

Tennessee School Boards Association

Monitoring: Review: Annually, in November	Descriptor Term: Charter Schools	Descriptor Code: 1.704	Issued Date:
		Rescinds:	Issued:

1 **SCOPE**

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3 This policy shall apply to Sponsors and potential Sponsors of newly created public charter schools. It
4 shall not apply to public charter schools converted from existing public schools pursuant to TCA 49-
5 13-106 (b) (2).
6

7 **DEFINITION**

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9 A charter school shall be a public, nonsectarian, non-religious, non-homebased school which operates
10 within a public school district. It shall be subject to all state and federal laws and constitutional provi-
11 sions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin,
12 religion, ancestry or need for special education services.¹
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14 The purposes of charter schools are to:²

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16 (1) Improve learning for all students and close the achievement gap between high and low students;
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18 (2) Provide options for parents to meet educational needs of students in high priority schools;
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20 (3) Encourage the use of different and innovative teaching methods, and provide greater decision mak-
21 ing authority to schools and teachers in exchange for greater responsibility for student performance;
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23 (4) Measure performance of pupils and faculty, and ensure that children have the opportunity to reach
24 proficiency on state academic assessments;
25
26 (5) Create new professional opportunities for teachers; and
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28 (6) Afford parents substantial meaningful opportunities to participate in the education of their chil-
29 dren.
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31 **APPLICATION PROCESS**³

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33 A prospective charter school sponsor shall send the director notice of its intent sixty (60) days prior to
34 April 1 of the year preceding the year in which the proposed charter school plans to begin operation as
35 a public charter school.
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37 A sponsor seeking Board approval of an initial charter school application must complete the form provided
38 by the Tennessee Department of Education as well as provide a list of requirements that the sponsor wants
39 to waive. In the application, the sponsor must demonstrate that the proposed charter school meets the
40 purpose prescribed by law for the formation of a charter school and the proposed charter school will be
41 able to implement a viable program of quality education for its students. In the case where a traditional
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public school is seeking to convert to a charter school, the application must include documents showing the necessary parental or teacher support.

Applications must be submitted to Board on or before 4:30 p.m. on ~~April~~ ~~October~~ 1 of the year preceding the year in which the proposed charter school plans to begin operation as a public charter school. Applications will be accepted only between ~~March~~ ~~September~~ 1 and ~~April~~ ~~October~~ 1. If the 1st of ~~April~~ ~~October~~ falls on a Saturday, Sunday or holiday on which the school district offices are closed, applications will be accepted on the previous business day on or before 4:30 p.m. Late applications will not be accepted, without exception. The sponsor shall pay an application fee of \$500.00.

REVIEW TEAM

If necessary, the Board shall appoint a review team to assist in reviewing and evaluating charter school applications. The team shall be composed of: members of the administrative staff for the district; community members; and a member of the Board. At the Board meeting in ~~February~~ ~~July~~ each year, the Director of Schools shall make a recommendation to the Board of which members of his administrative staff should be appointed to the team. The Board shall name the members of the team at its first meeting in ~~March~~ ~~August~~ of each year. The Board shall designate a chairman of the review team as the contact person for answering questions about the application process and receiving applications.

The Board shall require a procedure of receiving, reviewing and ruling on applications for the establishment of charter schools. The procedure must include a timeline for the application and review process and the means for reviewing and evaluating each application, including the criteria on which the decision to grant or deny a charter will be based. A copy of the procedure, including the review criteria, shall be available to any interested party upon request.

The review team shall:

1. Evaluate all charter school applications based on the review criteria adopted by the Board;
2. Recommend one of the following options to the Board for each application: approve, reject, or reject with stipulations for reconsideration;
3. Monitor charter school progress; and
4. Make recommendations for revocation, renewal or non-renewal of charter contracts.

APPROVAL, DENIAL OF APPLICATION ⁴

The Board shall rule by resolution on the approval or denial of a charter application within ninety (90) ~~sixty (60)~~ days of receipt of the completed application or the application shall be deemed approved by law.⁵

Approval

If the application is approved, the Sponsor may proceed to negotiate a charter agreement with the Board through its designee within the district administration. The Sponsor of a public charter school that is approved by the Board shall enter into a written agreement with the Board, which shall be binding on the charter school's governing body. This agreement, known as the charter agreement, shall be in writing

1 and shall include all aspects of the Sponsor's approved application as well as any reporting requirements
2 prescribed under state or federal laws.

3 To warrant adoption, charter schools must promote and implement new and innovative practices and
4 conditions in delivering public education not typically found in traditional public schools. All charter
5 schools that include high schools (grades 9-12) must be SACS accredited. It is expected that the candi-
6 date school status for accreditation will be received during the first year of the charter school operation.
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8 Charter schools approved by the Board of Education are expected to implement the application as sub-
9 mitted and approved. Substantial deviations from the approved application may result in revocation of
10 the Charter by the Board.
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12 Charter schools approved by the Board are expected to operate with knowledge of and compliance with
13 all rules, regulations, statutes and policies relevant to that charter school's operations; including but not
14 limited to instruction, human resources, communication, administration, business services, facilities and
15 operations, transportation, food services, safety and student discipline. The Board should not be expect-
16 ed to provide services to charter schools that are not requested during the application process except for
17 those services that are required under state or federal laws. Services agreed to be provided to the charter
18 schools by the Board shall be provided at Board actual cost.
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20 The Governing Body of an approved public charter school shall make a written report to the Board an-
21 nually between August 1 and September 1. This reporting requirement shall begin in the year after the
22 year in which the public charter school begins operation. This annual report shall include: a report on
23 the progress of the school in achieving its goals, objectives, pupil performance standards, content stan-
24 dards, and all other terms of the charter agreement; and a financial statement disclosing the financial
25 health of the school including the costs of the administration, instruction and other spending categories
26 of the school.
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28 New public charter schools, conversion schools, and all renewals of charter agreements are approved for
29 ten year periods. However, following the fifth year of a charter school's initial period of operation or the
30 fifth year of any renewal of a charter school agreement, the LEA must conduct an interim review of the
31 charter school according to the guidelines developed by the Department of Education.
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33 No later than October 1 of the year prior to the year in which the charter agreement expires, the governing
34 body of a public charter school shall submit a renewal application to the Board. The Board shall make
35 its renewal decision based on the progress of the school towards its stated goals and on the financial status
36 of the school.⁶
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38 The Board may revoke or deny renewal of a public charter school agreement for any of the reasons enu-
39 merated in TCA 49-13-122.
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41 **Denial**

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43 Upon receipt of the grounds for denial, the sponsor shall have fifteen (15) days within which to submit
44 an amended application to correct the deficiencies. The Board shall have thirty (30) fifteen (15) days ei-
45 ther to deny or to approve the amended application or the application shall be deemed approved by law.⁵
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47 A denial of an application for new schools formed to address low performers by the Board may be ap-
48 pealed by the sponsor, within ten (10) days of the final decision to deny to the State Board of Education.
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Legal References:

1. TCA 49-13-105; TCA 49-13-111(1) - (4)(b)(c)
2. TCA 49-13-106(1)(2)
3. TCA 49-13-107
4. TCA 49-13-108; TRR/MS 0520-14-1-.01 &.02
5. TCA 49-13-108(a)
6. TCA 49-13-121(b)