



**TENNESSEE**  
STATE BOARD OF EDUCATION

# CHARTER SCHOOLS

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HISTORICAL AND LANDSCAPE OVERVIEW IN TENNESSEE  
JANUARY 30, 2020

# AGENDA

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- 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**

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# HISTORY OF TENNESSEE PUBLIC CHARTER SCHOOLS ACT OF 2002

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- 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

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- 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

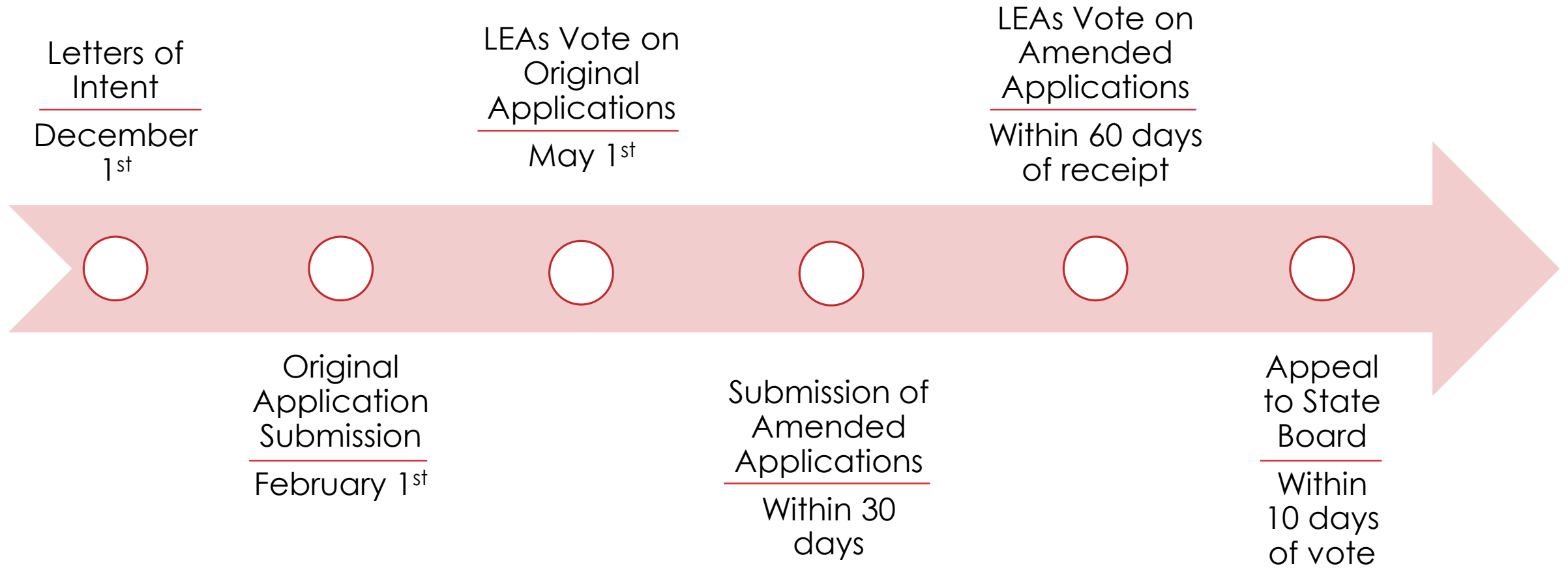
# STATE LANDSCAPE

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- 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

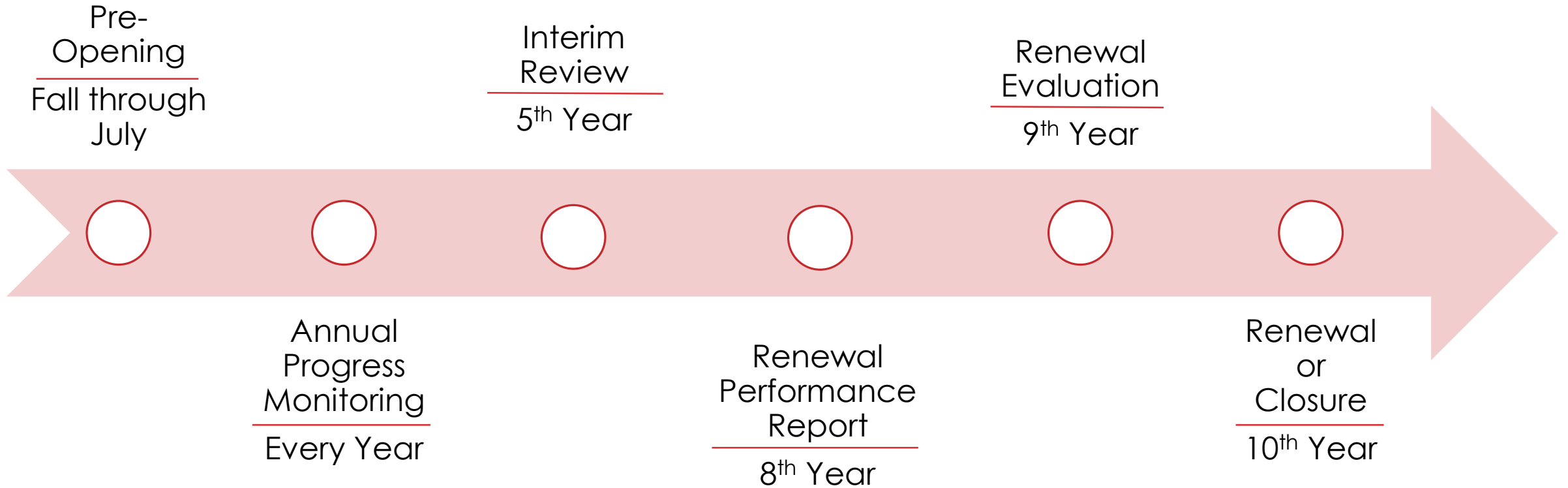
# THE APPLICATION TIMELINE

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# POST-APPROVAL PROCESS

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# QUESTIONS

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# **ROLE OF THE STATE BOARD**

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# ROLE OF STATE BOARD NEW START APPEALS

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- 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)

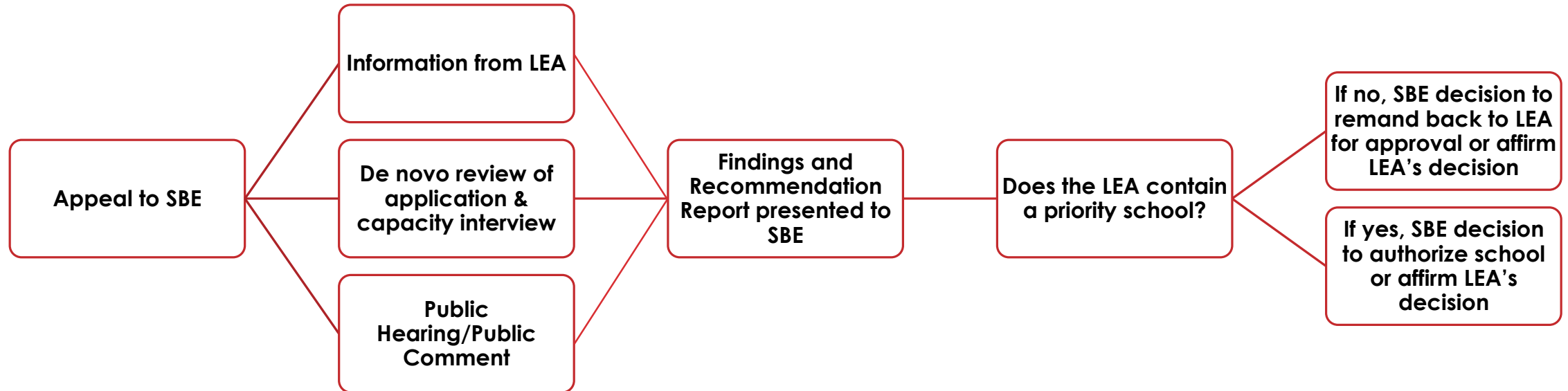
# ROLE OF STATE BOARD NEW START APPEALS

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- In 2014, State Board became an appellate authorizer of charter schools under Public Chapter 850 of the 108<sup>th</sup> 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

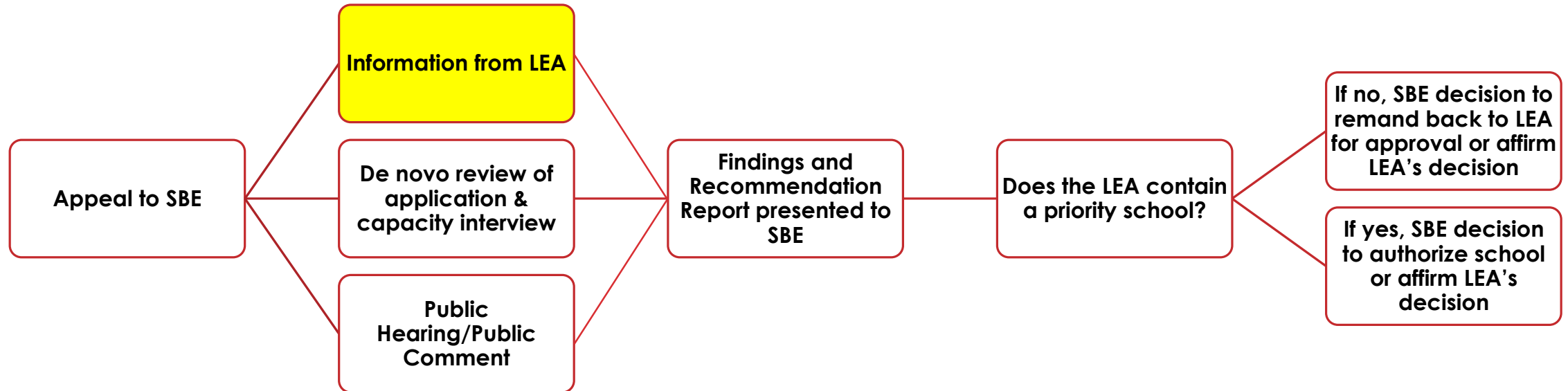
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State Board has 60 calendar days to complete this process.

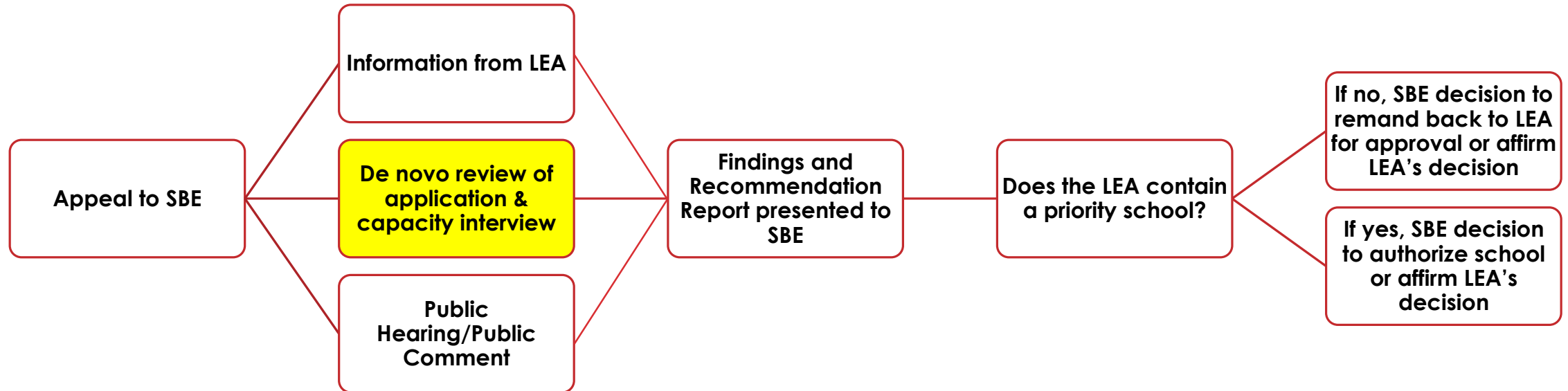
# NEW START APPEALS PROCESS FLOWCHART

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# NEW START APPEALS PROCESS FLOWCHART

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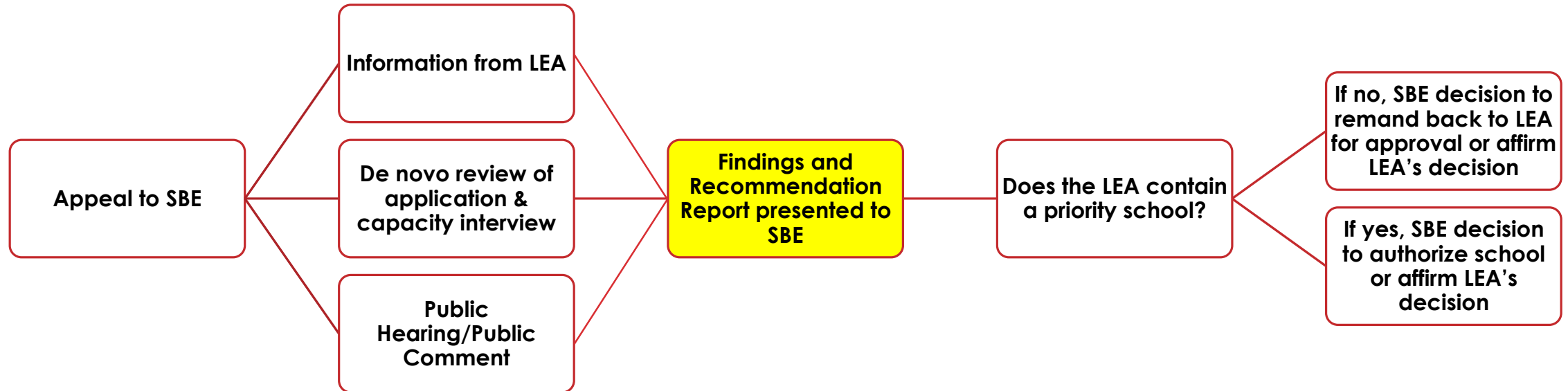
# NEW START APPEALS PROCESS FLOWCHART

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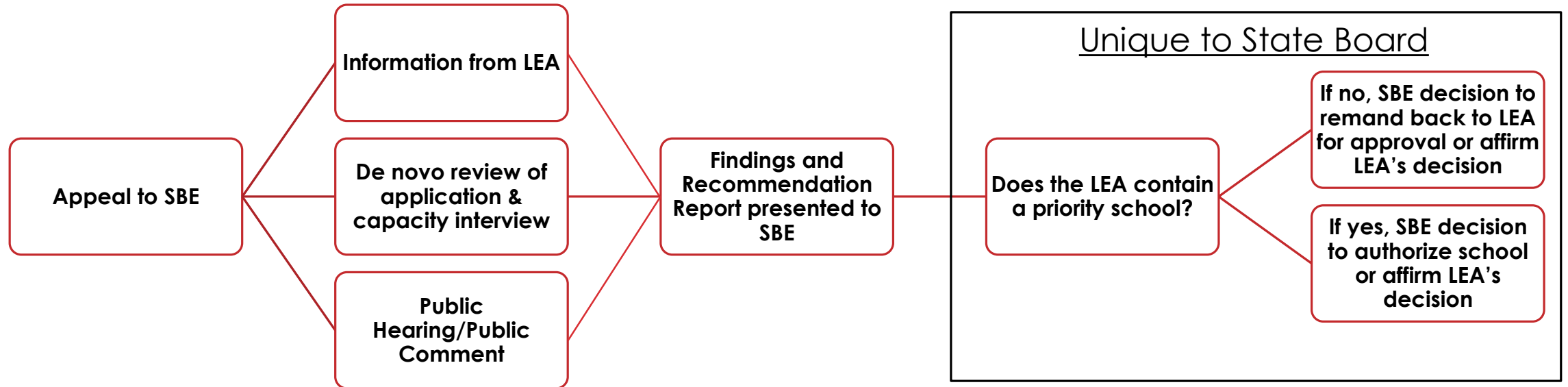
# NEW START APPEALS PROCESS FLOWCHART

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# NEW START APPEALS PROCESS FLOWCHART

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# ROLE OF STATE BOARD REVOCAATION APPEALS

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- 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

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- 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

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- 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

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# **STATE BOARD PORTFOLIO AND RESPONSIBILITIES**

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# CURRENT STATE BOARD AUTHORIZED CHARTER SCHOOLS

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- Bluff City High School
  - Opened in 2017-18 in Memphis
  - Operated by Green Dot Public Schools
  - Currently serving 9<sup>th</sup>-11<sup>th</sup> 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 1<sup>st</sup> grades, 287 students
  - Will be up for renewal in 2028

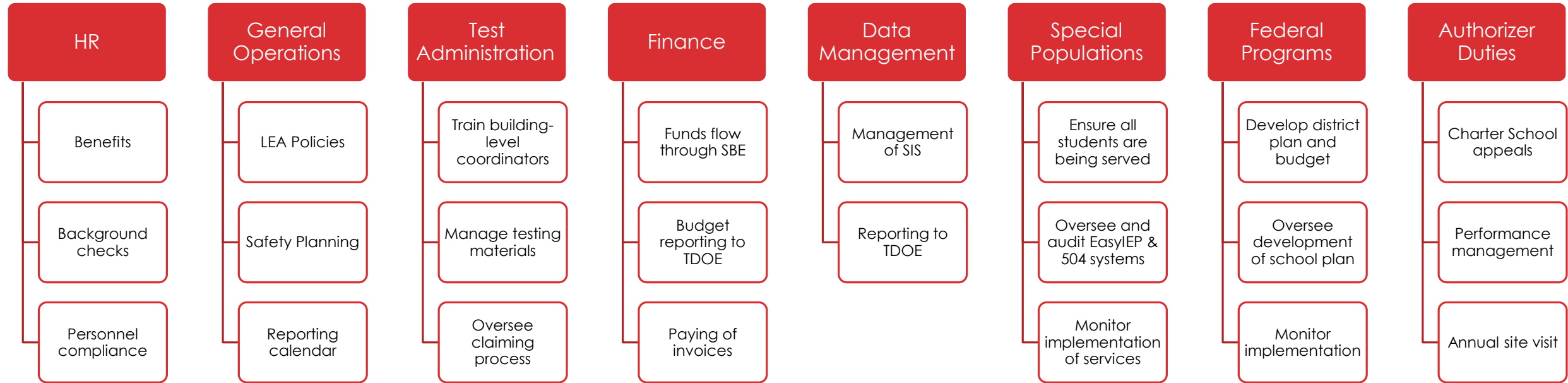
# CURRENT STATE BOARD AUTHORIZED CHARTER SCHOOLS

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- KIPP Antioch College Prep Middle School
  - Opened in 2019-20 in Nashville
  - Operated by KIPP Nashville
  - Currently serving 5<sup>th</sup> 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

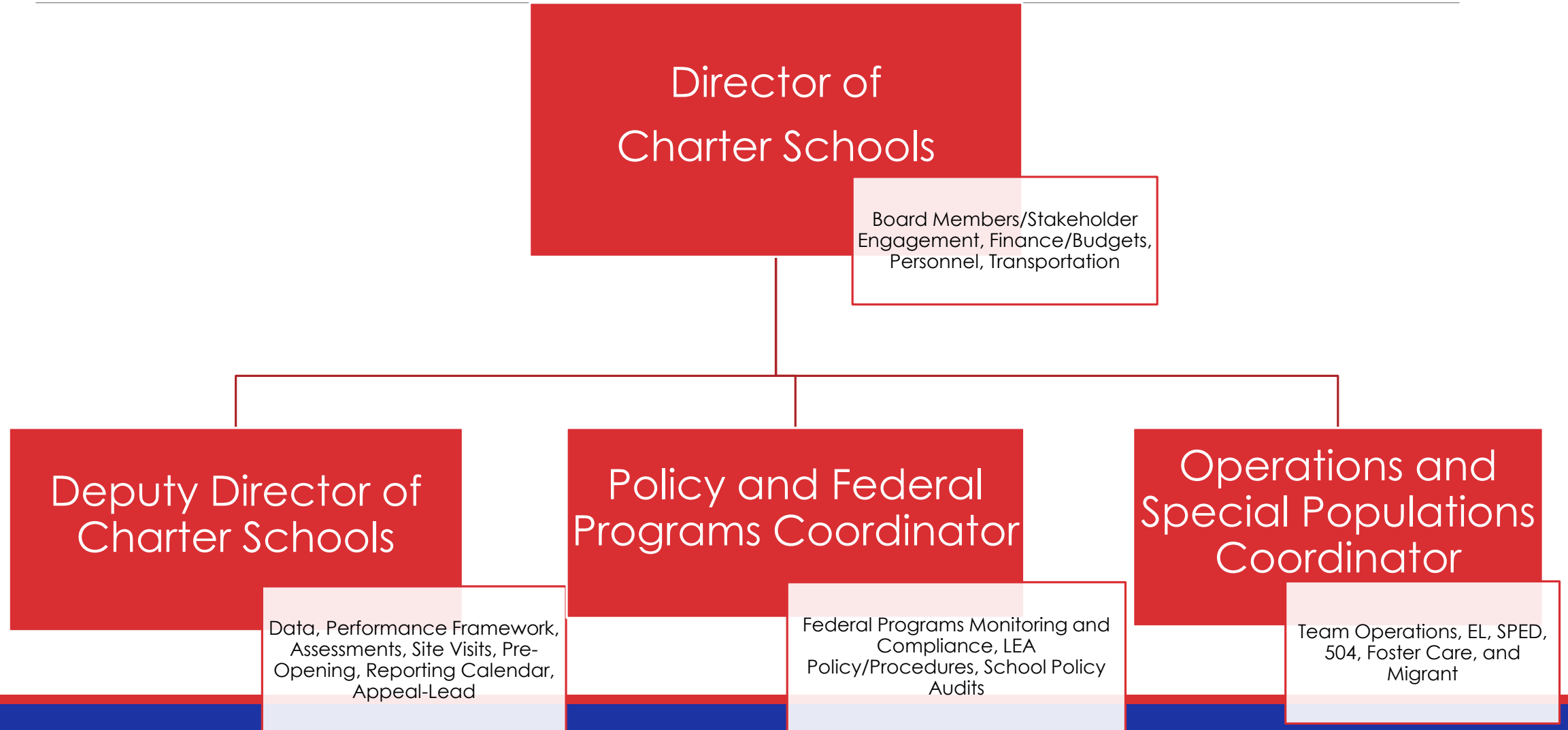
# LEA & AUTHORIZING RESPONSIBILITIES

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# STATE BOARD STAFFING

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# SBE STAFFING/FUNDING

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

# QUESTIONS

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# **PUBLIC CHAPTER 219 AND TIMELINE THROUGH 2021**

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# PUBLIC CHAPTER 219

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- 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

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## January

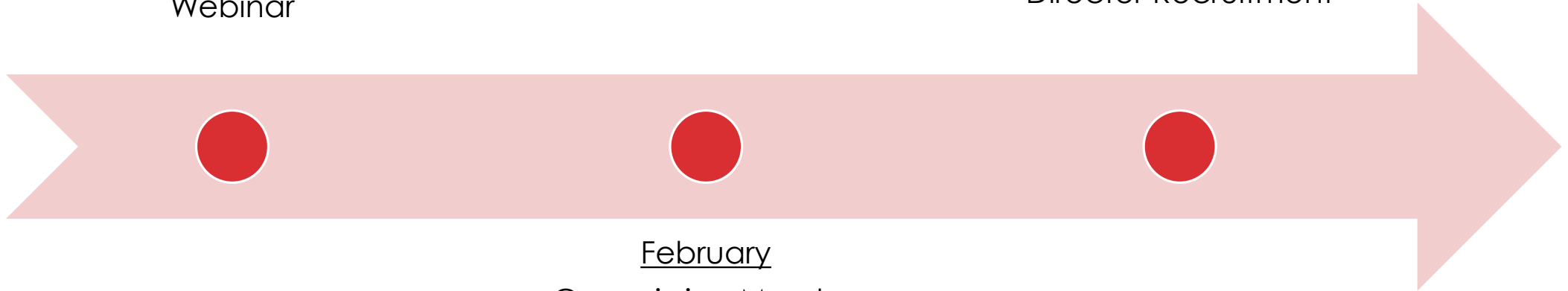
- Charter Landscape Webinar

## March

- Commission Executive Director Recruitment

## February

- Commission Members Confirmed by General Assembly
- Commission Organizing Session



# APRIL – JUNE 2020

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## April

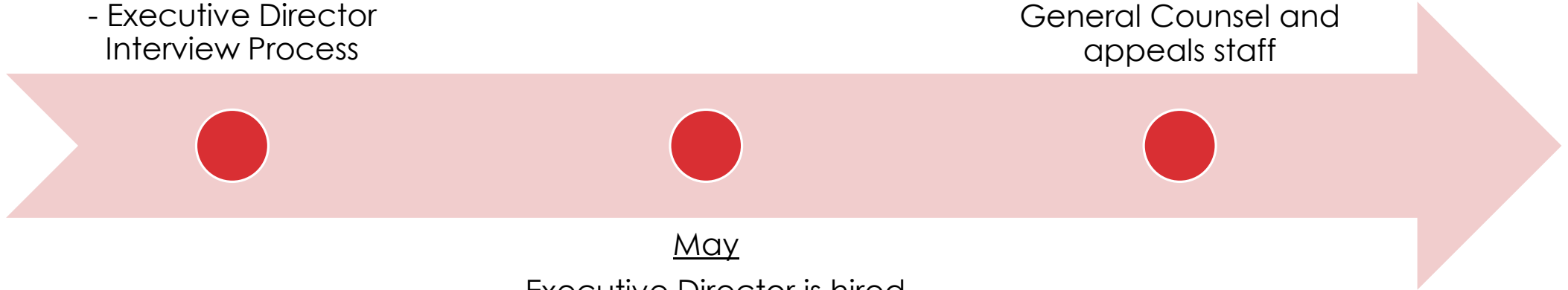
- Begin Developing Commission's Charter School Appeals Process
- Executive Director Interview Process

## June

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

## May

- Executive Director is hired



# JULY - SEPTEMBER 2020

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## July

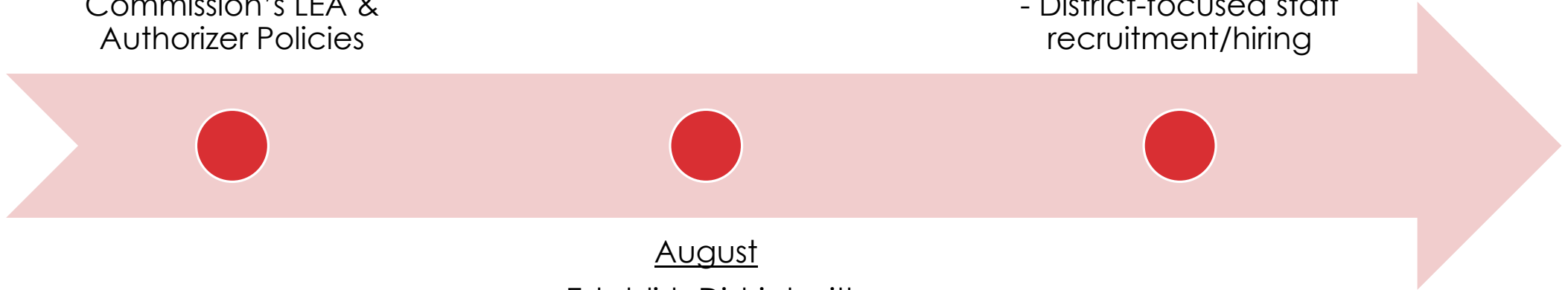
- Establish District Number with TDOE
- Begin Developing Commission's LEA & Authorizer Policies

## 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

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## October

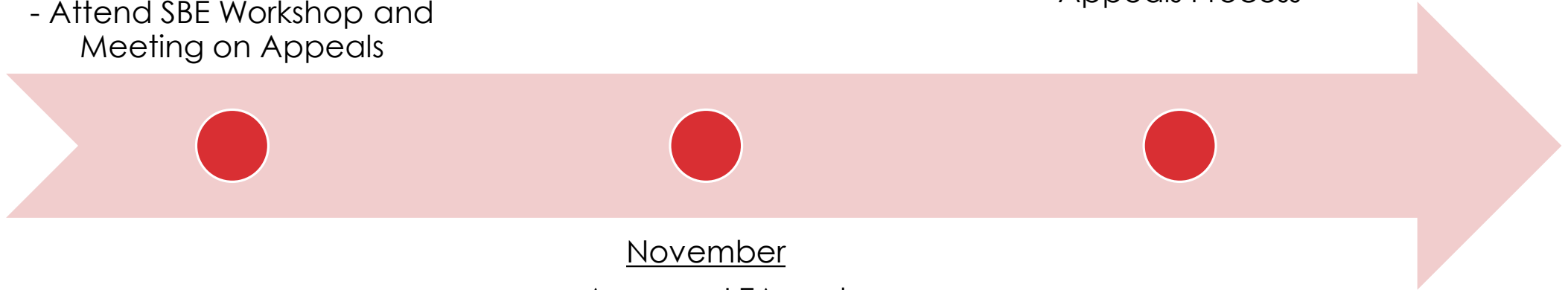
- Attend NACSA Conference
- Attend SBE Workshop and Meeting on Appeals

## December

- Finalize Commission's Appeals Process

## November

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



# JANUARY – MARCH 2021

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## January

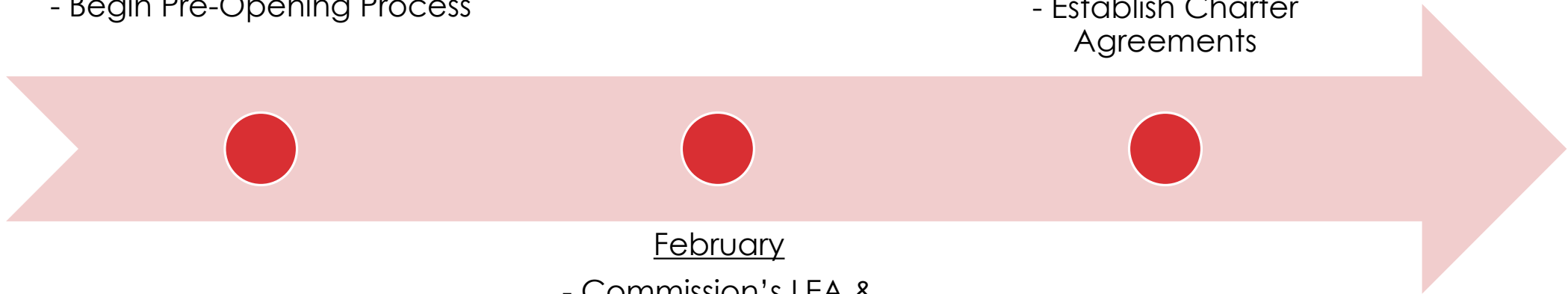
- Begin Receiving Appeals
  - Determine District SIS
- District Planning & Budgeting
- Begin Pre-Opening Process

## 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

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## April

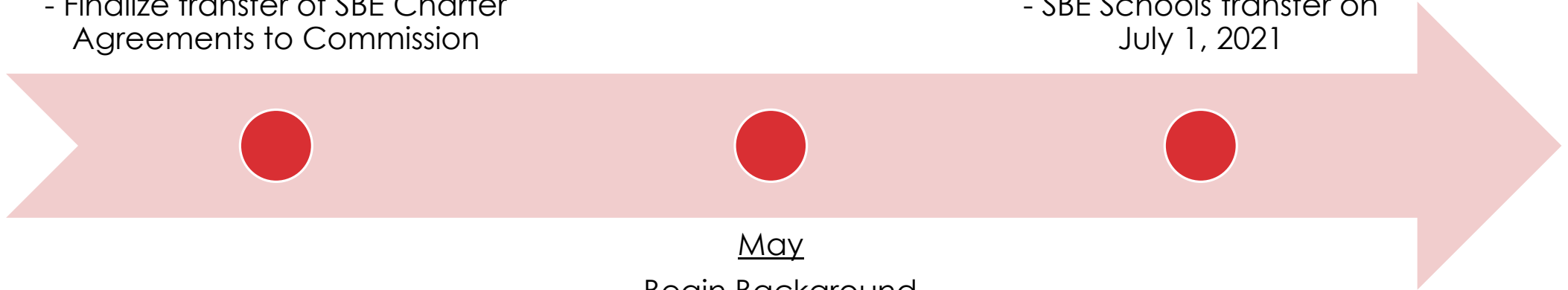
- Develop Reporting Calendar
- BEP & Enrollment Estimates
- Finalize transfer of SBE Charter Agreements to Commission

## 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

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## July

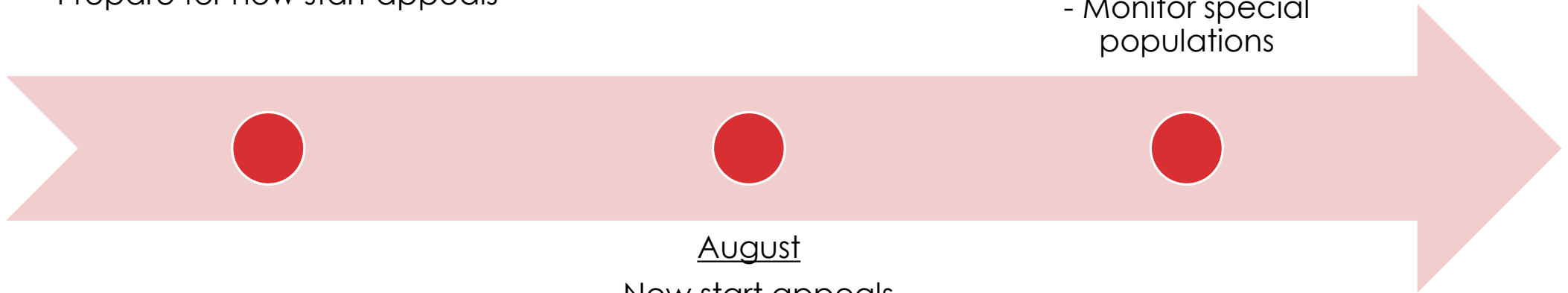
- Finalize pre-opening process
- Prepare for new start appeals

## 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

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# THANK YOU!

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- 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](http://tn.gov/sbe)
  - State Board of Education Schools website: [tn.gov/sbeschools](http://tn.gov/sbeschools)

