

TENNESSEE STATE BOARD OF EDUCATION

MISSION

6.100

In furtherance of Tenn. Code Ann. § 49-13-108, the State Board of Education (the “State Board”) developed a Master Plan which outlines the following vision for Tennessee students: to prepare all children for successful post-secondary work, education, and citizenship. To achieve this vision, the State Board established the following strategic priorities:

1. Expand students’ access to effective teachers and leaders
2. Expand families’ access to good schools
3. Expand educators’ access to resources and best practices
4. Expand public access to information and data
5. Set achievement targets and measure success

With regard to Strategic Priority 2 (expanding families’ access to good schools), the Master Plan cites the driving belief that “parents should be able to choose from among multiple, high quality school options. No child should be stuck in a failing school.”¹ Furthermore, to meet this goal, the Master Plan states that education stakeholders must “increase families’ access to high-quality school options including but not limited to traditional schools, charter schools and virtual schools.”²

Purpose: The purpose of this policy is to establish the State Board’s mission with regard to its role as an appellate authorizer of charter schools and as an authorizer of charter schools where an LEA is the sponsor.

1. **Mission.** With regard to its authorizing functions, the mission of the State Board is to increase families’ access to high-quality charter schools.
2. **Principles.** The State Board will carry out this mission by upholding the principles set forth in State Board Policy 6.200.

¹ State Board of Education Master Plan FY 2012-2020.

² *Id.*

Adopted:

Revised: [BOARD PASSAGE DATE]

6.100 Mission

TENNESSEE STATE BOARD OF EDUCATION	
CORE AUTHORIZING PRINCIPLES	6.200

Pursuant to Tenn. Code Ann. § 49-13-108(f), “chartering authorities are encouraged to adopt national authorizing standards for use in reviewing charter school applications” and the “state board shall adopt national authorizing standards.”

Purpose. The purpose of this policy is to affirm the State Board of Education’s (“State Board”) mission with regard to its authorizing functions as set forth in State Board Policy 6.100 and its commitment to implementing national authorizing standards aligned with the core principles of charter school authorizing set forth below.

1. **Core Authorizing Principles.** The State Board will in all of its endeavors be guided by the following three core authorizing principles: maintaining high standards for charter school; upholding charter school autonomy, and protecting student and public interests.

2. **Maintaining High Standards.** To maintain high standards, the State Board will:
 - a. Set high standards for the approval of charter schools in its portfolio.
 - b. Maintain high standards for the charter schools it oversees.
 - c. Hold charter schools accountable for, over time, meeting the performance standards and targets set forth in their charter agreements on a range of measures and metrics.
 - d. Close all charter schools in its portfolio that fail to meet the standards and targets set forth in law and under their charter agreements.

3. **Upholding School Autonomy.** To uphold school autonomy, the State Board will:
 - a. Honor and preserve the independence of its charter schools’ governing boards.
 - b. Preserve core school autonomies related to educational programming, financial, personnel, school culture and scheduling decisions.
 - c. Assume responsibility not for the success or failure of individual charter schools in its portfolio but for holding schools accountable for their performance.
 - d. Focus on school accountability for outcomes rather than inputs and processes.
 - e. Minimize, within state and federal law, administrative and compliance burdens on charter schools in its portfolio.

TENNESSEE STATE BOARD OF EDUCATION

CORE AUTHORIZING PRINCIPLES

6.200

4. **Protecting Student and Public Interests.** The well-being and interests of students will be the fundamental value informing all State Board actions and decisions.
- a. The State Board will hold its charter schools accountable for fulfilling fundamental public education obligations to all students, including:
 - i. Non-selective, nondiscriminatory access to all eligible students;
 - ii. Fair treatment for all students in admissions and disciplinary actions; and
 - iii. Appropriate services for all enrolled students in accordance with the law.
 - b. The State Board will hold its charter schools accountable for fulfilling fundamental obligations to the public, including that schools provide the following:
 - i. Sound governance, management and stewardship of public funds; and
 - ii. Public information and operational transparency in accordance with the law.
 - c. When granting a charter and providing oversight to a State Board authorized charter school, the State Board will:
 - i. As part of its mission, focus on chartering high-quality charter schools;
 - ii. Demonstrate clarity, consistency and public transparency in authorizing policies, practices and decisions;
 - iii. Maintain effective and efficient public stewardship of its public resources;
 - iv. Comply with all applicable laws and regulations; and
 - v. Employ ethical conduct in all activities.
 - d. The State Board will support parents' and students' ability to make informed choices about educational options by providing clear, accurate and timely information related to performance of the charter schools in the State Board's portfolio.

TENNESSEE STATE BOARD OF EDUCATION

APPLICATION REVIEW

6.300

Tenn. Code Ann. § 49-13-108 allows public charter school sponsors to appeal the denial of an application by the local board of education to the State Board of Education (the “State Board”).

The State Board will not consider appeals of applications that did not include all of the statutorily required elements or that were submitted outside the application window set by the local board of education in accordance with Tenn. Code Ann. § 49-13-107.

Purpose: The purpose of this policy is to set forth the principles and criteria that the State Board will use in reviewing charter school applications received on appeal.

1. **Generally.** In reviewing charter school applications received on appeal, the State Board will use the standard of review set forth in State Board Policy 2.500. The State Board is committed to conducting a rigorous evaluation of all charter school applications received on appeal consistent with this policy and national authorizing standards.
2. **Substantive Application Review.**
 - a. The State Board shall conduct a substantive charter application review of each application received on appeal in accordance with the submission instructions set forth in State Board Policy 2.500. In conducting the substantive application review, the State Board shall contract with third-parties or utilize volunteers as it deems appropriate.
 - b. The substantive application review shall be an in-depth evaluation of the statutorily required elements, as set forth in Tenn. Code Ann. § 49-13-107, including but not limited to an evaluation of the proposed charter school’s mission; educational focus, program, and academic plan; business plan, including an operating budget; governance board and structure; discipline code; and compliance with applicable laws and regulations. If the local school board’s denial of a charter application is based on substantial negative fiscal impact, the State Board will also consider the financial impact of the charter school on the LEA, as set forth in State Board Policy 2.500. In addition, the State Board may take into consideration the past and current performance, or lack thereof, of any charter school operated by the sponsor.
 - c. The State Board staff may request additional information or documents from the local board of education or the sponsor to assist the staff in the substantive review. The State Board staff may impose deadlines for the submission of such additional information or documents, if requested.
 - d. The State Board staff will assemble a charter application review committee (the “Review Committee”), comprised of highly competent teams of internal and external evaluators with relevant and diverse educational, organizational (governance and management), financial and legal expertise, as well as a

Adopted:

Revised: [BOARD PASSAGE DATE]

6.300 Application Review

TENNESSEE STATE BOARD OF EDUCATION

APPLICATION REVIEW

6.300

thorough understanding of the essential principles of public school autonomy and accountability. The State Board will provide training to Review Committee members to ensure consistent standards and fair treatment of all application reviews.

- e. The State Board will ensure that the application review process, Review Committee members, and decision-making processes are free of conflicts of interest, in accordance with State Board Policy 6.600, and will require full disclosure of any potential or perceived conflicts of interest between Review Committee members and sponsors.

3. Interviews.

- a. The State Board shall interview the governing board of each sponsor that has filed an appeal in accordance with State Board Policy 2.500.
- b. The focus of the interview will be the governing board and school leadership's capacity to operate a charter school that is consistent with the charter application and in a fiscally responsible manner that advances the mission of the charter school.
- c. The State Board staff will schedule interviews in a manner that accounts for scheduling conflict. However, the final decision as to interview time and location is in the discretion of State Board staff.
- d. The interviews will be closed and not be open to the public.
- e. The officers of the governing board and the school leader (if named) shall attend the interview. Other representatives of the sponsor that may attend the interview include, but are not limited to, all members of the governing board, school leadership positions, and key personnel of identified school partners. The State Board reserves the right to limit the total number of interview participants.
- f. The State Board shall assemble an interview panel that may include State Board staff, State Board members, Review Committee members, and any other internal or external individuals whose knowledge and expertise would assist the State Board in its decision to authorize the charter school.
- g. All interview attendees (both on behalf of charter school and State Board) shall attend the interview in-person. However, State Board staff may allow certain attendees to participate remotely in extraordinary circumstances.

TENNESSEE STATE BOARD OF EDUCATION

APPLICATION REVIEW

6.300

4. **Transparency and Public Engagement.** The State Board is committed to employing fair and transparent procedures that promote evidence-based decisions regarding charter application received on appeal. The State Board will inform appellants and applicable local boards of education of their rights and responsibilities at all stages of the process, promptly notifying them of approval or denial decisions, including the basis for the decision.

5. **Decision-Making Principles.**
 - a. The State Board commits to using rigorous decision-making in granting charters only to sponsors that have demonstrated competence and capacity to succeed in all aspects of the proposed charter school.

 - b. The Review Committee members will provide evidence-based recommendations to the State Board staff that address established approval criteria. The executive director of the State Board will consider the recommendation of the Review Committee in his or her recommendation to the State Board for final approval or denial of the appeal consistent with the approval criteria and processes set forth in this policy and State Board Policy 2.500.

6. **Post Application Approval.**
 - a. No charter school may begin operation before obtaining the chartering authority's approval of its charter agreement.

 - b. For all charter schools authorized by the State Board, the following shall apply.
 - i. The State Board's approval of a charter school's application is separate and distinct from the State Board's approval of its charter agreement and a school's right to open.

 - ii. Once an application is approved by the State Board, the State Board will negotiate a charter agreement with the school's governing board that must be signed by both parties and submitted to the State Board.

 - iii. The State Board will establish a Pre-Opening Checklist, substantial compliance therewith shall be a prerequisite for opening the charter school.

TENNESSEE STATE BOARD OF EDUCATION

CHARTER AGREEMENTS

6.400

Tenn. Code Ann. § 49-13-110 requires that the approval by the chartering authority of a charter school application be in the form of a written charter agreement between the sponsor and the chartering authority. Pursuant to Tenn. Code Ann. § 49-13-104, “charter agreement” shall mean a performance-based agreement between the sponsor of a public charter school and the chartering authority, the terms of which are approved by the chartering authority for an initial period of ten (10) years.

Purpose. The purpose of this policy is to set guidelines for the State Board of Education (“State Board”) as it enters into charter agreements with the charter schools it authorizes and serves as the chartering authority in order to articulate the rights and responsibilities of each party during the term of the charter.

1. **Generally.** The State Board executes a charter agreement with each charter school in its portfolio that articulates the rights and responsibilities of each party regarding school autonomy, funding, administration and oversight, outcomes, measures for evaluating success or failure, performance consequences, and other material terms. The charter agreement is an essential document, separate from the charter application, that establishes the legally binding agreement and terms under which the school will operate and be renewed.
2. **Charter Agreement; Rights and Responsibilities.** The State Board and the sponsor will execute a charter agreement to operate a charter school that clearly articulates the following:
 - a. The rights and responsibilities of the charter school and the State Board;
 - b. The statutory, regulatory, and procedural terms and conditions for the charter school’s operation, including but not limited to:
 - i. Required reporting as set forth in Tenn. Code Ann. § 49-13-120;
 - ii. A minimum of 180 school days; and
 - iii. The administration of state-mandated assessments according to the state testing calendar.
 - c. The pre-opening requirements and conditions for new charter schools;
 - d. The autonomies to which charter schools are entitled based on statute, waiver and State Board policy, including those related to educational program, governance and management, operations, and finance;
 - e. The State Board’s performance standards, criteria and conditions for renewal, intervention, revocation, and non-renewal, while establishing the consequences for meeting or not meeting standards or conditions;

TENNESSEE STATE BOARD OF EDUCATION

CHARTER AGREEMENTS

6.400

- f. The responsibility and commitment of the charter school to adhere to essential public education obligations, especially concerning admissions and enrollment, students with disabilities and English language learners, and discipline and expulsion; and
 - g. The responsibilities of the charter school and the State Board in the event of school closure;
3. **Fee-based Services.** The State Board will ensure that any fee-based services provided by the State Board are set forth in a services agreement that is separate from the charter agreement and ensure that the purchase of such services is not and will never be a condition of charter approval, continuation, modification or renewal.
4. **Performance Standards.** The State Board will execute charter agreements with its charter schools that establish the academic, financial, and organizational performance standards under which charter schools will be evaluated and renewed.
 - a. Academic Performance. The academic performance standards shall include at a minimum indicators, measures, and metrics that:
 - i. Set expectations for student academic achievement status or proficiency, including comparative proficiency and proficiency for all groups of pupils as identified in state-mandated assessments;
 - ii. Set expectations for student academic growth, including adequacy of growth toward state standards;
 - iii. Incorporate state and federal accountability systems, including the Tennessee Value-Added Assessment System;
 - iv. Set expectations for postsecondary readiness, including graduation rates (for high schools); and
 - v. Provide schools an option to incorporate mission-specific performance measures for which the school has presented valid, reliable, and rigorous means of assessment approved by the State Board.
 - b. Financial Performance. The financial performance standards shall include at a minimum indicators, measures, and metrics that:
 - i. Enable the State Board to monitor and evaluate the charter school's financial stability and viability based on short-term performance, and

TENNESSEE STATE BOARD OF EDUCATION

CHARTER AGREEMENTS

6.400

- ii. Enable the State Board to monitor and evaluate the charter school's long-term financial sustainability.
- c. Organizational Performance. The organizational performance standards shall include at a minimum indicators, measures, and metrics that:
 - i. Define the essential elements of the educational program for which the State Board will hold the school accountable;
 - ii. Define financial management and oversight standards based on generally accepted accounting principles;
 - iii. Hold the charter school governing boards accountable for meeting statutory and board-established operating and reporting requirements;
 - iv. Ensure charter school compliance with student and employee rights and obligations; and
 - v. Establish expectations related to the school environment, including health and safety, transportation, facilities, and appropriate handling of records.
- d. The performance standards will:
 - i. Establish the performance expectations under which charter schools will be evaluated, using objective and verifiable measures of student achievement as the primary measure of school quality;
 - ii. Define clear, measurable, and attainable academic, financial, and organizational performance standards and targets that the charter school must meet as a condition of renewal, including but not limited to state and federal measures;
 - iii. Include expectations for appropriate access, education, support services, and outcomes for students with disabilities;
 - iv. Define the sources of academic, financial, and organizational data that will form the evidence base for ongoing and renewal evaluation; and

TENNESSEE STATE BOARD OF EDUCATION

CHARTER AGREEMENTS

6.400

- vii. Include clear, measurable performance standards to judge the effectiveness of alternative schools, as defined in Tenn. Code Ann. § 49-6-3402, if applicable, requiring and appropriately weighting rigorous mission-specific performance measures and metrics that credibly demonstrate each school's success in fulfilling its mission and serving its special population.

5. Parties, Terms, and Amendments.

- a. The State Board will execute a charter agreement only with a legally incorporated governing board that is established in compliance with all laws applying to the selection and terms of charter school governing boards.
 - b. The State Board will grant contracts for a ten-year term with a high-stakes review at the end of each term to determine whether the charter agreement will be renewed.
 - c. The State Board will define the material terms of the charter agreement as being those relevant to renewal.
 - d. The State Board will make best efforts to ensure mutual understanding and acceptance of the terms of the charter agreement by the charter school's governing body prior to agreement approval.
 - e. The State Board will allow and require charter agreement amendments for occasional material changes to a charter school's plans subject to the approval of both parties, but will not require amending the charter agreement for non-material modifications to a charter school's plans, where a material change is one which would be relevant and significant to a renewal decision.
6. **Negotiation Process.** The State Board will engage in a fair and transparent negotiation process of appropriate length and depth with all approved sponsors and their counsel regarding the terms of the charter agreement between the sponsor and the State Board. In considering items raised in negotiations, the State Board will adhere wherever possible to its contract template, and insist on all terms which are material to renewal being included in the charter agreement between the parties.

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Revised: [BOARD PASSAGE DATE]

6.400 Charter Agreements

TENNESSEE STATE BOARD OF EDUCATION

OVERSIGHT AND EVALUATION

6.500

Purpose: The purpose of this policy is to establish guidelines for the State Board’s oversight and evaluation activities of the charter schools authorized by the State Board where the State Board serves as the chartering authority while simultaneously ensuring the charter schools’ autonomy.

1. **Generally.** The State Board will conduct school oversight to competently evaluate performance and monitor charter school compliance; ensure charter schools’ legally entitled autonomy; protect students’ rights; inform intervention, revocation and renewal decisions; and report publicly on individual and cumulative performance of the charter schools in its portfolio.
2. **Performance and Compliance Monitoring Systems.**
 - a. The State Board will implement a comprehensive performance accountability and compliance monitoring system that is defined by the charter agreement and provides the State Board with the information necessary to make rigorous, evidence-based renewal, revocation, and intervention decisions.
 - b. In order to implement this system the State Board will establish the following standards under which charter schools will be evaluated and renewed:
 - i. Academic Performance Standards
 - ii. Financial Performance Standards
 - iii. Organizational Performance Standards
 - c. The State Board will implement an accountability system that effectively streamlines federal, state, and State Board performance expectations and compliance requirements while protecting charter schools’ legally entitled autonomy and minimizing their administrative and reporting burdens.
3. **Requirements for Data Collection and Analysis.**
 - a. Charter schools shall provide the information required by state law and comply with the requirements of the State Board master calendar for charter school reporting.
 - b. The State Board will annually promulgate a master calendar reporting schedule for its charter schools that defines and communicates to charter schools the process, methods and timing of gathering and reporting data.
 - c. Charter schools shall provide information and data to the State Board pursuant to the reporting schedule and through a state-approved student management system.

Adopted:

Revised: [BOARD PASSAGE DATE]

6.500 Oversight and Evaluation

TENNESSEE STATE BOARD OF EDUCATION

OVERSIGHT AND EVALUATION

6.500

A charter school must inform the State Board if it will not meet a deadline along with a justification for said delay.

- d. Charter schools shall administer the state-mandated assessments according to the state testing calendar to assess student performance and include measures within the performance standards related to performance on the state-mandated assessments.
- e. The State Board will require each charter school it oversees to submit an annual report to assist in gathering complete information about each school. The charter school's annual report shall include the status of the charter school's compliance with annual performance targets as determined by the charter agreement. The State Board will make these annual reports accessible to the public.
- f. The annual performance targets shall require the disaggregation of all student performance data by agreed-upon student specific subgroups.
- g. Multiple charter schools overseen by a single governing board shall be required to report their performance as separate, individual charter schools, and each charter school shall be:
 - i. Held independently accountable for its performance and
 - ii. Held independently accountable to state law regarding charter school closure and revocation.

4. Reporting by the State Board

- a. The State Board will evaluate each charter school annually on its performance and progress toward meeting the standards and targets stated in the charter agreement, including essential compliance requirements.
- b. The State Board will clearly communicate evaluation results to the charter school's governing board and leadership in an annual written report to each charter school, summarizing its performance and compliance to date and identifying areas of strength and areas needing improvement.
- c. The results of all evaluations will be made accessible to the public.
- d. The State Board will communicate with the charter schools in its portfolio as needed, including both the school leader and governing board, and provide timely notice of any material charter agreement violations and performance deficiencies.

TENNESSEE STATE BOARD OF EDUCATION	
OVERSIGHT AND EVALUATION	6.500

- e. The State Board will articulate and enforce stated consequences for failing to meet performance expectations or compliance requirements.
- f. The State Board will produce for the public an annual report that provides clear, accurate performance data for all of the charter schools it oversees, reporting on individual school and overall cumulative portfolio performance according to the performance standards set forth in the charter agreement.

5. School Site Visits.

- a. In addition to the renewal visit at the end of the charter term, the State Board will conduct at least annual site visits during each year of the charter term of each charter school in its portfolio for the purpose of collecting data or gathering qualitative information that cannot be obtained otherwise and in accordance with the charter agreement, while insuring that the frequency, purposes, and methods of such visits respect school autonomy and minimize operational interference.
- b. The State Board will develop a site visit protocol that articulates the expectations for charter schools prior to, during and after the visit, including review of documents and data, classroom observations and stakeholder interviews.
- c. The State Board will provide the school and the public with a written report that summarizes the school's performance against the renewal standards and criteria addressed by the site visit. The report will present only analysis of relevant data; it will not provide recommendations or prescriptions to the school.

6. Preserving and Enhancing Charter School Autonomy.

- a. The State Board will respect each charter school's authority over its day-to-day operations.
- b. The State Board will collect information from the charter schools that it oversees in a manner that minimizes administrative burdens on the charter schools, while ensuring that performance and compliance information is collected with sufficient detail and timeliness to protect student and public interests.
- c. The State Board will focus its evaluation efforts on the performance standards set forth in the charter agreement and present its analyses in a straightforward manner that clearly indicates whether a charter school is meeting or making progress towards meeting the standards and criteria for renewal. Evaluation reports and presentations will not prescribe solutions to those areas not meeting standards and identified in need of improvement.

Adopted:

Revised: [BOARD PASSAGE DATE]

6.500 Oversight and Evaluation

TENNESSEE STATE BOARD OF EDUCATION	
OVERSIGHT AND EVALUATION	6.500

- d. The State Board will periodically review its compliance requirements and evaluation procedures to increase charter school autonomy based on flexibility in the law, streamlining requirements, demonstrated school performance, or other considerations.

TENNESSEE STATE BOARD OF EDUCATION	
CHARTER SCHOOL AUTONOMY	6.600

Purpose. The purpose of this policy is to affirm the autonomy of the charter schools authorized by the State Board of Education (“State Board”), under which the State Board serves as the chartering authority.

1. **Generally.** A fundamental feature of charter schools is autonomy in exchange for accountability. The State Board will respect and preserve the core autonomies crucial to charter school success, including legal, educational and financial autonomy. It will assume responsibility not for the success or failure of individual schools but for holding schools accountable for their performance.

2. **Areas of Autonomy.**
 - a. The State Board will articulate the autonomies to which charter schools in its portfolio are entitled based on statute, waiver or State Board policy.
 - b. The State Board will promote the educational autonomy and flexibility of charter schools in its portfolio, including with respect to curriculum, facilities management, instructional approach, virtual education, length of the school day, week, or year (though no fewer than 180 school days), and personnel management.
 - c. The State Board will respect and support the independence of each charter school’s governing board from the State Board and allow charter school management to decide how best to operate its school within the limits of applicable laws and regulations.
 - d. The State Board will honor the autonomy of the charter schools it authorizes and serves as the chartering authority regarding budget and financial matters, including the right to generate revenue and make expenditure decisions.
 - e. The State Board will oversee the charter schools in its portfolio in such a way as to maximize the legal autonomy of these schools, consistent with Tennessee charter school laws and regulations.
 - f. Charter schools in the State Board’s portfolio should not expect technical assistance from the State Board.

3. Enhancing Autonomy and Minimizing Burden

- a. The State Board will only impose requirements on charter schools in its portfolio when there is a legal basis or compelling reason to do so. It will minimize to the extent possible administrative and compliance burdens on

Adopted:

Revised: [BOARD PASSAGE DATE]

6.600 Charter School Autonomy

TENNESSEE STATE BOARD OF EDUCATION	
CHARTER SCHOOL AUTONOMY	6.600

its charter schools and focus on holding schools accountable for outcomes rather than processes.

- b. The State Board will periodically review its existing policies, practices, rules and regulations to evaluate the potential to increase charter school autonomy and reduce requirements for all charter schools in its portfolio based on flexibility in the law and available efficiencies.
- c. The State Board will seek opportunities to enhance autonomy for individual charter schools in its portfolio that demonstrate high levels of performance.

4. Conflicts of Interest

- a. In accordance with the Conflict of Interest Disclosure established in State Board Policy 1.200, no employee, board member, agent, or representative of the State Board may simultaneously serve as an employee, board member, agent, representative, vendor, or contractor of a charter school authorized by the State Board.
- b. The State Board will not provide technical support to a charter school that it authorizes and serves as the chartering authority whenever said technical support will directly and substantially impact any authorizer decision related to the authorization, renewal, revocation, or nonrenewal of the charter school.
- c. The granting, revocation, or renewal of charter may never be contingent on the charter school being required to contract, lease or purchase services from the State Board.

Adopted:

Revised: [BOARD PASSAGE DATE]

6.600 Charter School Autonomy

TENNESSEE STATE BOARD OF EDUCATION

CHARTER SCHOOL INTERVENTION

6.700

Purpose. The purpose of this policy is to set forth the criteria and process for charter school intervention decisions and actions by the State Board of Education (“State Board”).

1. **Generally.** The State Board will have a clear, explicit plan for monitoring schools as set forth in the charter agreement. To the extent possible, this plan will limit the administrative burden on schools. If there is reason for concern, the State Board will monitor as often and vigorously as needed to ensure the charter school remedies serious issues in a timely manner. In cases where intervention by the State Board is warranted, it will be proportionate to the identified problem, adhere to provisions of the charter agreement and respect the autonomy of the charter school.

2. **Intervention.**

- a. The State Board will establish an intervention policy stating the general conditions that may trigger intervention and the types of actions and consequences that may ensue.
- b. This intervention policy will be set forth in the charter agreements of the charter schools it authorizes and serves and the chartering authority.
- c. The State Board will give the charter schools in its portfolio timely notice of any charter agreement violations or performance deficiencies justifying intervention per the charter agreement. Notices shall state the deficiency, the applicable regulatory, performance or contractual provision(s) not satisfactorily met, the expected remedy, including whether a Plan of Correction is required (as further described below), and the timeframe by which the State Board expects a deficiency to be remedied and/or a Plan of Correction to be submitted.
- d. The State Board will provide its charter schools with reasonable time and opportunity for submission of Plan of Corrections and/or remediation in non-emergency situations.
- e. Where intervention is needed, the State Board will engage in intervention strategies that preserve charter school autonomy and responsibility by identifying what the charter school must remedy without prescribing solutions.

3. **Grounds for Intervention and Consequences.**

- a. If issues of concern or deficiencies are identified, the State Board may assign a level of intervention for the charter school. The charter agreement will outline these levels of intervention as well as the grounds that may result in certain levels of intervention. The State Board shall adhere to the provisions of the charter agreement if it determines an intervention is appropriate.

Adopted:

Revised: [BOARD PASSAGE DATE]

6.700 Charter School Intervention

TENNESSEE STATE BOARD OF EDUCATION

CHARTER SCHOOL INTERVENTION

6.700

- b. Depending on the severity of the concern or deficiency, the State Board reserves the right to revoke or suspend the charter agreement in accordance with the terms and provisions of the charter agreement and Tenn. Code Ann. § 49-13-122. If the State Board deems that an intervention other than contract revocation or suspension is appropriate, it may begin at any level of intervention and shall be permitted to jump levels. The State Board does not need to commence interventions at Level 1 and move incrementally through the levels.
- c. The State Board will notify the governing board of any charter school that requires an intervention. The notice shall describe the intervention and may include additional consequences if the deficiency and/or concern(s) are not remedied within the stated timeline.
- d. A Plan of Correction, as defined in the charter agreement, shall include specific improvement objectives, responsible person(s) for each action, technical assistance requirements (if applicable), a schedule, and indicators of success. The charter school shall submit its Plan of Correction within the timelines prescribed in the charter agreement, unless otherwise prescribed by the State Board.
- e. State Board staff's approval of a Plan of Correction shall in no way abridge or mitigate the charter school's ultimate responsibility and accountability for remedying the deficiency and/or the State Board's authority to take additional action in response to the charter school's failure to remedy the deficiency satisfactorily including revocation or suspension of the charter agreement to operate a charter school.
- f. If there is an immediate concern for student or employee health or safety at a charter school, the State Board may revoke or suspend the charter agreement or adopt an interim reconstitution plan that may include the appointment of an interim governing board and/or a governing board chairperson.

4. Charter School Responsibilities

- a. When a charter school in the State Board's portfolio receives a deficiency notice from the State Board, it may:
 - i. Remedy noted deficiencies and provide evidence of such remedy to the State Board within the timeframe identified in the notice.
 - ii. Contest the State Board's determination that a breach of the charter agreement has occurred by providing a written response contesting such determination to the State Board within the timeframe prescribed in the charter agreement.
 - iii. Submit a Plan of Correction, if requested, to the State Board within the timeframe identified in the charter agreement or as stated in the notice.

Adopted:

Revised: [BOARD PASSAGE DATE]

6.700 Charter School Intervention

TENNESSEE STATE BOARD OF EDUCATION	
CHARTER SCHOOL INTERVENTION	6.700

- b. If a charter school is not able to meet timeframes for remediation and/or submission of a Plan of Correction, it shall provide a written response to the State Board within the contractual timelines, which shall include a justification for its inability to meet the timeframe together with a proposed timeframe for remedying deficiencies. The State Board shall consider the charter school's justification and either approve, approve with modifications or reject the charter school's proposed timeframe.

- c. Charter schools will be responsible for notifying the State Board when a deficiency has been remedied, if the charter school requires an extension of time to remedy a deficiency, or if the charter school requires a modification to its Plan of Correction.