



TENNESSEE
STATE BOARD OF EDUCATION

CHARTER SCHOOLS

HISTORICAL AND LANDSCAPE OVERVIEW IN TENNESSEE
JANUARY 30, 2020

AGENDA

- Overview of T.C.A. Title 49, Chapter 13, Tennessee Public Charter Schools Act of 2002
- State Board's Role in Charter School Appeals
- Overview of the State Board's Charter School Portfolio
- Overview of Charter School Authorizing and LEA Responsibilities
- Public Chapter 219 – Creation of the Public Charter School Commission
- Overview of Timeline through September 2021

OVERVIEW OF TITLE 49, CHAPTER 13

HISTORY OF TENNESSEE PUBLIC CHARTER SCHOOLS ACT OF 2002

- In 2002, the law allowing charter schools to open in Tennessee was passed. The only students allowed to attend charter schools were students from schools failing to meet adequate yearly progress.
- In 2003, the first charter schools opened in Tennessee.
- In 2005, the charter law was amended to expand the students who could attend charter schools.
- In 2009, the cap on the number of charter schools allowed in the state was increased to 90, and the characteristics of the students that could attend charter schools was further expanded.
- In 2011, the charter law was amended to open charter schools up to all students and removed the cap on the number of charter schools that could operate in the state.
- In 2014, the charter law was amended to allow the State Board of Education to be an appellate authorizer of charter schools.
- In 2019, the charter law was amended to create the Tennessee Public Charter School Commission.

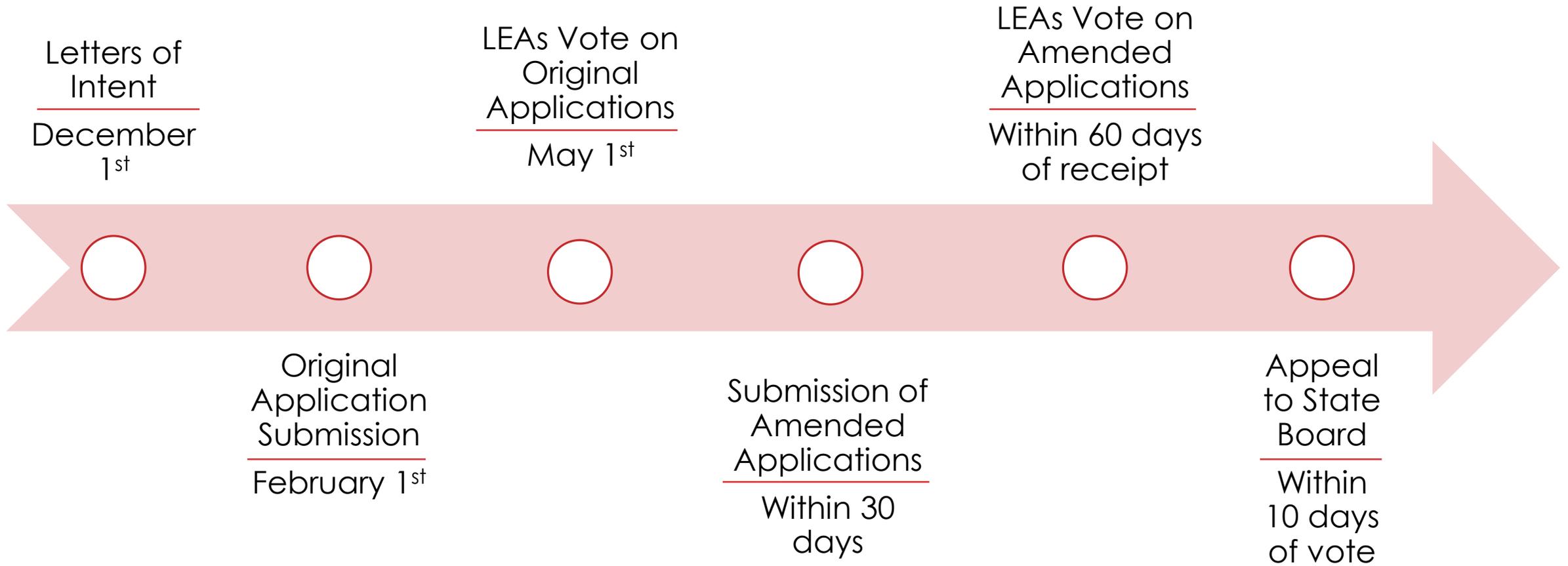
CURRENT TENNESSEE CHARTER SCHOOL LAW

- In accordance with Tennessee state law, charter schools:
 - Must be not-for-profit entities
 - Have ten-year charter terms
 - Are open to all students
 - Cannot be converted from private schools
 - Cannot be virtual or cyber-based
 - Must participate in all state assessments
 - Must have licensed teachers
 - Are under the LEA of their authorizer
 - Are subjected to the same performance accountability standards as traditional public schools
 - Can receive waivers from certain laws, State Board rules, and State Board policies

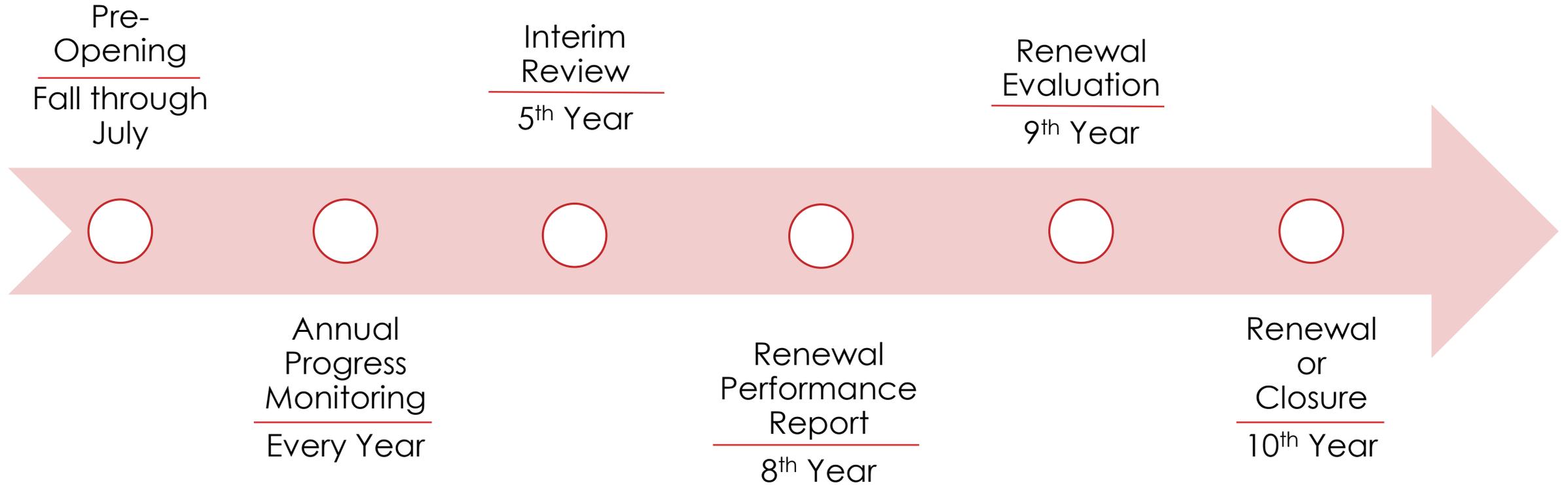
STATE LANDSCAPE

- Number of open and operating charter schools in 2019-20
 - Shelby County: 55
 - Metro Nashville Public Schools: 28
 - Achievement School District: 26
 - Hamilton County: 5
 - Knox County: 1
 - State Board of Education: 3
- Total: 118 schools

THE APPLICATION TIMELINE



POST-APPROVAL PROCESS



QUESTIONS

ROLE OF THE STATE BOARD

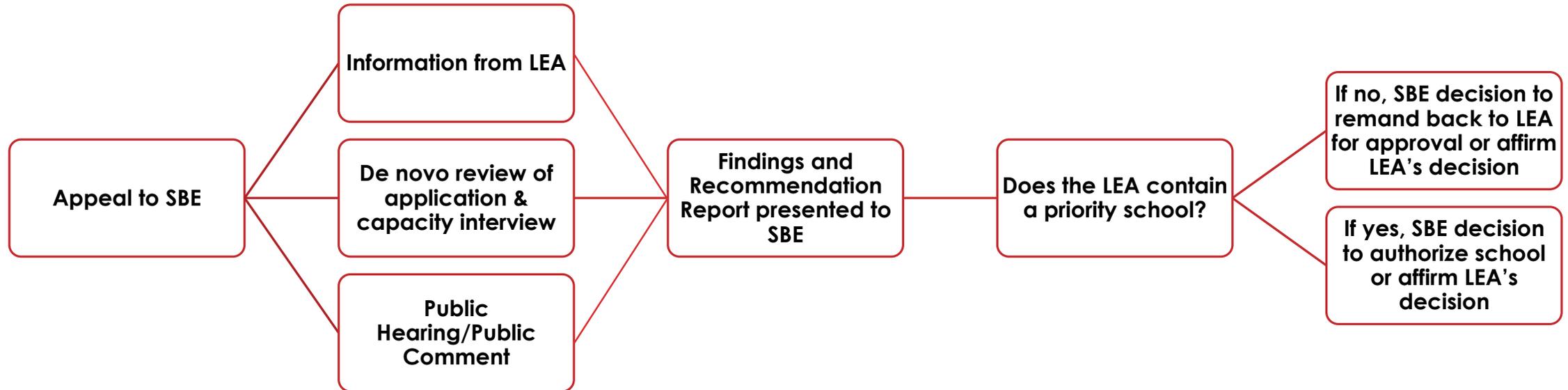
ROLE OF STATE BOARD NEW START APPEALS

- From 2002 to 2014, the State Board heard appeals of charter school applications that were denied by local boards of education.
 - No requirement to adopt a review process that aligned with national best practices.
 - Decision of the State Board – either to uphold the denial of the application or to authorize and open the school – was sent back to the local board of education to implement.
- From 2003 to 2014
 - Received 60 new start appeals
 - Overturned the local district's decision in 35% of appeals (21 out of 60)

ROLE OF STATE BOARD NEW START APPEALS

- In 2014, State Board became an appellate authorizer of charter schools under Public Chapter 850 of the 108th General Assembly.
 - Required to adopt national authorizing standards.
 - Within local school districts that have a priority school, State Board can authorize a charter school upon appeal.
- Since 2014
 - Received 27 new start appeals
 - Approved 5 applications (18%)

NEW START APPEALS PROCESS FLOWCHART

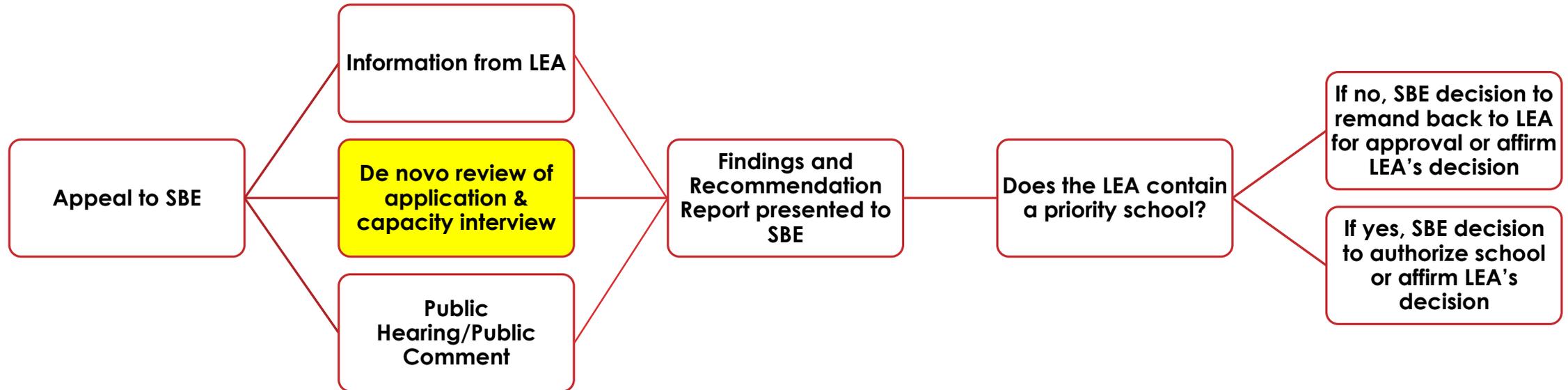


State Board has 60 calendar days to complete this process.

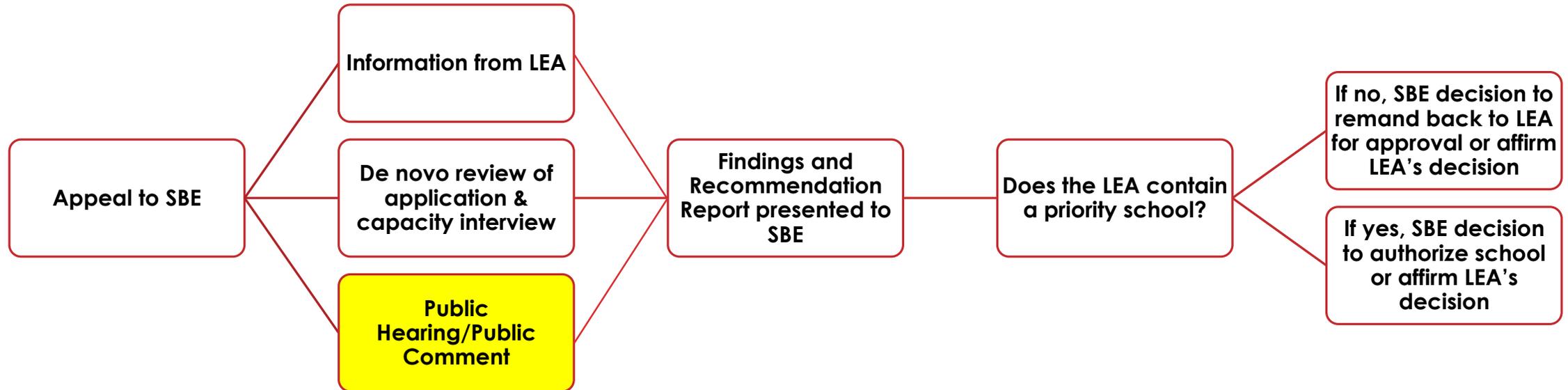
NEW START APPEALS PROCESS FLOWCHART



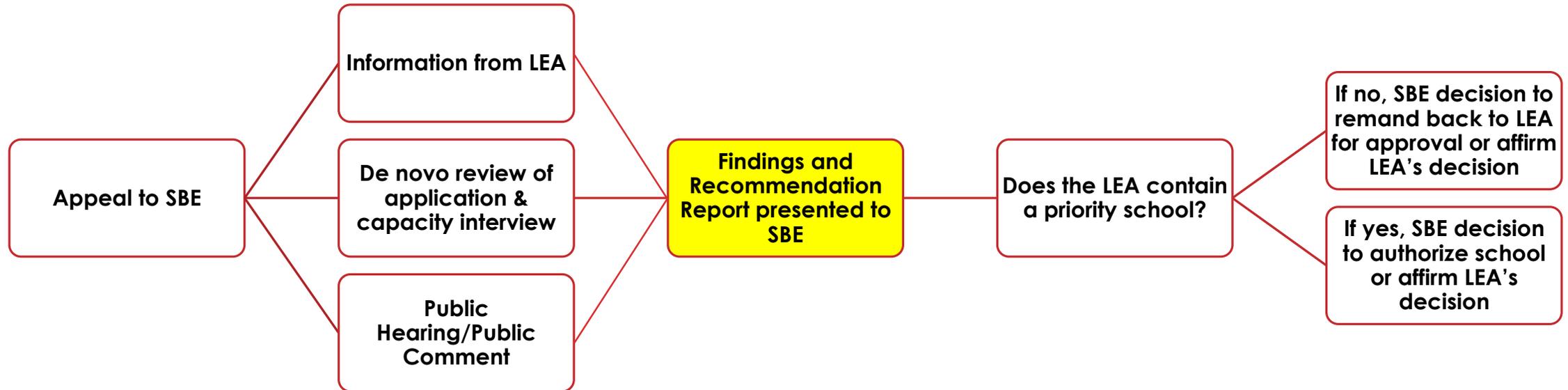
NEW START APPEALS PROCESS FLOWCHART



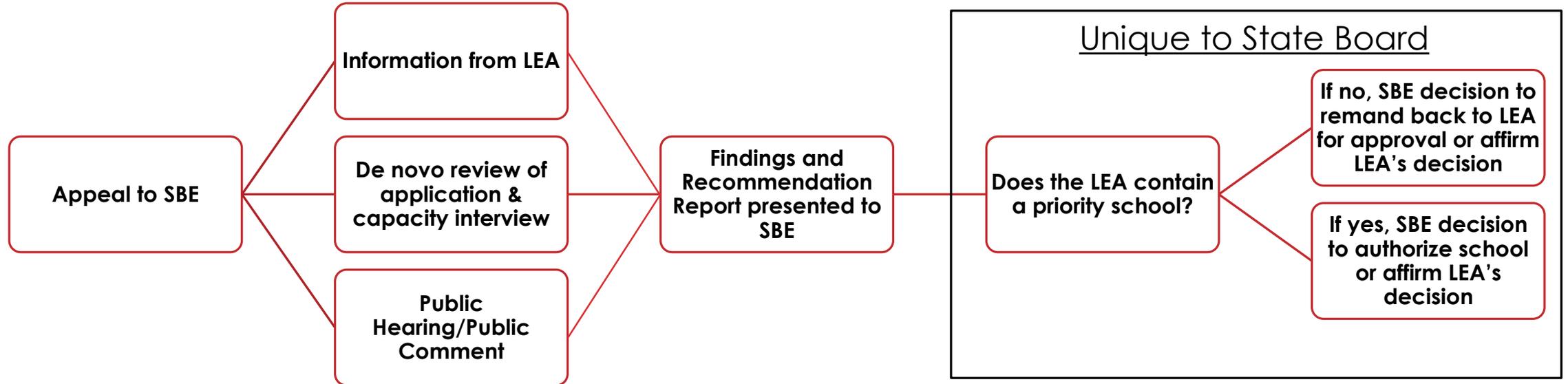
NEW START APPEALS PROCESS FLOWCHART



NEW START APPEALS PROCESS FLOWCHART



NEW START APPEALS PROCESS FLOWCHART



ROLE OF STATE BOARD REVOCAATION APPEALS

- Pursuant to T.C.A. § 49-13-122, a charter school can appeal the revocation of their charter agreement to the State Board.
- In order to overturn a local board of education's decision to revoke a charter agreement, the State Board must find that the local board of education's decision was contrary to T.C.A. § 49-13-122.
- In revocation appeals, the State Board **does not become the authorizer** of the charter school if it overturns the local board's decision.
- Since 2002, the State Board has received 9 revocation appeals.
 - Upheld the local board's decision in 6 appeals.
 - Overturned the local board's decision in 3 appeals.

ROLE OF STATE BOARD RENEWAL APPEALS

- Pursuant to T.C.A. § 49-13-121, a charter school can appeal a local board's decision not to renew their charter agreement to the State Board.
- In order to overturn a local board of education's decision to not renew a charter agreement, the State Board must find it is in the best interests of the students, LEA, or community to renew the charter agreement.
- In renewal appeals, the State Board **can become the authorizer** of the charter school if it overturns the local board's decision.
- Since 2002, the State Board has received 1 renewal appeal.
 - Upheld the local board's decision in 1 appeal.

ROLE OF STATE BOARD AMENDMENT APPEALS

- Pursuant to T.C.A. § 49-13-110, a charter school can appeal the denial of their petition to amend their charter agreement to the State Board.
- In order to overturn a local board of education's decision to deny the amendment petition, the State Board must find it is in the best interests of the students, LEA, or community to amend the charter agreement.
- In amendment appeals, the State Board **cannot become the authorizer of** the charter school if it overturns the local board's decision.
- Since 2002, the State Board has received 1 amendment appeal.
 - The State Board will make a decision on the current amendment appeal at its February 7, 2020 board meeting.

QUESTIONS

STATE BOARD PORTFOLIO AND RESPONSIBILITIES

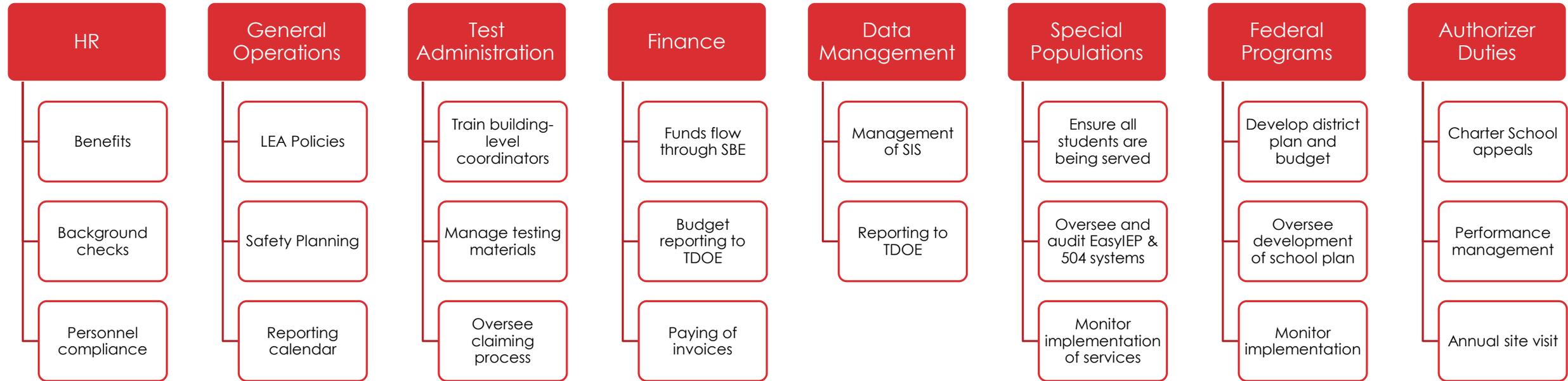
CURRENT STATE BOARD AUTHORIZED CHARTER SCHOOLS

- Bluff City High School
 - Opened in 2017-18 in Memphis
 - Operated by Green Dot Public Schools
 - Currently serving 9th-11th grades, 416 students
 - Will be up for renewal in 2027
- KIPP Antioch College Prep Elementary School
 - Opened in 2018-19 in Nashville
 - Operated by KIPP Nashville
 - Currently serving kindergarten and 1st grades, 287 students
 - Will be up for renewal in 2028

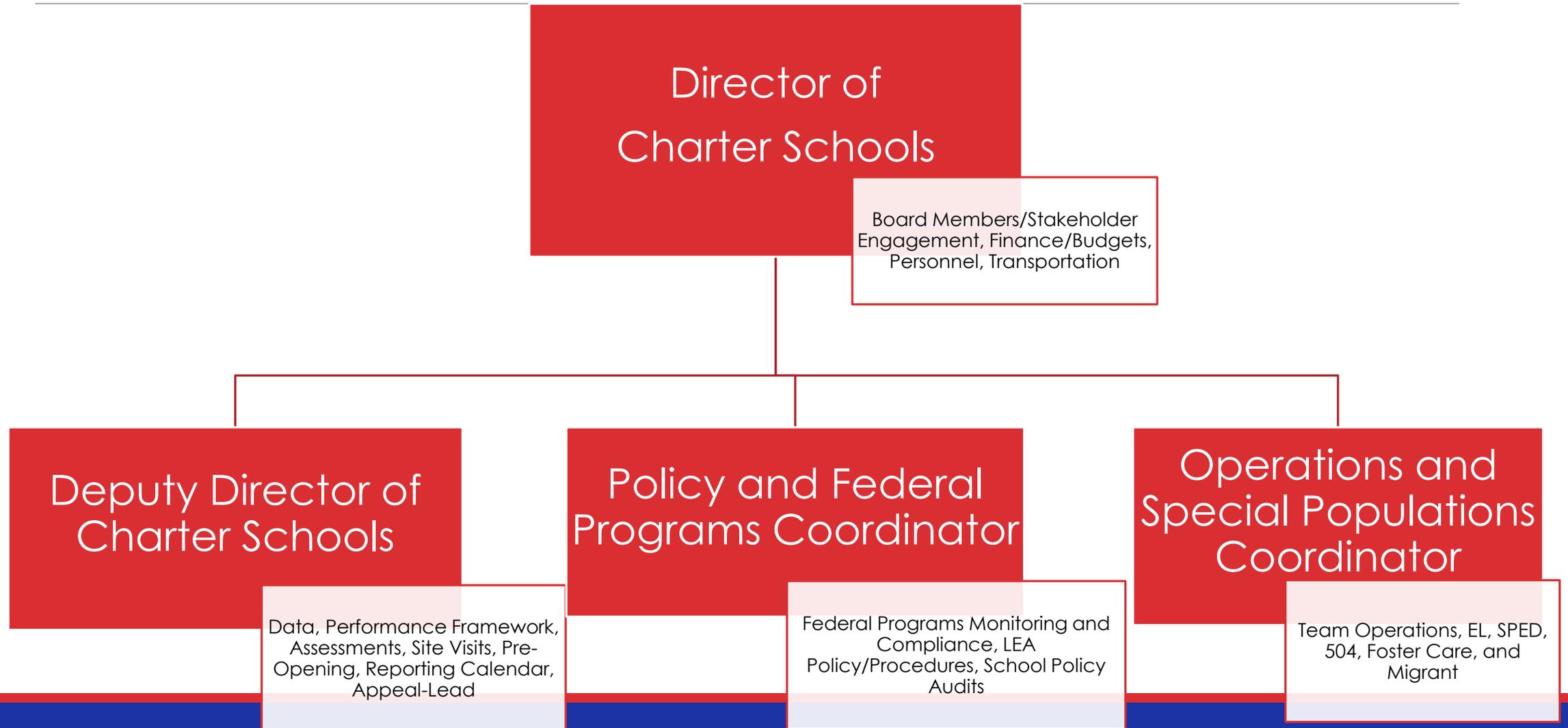
CURRENT STATE BOARD AUTHORIZED CHARTER SCHOOLS

- KIPP Antioch College Prep Middle School
 - Opened in 2019-20 in Nashville
 - Operated by KIPP Nashville
 - Currently serving 5th grade, 132 students
 - Will be up for renewal in 2029
- Rocketship Nashville #3
 - Will open in 2021-2022 in Nashville
 - Operated by Rocketship Public Schools
 - Will serve grades K-4, 560 students
 - Will be up for renewal in 2031

LEA & AUTHORIZING RESPONSIBILITIES



STATE BOARD STAFFING



SBE STAFFING/FUNDING

Funding Sources	Staffing/Functions by Source
<ul style="list-style-type: none"> SBE General Operating Budget 	<ul style="list-style-type: none"> Director of Charter Schools <ul style="list-style-type: none"> Salary + Benefits Travel Equipment Support of Executive Director, General Counsel, Legislative Affairs, Communications
<ul style="list-style-type: none"> General Purpose Authorizing Funds <ul style="list-style-type: none"> \$125,000/year 	<ul style="list-style-type: none"> Deputy Director of Charter Schools <ul style="list-style-type: none"> Salary + Benefits Travel Equipment Charter School Appeals Charter Authorization
<ul style="list-style-type: none"> Up to 3% authorizer fee <ul style="list-style-type: none"> In 2019-20, the current projection of authorizer fee revenue is \$251,000. 	<ul style="list-style-type: none"> Federal Programs Coordinator & Special Populations Coordinator <ul style="list-style-type: none"> Salary + Benefits Travel Equipment Charter School Authorization

QUESTIONS

PUBLIC CHAPTER 219 AND TIMELINE THROUGH 2021

PUBLIC CHAPTER 219

- Shifted timeline for application process to allow more time in the pre-opening stage.
- Created the Tennessee Public Charter School Commission to serve as appellate authorizer of charter schools.
 - National best practice to have an independent statewide authorizing body.
 - State Board is already responsible for numerous important workstreams (e.g. academic standards, policies and rulemaking, educator preparation program report card and approval, teacher licensure discipline, etc.) in addition to serving as an appellate authorizer and LEA.
- Charged the State Board with authorizer evaluations. The following authorizers will be evaluated:
 - Metro Nashville Public Schools, Shelby County, Hamilton County, and Knox County
 - Achievement School District and Tennessee Public Charter School Commission

JANUARY – MARCH 2020

January

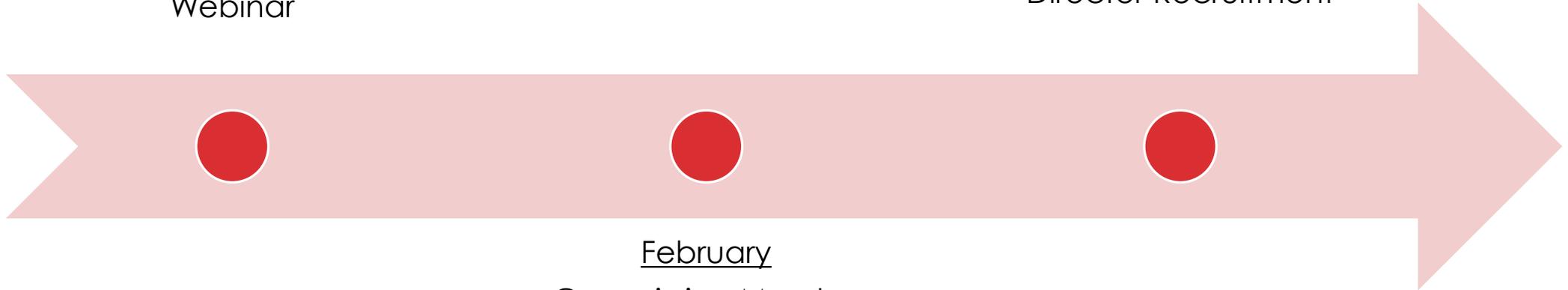
- Charter Landscape Webinar

March

- Commission Executive Director Recruitment

February

- Commission Members Confirmed by General Assembly
- Commission Organizing Session



APRIL – JUNE 2020

April

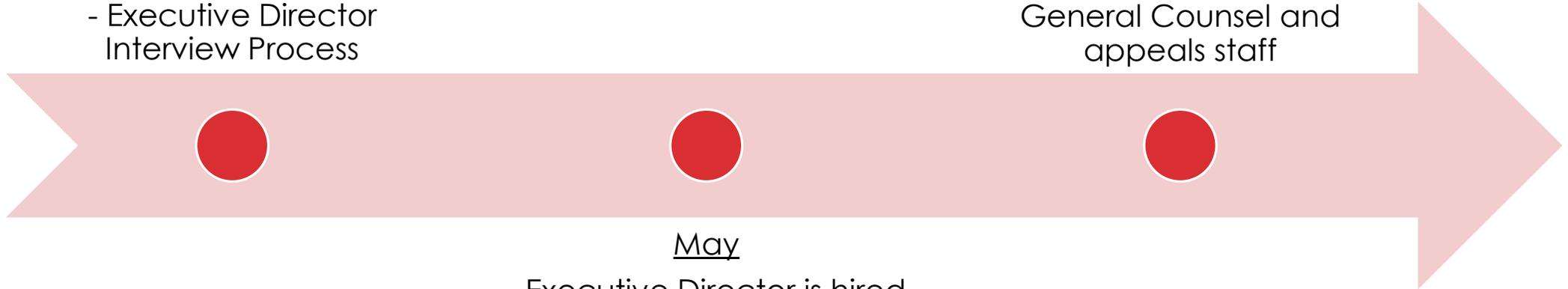
- Begin Developing Commission's Charter School Appeals Process
- Executive Director Interview Process

June

- Training on Quality Authorizing Standards
- Begin hiring process for General Counsel and appeals staff

May

- Executive Director is hired



JULY - SEPTEMBER 2020

July

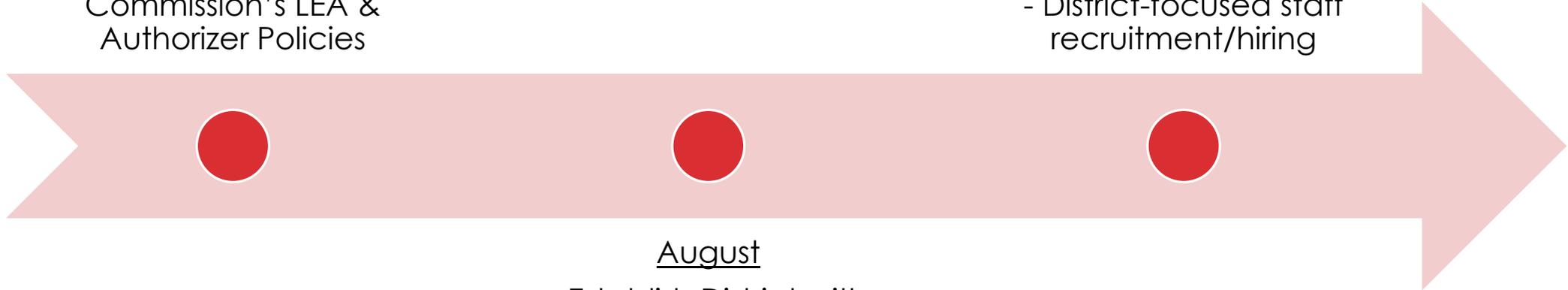
- Establish District Number with TDOE
- Begin Developing Commission's LEA & Authorizer Policies

September

- Establish District in ePlan
- Participate in SBE Appeals Process
- District-focused staff recruitment/hiring

August

- Establish District with Finance & Administration for LEA Benefits
- Establish/Refine Communications Platforms



OCTOBER – DECEMBER 2020

October

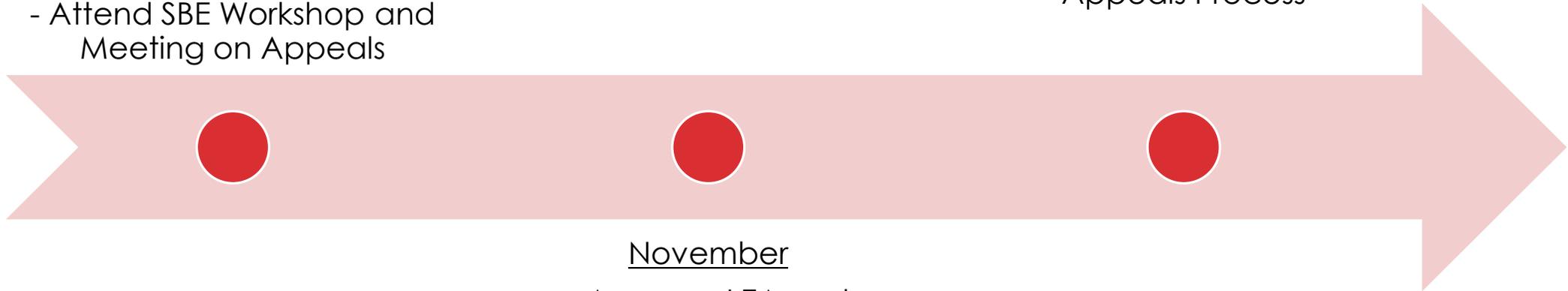
- Attend NACSA Conference
- Attend SBE Workshop and Meeting on Appeals

December

- Finalize Commission's Appeals Process

November

- Approve LEA and Authorizer Policies and Performance Framework on First Reading



JANUARY – MARCH 2021

January

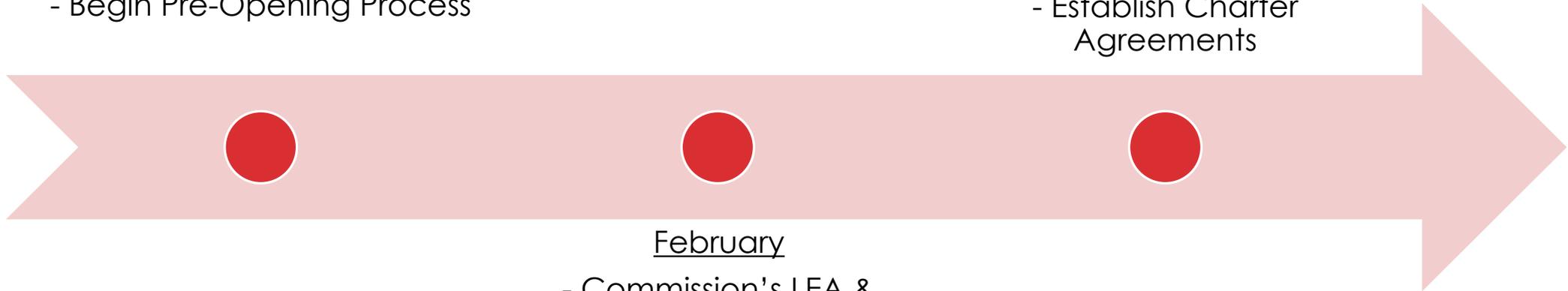
- Begin Receiving Appeals
 - Determine District SIS
- District Planning & Budgeting
- Begin Pre-Opening Process

March

- BEP & Enrollment Estimates
- Consolidated Funding Application
- Establish Charter Agreements

February

- Commission's LEA & Authorizer Policies on Final Reading
- Performance Framework on Final Reading
- SIS Training & Set Up



APRIL – JUNE 2021

April

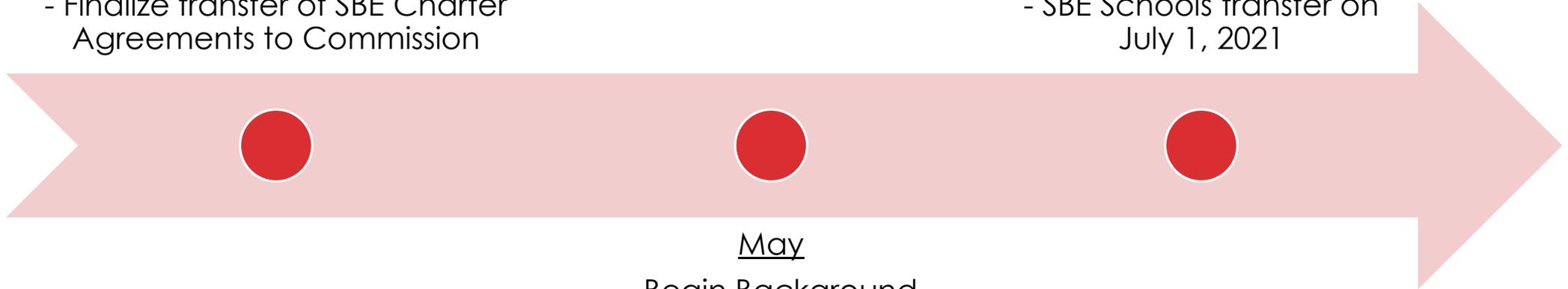
- Develop Reporting Calendar
- BEP & Enrollment Estimates
- Finalize transfer of SBE Charter Agreements to Commission

June

- School Planning
- State Funds Budget for District
- SBE Schools transfer on July 1, 2021

May

- Begin Background Checks
- Finalize Authorizer Budget
- Begin Safety Planning



JULY – OCTOBER 2021

July

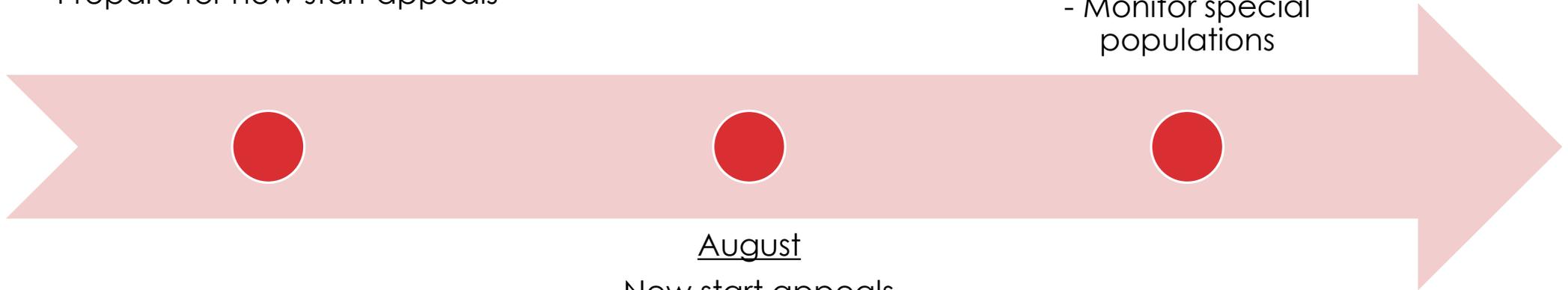
- Finalize pre-opening process
- Prepare for new start appeals

September

- Re-budget federal funds
- Continue appeal process
- Monitor special populations

August

- New start appeals begin
- Support schools in opening schools
- Process first BEP payments



QUESTIONS

THANK YOU!

- Contact Information:
 - Tess Stovall, Director of Charter Schools, State Board of Education
 - Tess.Stovall@tn.gov or (615) 770-1190
- Links to State Board websites
 - State Board of Education main website: tn.gov/sbe
 - State Board of Education Schools website: tn.gov/sbeschools



The Charter Commission and ASD Schools



ASD Schools Timeline

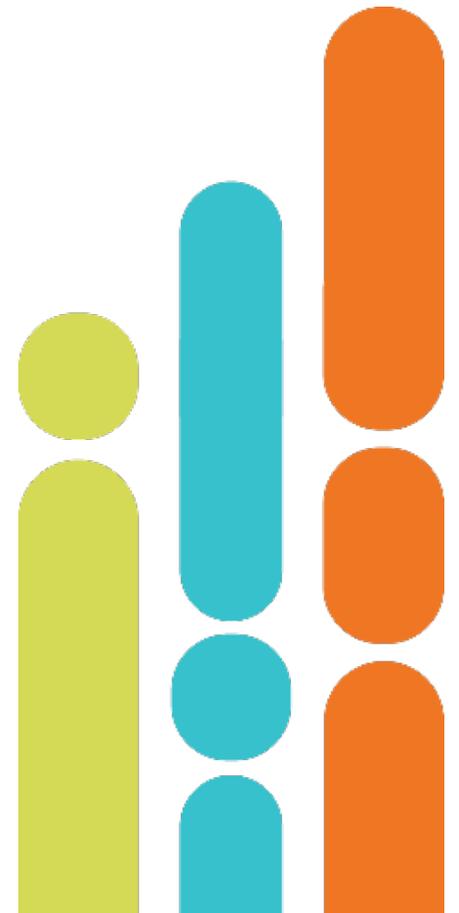
- All current ASD schools will transition out of the ASD no later than the fall of 2022.
- This timeline gives schools two and a half years to apply to their district for charter authorization (including time to exercise appeal options if needed).
 - 2020-21: Planning
 - 2021-22: Charter application/appeals
 - 2022-23: Operating or closed
- We will collaborate with charter operators and host discussions with districts to develop individual transition plans.



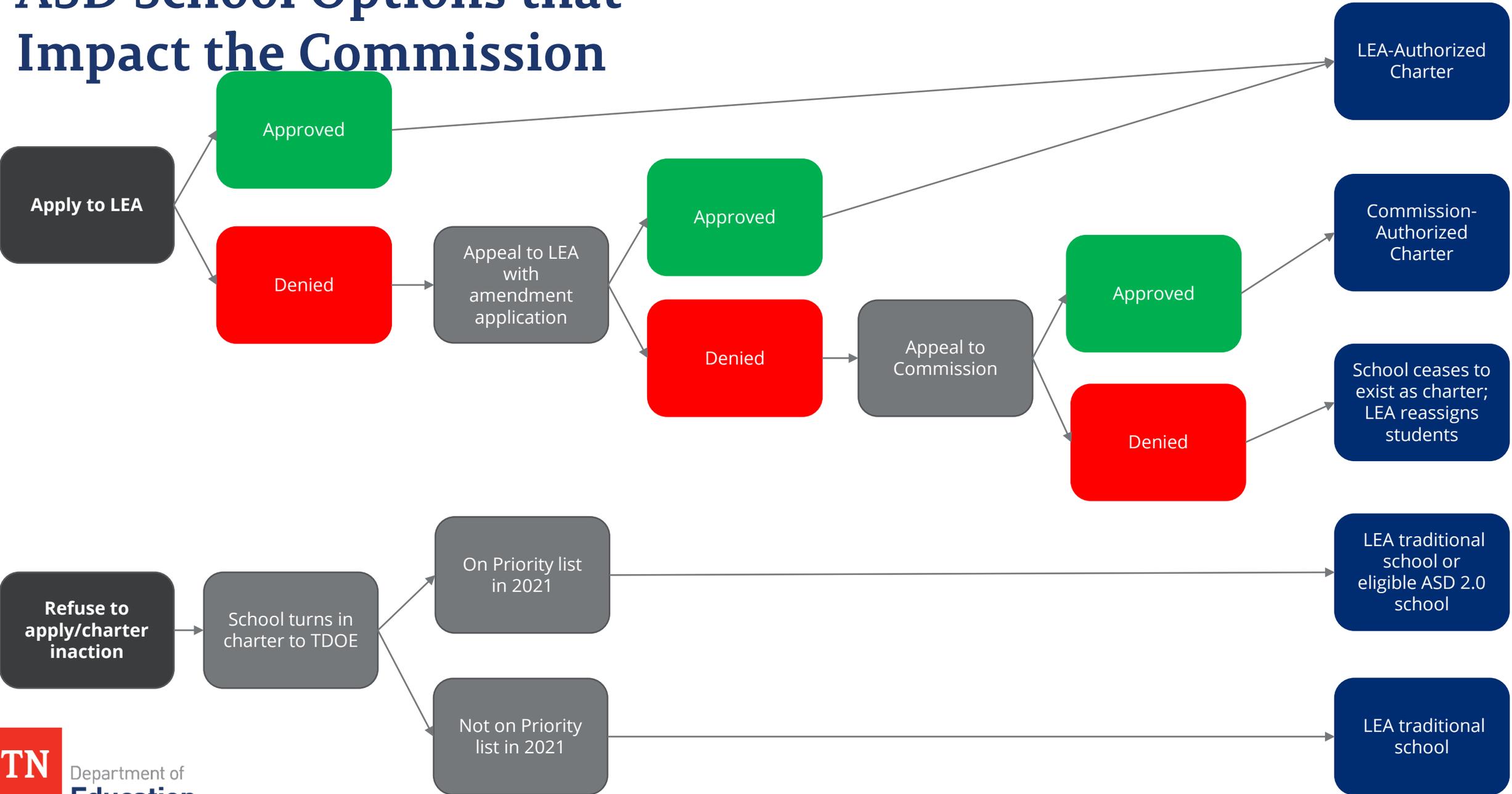
Authorization Process

All charter schools must first apply and appeal to LEA before appealing to the charter commission.

- By Dec. 3, 2020, ASD charter operators must submit a letter of intent to submit an application.
- By Feb. 1, 2021, charter operators will prepare and file an application.
- The local board of education issues decision within 90-days (late April 2021).
- If denied, the operator (sponsor) has 30 calendar days to submit an amended application to the local board of education (late May 2021).
- The local board of education must issue decision within 60 calendar days of receipt of amended application (late July 2021)
- If denied, an operator (sponsor) may appeal to the State Charter Commission no later than ten calendar days after the date of the local board of education's decision (early August 2021)
- The State Charter Commission appeal decision is made within 75 days (mid-October 2021).
- The State Charter Commission's decision is final. Schools approved by the commission will become part of the state LEA.



ASD School Options that Impact the Commission



ASD School Options

	Scenario 1	Scenario 2	Scenario 3	Scenario 4	Scenario 5
2020-21	Planning, application development, and feedback	Planning, application development, and feedback	Planning, application development, and feedback	Planning, application development, and feedback	Planning, application development, and feedback
	Operating as ASD school	Operating as ASD school	Operating as ASD school	Operating as ASD school	Operating as ASD school
2021-22	Apply to LEA (approved)	Apply to LEA (denied)	Apply to LEA (denied)	Apply to LEA (denied)	Refuse to apply or charter inaction
		Appeal to LEA w amended application (approved)	Appeal to LEA w amended application (denied)	Appeal to LEA w amended application (denied)	School turns in charter to TDOE.
			Appeal to Commission (approved)	Appeal to Commission (denied)	On Priority List released in fall of 2021
2022-23	Operating (LEA-authorized charter)	Operating (LEA-authorized charter)	Operating (Commission-authorized charter)	School ceases to exist as charter; LEA reassigns students*	Operating (either LEA traditional school or eligible ASD 2.0 pending final model)
Facilities implications	Re-negotiate lease with LEA	Re-negotiate lease with LEA	TDOE provides incentive for either LEA lease or outright purchase	No facility implications for this scenario. Students would be served in traditional LEA school.	Either no facility implications (if traditional LEA school) or if ASD – current statute applies