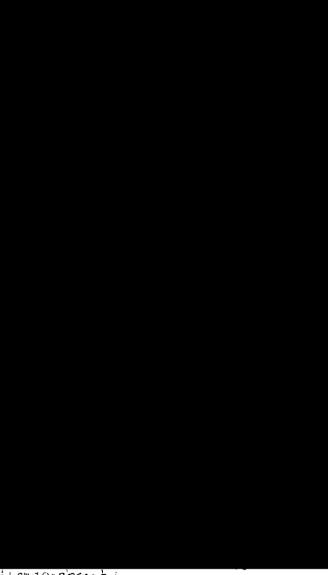
Belion believes the need for programs offered at Cherry Street School is expanding because changes in society have created a larger at-risk population.

"We have more students who are bransler?" sing said. "They move into the district and, for some reason, they are not achieving what they need in their classrooms. They do better in a small group setting."

Cherry Street School was built in

Cherry Street School was built in 1936, and the school needs to move to another building to expand, she said.

"We are limited in space and are operating out of two portable buildings," she said. "With more room, we can expand to meet the needs of more students in the district."











## Committee members to serve as Comquest Academy Board

#### Tanis Stanfield

Tanis began her educational experiences in 1968 as a Headstart volunteer and active 4-H Youth Leader. The interest in teaching and helping others came naturally and was a fulfilling profession for Tanis. The desire to help those who lacked educational guidance and training grew over the years really charted a path or quest for her that is still strong today. Challenges of working with difficult to reach youth or youth who have not had an easy go in life has never lost its appeal to her. For a time Tanis left teaching to be a more dedicated work on her masters degree and run a decorating business. When Tanis finished her Masters Degree in Education she wasted no time getting back in the classroom and by now all of her . Tanis has always tried to live by the 4-H motto that was reinforced constantly in 4-H, To Make the Best Better and to Learn By Doing. These philosophies have been incorporated into her teaching and make learning relative, and the students looked forward to it. Tanis has taught in Migrant, English as a Second Language, Bilingual, Special Education-Resource-Grades 2-6, Generic, Trainable Mentally Retarded (TMR-Autistic), Emotionally Disturbed, Kindergarten, Grades 6, Alternative Education-Grades 4-8. She has served as an Administrator in Houston Independent School District in Special Education for six elementary schools-heavy special education services-covering the full gamut of services from Early Childhood to BIC/BAC, covered Middle Schools and High Schools when necessary. She was part of a task force in HISD that inserviced teachers and administrators in Cite-Based Decision Making, and helped develop a manual over PEIMS reporting to cut the error rate significantly in HISD.

#### Diana Parker

and advocate for children. Works in Montgomery County for Judges Underwood and Stoval as an Administrator for the court. Diana has facilitated the birth of Montgomery Cluster Courts under Judge Underwood's direction and vision. These have significantly reduced the case load backup problems that have long plagued the courts. Diana interfaces with all area counties and strives to continually improve the Cluster Courts efforts for the maximum benefit to Montgomery County youth. Diana has a determined desire to see the youth of this area and surrounding area get help especially when difficult and traumatic events in their lives send their life experiences out of control. She has the opportunity to see on a daily basis the benefits Comquest Academy could offer many of the "high-risk" youth of our community.

#### Dan Gilmore

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Associate Pastor of Education and Administration for First Baptist Church of Tomball, has been involved in the growth and development of students in the Tomball area for years. Dan has worn many hats over the years for the church including serving as interim Pastor of Music and in other areas to help the church operate smoothly. His passion is in helping youth develop to the full potential of their abilities and to help youth who have

made bad choices learn to make better choices. He is dedicated to helping youth overcome obstacles and hardships in life as well as help youth who have failed regain their self-esteem, and the desire to take on challenges again.

#### **Dorthy Fugua**

Has spent many hours teaching, volunteering and chaperoning on various youth outings. Dorthy worked as the Director of the Childcare for the First Baptist Church for several years.

Dorthy always makes time even when her schedule is impossible to see that supervision needs are covered for youth events so that the youth are able to go. She works tirelessly and without hesitation for improving educational opportunities for students in the Tomball community. Dorthy has had the opportunity to work with many of the students Comquest Academy would help, either as a volunteer or as their teacher.

Dorthy has devoted many long hours of service to committees for Tomball Independent School District, including the CIT, District Wide EIC, Bond Proposal committees(to name a few), etc.

Her Bachelors of Arts in Teaching is from Sam Houston State University and has completed graduate hours from Texas A&M University in Educational Psychology.

### Vicky Manis

Vicky presently and for the past eighteen years has worked for First Baptist Church Childcare program as its Director. As the Director Vicky has seen many of the youth of Tomball develop from toddlers into teenagers and knows many of the parents and youth of the Tomball, Klein, Spring, and Magnolia. The reputation of the facility she runs is outstanding and always has a lengthy waiting list to get in, the childcare facility at this church has been one of the reasons this church has gained a reputation of reaching out to the youth of this community and as being place where the youth can develop into wholesome, law-abiding, contributing citizens of the community. Teachers of all Tomball schools have their young children at this childcare because of the confidence they have in this facility. Vicky has spent many hours volunteering for the public schools serving on the District Wide and local committees for educational improvement in the schools. Vicky was very touched by the Comquest Academy Charter endeavor and has believed in it so strongly she campaigned to get the church to help the charter get off the ground for the application process. She sees the great need for this program in the community and believes strongly in this effort.

Vicky attended Texas Tech University.

Tomball First Baptist Church Child Care Center, Inc. would allow Comquest Academy to operate under their 501 (c) (3) Non-profit Organization status until Comquest Academy is able to secure their own. Tomball First Baptist Church Child Care Center, Inc. has provided a copy to be included with the Comquest Academy charter application. Members of the Board are working presently to get the 501 (c) (3) Non-profit status secured.

Tanis Stanfield Director

#### BYLAWS OF

## TOMBALL FIRST BAPTIST CHURCH CHILD CARE CENTER, INC.

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#### ARTICLE ONE - CORPORATE CHARTER AND OFFICES

#### 1.01 CORPORATE CHARTER PROVISIONS

Each provision of the Corporation's Charter shall be observed until amended by Restated Articles or Articles of Amendment duly filed with the Texas Secretary of State.

#### 1.02 REGISTERED OFFICE AND AGENT

The address of the registered office provided in the Articles of Incorporation, as duly filed with the Texas Secretary of State, is 411 Oxford, Tomball, Texas 77375.

The name of the registered agent of the Corporation at such address, as set forth in its Articles of Incorporation, is Dan Gilmore.

The registered agent or office may be changed by filing a Statement of Change of Registered Agent or Office or Both with the Texas Secretary of State, and not otherwise. Such filing shall be made promptly with each change. Arrangements for each change in registered agent or office shall ensure that the Corporation is not exposed to the possibility of a default judgment. Each successive registered agent shall be of reliable character and well informed of the necessity of immediately furnishing the papers of any lawsuit against the Corporation to its attorneys.

#### 1.03 BUSINESS OFFICES

The address of the initial principal office of the Corporation is hereby established as 411 Oxford, Tomball, Texas 77375.

The Corporation may have additional business offices within the State of Texas, and where it may be duly qualified to do business outside of Texas, as the Board of Directors may designate or the business of the Corporation may require.

#### 1.04 AMENDMENT AND REPEAL OF BYLAWS

The Board of Directors may alter, amend, or repeal these Bylaws, and adopt new Bylaws. All such Bylaw changes shall take effect upon adoption by the Directors. Notice of Bylaws changes shall be given in or before notice of the first Church' meeting following their adoption.

#### ARTICLE TWO - NO MEMBERS

#### 2.01 NO MEMBERS

The Corporation shall have no members.

#### 2.02 CHURCH AUTHORITY

First Baptist Church (hereinafter referred to as the "Church") located at 411 Oxford Street, Tomball, Texas 77375, a religious association, pursuant to the Revised Civil Statutes of the State of Texas, Article 1396, Section C, shall have the power to appoint and remove all Directors of the Corporation at its sole discretion. Such appointments and removals shall be performed by the pastor of the Church and all such appointments and removals shall be deemed to be with the full authority of the Church.

#### ARTICLE THREE - DIRECTORS AND DIRECTORS' MEETINGS

#### 3.01 POWERS

The business and affairs of the Corporation and all corporate powers shall be exercised by or under authority of the Board of Directors, subject to the limitations imposed by law, the Articles of Incorporation, and these Bylaws.

#### 3.02 VACANCIES

Vacancies on the Board of Directors shall exist upon: (a) the failure of the Church to elect the full authorized number of Directors to be voted for at any Church' meeting at which any Director is to be elected; (b) a declaration of vacancy under Section 2.03(a) of these Bylaws; (c) an increase in the authorized number of Directors; or (d) the death, resignation, or removal of any Director.

#### 3.02(a) DECLARATION OF VACANCY

A majority of the Board of Directors may declare the office of a Director vacant if the Director is adjudged incompetent by a court; is convicted of a crime involving moral turpitude; or fails to accept the office of Director, either by a letter of acceptance or by attending a meeting of the Board of Directors within thirty (30) days of notice of election.

#### 3.02(b) FILLING VACANCIES BY DIRECTORS

Vacancies other than those caused by an increase in the number of Directors shall be temporarily filled by majority vote of the remaining Directors, though less than a quorum, or by a

sole remaining Director. Each Director so elected shall hold office until a successor is appointed by the Church. Vacancies reducing the number of Directors to less than six (6) shall be filled before the transactions of any other business.

#### 3.02(c) FILLING VACANCIES

Any vacancy on the Board of Directors, including those caused by an increase in the number of Directors, shall be filled by the Church at the next annual meeting or at a special meeting called for that purpose. Upon the resignation of a Director tendered to take effect at a future time, the Board or the Church may elect a successor to take office when the resignation becomes effective.

#### 3.03 REMOVAL OF DIRECTORS

The entire Board of Directors or any individual Director may be removed from office by the Church.

#### 3.04 ACTION BY CONSENT OF BOARD WITHOUT MEETING

Any action required or permitted to be taken by the Board of Directors may be taken without a meeting and shall have the same force and effect as a unanimous vote of Directors if all the Directors consent to the action in writing. Such consent may be given individually or collectively.

#### 3.05 PLACE OF MEETINGS

Meeting of the Board of Directors shall be held at any place within or without the State of Texas as may be designated by the Board.

#### 3.06 REGULAR MEETINGS

Regular meetings of the Board of Directors shall be held, without call or notice, monthly and at any other regularly repeating times as the Directors may designate.

#### 3.07 SPECIAL MEETINGS

Special meetings of the Board of Directors for any purpose may be called at any time by the President or, if the President is absent or unable or refuses to act, by any Vice President or any four (4) Directors. Written notice of the special meeting, stating the time and place of the meeting, shall be mailed ten (10) days before, or personally delivered so as to be received by each Director no later than two (2) days before, the day appointed for the meeting. The notice may include a tentative agenda, but the meeting shall not be confined to any agenda included with the notice, and none is required.

Upon providing notice, the Secretary or other officer sending notice shall sign and file in the corporate Record Book a statement of the details of the notice given to each Director. If such statement should later not be found in the Corporate Record Book, due notice shall be presumed.

#### 3.08 QUORUM

The presence throughout any Directors' meeting, or adjournment thereof, of a majority of the authorized number of Directors shall be necessary to constitute a quorum to transact any business, except to adjourn. If a quorum is present, every act done or resolution passed by a majority of the Directors present and voting shall be the act of the Board of Directors, unless the act of a greater number is required by law, the Articles of Incorporation, or these Bylaws. Directors present by proxy shall not be counted toward a quorum.

#### 3.09 ADJOURNMENT AND NOTICE OF ADJOURNED MEETINGS

A quorum of the Directors may adjourn any Directors' meeting to meet again at a stated hour on a stated day. Notice of the time and place where an adjourned meeting will be held need not be given to absent Directors if the time and place are fixed at the adjourned meeting. In the absence of a quorum, a majority of the Directors present may adjourn to a set time and place if notice is duly given to the absent Church, or until the time of the next regular meeting of the Board.

#### 3.10 CONDUCT OF MEETINGS

The President shall chair all meetings of the Board of Directors. In the President's absence, the Vice President or a Chairman chosen by a majority of the Directors present shall preside. The Secretary of the Corporation shall act as Secretary of the Board meetings. When the Secretary is absent from any meeting, the Chairman may appoint any person to act as Secretary of the meeting.

#### 3.11 NUMBER OF DIRECTORS

The number of Directors shall be six (6), none of whom need be residents of Texas or Church. The number of Directors may be increased or decreased by amendment of these Bylaws. Any decrease in the number of Directors shall not have the effect of reducing the total number of Directors below three, nor of shortening the tenure which any incumbent Directors would otherwise enjoy.

#### 3.12 TERM OF OFFICE

Directors shall be entitled to hold office for three (3) years or until removed or their successors are elected and qualified. New Directors will be selected by the Church prior to the end of each three (3) year term.

#### 3.13 COMPENSATION

Directors as such shall not receive salaries for their services, but by resolution of the Board of Directors a fixed sum plus expenses of attendance, if any, may be paid to Directors for attendance at each meeting of the Board. This policy does not preclude any Director from serving the Corporation in any other capacity and receiving compensation for such additional service.

#### 3.14 INDEMNIFICATION OF DIRECTORS AND OFFICERS

The Corporation shall indemnify all officers, Directors, employees, and agents to the extent required by law. The Board of Directors may, by separate resolution, provide for additional indemnification as allowed by law.

#### 3.15 INSURING DIRECTORS, OFFICERS, AND EMPLOYEES

The Corporation may purchase and maintain insurance, or make any other arrangement, on behalf of any person as permitted by Article 2.22A(R) of the Texas Non-Profit Corporation Act, whether or not the Corporation has the power to indemnify that person against liability for any acts.

#### 3.16 BOARD COMMITTEES - AUTHORITY TO APPOINT

The Board of Directors may designate one or more committees to conduct the business and affairs of the Corporation to the extent authorized. Each Board committee shall contain at least two (2) Church, a majority of whom must be Directors. The Board shall have the power to change the powers and Membership of, fill vacancies in, and dissolve any committee at any time. Church of any committee shall receive such compensation as the Board of Directors may from time to time provide. The designation of any committee and the delegation of authority thereto shall not operate to relieve the Board of Directors, or any member thereof, of any responsibility imposed by law. The Board may also elect or appoint Church' committees, but these committees shall not conduct the business of the Corporation.

#### 3.17 PROXIES

A Director may vote in person or by proxy executed in writing. No proxy shall be valid after three (3) months from the date of its execution. Each proxy shall be revocable unless expressly provided therein to be irrevocable and otherwise irrevocable by law.

#### ARTICLE FOUR - OFFICERS

#### 4.01 TITLE AND APPOINTMENT

The officers of the Corporation shall be a President, a Vice President, a Secretary, a Treasurer, and such other officers as the Board may designate. Any two or more officers, except President and Secretary, may be held by the same person. All officers shall be elected by and hold office at the pleasure of the Board of Directors, which shall fix the compensation and tenure, not to exceed one (1) year, of all officers. The Board of Directors may delegate this power to appoint officers to any officer or committee, and such officer or committee shall have full authority over the officers they appoint, subject to the power of the Board as a whole. Election or appointment of an officer shall not of itself create contract rights.

#### 4.02 REMOVAL AND RESIGNATION

Any officer may be removed, with or without cause, by vote of a majority of the Directors at any meeting of the Board, or by any committee or officer upon whom that power of removal may be conferred by the Board. Such removal shall be without prejudice to the contract rights, if any, of the person removed. Any officer may resign at any time by giving written notice to the Board of Directors, the President, or the Secretary of the Corporation. Any resignation shall the effect upon receipt or at any later time specified therein. Unless otherwise specifies therein, the acceptance of such resignation shall not be necessary to make it effective.

#### 4.03 VACANCIES

Should any vacancy occur in any office of the Corporation, the Board of Directors may elect any acting successor to hold office for the unexpired term or until a permanent successor is elected

#### 4.04 COMPENSATION

The compensation of the officers shall be fixed from time to time by the Board of Directors, and no officer shall be prevented from receiving a salary because the officer is also a a Director of the Corporation.

#### 4.05 PRESIDENT

The President shall be the chief executive officer of the Corporation, subject to the control of the Board of Directors. The President shall have general supervision, direction, and control of the business and officers of the Corporation; shall have the general powers and duties of management usually vested in the office of President of a corporation; shall have such other powers and duties as may be prescribed by the Board of Directors or the Bylaws; and shall be ex

officio a member of all standing committees, including the executive committee, if any. In addition, the President shall preside at all meetings of the Board of Directors.

#### 4.06 VICE PRESIDENT

The Vice President(s) shall have such powers and perform such duties as form time to time may be prescribed by these Bylaws, the Board of Directors, or the President. In the absence or disability of the President, the senior Vice President shall perform all the duties of the President, pending action by the Board. While so acting, the senior Vice President shall have all the powers of, and be subject to all the restrictions on, the President.

#### 4.07 SECRETARY

The Secretary shall:

- (A) See that all notices are duly given as required by law, the Articles of Incorporation, or these Bylaws. In case of the absence or disability of the Secretary, or the Secretary's refusal or neglect to act, notice may be given and served by an Assistant Secretary or by the President, Vice President, or Board of Directors.
- (B) Be custodian of the minutes of the Corporation's meetings, it Corporate Record Book, its other records, and any seal which it may adopt. When the Corporation exercises its right to use a seal, the Secretary shall see that the seal is embossed upon all documents authorized to be executed under seal in accordance with these Bylaws.
- (C) In general, perform all duties incident to the office of Secretary, and such other duties as from time to time may be required by these Bylaws generally by the President, by the Board of Directors, or by law.

#### 4.08 TREASURER

The Treasurer shall:

- (A) Have charge and custody of, and be responsible for, all funds and securities of the Corporation, and deposit all funds in the name of the Corporation in those banks, trust companies, or other depositories as the Board of Directors select.
  - (B) Receive, and give receipt for, monies due and payable to the Corporation.
- (C) Disburse or cause to be disbursed the funds of the Corporation as may be directed by the Board of Directors, taking proper vouchers for those disbursements.

- (D) If required by the Board of Directors or the President, give to the Corporation a bond to assure the faithful performance of the duties of the Treasurer's office and the restoration to the Corporation of all corporate books, papers, vouchers, money, and other property of whatever kind in the Treasurer's possession or control, in case of the Treasurer's death, resignation, retirement, or removal from office. Any such bond shall be in a sum satisfactory to the Board of Directors, with one or more individual sureties or with a surety company satisfactory to the Board of Directors.
- (E) In general, perform all the duties incident to the office of Treasurer, and such other duties as from time to time may be assigned to the Treasurer by Article Six of these Bylaws, by these Bylaws generally, by the President, by the Board of Directors, or by law.

#### 4.09 ASSISTANT SECRETARY AND ASSISTANT TREASURER

The Assistant Secretary and Assistant Treasurer shall have such powers and perform such duties as the Secretary or Treasurer, respectively, or as President or Board of Directors may prescribe. In the absence of the Secretary or Treasurer, the Assistant Secretary or Assistant Treasurer, respectively, may perform all the functions of the Secretary or Treasurer.

#### ARTICLE FIVE - AUTHORITY TO EXECUTE INSTRUMENTS

#### 5.01 NO AUTHORITY ABSENT SPECIFIC AUTHORIZATION

These Bylaws provide certain authority for the execution of instruments. The Board of Directors, except as otherwise provided in these bylaws, may additionally authorize any officer(s) or agent(s) to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation. Such authority may be general or confined to specific instances. Unless expressly authorized by these Bylaws or the Board of Directors, no officer, agent, or employee shall have any power or authority to bind the Corporation by any contract or engagement nor to pledge its credit nor to render it liable pecuniarily for any purpose or in any amount.

#### 5.02 EXECUTION OF CERTAIN INSTRUMENTS

Formal contracts, promissory notes, deeds of trust, mortgages, pledges, and other evidences of indebtedness of the Corporation, other corporate documents, and certificates of ownership of liquid assets held by the Corporation shall be signed or endorsed by the President or Vice President and by the Secretary or Treasurer, unless otherwise specifically determined by the Board of Directors or otherwise required by law.

#### ARTICLE SIX - CORPORATE RECORDS AND ADMINISTRATION

#### 6.01 MINUTES OF CORPORATE MEETINGS

The Corporation shall keep at the principal office, or such other place as the Board of Directors may order, a Corporate Record Book containing minutes of all meetings of the Corporation's Church, Directors, and committees. The minutes shall show the time and place of each meeting, whether the meeting was regular or special, a copy of the notice given or written waiver thereof, and, if special, how the meeting was authorized. The minutes of all meetings shall further show the proceedings and the names of those present.

#### 6.02 BOOKS OF ACCOUNT AND ANNUAL REPORTS

The Corporation shall maintain current true and accurate financial records with full and correct entries made with respect to all financial transactions, including all income and expenditures, in accordance with generally accepted accounting practices. Based on these records, the Board of Directors shall annually prepare or approve a report of the Corporation's financial activity for the preceding year. The report must conform to accounting standards as promulgated by the American Institute of Certified Public Accountants and must include a statement of support, revenue, expenses, and balance sheets for all funds. All records, books, and annual reports of the financial activity of the Corporation shall be kept at its principal office for at least three (3) years after the closing of each fiscal year and shall be available to the public for inspection and copying there during normal business hours. The Corporation may charge for the reasonable expense of preparing a copy of a record or report.

#### 6.03 CORPORATE SEAL

The Board of Directors may at any time adopt, prescribe the use of, or discontinue the use of, such corporate seal as it deems desirable, and the appropriate officers shall cause such seal to be affixed to such documents as the Board of Directors may direct.

#### 6.04 FISCAL YEAR

The fiscal year of the Corporation shall be as determined by the Board of Directors and approved by the Internal Revenue Service. The Treasurer shall forthwith arrange a consultation with the Corporation's tax advisers to determine whether the Corporation is to have a fiscal year other than the calendar year. If so, the treasurer shall file an election with the IRS as early as possible, and all correspondence with the IRS, including the application for the Corporations Employer Identification Number, shall reflect such non-calendar year election.

#### 6.05 MANAGEMENT OF FUNDS

Corporate Seal

All institutional and endowment funds shall be handled pursuant to the Uniform Management of Institutional Funds Act. (Texas Property Code Sections 163,001 et seq.)

## 6.06 LOANS TO OFFICERS AND DIRECTORS

The Corporation shall not loan money to any of its Directors. Loans to officers may be made if the loans can reasonably be expected to benefit the Corporation, directly or indirectly, and are made to finance the officer's principal residence or do not exceed 50% of the officer's annual salary (100% if the loan is made during the officer's fiscal year of employment).

## 6.07 WAIVER OF NOTICE AND CONSENT TO ACTION

Meetings provided for in these Bylaws shall not be invalid for lack of notice if all persons entitled to notice either waive notice or consent to the meeting, in writing, or are present at the meeting and do not object to the notice given. Waiver or consent may be given either before or after the meeting.

Attendance at a meeting shall constitute a waiver of notice of such meeting, except where a person attends a meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting is not lawfully called or convened.

## ARTICLE SEVEN - ADOPTION OF BYLAWS

The foregoing Bylaws were adopted by the Board of Directors on the 17th day of January, 1995.

BRENDA SKELTON

Athy Kelly

KATHY KELLY

ROBERT ROBIDEAU

## ARTICLES OF INCORPORATION

OF

FILED
in the Office of the
Secretary of State of Texas

TOMBALL FIRST BAPTIST CHURCH CHILD CARE CENTER, INC.

AUG 3 1 1994

Corporations Section

We, the undersigned natural persons over the age of eighteen (18), acting as incorporators, adopt the following Articles of Incorporation of TOMBALL FIRST BAPTIST CHURCH CHILD CARE CENTER, INC. (hereinafter referred to as the "Corporation") under the Texas Non-Profit Corporation Act (hereinafter referred to as the "Act"):

#### ARTICLE 1

#### NAME

The name of the Corporation is TOMBALL FIRST BAPTIST CHURCH CHILD CARE CENTER, INC.

#### ARTICLE 2

#### NONPROFIT CORPORATION

The Corporation is a nonprofit corporation. Upon dissolution, all of the Corporation's assets shall be distributed to the State of Texas or an organization exempt from taxes under Internal Revenue Code Section 501(c)(3) for one or more purposes that are exempt under the Texas franchise tax.

ARTICLE 3

**DURATION** 

The Corporation shall continue in perpetuity.

ARTICLE 4

#### PURPOSES

The purposes for which the Corporation is organized are to perform charitable activities within the meaning of Internal Revenue Code Section 501(c)(3) and Texas Tax Code Section 11.18(c)(1). Specifically, the Corporation is organized to operate a charitable service center for the benefit of persons unable to afford to provide for the educational development of their children; to engage in all activities necessary, useful and expedient to

promote and further stimulate the educational development of children during the working day of adult parents by providing young children the affection, care and guidance needed; to promote such children's educational development, both academically and physically, emotionally and spiritually, socially and intellectually, by providing such children with a happy, wholesome, clean and healthful schedule of individual and group educational activities.

#### ARTICLE 5

#### POWERS:

Except as otherwise provided in these Articles, the Corporation shall have all of the powers provided in the Act.

#### ARTICLE 6

#### RESTRICTIONS AND REQUIREMENTS

The Corporation shall not pay dividends or other corporate income to its directors or officers or otherwise accrue distributable profits or permit the realization of private gain. The Corporation shall have no power to take any action prohibited by the Act.

The Corporation shall have no power to take any action that would be inconsistent with the requirements for a tax exemption under Internal Revenue Code Section 501(c)(3) and related regulations, rulings, and procedures. The Corporation shall have no power to take any action that would be inconsistent with the requirements for receiving tax deductible charitable contributions under Internal Revenue Code Section 170(c)(2) and related regulations, rulings, and procedures. Regardless of any other provision in these Articles of Incorporation or state law, the Corporation shall have no power to:

- 1. Engage in activities or use its assets in manners that are not in furtherance of one or more exempt purposes, as set forth above and defined by the Internal Revenue Code and related regulations, rulings, and procedures, except to an insubstantial degree.
- Serve a private interest other than one that is clearly incidental to an overriding public interest.
- 3. Devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise, except as provided by the Internal Revenue Code and related regulations, rulings, and procedures.
- 4. Participate in or intervene in any political campaign on behalf of or in opposition to any candidate for public office. The prohibited activities include the publishing or distributing of statements and any other direct or indirect campaign activities.

- 5. Have objectives that characterize it as an "action organization" as defined by the Internal Revenue Code and related regulations, rulings, and procedures.
- 6. Distribute its assets on dissolution other than for one or more exempt purposes; on dissolution, the Corporation's assets shall be distributed to the state government for a public purpose, or to an organization exempt from taxes under Internal Revenue Code Section 501(c)(3) to be used to accomplish the general purposes for which the Corporation was organized.
- 7. Permit any part of the net earnings of the Corporation to inure to the benefit of any private shareholder or member of the Corporation or any private individual.
- 8. Carry on an unrelated trade or business except as a secondary purpose related to the Corporation's primary, exempt, purposes.

The Corporation shall make distributions at such times and in such manners as to avoid the tax under Internal Revenue Code Section 4942. The Corporation shall not engage in any act of self-dealing as defined in Section 4941(d). The Corporation shall not retain excess business holdings as defined in Section 4943(c). The Corporation shall not make any investments that would subject it to the tax described in Section 4944. The Corporation shall not make any taxable expenditures as defined in Section 4945(e).

#### ARTICLE 7

#### MEMBERSHIP

The Corporation shall have no members.

#### ARTICLE 8

## INITIAL REGISTERED OFFICE AND AGENT

The street address of the initial registered office of the Corporation is 411 Oxford. Tomball, Texas 77375. The name of the initial registered agent at this office is Dan Gilmore.

#### ARTICLE 9

#### BOARD OF DIRECTORS

The qualifications, manner of selection, duties, terms, and other matters relating to the Board of Directors (referred to as the "Board of Directors") shall be provided in the bylaws. The initial Board of Directors shall consist of six (6) persons. The number of directors may be increased or decreased by adoption or amendment of bylaws. The number

of directors may not be decreased to less than three. The initial Board of Directors shall consist of the following persons at the following addresses:

#### Name of Directors

#### Street Address

Brenda Skelton 12415 Patridge

Pinehurst, Texas 77362

Kathy Kelly 300 Oxford

Tomball, Texas 77375

Robert Robideau 25640 Candy Lane

Magnolia, Texas 77355

Dianna DeLeon 22735 Elm Bark

Tomball, Texas 77375

Valerie Daniels P.O. Box 1109

Pinehurst, Texas 77362-1109

Jean Solomon 607 Hicks

Tomball, Texas 77375

#### ARTICLE 10

#### LIMITATION ON LIABILITY OF DIRECTORS

A director is not liable to the Corporation or members for monetary damages for an act or omission in the director's capacity as director except to the extent otherwise provided by a statute of the State of Texas.

#### ARTICLE 11

#### INDEMNIFICATION

The Corporation may indemnify a person who was, is, or is threatened to be made a named defendant or respondent in litigation or other proceedings because the person is or was a director or other person related to the Corporation as provided by the provisions in the Act governing indemnification. As provided in the bylaws, the Board of Directors shall have the power to define the requirements and limitations for the Corporation to indemnify directors, officers, or others related to the Corporation.

#### ARTICLE 12

#### CONSTRUCTION

All references in these Articles of Incorporation to statutes, regulations, or other sources of legal authority shall refer to the authorities cited, or their successors, as they may be amended from time to time.

#### ARTICLE 13

#### **INCORPORATORS**

The name and street address of the incorporator is:

Dan Gilmore 412 West Houston Street Tomball, Texas 77375

#### ARTICLE 14

## ACTION BY WRITTEN CONSENT

Action may be taken by use of signed written consents by the number of directors, or committee members whose vote would be necessary to take action at a meeting at which all such persons entitled to vote were present and voted. Each written consent must bear the date of signature of each person signing it. A consent signed by less than all of the directors, or committee members is not effective to take the intended action unless consents, signed by the required number of persons, are delivered to the Corporation within 60 days after the date of the earliest dated consent delivered to the Corporation. Delivery must be made by hand, or by certified or registered mail, return receipt requested. The delivery may be made to the corporation's registered office, registered agent, principal place of business, transfer agent, registrar, exchange agent, or an officer or agent having custody of books in which the relevant proceedings are recorded. If the delivery is made to the Corporation's principal place of business, the consent must be addressed to the president or principal executive officer.

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

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

Executed this 30 # day of \_\_\_\_\_

THE STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned Notary Public on this day personally appeared before me DAN GILMORE, who after being by me first duly sworn declared that he is the person who signed the foregoing document as incorporator, and that the statements therein contained are true and correct.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 30 day of

UNDA A ZWEIFEL NOTARY PUBLIC

NOTARY PUBLIC FOR THE STATE OF TEXAS

)

ASSURANCES

OFC 15 1998

Signature of the Chief Operating Officer certifies that the following statements are addressed through policies adopted by the charter school and, if approved, the governing body, administration, and staff of the open-enrollment charter will abide by them:

- (1) The proposed open-enrollment charter school prohibits discrimination in its admission policy on the basis of sex, national origin, ethnicity, religion, disability, academic or athletic ability, or the district the child would otherwise attend in accordance with state statute.
- Any educator employed by a school district before the effective date of a charter for an open-enrollment charter school operated at a school district facility will not be transferred to or employed by the open-enrollment charter school over the educator's objection.
- The proposed open-enrollment charter school will retain authority to operate under (3) the charter contingent on satisfactory student performance on assessment instruments adopted under TEC, Chapter 39, Subchapter B and as provided by the open-enrollment charter agreement approved by the State Board of Education.
- (4) The proposed open-enrollment charter school will not impose taxes, use financial incentives or rebates to recruit students, or charge tuition other than tuition allowable under TEC Section 12.106.
- If the proposed open-enrollment charter school provides transportation, it will provide transportation to each student attending the school to the same extent a school district is required by law to provide transportation to district students.
- The proposed open-enrollment charter school will operate in accordance with federal laws and rules governing public schools; applicable provisions of the Texas. Constitution; state statute pertaining to provisions establishing a criminal offense; and prohibitions, restrictions, or requirements, as applicable, under state statute or rule adopted relating to:
  - the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance as determined by the commissioner;
  - criminal history records under TEC Subchapter C of Chapter 22:
  - high school graduation under TEC Section 28.025;
  - special education programs under TEC Subchapter A of Chapter 29;
  - bilingual education under TEC Subchapter B of Chapter 29;
  - prekindergarten programs under TEC Subchapter E of Chapter 29;
  - extracurricular activities under TEC Section 33.081:
  - health and safety under TEC Chapter 38; and
  - public school accountability under TEC Subchapters B, C, D, and G of Chapter 39.

- (7) The governing body of the school is considered a governmental body for purposes of Chapters 551 and 552, Government Code, and will comply with those requirements of state statute.
- (8) The employees and volunteers of the open-enrollment charter school are held immune from liability to the same extent as school district employees and volunteers under applicable state laws.
- (9) The open-enrollment charter school will ensure that any of its employees who qualify for membership in the Teacher Retirement System of Texas will be covered under the system to the same extent a qualified employee of a school district is covered. For each employee of the school covered under the system, the charter will be responsible for making any contribution that otherwise would be the legal responsibility of the school district, and will ensure that the state makes contributions for which it is legally responsible to such employees.
- (10) The open-enrollment charter school complies with all health and safety laws, rules, and regulations of the federal, state, county, region, or community that may apply to the facilities and school property.
- (11) The open-enrollment charter school agrees to assist in the completion of an annual evaluation of the charter that includes consideration of:
  - students' scores on assessment instruments administered under TEC, Chapter 39. Subchapter B;
  - student attendance;
  - students' grades;
  - · incidents involving student discipline;
  - socioeconomic data on students' families;
  - · parents' satisfaction with their children's schools;
  - students' satisfaction with their schools;
  - the costs of instruction, administration, and transportation incurred by the openenrollment charter; and
  - the effect of the open-enrollment charter on surrounding school districts and on teachers, students, and parents in those districts.
- (12) An assignment of the operation of the charter to another entity is a revision to the charter, and must be submitted to the State Board of Education for approval.
- (13) Charter schools will provide parents of prospective students with a one-page prospectus of the charter which includes, but is not limited to, information about staff qualifications and the instructional program.
- (14) The school will implement a policy to admit students eligible for a public education grant.

The following assurance must be included in all applications for an open-enrollment charter school under TEC § 12.1011(a)(2), the "75% Rule."

(15) The Charter School assures at least 75 percent of the prospective student population, as specified in the proposed charter, will be students who have dropped out of school or are at risk of dropping out of school as defined in TEC Section 29.081(d), and the school will maintain, as a condition of its charter, the required percentage (75%) of students who have dropped out of school or are at risk of dropping out of school as defined in TEC Section 29.081(d) each year as reported in the Public Education Information Management System (PEIMS), or relinquish its charter.

Signature of Chief Operating Officer of the School date

Signature of the Chair of the State Board of Education/ date

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## FAX COVER SHEET

Sunday, December 13, 1998 09:24:02 PM

To: Flemister

Fax #: 15124639838

Fax: 10 pages and a cover page.

# To: Charter School Office, Brooks Flemister

This is the Comquest Academy answer to question #11 on page 26. A new set of signed (in blue) assurances have been mailed earlier and should be there no later than Monday, December 14, 1998. It was not specified in your letter that this answer could not be faxed, we are sending a faxed copy of the answer as well as next day delivery.

Please advise us with more information of the additional training planned for the spring of 1999.

Thank you,

Sincerely,

Junio Y. Stanfild Tanis L. Stanfield

Comquest Academy

# (1) Describe how the proposed charter school will address the specific needs of students at risk of dropping out of school as defined in TEC 29.081(d)

- (1) each student in grade 7 through 12 who is under 21 years of age and who;
  - (A) was not advanced from one grade level to the next for two or more years;
  - (B) has mathematics or reading skills that are two or more years below grade level;
  - (C) did not maintain an average equivalent to 70 on a scale of 100 in two or more courses during a semester, or is not maintaining such an average in two or more courses in the current semester, and is not expected to graduate within four years of the date the students begins ninth grade;
  - (D) did not perform satisfactorily on an assessment instrument administered under Subchapter B, Chapter 39; or
  - (E) is pregnant or is a parent;

Our primary goal will be to address those areas that caused the students enrolled in Comquest Academy to meet "at risk" criteria, remediate those areas of concern, and build skills so that those students will be able to handle assignments that will give them credit for courses missed, also opportunities to catch up. As a public school we will always strive to be flexible to meet the needs of the individual students offering viable alternatives for catching those students up when appropriate. GED Prep will be factored into our program for those students who have extenuating circumstances and can not invest time necessary to complete the requirements for a diploma.

Our extended goal will be to enable individuals to become productive, self-sufficient citizens by offering innovative learning, personal development and economic opportunities. We want to prevent students from seeking welfare and subsidies for survival and strive to become self-sufficient, self-respecting citizens.

Any number of reasons can contribute to a students failures in the schools. Failures that would lead to the standings listed above that define a student's status as "at risk". Reasons some of the students the author currently works with fall into "at-risk" students status is: attendance, family crisis, students are unmotivated-see no relevance for their efforts, clashes with authority, gang involvement, drugs, ability levels and emotional problems. The criteria for "at risk" status can require a variance of approaches to lead the student to the point where, for example, this

criteria (A) he or she was not advanced from one grade level to the next for two or more years can be addressed. This status may be as a result of repetitive absences, drug usage, family breakup, etc. to name a few. The author's experience has dictated that those variances must be seriously addressed, hopefully this will make addressing the lack of advancement much easier and less frustrating. The result of being patiently instructed by a teacher that earns trust and respect from students can result in alleviating the variances. This does not mean that there will not be a difficult transition period when the student is forced to modify their behavior, self discipline and observe boundaries. This is usually very much an ingredient in the recipe for elevating a student from the ranks of failure to setting goals and reaching them-successfully.

For these reasons it is difficult to give a pat answer formula for rescuing "at risk" students successfully or preventing them from dropping out of school.

Strategies described in this proposal to address "high-risk", would effectively apply to "at risk", strategies that are tried and proven. It is reassuring this year to hear students in the author's class from last year who were resisting learning and conforming have progressed to serving as tutors, role models, have passed the TAAS and, are encouraging the newer students this year to be patient. Many of our students become very frustrated with remedial efforts that don't cure them overnight, this is a battle the author fights everyday. Students expect years of skill deficits to be fixed immediately. This has to be a part of the variances that are addressed, getting students to "buy in" long term to getting back on track and mastering those life-long skills. Reading is a big part of the author's current fast track teaching tool. Most students have never read a book before they come to her class, as a matter of fact they hate reading! But by the time the year is over, they have read and demonstrated comprehension of at least 5 books, including some authored by Charles Dicken's. The Christmas Carol has

served as a great tool for building self-confidence, building and comprehending a difficult vocabulary, testing context comprehension, teaching TAAS objectives, group projects. drawing the Christmas spirits from descriptions in the book, group reading, reading with other students, building suspense and anticipation from accounts in the book, looking at your own social skills, integrating math skills creatively, historical enrichment, and at the end celebrating completion with a movie and festivities parallel those in the book. Not only are they proud of starting and finishing a book, they have had so many worthwhile experiences. getting them to read the next book is easy. (The author frequently uses losing weight as a way of getting students to see that they must learn to be gratified with baby steps in the process of making up for skill deficits. When a person looses weight they have to learn great patience and to take each day one at a time, those baby steps will become larger and accumulate to a great accomplishment.) Likewise in many cases, falling behind in school didn't happen overnight, the cure is going to take patience and dedication. Keeping a portfolio can help the students to visualize where they were when they started to where they have progressed.

When students come to enroll in the charter school an intake interview will be conducted to help evaluate the best, and most effective approach to addressing the needs of that individual student. Based on this interview and records of the students educational history we can formulate an education plan to offer the student the most comprehensive, integrated, and high interest approach to addressing the student's current academic needs as well as preparing the student to enter the work force or continue on in pursuit of higher levels of education.

One very important strategy in our efforts to address the "at risk" student's needs will be to offer the opportunity to "learn by doing", this is a 4-H motto the author grew up with

CHARTER CONTINGENCIES RECEIVED

DEC 15 1998

CHARTER SCHOOL

To: Charter School Office, Brooks Flemister

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served as a great tool for building self-confidence, building and comprehending a difficult vocabulary, testing context comprehension, teaching TAAS objectives, group projects, drawing the Christmas spirits from descriptions in the book, group reading, reading with other students, building suspense and anticipation from accounts in the book, looking at your own social skills, integrating math skills creatively, historical enrichment, and at the end celebrating completion with a movie and festivities parallel those in the book. Not only are they proud of starting and finishing a book, they have had so many worthwhile experiences, getting them to read the next book is easy. (The author frequently uses losing weight as a way of getting students to see that they must learn to be gratified with baby steps in the process of making up for skill deficits. When a person looses weight they have to learn great patience and to take each day one at a time, those baby steps will become larger and accumulate to a great accomplishment.) Likewise in many cases, falling behind in school didn't happen overnight, the cure is going to take patience and dedication. Keeping a portfolio can help the students to visualize where they were when they started to where they have progressed.

When students come to enroll in the charter school an intake interview will be conducted to help evaluate the best, and most effective approach to addressing the needs of that individual student. Based on this interview and records of the students educational history we can formulate an education plan to offer the student the most comprehensive, integrated, and high interest approach to addressing the student's current academic needs as well as preparing the student to enter the work force or continue on in pursuit of higher levels of education.

One very important strategy in our efforts to address the "at risk" student's needs will be to offer the opportunity to "learn by doing", this is a 4-H motto the author grew up with

in her developmental years and has carried this philosophy throughout her teaching career, she has observed this strategy engage unmotivated learners. Not only do the learners become engaged but the feeling of success experienced is often the first time for many students. It becomes so fulfilling and addictive the students become caught up in learning and grow to no longer view learning as boring and negative but embrace "learn by doing" as a means whereby they can attack assignments and projects successfully. Students that would not be able to see the way to completion of assigned tasks, projects, etc., will be shown processes to follow from start to finish to realize a desirable product, these students traditionally undergo a transition from viewing their abilities as inadequate and incapable to leading others that join the classes to also becoming successful learners. Students become more independent as time and positive experiences inspire them on. "Learning by doing" effectively answers the appeal, "how is this going to help me, you are making me learn something I probably won't ever use again!"

The author of this document has been to visit many programs for "at risk" youth in Houston, Austin and the surrounding area and has worked with this population since 1969. A consistent belief expressed over and over again by persons working with these populations is that limiting the educational experience to a book and four walls is not going to yield the desired results or long term gains necessary to sustain difficult to reach learners. Innovative strategies, technology, actively engaged learners, and teachers who desire to work with this population are necessary components. Incorporating technology into the recipe for success will be a priority at Comquest. The author has worked with a computer program, Josten's Invest for the last 5 years. This program is a diagnostic, prescriptive program and was purchased by the author's current school to address basic skill

mastery concerns with our "at risk" youth. A copy of an overview of this program is included. This would be a program considered for purchase for Comquest Academy to address basic skill gaps for Comquest students.

Another program that could be considered for use by Comquest Academy would be Plato 2000, a program incorporating effective instructional strategies to develop and extend skills. An overview of this program is included as well.

Addressing individual needs of students through educational planning is an important ingredient of Comquest's menu for success but unless some of the strategies listed below are also incorporated into the program our efforts will still fall short of the gains listed in our goals.

Having speakers who have similar backgrounds to those of our students that have succeeded in life and business; teaching legitimate acceptable social skills; discussing how our students can responsibly assume their roles of the future; directing students to start a portfolio of their skills and accomplishments that could be used for writing resumes, and job applications; offering job-skills training; project assignment organization, seeing projects through from start to end; offering opportunities to see fields of opportunity for the future, even participate in actual job skills tasks for these opportunities; field trips to places "at risk" would not ordinarily visit to extend their view of the world, for example museums, factories, colleges, hospitals to name a few; celebrate, acknowledge and emphasize academic gains made; author's husband's company currently cooperates with local colleges to train prospective and current employees, this program is ready and willing to help us do the same and/or serve some of our students, which would get them on a college campus and maybe inspire them to continue after graduation to take college courses; constantly adding proven programs or modifying current programs to enhance student experiences

and what is working is the way success is going to find Comquest Academy students.

Pregnant students or students that are parents would be welcome to our school and encouraged just as other students. Comquest's Academy location within a church would put many resources of the church readily available and cooperatively accessible to the needs of our students, including day-care facilities, emergency food and clothing needs, etc.

#### The Structure & Format of INVEST Josten's

INVEST begins at the foundation level of basic skills and continues through more advanced basic skills education. The INVEST program design stimulates an interest in learning, teaches basic skills, and demonstrates the practical application of those skills. INVEST includes more than 5,000 on-line lessons comprising over 1,500 hours of computer-based curriculum. The program also includes supporting workbooks for many of the learning activities.

INVEST incorporates relevant adult and at risk content with research-based instructional techniques. It uses an interconnected and interactive design format encompassing a variety of subjects and skills presented in a diverse way at many different levels of difficulty. Through this network the learner can follow a broad curriculum of difficulty or focus on a specific skill need.

The curriculum is divided into three levels or tiers of learning achievement:

- · Tier 1 Basic Skill Level 1 to 3
- Tier 2 Basic Skill Level 4 to 8
- · Tier 3 Basic Skill Level 9 to 11

A learner can enter the program at any level based on the INVEST diagnostic/prescriptive component.

INVEST includes several objectives common to all program tiers. These objectives include Learning How To Learn, Problem Solving, Critical Thinking, and Practical Public Writing. Learners are encouraged to acquire these skills regardless of the educational level they possess upon program entry. They are also given the opportunity to apply these skills to life and workplace situations.

Each tier incorporates courses covering reading/vocabulary building, and writing skills, and mathematical/computational skills. The complexity and variety of material within each component changes as learners move through the levels, challenging the learner to acquire more knowledge and a wider range of skills. The structure and numerous courses of INVEST can adapt to meet the specific needs and abilities of each learner. Courses can be used separately for very specific individual learning objectives, or coupled together in a variety of ways to meet different educational program objectives.

INVEST computer lessons use a variety of features including interactive graphics, sound differential feedback, branching, review/hint screens, vocabulary windows and on-screen calculators. Learners use the computer as a tool to work through practical problems. The writing component allows the learner to draft, edit, revise and publish in a wide variety of writing formats, and to develop skills for completing forms. These features provide many advanced, yet easy-to-use tools to meet learning goals.

INVEST provides an integrated structure and format for the difficult task of basic skills instruction. Three tiers of curriculum allow each learner to begin instruction at a level appropriate to their skills and life experiences. Effective diagnostic testing allows accurate placement within the curriculum to allow for immediate success. The extensive curriculum of more than 6,000 computer based and workbook lessons allows a variety of learning experiences for any particular skill at any level.

#### Tier 1

# Pre-Reading & Reading

- Vocabulary
- Comprehension
- Spelling
- Language Skills

#### Tier 2

#### Reading

- Vocabulary
- Comprehension
- · Critical Reading
- · Comprehension
- · Reference Skills
- Spelling

#### Tier 3

#### Reading

- Vocabulary
- Comprehension
- · Critical Reading
- · Science & Social Studies
- Literature & Poetry
- Spelling

#### Writing

- Words, Sentences
   & Paragraphs
- Practical Writing
- Language Experience
- · Keyboarding

#### Writing

- Language Skills
- Grammar Usage
  - \* & Mechanics
- Process Writing
- · Letter Writing
- Forms
- Word Processing

#### Writing

- Language Skills
- Process Writing
- Business
  - Communications
- · Essay Writing
- Word Processing

#### Mathematics

- · Number Concepts
- Whole Number Operations
- Measurement
- · Applications

#### Mathematics

- Number Concepts
- Fractions, Decimals
   & Percents
- Geometry
  - & Measurement
- Review Fractions,
   Decimals, etc.
- · Pre-Algebra
- Graphs & Charts
- · Problem Solving

#### **Mathematics**

- Review of Whole Numbers
- Review of Fractions
- · Review of Decimals
- Algebra & Geometry
- Measurement & Statistics
- Problem solving

#### Survival Skills

- Direction/Information Signs
- Communication Resources
- Business Signs
- · Traffic Signs
- · Travel Signs

#### Life Skills

- Career Skills
- Consumer Skills
- · Daily Living Skills
- Reading Maps
- Employability Skills

#### Learning Skills

- Test Taking Strategies
- Interpreting Graphic Resources

#### PLATO 2000 Learning System

The PLATO courseware covers reading, writing, math, science, social studies, life concepts, job skills, and parenting techniques. This courseware incorporates effective instructional strategies for skill development with real life applications to help students establish a solid foundation. From this foundation, students are able to develop critical thinking skills.

The PLATO courseware is modular in structure which allows teachers to customize instruction in order to meet individual student needs. The courseware is objective and competency-based and has been cross-referenced with the GED, TAAS and TASP tests for state-required basic educational elements.

The instructional strategies that are consistent throughout the curricula are: assessment, tutorial, drill and practice, application, and tests.

By using the instructional strategies best suited for the students' individual learning styles, students are able to focus on mastering skills and increasing their own achievement. A variety of strategies may be implemented to accomplish the goals outlined in the student's individual learning plan. Examples of these variations are:

- assessment strategies identify needs and focus learning,
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- skill exercises which advance proficiency.

Mastery of the PLATO courseware skills is confirmed by a score of 80% or better on the tests. This scoring percentile is consistent with the CCP requirements.

#### Pre-Employment Skills Training

The Essential Skills for the Workplace (ESW) curriculum will be used in the Pre-Employment Skills/Work Maturity classes.

The class materials include: how to job search, what today's employers want from employees, career terminology, and interviewing techniques.

Prior to entering the Pre-Employment Skills Training, students will be assessed to determine their core competency level for employment readiness. Students will be required to demonstrate proficiency in all eleven competencies in order to be considered successful.

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The following assurance must be included in all applications for an open-enrollment charter school under TEC § 12.1011(a)(2), the "75% Rule."

(15) The Charter School assures at least 75 percent of the prospective student population, as specified in the proposed charter, will be students who have dropped out of school or are at risk of dropping out of school as defined in TEC Section 29.081(d), and the school will maintain, as a condition of its charter, the required percentage (75%) of students who have dropped out of school or are at risk of dropping out of school as defined in TEC Section 29.081(d) each year as reported in the Public Education Information Management System (PEIMS), or relinquish its charter.

Tanis L Stanfield 111-30-98
Signature of Chief Operating Officer of the School date

Signature of the Chair of the State Board of Education/ date

#### NOTICE OF INTENT TO APPLY

The undersigned school district hereby files a notice of intent to apply for

Name of Organization Conquest Ocademy	<u> </u>	
Name of Contact Person: Three L. Stanfield	· ·	
Mailing Address 31089 3 umm Food		
Phone Number (881) 351-0724 281-357-3281		
Fax Number (281) 357-3291 until May 31, 1999	74.5 17	-
The filing of this notice is not mandatory; however, it will assist the Texas Education Agency in anticipating the volume of applications in order to better expedite the review process and finalize awards.		
Filing this notice in no way binds the applicant in regards to its application		,

PLEASE SUBMIT THIS NOTICE BY MAIL OR BY FAX AS SOON AS POSSIBLE AFTER RECEIPT OF THE REQUEST FOR APPLICATION, BUT NOT LATER THAN <u>Friday</u>, <u>April 9</u>, <u>1999</u> TO:

Document Control Center Texas Education Agency 1701 North Congress, Room 6-108 Austin, Texas 78701-1494 FAX (512) 463-9811

SAS-A409-99

210

#### NOTICE OF INTENT TO APPLY

Name of Organization Conquest Ocademy  Name of Contact Person: Lines L. Stanfield  Mailing Address 31089 3 winn Road  James 18 18 18 18 18 18 18 18 18 18 18 18 18	
Mailing Address 31089 Zuinn Road	
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Jaming Address Jonath Tural	
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SAS-A409-99



# Austin, Texas 73701-1494 \* \$12/463-9734 \* FAX: 512/463-9838

MIKE MOSES COMMISSIONER OF ELAPEATION

### **MEMORANDUM**

TO:	Charter Schools	
FROM:	Esther Murguin Charter School Division	
DATE:	August 18, 1999	
RE:	Charter School Information	
		_

The following items have not been received by our office. Please compile this information and fax it to us ASAP as your funding will be affected if this is not in our possession by Friday, August 20, 1999. You can fax the information to 512-463-9732. I suggest that you contact our office at \$12-463-9575 to verify receipt.

If you have any questions, please contact me at 512-463-9575. Charter School 501c.3 letter List of board members Board meeting dates Annual Report

O

#### Board Meeting Calendar Meetings Held at 5:00 pm

August 30, 1999

September 13, 1999

October 18, 1999

November 15, 1999

December 13, 1999

January 17, 2000

February 28, 2000

March 20, 2000

April 17, 2000

May 22, 2000

June 5, 2000

ComQuest Academy Board of Directors 8/2/99

Tanis Stanfield 31089 Quinn Road Tomball, Texas 77375 281-351-0724

Faye Drennan 30911 Ulrich

Tomball, Texas 77375

281-351-1269

Dan Gilmore

P.O. Box 3408

Conroe, Texas 77305-3408

409-856-2001

281-255-3112

Dorothy Fuqua 34507 Michelle Drive Pinehurst, Texas 77362 281-356-6046 281-356-1535

Vicky Manis 33502 Winehell Place Magnolia, Texas 77355 281-351-5333 281-356-7340 ComQuest Academy \*Board of Directors 8/2/99

Glen Stanfield 31089 Quinn Road Tomball, Texas 77375 281-351-0724

Alex 4. Manfrett

Diana Parker P.O. Box 638 Tomball, Texas 77377

281-351-5946 FMY (409)538-8027

215

# Open Enrollment Charter School Startup Protocol July 26, 1999

Name of School Conquest Academy Date of Opening: Aug 16, 1999
Database Verification
Physical Facilities
Lease to buy waiting Signatures
Renovation Plans may add just mono
Certificate of Occupancy Not Required by City
Inspections upon punchase
Fire Marshall
Health Department
Asbestos Management Plan Will Mesench
Fire Exit Routes Map \( \int \d \raw \cm\)
Personnel
Credentials of Administrator(s) Hired Most Gualifuel  By Chartin
Credentials of Teaching Staff Hired

<del></del> .	_Certifications Required:
	_Special Education Centified - Director
	Bilingual Instruction
	_Criminal History Checks
NA	_Bus Drivers (required) Not Required
	_Faculty (optional)
	_Administrators (optional)
	_Teacher Appraisal Plan WORKING with other
	_Teacher Pay Schedules use Tontall Schedule
	_Administrator Pay Schedules By Contract
	Personnel Benefits WIRKING through Coop-
<i>\\</i>	_Insurance
	Leave in draft 5 day leave
<del>_</del>	TRS Bil Oullaw -

-	Workman's Comp Bill outlaw
-	Employee Handbook Wing Tontall as Middle
Gove	rnance
-	Chart of Board Members to include:
-	Name
-	Mailing Address Nud to FAX
-	Phone/Fax Numbers
•	Original Signatures
	Board Policy Manuals
	Board Meeting Agenda Postings
-	Minutes of Board Meetings
	Schedule of Board Meetings for 1999-2000 W JJ Pund (to include time and place)

Instruction Textbooks Adopted

Curriculum Materials	Purchase Orders	Student driven
•		curriculin
Lesson Plan Format	Process.	BC 1 System
Inservice/Training PI		
Reg. II		Anage I am Integration
Administration	Curricul	am Internation
School Calendar		,
Class Schedule		
Roster of Enrolled St	tudents by Grade L	evel
Student Health Plans	3	
Screening Schedules	5	
Immunization Review	v Plan	
Steroid Notice		
Student Records Ma	nagement Plan	·
Home Language Sur	vev	
Transcripts or Grade	·	

FERPA Notice	<u>.</u>
Special Education Plan	
Records Management Plan	
VARD Schedule	
Disciple.  Student Management Plans	Handlow
/ Parent/Student Handbook	



# FAX COVER SHEET

Sunday, December 13, 1998 09:24:02 PM

To: Flemister

Fax #: 15124639838

Fax: 10 pages and a cover page.

# To: Charter School Office, Brooks Flemister

This is the Comquest Academy answer to question #11 on page 26. A new set of signed (in blue) assurances have been mailed earlier and should be there no later than Monday, December 14, 1998. It was not specified in your letter that this answer could not be faxed, we are sending a faxed copy of the answer as well as next day delivery.

Please advise us with more information of the additional training planned for the spring of 1999.

Thank you,

Sincerely,

Tunis Y.Sgan fûld Tanis L. Stanfield

Comquest Academy

# (1) Describe how the proposed charter school will address the specific needs of students at risk of dropping out of school as defined in TEC 29.081(d)

- (1) each student in grade 7 through 12 who is under 21 years of age and who;
  - (A) was not advanced from one grade level to the next for two or more years;
  - (B) has mathematics or reading skills that are two or more years below grade level;
  - (C) did not maintain an average equivalent to 70 on a scale of 100 in two or more courses during a semester, or is not maintaining such an average in two or more courses in the current semester, and is not expected to graduate within four years of the date the students begins ninth grade;
  - (D) did not perform satisfactorily on an assessment instrument administered under Subchapter B, Chapter 39; or
  - (E) is pregnant or is a parent;

Our primary goal will be to address those areas that caused the students enrolled in Comquest Academy to meet "at risk" criteria, remediate those areas of concern, and build skills so that those students will be able to handle assignments that will give them credit for courses missed, also opportunities to catch up. As a public school we will always strive to be flexible to meet the needs of the individual students offering viable alternatives for catching those students up when appropriate. GED Prep will be factored into our program for those students who have extenuating circumstances and can not invest time necessary to complete the requirements for a diploma.

Our extended goal will be to enable individuals to become productive, self-sufficient citizens by offering innovative learning, personal development and economic opportunities. We want to prevent students from seeking welfare and subsidies for survival and strive to become self-sufficient, self-respecting citizens.

Any number of reasons can contribute to a students failures in the schools. Failures that would lead to the standings listed above that define a student's status as "at risk". Reasons some of the students the author currently works with fall into "at-risk" students status is: attendance, family crisis, students are unmotivated-see no relevance for their efforts, clashes with authority, gang involvement, drugs, ability levels and emotional problems. The criteria for "at risk" status can require a variance of approaches to lead the student to the point where, for example, this

criteria (A) he or she was not advanced from one grade level to the next for two or more years can be addressed. This status may be as a result of repetitive absences, drug usage, family breakup, etc. to name a few. The author's experience has dictated that those variances must be seriously addressed, hopefully this will make addressing the lack of advancement much easier and less frustrating. The result of being patiently instructed by a teacher that earns trust and respect from students can result in alleviating the variances. This does not mean that there will not be a difficult transition period when the student is forced to modify their behavior, self discipline and observe boundaries. This is usually very much an ingredient in the recipe for elevating a student from the ranks of failure to setting goals and reaching them-successfully.

For these reasons it is difficult to give a pat answer formula for rescuing "at risk" students successfully or preventing them from dropping out of school.

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- Comprehension
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# Reading

- Vocabulary
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- Whole Number Operations
- Measurement
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 application and simulation lessons encourage critical thinking, reasoning, and problem solving,

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# 1701 Noigh Congress avenue \* Austin, Texas 78701-1494 \* 512/463-9734 \* FAX: 512/463-9838

MIKE MOSES COMPARABILITIES OF ELLICATION

# **MEMORANDUM**

TO:

Charter Schools

FROM:

Esther Murguin

Charter School Division

DATE:

August 18, 1999

RE:

Charter School Information

The following items have not been received by our office. Please compile this information and fax it to us ASAP as your funding will be affected if this is not in our possession by Friday, August 20, 1999. You can fax the information to 512-463-9732. 1 suggest that you contact our office at 512-463-9575 to verify receipt.

If you have any questions, please contact me at \$12-463-9575.

Charter School 501c.3 letter List of board members

Board meeting dates

Annual Report

# CHARTER CONTINGENCIES

#### Board Meeting Calendar Meetings Held at 5:00 pm

August 30, 1999

September 13, 1999

October 18, 1999

November 15, 1999

December 13, 1999

January 17, 2000

February 28, 2000

March 20, 2000

April 17, 2000

May 22, 2000

June 5, 2000

ComQuest Academy Board of Directors 8/2/99

Tanis Stanfield 31089 Quinn Road Tomball, Texas 77375 281-351-0724

Janis & Stanfuld

Faye Drennan 30911 Ulrich Tomball, Texas 77375 281-351-1269

Dan Gilmore P.O. Box 3408

Conroe, Texas 77305-3408 409-856-2001 281-255-3112

Dorothy Fuqua 34507 Michelle Drive Pinehurst, Texas 77362 281-356-6046 281-356-1535

Vicky Manis 33502 Winchell Place Magnolia, Texas 77355 281-351-5333 281-356-7340 ComQuest Academy Board of Directors 8/2/99

Glen Stanfield 31089 Quinn Road Tomball, Texas 77375 281-351-0724

Diana Parker

P.O. Box 638

Tomball, Texas 77377

281-351-5946 FAY (409)538-8027 Dana Jacker

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DEC 15 1998

CHARTER SCHOOLS

To: Charter School Office, Brooks Flemister

This is the Comquest Academy answer to question #11 on page 26. A new set of signed (in blue) assurances have been mailed earlier and should be there no later than Monday, December 14, 1998. It was not specified in your letter that this answer could not be faxed, we are sending a faxed copy of the answer as well as next day delivery.

Please advise us with more information of the additional training planned for the spring of 1999.

Thank you,

Sincerely,

Tenis K. Stanfield Tanis L. Stanfield Comquest Academy

# (1) Describe how the proposed charter school will address the specific needs of students at risk of dropping out of school as defined in TEC 29.081(d)

- (1) each student in grade 7 through 12 who is under 21 years of age and who;
  - (A) was not advanced from one grade level to the next for two or more years;
  - (B) has mathematics or reading skills that are two or more years below grade level;
  - (C) did not maintain an average equivalent to 70 on a scale of 100 in two or more courses during a semester, or is not maintaining such an average in two or more courses in the current semester, and is not expected to graduate within four years of the date the students begins ninth grade;
  - (D) did not perform satisfactorily on an assessment instrument administered under Subchapter B, Chapter 39; or
  - (E) is pregnant or is a parent;

Our primary goal will be to address those areas that caused the students enrolled in Comquest Academy to meet "at risk" criteria, remediate those areas of concern, and build skills so that those students will be able to handle assignments that will give them credit for courses missed, also opportunities to catch up. As a public school we will always strive to be flexible to meet the needs of the individual students offering viable alternatives for catching those students up when appropriate. GED Prep will be factored into our program for those students who have extenuating circumstances and can not invest time necessary to complete the requirements for a diploma.

Our extended goal will be to enable individuals to become productive, self-sufficient citizens by offering innovative learning, personal development and economic opportunities. We want to prevent students from seeking welfare and subsidies for survival and strive to become self-sufficient, self-respecting citizens.

Any number of reasons can contribute to a students failures in the schools. Failures that would lead to the standings listed above that define a student's status as "at risk". Reasons some of the students the author currently works with fall into "at-risk" students status is: attendance, family crisis, students are unmotivated-see no relevance for their efforts, clashes with authority, gang involvement, drugs, ability levels and emotional problems. The criteria for "at risk" status can require a variance of approaches to lead the student to the point where, for example, this

criteria (A) he or she was not advanced from one grade level to the next for two or more years can be addressed. This status may be as a result of repetitive absences, drug usage, family breakup, etc. to name a few. The author's experience has dictated that those variances must be seriously addressed, hopefully this will make addressing the lack of advancement much easier and less frustrating. The result of being patiently instructed by a teacher that earns trust and respect from students can result in alleviating the variances. This does not mean that there will not be a difficult transition period when the student is forced to modify their behavior, self discipline and observe boundaries. This is usually very much an ingredient in the recipe for elevating a student from the ranks of failure to setting goals and reaching them-successfully.

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# Tier 3

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- Vocabulary
- Comprehension
- Spelling
- Language Skills

# Reading

Tier 2

- Vocabulary
- Comprehension
- Critical Reading
- Comprehension
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- **Essay Writing**
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- Whole Number Operations
- Measurement
- **Applications**

# Mathematics

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  - Decimals, etc.
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- Graphs & Charts
- Problem Solving

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# Survival Skills

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- Communication Resources
- **Business Signs**
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#### **CONTRACT FOR CHARTER**

This con	itract is execu	ited the j	day of	1998	between th	ne Ta	exas
State	Board	of	Education	(the	"Board)		and
(, vw)	awat Allia	nce			terholder")	for	an
open-enr	rollment charte	er to oper	ate a Texas publ	ic school.			
General							
	***						

1. <u>Definitions</u>. As used in this contract:

"Charter" means the open-enrollment charter, as provided by Subchapter D, Chapter 12, Texas Education Code (TEC), granted by this contract.

"Charter school" means the open-enrollment charter school. Charterholder agrees to operate as provided in this contract. The charter school is a Texas public school.

"Agency" means the Texas Education Agency.

- The Charter. This contract grants to Charterholder an open-enrollment charter under Subchapter D, Chapter 12, TEC. The terms of the charter include: (a) this contract; (b) applicable law; (c) Request for Application #701-98-016; (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 Charterholder in its application for charter, attachments or related documents, to the extent consistent with (a) through (d); and (f) assurance by Charterholder, evidenced by execution of this contract, that no false information was submitted to the Agency or the Board by Charterholder, its agents or employees in support of its application for charter.
- 3. <u>Authority Granted by Charter</u>. The charter authorizes Charterholder to operate a charter school subject to the terms of the charter. Action inconsistent with the terms of the charter shall constitute a material violation of the charter.
- Alienation of Charter. The charter may not be assigned, encumbered, pledged or in any way alienated for the benefit of creditors or otherwise. Charterholder may not delegate, assign, subcontract or otherwise alienate any of its rights or responsibilities under the charter. Any attempt to do so shall be null and void and of no force or effect; provided, however, that Charterholder may contract at fair market value for services necessary to carry out policies adopted by Charterholder or the governing body of the charter school.

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

When were they conside?

- 6. Renewal of Charter. On timely application by Charterholder in a manner prescribed by the Board, the charter may be renewed for an additional period determined by the Board. The charter may be renewed only by 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 Charterholder by written amendment approved by vote of the Board. The commissioner of education ("the commissioner") may revise the charter on a provisional basis during an interim between Board meetings; however, such action shall expire unless ratified by the Board at its next regular meeting. Nothing in this paragraph limits the authority of the Board or the commissioner to act in accordance with other provisions of this contract.

#### Students

- 8. Open Enrollment. Admission and enrollment of students shall be open to any person who resides within the geographic boundaries stated in the charter and who is eligible for admission based on lawful criteria identified in the charter. Total enrollment shall not exceed 70 students. The charter school's admission policy shall prohibit discrimination on the basis of sex, national origin, ethnicity, religion, disability, academic or athletic ability, or the district the student would otherwise attend. Students who reside outside the geographic boundaries stated in the charter shall not be admitted to the charter school until all eligible applicants who reside within the boundaries have been enrolled.
- 9. <u>Public Education Grant Students</u>. Charterholder 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. <u>Non-discrimination</u>. The educational program of the charter school shall be nonsectarian, and shall not discriminate against any student or employee on the basis of race, creed, sex, national origin, religion, disability or need for special education services.
- 11. Children with Disabilities. The charter school is a "local educational agency" as defined by federal law. Charterholder must comply with the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §1401, et seq., and implementing regulations; Section 504 of the Rehabilitation Act of 1973 ("Section 504"), 29 U.S.C.§794, and implementing regulations; Title II of the Americans with Disabilities Act, 42 U.S.C. §12131-12165, and implementing regulations; Chapter 29, TEC, and implementing rules; and the many court cases applying these laws. For example:

- (a) Child Find. Charterholder must adopt and implement policies and practices that affirmatively seek out, identify, locate, and evaluate children with disabilities enrolled in the charter school or contacting the charter school regarding enrollment, and must develop and implement a practical method to determine which children with disabilities are currently receiving needed special education and related services. For each eligible child, Charterholder must develop and offer an individualized education plan appropriate to the needs of that student.
- (b) Free Appropriate Public Education. Charterholder must provide a free appropriate public education to all children with disabilities otherwise eligible to enroll in the charter school. If the program, staff or facilities of the charter school are not capable of meeting the needs of a particular child, Charterholder must implement changes necessary to accommodate the child at the charter school. If reasonable accommodations would be insufficient to enable the child to benefit from the charter school's program, Charterholder must, at its own expense, place the child at an appropriate school.
- (c) <u>Services to Expelled Students</u>. Charterholder must continue to provide a free appropriate public education to a child with disabilities even after expelling or suspending the child for valid disciplinary reasons. This obligation to serve the child continues until the end of the school year.
- (d) Monitoring. The charter school's implementation of the laws governing education of children with disabilities will be monitored for compliance by the United States Department of Education, Office of Special Education Programs; the United States Department of Education, Office of Civil Rights; the Texas Education Agency; and others. This monitoring activity includes responding to complaints, random on-site inspections and other investigations by the enforcing agencies, and will result in corrective actions imposed on Charterholder by these agencies for all discrepancies found.
- (e) <u>Due Process Hearings</u>. The charter school's implementation of the laws governing education of children with disabilities will, in addition, be subject to court supervision via litigation against Charterholder brought by individuals affected by the actions of the charter school. The cost of this litigation can be substantial.

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

12. Student Performance and Accountability. Charterholder shall satisfy Subchapters B, C, D, and G of Chapter 39 of the TEC, and related agency rules, as well as the student performance accountability criteria stated in its application for charter. Charterholder shall annually provide in a manner and form defined by the commissioner a written evaluation of the charter school's compliance with the statements, assurances,

- commitments and representations made by Charterholder in its application for a charter, attachments, and related documents.
- 13. <u>Criminal History</u>. Charterholder shall take prompt and appropriate measures if Charterholder or the charter school, or any of their employees or agents, obtains information that an employee or volunteer of the charter school 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. Charterholder further represents that the Board and the agency shall be notified immediately of such information and the measures taken.
- 14. Reporting Child Abuse or Neglect. Charterholder shall adopt and disseminate to all charter school staff and volunteers a policy governing child abuse reports required by Chapter 261, Texas Family Code. The policy shall require that employees, volunteers or agents of Charterholder or the charter school report child abuse or neglect directly to an appropriate entity listed in Chapter 261, Texas Family Code.
- 15. <u>Notice to District</u>. Charterholder shall notify the school district in which the student resides within three business days of any action expelling or withdrawing a student from the charter school.
- 16. <u>School Year</u>. Charterholder shall adopt a school year with fixed beginning and ending dates.

#### Financial Managment

- 17. <u>Fiscal Year</u>. Charterholder shall adopt a fiscal year beginning September 1 and ending August 31.
- 18. <u>Financial Accounting.</u> Unless otherwise notified by the agency, Charterholder shall comply fully with generally accepted accounting principles ("GAAP") and the Financial Accountability System Resource Guide, Bulletin 679 or its successor ("Bulletin 679") published by the agency in the management and operation of the charter school.
- 19. <u>Federal Requirements</u>. Failure to comply with Internal Revenue Service withholding regulations shall constitute a material violation of the charter.
- 20. <u>Workers' Compensation</u>. Charterholder 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.
- 21. <u>Annual Audit.</u> Charterholder shall at its own expense have the financial and programmatic operations of the charter school audited annually by a certified public accountant holding a permit from the Texas State Board of

Public Accountancy. Charterholder shall file a copy of the annual audit report, approved by Charterholder, with the agency not later than the 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 133.

- 22. <u>Attendance Accounting</u>. To the extent required by the commissioner, Charterholder shall comply with the "Student Attendance Accounting Handbook" published by the Agency; provided, however, that Charterholder shall report attendance data to the agency at six-week intervals or as directed by the agency.
- 23. <u>Foundation School Program.</u> Distribution of funds to the charter school under Section 12.106, TEC, is contingent upon charterholder's compliance with the terms of the charter. Charterholder 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, Charterholder shall transmit to the agency an amount equal to the requested refund. If Charterholder fails to make the requested refund, the agency may recover the overallocation by any means permitted by law, including but not limited to the process set forth in Section 42.258, TEC.
- 24. <u>Tuition and Fees</u>. Charterholder shall not charge tuition and shall not charge a fee except that it may charge a fee listed in Subsection 11.158(a), TEC.
- 25. Assets of Charter. Charterholder shall not apply, hold, credit, transfer or otherwise make use of funds, assets or resources of the charter school for any purpose other than operation of the charter school described in the charter.
- 26. <u>Indebtedness of Charter</u>. Charterholder shall not incur a debt, secure an obligation, extend credit, or otherwise make use of the credit or assets of the charter school for any purpose other than operation of the charter school described in the charter.
- 27. Interested Transactions. All financial transactions between the charter school and (a) Charterholder; (b) an officer, director, or employee of Charterholder or of the charter school; or (c) a person or entity having partial or complete control over Charterholder or the charter school shall be separately and clearly reflected in the accounting, auditing, budgeting, reporting, and record keeping systems of the charter school. Charterholder shall not transfer any asset of the charter or incur any debt except in return for goods or services provided for the benefit of the charter school at fair market value.

28. <u>Non-Charter Activities</u>. Charterholder shall keep separate and distinct accounting, auditing, budgeting, reporting, and record keeping systems for the management and operation of the charter school. Any business activities of Charterholder not directly related to the management and operation of the charter school shall be kept in separate and distinct accounting, auditing, budgeting, reporting, and record keeping systems from those reflecting activities under the charter. Any commingling of charter and non-charter business in these systems shall be a material violation of the charter.

#### Governance and Operations

- 29. Non-Profit Status. Charterholder shall take and refrain from all acts necessary to be and remain in good standing as an organization exempt from taxation under Section 501(c)(3), Internal Revenue Code. If Charterholder is incorporated, it shall in addition comply with all applicable laws governing its corporate status. Failure to comply with this paragraph is a material violation of the charter, and the Board may act on the violation even if the Internal Revenue Service, Secretary of State, or other body with jurisdiction has failed to act.
- 30. Records Retention and Management. Charterholder shall implement a records management system that conforms to the system required of school districts under the Local Government Records Act, Section 201.001 et seq., Local Government Code, and rules adopted thereunder; provided, however, that records subject to audit shall be retained and available for audit for a period of not less than five (5) years from the latter of the date of termination or renewal of the charter.
- 31. <u>PEIMS Reporting</u>. Charterholder shall report timely and accurate information to the Public Education Information Management System (PEIMS), as required by the commissioner.
- 32. <u>Conflict of Interest</u>. Charterholder shall comply with any applicable prohibition, restriction or requirement relating to conflicts of interest. If an officer or board member of Charterholder or of the charter school has a substantial interest, within the meaning of Chapter 171, Local Government Code, in a transaction, such interest shall be disclosed in public session at a duly called meeting of the governing body prior to any action on the transaction.
- 33. <u>Disclosure of Campaign Contributions</u>. Charterholder shall adopt policies that will ensure compliance with the disclosure requirements of State Board of Education Operating Rule 4.3 or its successor.
- 34. <u>Indemnification</u>. Charterholder shall hold the Board and agency harmless from and shall indemnify the Board and agency against any and all claims, demands, and causes of action of whatever kind or nature asserted by any third party and occurring or in any way incident to, arising

- out of, or in connection with wrongful acts of Charterholder, its agents, employees, and subcontractors.
- 35. Failure to Operate. Charterholder shall operate the charter school for the full school term as described in the charter application in each year of the charter contract. Charterholder may not suspend operation for longer than 21 days without a revision to its charter, adopted by the Board, stating that the charter school is dormant and setting forth the date on which operations shall resume and any applicable conditions. Suspension of operations in violation of this paragraph shall constitute abandonment of this contract and of the charter.
- 36. Charter School Facility. Charterholder shall have and maintain throughout the term of the charter a lease agreement, title or other legal instrument granting to Charterholder the right to occupy and use one or more facilities suitable for use as the charter school facilities described by the charter. During any period of dormancy granted by the Board, this requirement may be waived by the Board. 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.

#### Enforcement

- 37. Agency Investigations. The commissioner may in his sound discretion direct the agency to conduct investigations of the charter school to determine compliance with the terms of the charter or as authorized in Sections 39.074 and 39.075, Subchapter D, Chapter 39, TEC or other law. Charterholder, its employees and agents shall fully cooperate with such investigations. Failure to timely comply with reasonable requests for access to sites, personnel, documents or things is a material violation of the charter.
- 38. Commissioner Authority. The commissioner in his sole discretion may take any action authorized by Section 39.131, TEC or Chapter 29, TEC relating to the charter school. Such action is not "adverse action" as used in this contract. Charterholder, its employees and agents shall fully cooperate with such actions. Failure to timely comply with any action authorized by Section 39.131, TEC or Chapter 29, TEC is a material violation of the charter.
- 39. Adverse Action. The Board in its sole discretion may modify, place on probation, revoke or deny timely renewal of the charter for cause ("adverse action"). Each of the following shall be cause for adverse action on the charter: (a) any material violation of the terms of the charter listed in paragraphs 2, 3, and 20; (b) failure to satisfy generally accepted accounting standards of fiscal management; or (c) failure to comply with an applicable law or rule.

#### This Agreement

- 40. <u>Entire Agreement</u>. 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.
- 41. <u>Severability</u>. 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.
- 42. Conditions of Contract. Execution of this contract by the Board is conditioned on full and timely compliance by Charterholder with: (a) the terms, required assurances and conditions of Request for Application #701-97-028; (b) applicable law; and (c) all commitments and representations made in Charterholder's application and any supporting documents (to the extent such commitments and representations are consistent with the terms of this contract).
- 43. 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.
- 44. <u>Venue</u>. Any suit arising under this contract shall be brought in Travis County, Texas.
- 45. Governing Law. In any suit arising under this contract, Texas law shall apply.
- 46. Authority. By executing this contract, Charterholder represents that it is an "eligible entity" within the meaning of Section 12.101 (a), TEC. Charterholder shall immediately notify the Board of any legal change in its status which would disqualify it from holding the charter, of any violation of the terms and conditions of this contract, or of any change in the chief operating officer of the charter school or Charterholder. Charterholder further represents that the person signing this contract has been properly delegated authority to do so.

Entered into this day of	, 1998.	•
Texas State Board of Education	Comquest Charterholder	ALLiance
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By Chase Untermeyer Chairman	Ву	<del>]</del>

#### **CONTRACT FOR CHARTER**

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open-enrollinent charter to operate a Texas public school.					an			
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1. Definitions. As used in this contract:

"Charter" means the open-enrollment charter, as provided by Subchapter D, Chapter 12, Texas Education Code (TEC), granted by this contract.

"Charter school" means the open-enrollment charter school. Charterholder agrees to operate as provided in this contract. The charter school is a Texas public school.

"Agency" means the Texas Education Agency.

- 2. The Charter. This contract grants to Charterholder an open-enrollment charter under Subchapter D, Chapter 12, TEC. The terms of the charter include: (a) this contract; (b) applicable law; (c) Request for Application #701-98-016; (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 Charterholder in its application for charter, attachments or related documents, to the extent consistent with (a) through (d); and (f) assurance by Charterholder, evidenced by execution of this contract, that no false information was submitted to the Agency or the Board by Charterholder, its agents or employees in support of its application for charter,
- 3. <u>Authority Granted by Charter</u>. The charter authorizes Charterholder to operate a charter school subject to the terms of the charter. Action inconsistent with the terms of the charter shall constitute a material violation of the charter.
  - 4. Alienation of Charter. The charter may not be assigned, encumbered, pledged or in any way alienated for the benefit of creditors or otherwise. Charterholder may not delegate, assign, subcontract or otherwise alienate any of its rights or responsibilities under the charter. Any attempt to do so shall be null and void and of no force or effect; provided, however, that Charterholder may contract at fair market value for services necessary to carry out policies adopted by Charterholder or the governing body of the charter school.

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

- 6. Renewal of Charter. On timely application by Charterholder in a manner prescribed by the Board, the charter may be renewed for an additional period determined by the Board. The charter may be renewed only by 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 Charterholder by written amendment approved by vote of the Board. The commissioner of education ("the commissioner") may revise the charter on a provisional basis during an interim between Board meetings; however, such action shall expire unless ratified by the Board at its next regular meeting. Nothing in this paragraph limits the authority of the Board or the commissioner to act in accordance with other provisions of this contract.

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- 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 **70** students. The charter school's admission policy shall prohibit discrimination on the basis of sex, national origin, ethnicity, religion, disability, academic or athletic ability, or the district the student would otherwise attend. Students who reside outside the geographic boundaries stated in the charter shall not be admitted to the charter school until all eligible applicants who reside within the boundaries have been enrolled.
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#### This Agreement

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

Entered into this day of	, 1998.
	Comquest Alliance Charternoider
Texas State Board of Education	Charternoider
chargenting	Janis L. Span Deld
By Chase Untermeyer Chairman	By

#### CONTRACT FOR CHARTER

This c	contract is	execute	ed the _	day of	1998	between t	he Te	∍xas
State	Boar	rd 🔍	of	Education	(the	"Board)		and
$-(\cdot)$	omque	'St F	Marca	2)		terholder")	for	an
open-	enrolindent	charter	to operate	e a Texas pu	blic school.			
General								

1. Definitions. As used in this contract:

"Charter" means the open-enrollment charter, as provided by Subchapter D, Chapter 12, Texas Education Code (TEC), granted by this contract.

"Charter school" means the open-enrollment charter school. Charterholder agrees to operate as provided in this contract. The charter school is a Texas public school.

"Agency" means the Texas Education Agency.

- The Charter. This contract grants to Charterholder an open-enrollment charter under Subchapter D, Chapter 12, TEC. The terms of the charter include: (a) this contract; (b) applicable law; (c) Request for Application #701-98-016; (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 Charterholder in its application for charter, attachments or related documents, to the extent consistent with (a) through (d); and (f) assurance by Charterholder, evidenced by execution of this contract, that no false information was submitted to the Agency or the Board by Charterholder, its agents or employees in support of its application for charter,
- 3. <u>Authority Granted by Charter</u>. The charter authorizes Charterholder to operate a charter school subject to the terms of the charter. Action inconsistent with the terms of the charter shall constitute a material violation of the charter.
  - 4. <u>Alienation of Charter</u>. The charter may not be assigned, encumbered, pledged or in any way alienated for the benefit of creditors or otherwise. Charterholder may not delegate, assign, subcontract or otherwise alienate any of its rights or responsibilities under the charter. Any attempt to do so shall be null and void and of no force or effect; provided, however, that Charterholder may contract at fair market value for services necessary to carry out policies adopted by Charterholder or the governing body of the charter school.

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

- 6. Renewal of Charter. On timely application by Charterholder in a manner prescribed by the Board, the charter may be renewed for an additional period determined by the Board. The charter may be renewed only by 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 Charterholder by written amendment approved by vote of the Board. The commissioner of education ("the commissioner") may revise the charter on a provisional basis during an interim between Board meetings; however, such action shall expire unless ratified by the Board at its next regular meeting. Nothing in this paragraph limits the authority of the Board or the commissioner to act in accordance with other provisions of this contract.

#### Students

- 8. Open Enrollment. Admission and enrollment of students shall be open to any person who resides within the geographic boundaries stated in the charter and who is eligible for admission based on lawful criteria identified in the charter. Total enrollment shall not exceed **70** students. The charter school's admission policy shall prohibit discrimination on the basis of sex, national origin, ethnicity, religion, disability, academic or athletic ability, or the district the student would otherwise attend. Students who reside outside the geographic boundaries stated in the charter shall not be admitted to the charter school until all eligible applicants who reside within the boundaries have been enrolled.
- 9. <u>Public Education Grant Students</u>. Charterholder 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. <u>Non-discrimination</u>. The educational program of the charter school shall be nonsectarian, and shall not discriminate against any student or employee on the basis of race, creed, sex, national origin, religion, disability or need for special education services.
- 11. Children with Disabilities. The charter school is a "local educational agency" as defined by federal law. Charterholder must comply with the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §1401, et seq., and implementing regulations; Section 504 of the Rehabilitation Act of 1973 ("Section 504"), 29 U.S.C.§794, and implementing regulations; Title II of the Americans with Disabilities Act, 42 U.S.C. §12131-12165, and implementing regulations; Chapter 29, TEC, and implementing rules; and the many court cases applying these laws. For example:

- (a) Child Find. Charterholder must adopt and implement policies and practices that affirmatively seek out, identify, locate, and evaluate children with disabilities enrolled in the charter school or contacting the charter school regarding enrollment, and must develop and implement a practical method to determine which children with disabilities are currently receiving needed special education and related services. For each eligible child, Charterholder must develop and offer an individualized education plan appropriate to the needs of that student.
- (b) Free Appropriate Public Education. Charterholder must provide a free appropriate public education to all children with disabilities otherwise eligible to enroll in the charter school. If the program, staff or facilities of the charter school are not capable of meeting the needs of a particular child, Charterholder must implement changes necessary to accommodate the child at the charter school. If reasonable accommodations would be insufficient to enable the child to benefit from the charter school's program, Charterholder must, at its own expense, place the child at an appropriate school.
- (c) <u>Services to Expelled Students</u>. Charterholder must continue to provide a free appropriate public education to a child with disabilities even after expelling or suspending the child for valid disciplinary reasons. This obligation to serve the child continues until the end of the school year.
- (d) Monitoring. The charter school's implementation of the laws governing education of children with disabilities will be monitored for compliance by the United States Department of Education, Office of Special Education Programs; the United States Department of Education, Office of Civil Rights; the Texas Education Agency; and others. This monitoring activity includes responding to complaints, random on-site inspections and other investigations by the enforcing agencies, and will result in corrective actions imposed on Charterholder by these agencies for all discrepancies found.
- (e) <u>Due Process Hearings</u>. The charter school's implementation of the laws governing education of children with disabilities will, in addition, be subject to court supervision via litigation against Charterholder brought by individuals affected by the actions of the charter school. The cost of this litigation can be substantial.

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

12. Student Performance and Accountability. Charterholder shall satisfy Subchapters B, C, D, and G of Chapter 39 of the TEC, and related agency rules, as well as the student performance accountability criteria stated in its application for charter. Charterholder shall annually provide in a manner and form defined by the commissioner a written evaluation of the charter school's compliance with the statements, assurances,

- commitments and representations made by Charterholder in its application for a charter, attachments, and related documents.
- 13. <u>Criminal History</u>. Charterholder shall take prompt and appropriate measures if Charterholder or the charter school, or any of their employees or agents, obtains information that an employee or volunteer of the charter school 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. Charterholder further represents that the Board and the agency shall be notified immediately of such information and the measures taken.
- 14. Reporting Child Abuse or Neglect. Charterholder shall adopt and disseminate to all charter school staff and volunteers a policy governing child abuse reports required by Chapter 261, Texas Family Code. The policy shall require that employees, volunteers or agents of Charterholder or the charter school report child abuse or neglect directly to an appropriate entity listed in Chapter 261, Texas Family Code.
- 15. <u>Notice to District</u>. Charterholder shall notify the school district in which the student resides within three business days of any action expelling or withdrawing a student from the charter school.
- 16. <u>School Year</u>. Charterholder shall adopt a school year with fixed beginning and ending dates.

#### **Financial Managment**

- 17. <u>Fiscal Year</u>. Charterholder shall adopt a fiscal year beginning September 1 and ending August 31.
- 18. <u>Financial Accounting.</u> Unless otherwise notified by the agency, Charterholder shall comply fully with generally accepted accounting principles ("GAAP") and the Financial Accountability System Resource Guide, Bulletin 679 or its successor ("Bulletin 679") published by the agency in the management and operation of the charter school.
- 19. <u>Federal Requirements</u>. Failure to comply with Internal Revenue Service withholding regulations shall constitute a material violation of the charter.
- 20. <u>Workers' Compensation</u>. Charterholder 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.
- 21. Annual Audit. Charterholder shall at its own expense have the financial and programmatic operations of the charter school audited annually by a certified public accountant holding a permit from the Texas State Board of

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Public Accountancy. Charterholder shall file a copy of the annual audit report, approved by Charterholder, 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 133.

- 22. <u>Attendance Accounting</u>. To the extent required by the commissioner, Charterholder shall comply with the "Student Attendance Accounting Handbook" published by the Agency; provided, however, that Charterholder shall report attendance data to the agency at six-week intervals or as directed by the agency.
- 23. Foundation School Program. Distribution of funds to the charter school under Section 12.106, TEC, is contingent upon charterholder's compliance with the terms of the charter. Charterholder 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, Charterholder shall transmit to the agency an amount equal to the requested refund. If Charterholder fails to make the requested refund, the agency may recover the overallocation by any means permitted by law, including but not limited to the process set forth in Section 42.258, TEC.
- 24. <u>Tuition and Fees</u>. Charterholder shall not charge tuition and shall not charge a fee except that it may charge a fee listed in Subsection 11.158(a), TEC.
- 25. <u>Assets of Charter</u>. Charterholder shall not apply, hold, credit, transfer or otherwise make use of funds, assets or resources of the charter school for any purpose other than operation of the charter school described in the charter.
- 26. <u>Indebtedness of Charter</u>. Charterholder shall not incur a debt, secure an obligation, extend credit, or otherwise make use of the credit or assets of the charter school for any purpose other than operation of the charter school described in the charter.
- 27. Interested Transactions. All financial transactions between the charter school and (a) Charterholder; (b) an officer, director, or employee of Charterholder or of the charter school; or (c) a person or entity having partial or complete control over Charterholder or the charter school shall be separately and clearly reflected in the accounting, auditing, budgeting, reporting, and record keeping systems of the charter school. Charterholder shall not transfer any asset of the charter or incur any debt except in return for goods or services provided for the benefit of the charter school at fair market value.

28. Non-Charter Activities. Charterholder shall keep separate and distinct accounting, auditing, budgeting, reporting, and record keeping systems for the management and operation of the charter school. Any business activities of Charterholder not directly related to the management and operation of the charter school shall be kept in separate and distinct accounting, auditing, budgeting, reporting, and record keeping systems from those reflecting activities under the charter. Any commingling of charter and non-charter business in these systems shall be a material violation of the charter.

#### Governance and Operations

- 29. Non-Profit Status. Charterholder shall take and refrain from all acts necessary to be and remain in good standing as an organization exempt from taxation under Section 501(c)(3), Internal Revenue Code. If Charterholder is incorporated, it shall in addition comply with all applicable laws governing its corporate status. Failure to comply with this paragraph is a material violation of the charter, and the Board may act on the violation even if the Internal Revenue Service, Secretary of State, or other body with jurisdiction has failed to act.
- 30. Records Retention and Management. Charterholder shall implement a records management system that conforms to the system required of school districts under the Local Government Records Act, Section 201.001 et seq., Local Government Code, and rules adopted thereunder; provided, however, that records subject to audit shall be retained and available for audit for a period of not less than five (5) years from the latter of the date of termination or renewal of the charter.
- 31. <u>PEIMS Reporting</u>. Charterholder shall report timely and accurate information to the Public Education Information Management System (PEIMS), as required by the commissioner.
- 32. Conflict of Interest. Charterholder shall comply with any applicable prohibition, restriction or requirement relating to conflicts of interest. If an officer or board member of Charterholder or of the charter school has a substantial interest, within the meaning of Chapter 171, Local Government Code, in a transaction, such interest shall be disclosed in public session at a duly called meeting of the governing body prior to any action on the transaction.
- 33. <u>Disclosure of Campaign Contributions</u>. Charterholder shall adopt policies that will ensure compliance with the disclosure requirements of State Board of Education Operating Rule 4.3 or its successor.
- 34. <u>Indemnification</u>. Charterholder shall hold the Board and agency harmless from and shall indemnify the Board and agency against any and all claims, demands, and causes of action of whatever kind or nature asserted by any third party and occurring or in any way incident to, arising

- out of, or in connection with wrongful acts of Charterholder, its agents, employees, and subcontractors.
- 35. Failure to Operate. Charterholder shall operate the charter school for the full school term as described in the charter application in each year of the charter contract. Charterholder may not suspend operation for longer than 21 days without a revision to its charter, adopted by the Board, stating that the charter school is dormant and setting forth the date on which operations shall resume and any applicable conditions. Suspension of operations in violation of this paragraph shall constitute abandonment of this contract and of the charter.
- 36. Charter School Facility. Charterholder shall have and maintain throughout the term of the charter a lease agreement, title or other legal instrument granting to Charterholder the right to occupy and use one or more facilities suitable for use as the charter school facilities described by the charter. During any period of dormancy granted by the Board, this requirement may be waived by the Board. 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.

#### Enforcement

- 37. Agency Investigations. The commissioner may in his sound discretion direct the agency to conduct investigations of the charter school to determine compliance with the terms of the charter or as authorized in Sections 39.074 and 39.075, Subchapter D, Chapter 39, TEC or other law. Charterholder, its employees and agents shall fully cooperate with such investigations. Failure to timely comply with reasonable requests for access to sites, personnel, documents or things is a material violation of the charter.
- 38. Commissioner Authority. The commissioner in his sole discretion may take any action authorized by Section 39.131, TEC or Chapter 29, TEC relating to the charter school. Such action is not "adverse action" as used in this contract. Charterholder, its employees and agents shall fully cooperate with such actions. Failure to timely comply with any action authorized by Section 39.131, TEC or Chapter 29, TEC is a material violation of the charter.
- 39. Adverse Action. The Board in its sole discretion may modify, place on probation, revoke or deny timely renewal of the charter for cause ("adverse action"). Each of the following shall be cause for adverse action on the charter: (a) any material violation of the terms of the charter listed in paragraphs 2, 3, and 20; (b) failure to satisfy generally accepted accounting standards of fiscal management; or (c) failure to comply with an applicable law or rule.

#### This Agreement

- 40. 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.
- 41. <u>Severability</u>. 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.
- 42. Conditions of Contract. Execution of this contract by the Board is conditioned on full and timely compliance by Charterholder with: (a) the terms, required assurances and conditions of Request for Application #701-97-028; (b) applicable law; and (c) all commitments and representations made in Charterholder's application and any supporting documents (to the extent such commitments and representations are consistent with the terms of this contract).
- 43. 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.
- 44. <u>Venue</u>. Any suit arising under this contract shall be brought in Travis County, Texas.
- 45. Governing Law. In any suit arising under this contract, Texas law shall apply.
- 46. Authority. By executing this contract, Charterholder represents that it is an "eligible entity" within the meaning of Section 12.101 (a), TEC. Charterholder shall immediately notify the Board of any legal change in its status which would disqualify it from holding the charter, of any violation of the terms and conditions of this contract, or of any change in the chief operating officer of the charter school or Charterholder. Charterholder further represents that the person signing this contract has been properly delegated authority to do so.

Entered into this day of	, 1998.
	Comquest Alliance Charterholder
Texas State Board of Education	Charterholder
Chargenting	Janis & San Pold
By Chase Untermeyer	Ву
Chairman	<del></del>