



# Application Guidance To Create a Public Charter School

Opening in the 2025-26 School Year

Tennessee Department of Education | Updated October 2023

# Part I

## Starting a Public Charter School in Tennessee

### ***Tennessee Public Charter Schools Act of 2002***

Public charter schools were included into the educational landscape in Tennessee through the passage of the Tennessee Public Charter Schools Act of 2002. This Act, codified in Title 49, Chapter 13, was created to:

- improve learning for all students and close the achievement gap between high and low students;
- provide options for parents to meet education needs of their children;
- encourage the use of different and innovative teaching methods, and provide greater decision-making authority to schools and teachers in exchange for greater responsibility for student performance;
- measure performance of pupils and faculty, and ensure that children have the opportunity to reach proficiency on state academic assessments;
- create new professional opportunities for teachers; and
- afford parents substantial meaningful opportunities to participate in the education of their children<sup>1</sup>.

### ***Introduction***

This application is designed for use by sponsors seeking to create public charter schools in Tennessee. An application is required for any of the following prospective sponsors :

- A sponsor applying to create one or more public charter schools in Tennessee
- A sponsor seeking to convert a traditional public school to public charter school
- Existing Tennessee charter operator applying to replicate a currently operating charter school
- Existing Tennessee charter operator applying to create one or more public charter school
- Existing Tennessee charter operator within the Achievement School District (ASD) seeking authorization from home LEA

Note: A separate application shall be submitted for each proposed school.

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<sup>1</sup> [Tenn. Code Ann. § 49-13-102](#)

## ***Types of Charter Schools in Tennessee***

1. Creation of Public Charter School
2. Conversion of Traditional Public School to Public Charter School

Charter schools are part of the state’s program of public education. All charter schools in Tennessee are public schools. A charter school may be formed by creating a new school or converting an existing public school to charter status.

## ***Sponsoring a Public Charter School***

Tennessee law limits who may sponsor a charter school and prescribes what type of entity may operate a charter school. Charter schools must be operated by entities that are exempt from federal taxation under § 501(c)(3) of the Internal Revenue Code. A charter school shall not be granted to a for-profit corporation, a nonpublic school, as defined in Tenn. Code Ann. § 49-6-3001(c)(3)(A), or other private, religious, or church school<sup>2</sup>

## ***Before Starting an Application***

Before starting a public charter school application, it is suggested that sponsors do the following:

- Review all Tennessee Charter School Governing Statutes, Rules, Policies, and Guidance, including but not limited to:
  - Tenn. Code Ann. Title 49 Chapter 13
  - State Board of Education (SBE) Rules for Charter Schools 0520-14
  - Additional resources found in Part IV of this document
- Review this entire application including guidance, checklist, and timelines
- Review all materials available on the application page of the [Tennessee Department of Education Charter School Webpage](#)
- Contact the authorizer to which the sponsor is applying to determine if there are any local guidelines for applicants. Guidelines reported to the department have been linked on the [Charter School Webpage](#).
  - Several Tennessee authorizers have, as a means of defining what they believe are “the best interests of the students, LEA or community”<sup>3</sup>, outlined specific priorities they ask sponsors to address in applications. Sponsors may choose not to address any of those priorities and may not be denied for failing to do so.

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<sup>2</sup> [Tenn. Code Ann. § 49-13-106](#)

<sup>3</sup> [Tenn. Code Ann. § 49-13-108](#)

## ***Funding a Charter School***

### **Tennessee Investment in Student Achievement**

The Tennessee Investment in Student Achievement (TISA) Act was passed by the Tennessee General Assembly on April 28, 2022 and was signed into law by Governor Bill Lee on May 2, 2022. Through the passage of the TISA Act, Tennessee's K-12 public schools, including charter schools, transition to a student-based funding approach and invest an estimated \$9 billion in education funding for the state, including state and local funds, which includes an additional recurring state investment of \$1 billion starting in this 2023-24 school year. The TISA funding formula updates the way Tennessee funds public education for the first time in over 30 years to empower each student to read proficiently by third grade, prepare each high school graduate for postsecondary success, and provide resources needed to all students to ensure they succeed. For more information, [please visit the TISA webpage.](#)

### **Tennessee Charter School Program**

In 2022, Tennessee was awarded \$24,668,630 for the Expanding Opportunities Through Quality Charter School Program (CSP) Grants to State Entities by the United States Department of Education. The CSP grants to State Entities is a competitive grant program that enables State entities to award subgrants to eligible applicants in their State to open and prepare for the operation of new charter schools and to replicate high-quality charter schools. For more information about applying for the Tennessee Charter School Program Grant, as well as other charter school grant opportunities, [please visit the Charter School Grant webpage.](#)

# Part II

## Tennessee State Education Agencies



<i>Tennessee Department of Education</i>	<i>Tennessee State Board of Education</i>	<i>Tennessee Public Charter School Commission</i>
State agency that provides support to districts and public charters schools in the implementation of state law, rules and policies; monitors compliance.	State agency that sets the rules and policies for Pre-K through 12 <sup>th</sup> grade public education; conducts charter authorizer evaluations.	State agency responsible for hearing new creation, revocation, renewal and amendment charter school appeals; authorizer of charter schools authorized upon appeal.

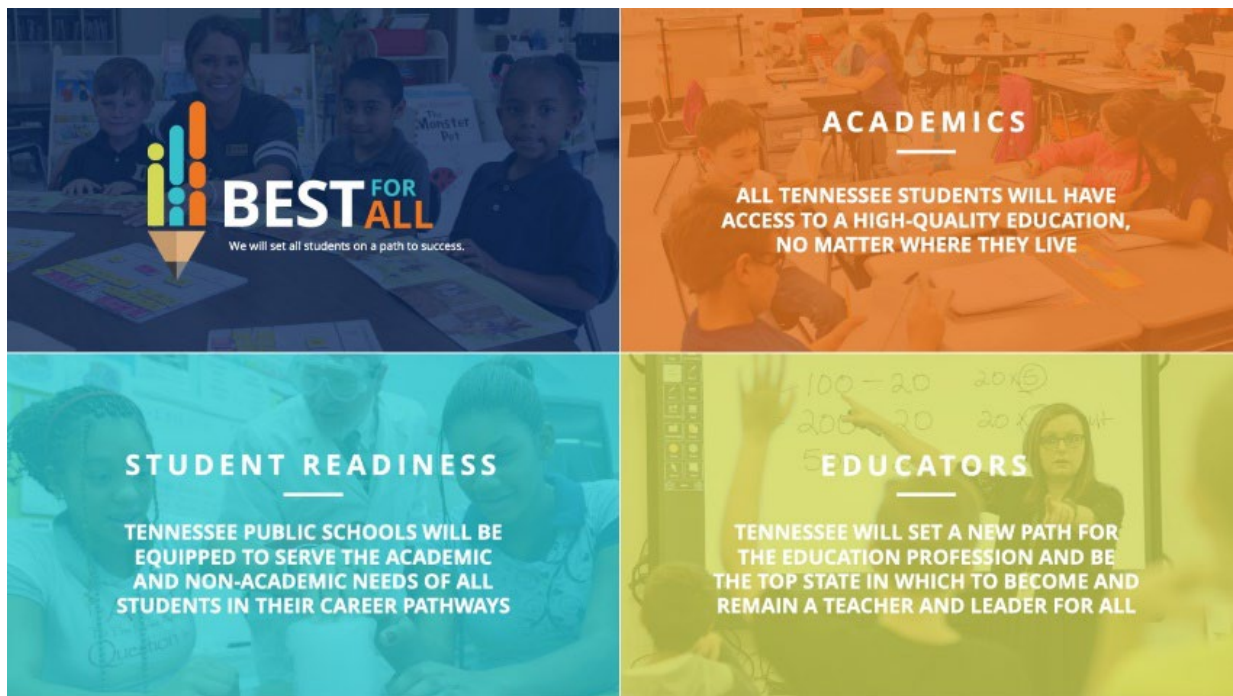


## Tennessee Department of Education

The Tennessee Department of Education serves approximately over 111 students in 147 districts with both significant urban and rural populations. As a state agency, we are dedicated to improving student academic achievement and committed to students from all backgrounds to help and support them to succeed when given the opportunities they deserve. Tennessee K-12 education operates with a common goal- to provide the best for all students.

### *Tennessee Department of Education Strategic Vision: Best for All*

The Tennessee Department of Education Best for All strategic plan sets a vision and intention that together as a state, we will set all Tennessee students on a path to success. The policies, programs, and practices set forth through these initiatives have allowed Tennessee's districts and schools to make targeted interventions, create innovative programs, and permit a safe, healthy learning environment for teachers and students. Assessment data reveals these interventions are working to move the needle for students.



### *Best for All Strategic Initiatives*

In Tennessee K-12 public education, the Best for All strategic plan is the guiding light across the state rooted in three priority areas: Academics, Student Readiness and Educators. Within these priority areas, the department has developed policies, programs, and practices through five major initiatives to make targeted interventions, create innovative programs, and permit a safe, healthy learning environment for teachers and students.

## *Strategic Priorities*

### **Academics**

All Tennessee students will have access to a high-quality education, no matter where they live.

### **Student Readiness**

Tennessee public schools will be equipped to serve the academic and non-academic needs of all students in their career pathways.

### **Educators**

Tennessee will set a new path for the education profession and be the top state in which to become and remain a teacher and leader for all.

### **Supporting Work**

Student success will be supported through foundational work in assessment and accountability, school turnaround, school choice, and funding.

For more information, please visit the [Tennessee Department of Education Website](#).

## ***Tennessee State Board of Education***

The State Board of Education is composed of 11 members representing the diversity of the state – one from each congressional district, plus a student member, and the executive director of the Tennessee Higher Education Commission who serves as non-voting ex officio member. Board members are unpaid Governor’s appointments, confirmed by the legislature and selected based on a passion for service to the people of Tennessee and the education of Tennessee’s children. Dr. Sara Heyburn Morrison serves as Executive Director of the Board.

### ***Mission***

The mission of the Tennessee State Board of Education (SBE) is to ensure rules, policies and systems are in place so that all students are prepared for success after graduation.

### ***Master Plan***

[Tenn. Code Ann. § 49-1-302\(a\)\(3\)](#) charges the SBE with developing and maintaining a master plan for public education, kindergarten through grade twelve, and providing recommendations to the executive branch, the general assembly and the local boards of education and directors of schools regarding the use of public funds for education. The master plan provides a lens through which all stakeholders can examine state-level efforts to determine if rules and policies are positioning school districts to prepare Tennessee students for workforce, post-secondary success, and productive citizenship. The master plan is regularly updated and shared publicly with the State Board’s intention to serve all students and to act with transparency.

### ***Strategic Focus***

- *Literacy:* All students are on grade level in English language arts (ELA) as measured by the Tennessee Comprehensive Assessment Program (TCAP) results.
- *Postsecondary and Career:* All students are prepared for success in high school, postsecondary and career.
- *Teachers and Leaders:* All schools are staffed with qualified and effective educators.
- *Engagement and Accountability:* Our public meetings will ensure transparency, accountability, and effective implementation of education policy.

For more information on the SBE, [please visit their website here.](#)



## ***Tennessee Public Charter School Commission***

The Tennessee Public Charter School Commission was created by Chapter 219 of the Public Acts of 2019. The Charter School Commission was established to hear new start, revocation, and renewal charter school appeals from across the state and to serve as an authorizer to any charter schools that it authorizes upon appeal. The Charter School Commission took over charter school appeal responsibilities from the SBE on January 1, 2021. On July 1, 2021, the Commission assumed the authorization responsibilities from the SBE. Beginning in the 2021-22 school year, the Charter School Commission became the charter school authorizer and LEA for four authorized charter schools, as well as any additional charter schools that it may authorize in the future.

### ***Mission***

The mission of the Charter School Commission is to provide positive academic and life outcomes for Tennessee's students through access to high-quality public charter schools. The effectiveness of these schools will be ensured through approval and support using rigorous oversight, transparency, and accountability.

### ***Strategic Priorities***

The Charter School Commission's strategic priorities serve as a roadmap and will guide our work over the next three years. By 2025, the Commission will achieve the following outcomes:

- *Strategic Priority 1: High-Quality Charter Schools.* Authorize high-quality and high-performing charter schools that improve outcomes for all Tennessee students.
- *Strategic Priority 2: Strong Operational Effectiveness.* Achieve student success by providing effective operational support in addition to rigorous oversight and guidance.
- *Strategic Priority 3: Community and Stakeholder Engagement.* Build and cultivate strong relationships with communities, operators, and schools.
- *Strategic Priority 4: Agency Oversight.* Maintain excellence in functions as a state agency by ensuring prudent fiscal management, transparent operations, and strong engagement with the administration and Tennessee General Assembly.

For more information on the Tennessee Public Charter School Commission, [please visit their website.](#)

## Tennessee Education Agency Contacts

Tennessee Department of Education		
State agency that provides support to authorizers and charter schools in the implementation of state law, rules, policies; monitors compliance.		
Staff Title	Staff Name	Staff Email
Director of Charter Schools	Adam Holdren	<a href="mailto:Charter.Schools@tn.gov">Charter.Schools@tn.gov</a>

To contact other staff members of the Tennessee Department of Education, [please view the staff directory](#).

Tennessee State Board of Education		
State agency responsible for hearing new start, revocation, renewal and amendment charter school appeals; authorizer of charter schools authorized upon appeal.		
Staff Title	Staff Name	Staff Email
Director of Engagement and Accountability	Ali Reid	<a href="mailto:Ali.Reid@tn.gov">Ali.Reid@tn.gov</a>
General Counsel	Angie Sanders	<a href="mailto:Angela.C.Sanders@tn.gov">Angela.C.Sanders@tn.gov</a>
Executive Director	Dr. Sara Morrison	<a href="mailto:Sara.Morrison@tn.gov">Sara.Morrison@tn.gov</a>

To contact other staff members of the Tennessee State Board of Education, [please view the staff directory](#).

Tennessee Public Charter School Commission		
State agency that sets the rules and policies for Pre-K through 12 <sup>th</sup> grade public education; conducts authorizer evaluations.		
Staff Title	Staff Name	Staff Email
Deputy Director of Authorizing	Maggie Lund	<a href="mailto:Maggie.Lund@tn.gov">Maggie.Lund@tn.gov</a>
Director of Authorizing	Beth Figueroa	<a href="mailto:Beth.Figueroa@tn.gov">Beth.Figueroa@tn.gov</a>
Executive Director	Tess Stovall	<a href="mailto:Tess.Stovall@tn.gov">Tess.Stovall@tn.gov</a>

To contact other staff members of the Tennessee Public Charter School Commission, [please view the staff directory](#).

# Part III

## Charter Schools in Tennessee



### ***Authorizers of Active Charter Schools***

- Achievement School District (non-geographic)
- Hamilton County Schools
- Knox County Schools
- Memphis Shelby County Schools (Shelby Co.)
- Metro Nashville Public Schools (Davidson Co.)
- Rutherford County Schools (schools opening in 2024-25 school year)
- Tennessee Public Charter School Commission (non-geographic)

## Active Charter Schools (2023-24 School Year)

For information regarding active charter schools, please visit the [charter school webpage of the department website](#).

Authorizer	Currently Operating Charter Schools	Charter Schools Slated to Open for 2024-25 School Year
	115	15
Achievement School District	13	4
Hamilton County Schools	8	1
Knox County Schools	1	1
Memphis Shelby County Schools	53	0
Metro Nashville Public Schools	27	0
Rutherford County Schools	0	2
Tennessee Public Charter School Commission	13	7

## Tennessee Authorizer Contacts

Achievement School District		
Staff Title	Staff Name	Staff Email
Associate Superintendent of Authorizing and Accountability	Adrienne Alford	<a href="mailto:adrienne.alford@tn.gov">adrienne.alford@tn.gov</a>
Authorizing Manager	Jessica Lindsay	<a href="mailto:jessica.lindsay@tn.gov">jessica.lindsay@tn.gov</a>

Hamilton County Schools		
Staff Title	Staff Name	Staff Email
Director of Access & School Choice	Jim Boles	<a href="mailto:boles_jim@hcde.org">boles_jim@hcde.org</a>

Knox County Schools		
Staff Title	Staff Name	Staff Email
Executive Director of Academic Supports	Theresa Nixon	<a href="mailto:theresa.nixon@knoxschools.org">theresa.nixon@knoxschools.org</a>
Charter School Liaison	Kathy Duggan	<a href="mailto:kathy.duggan@knoxschools.org">kathy.duggan@knoxschools.org</a>

Memphis Shelby County Schools		
Staff Title	Staff Name	Staff Email
Assistant Superintendent, Charter Schools	Brittany Monda	<a href="mailto:mondabm@scsk12.org">mondabm@scsk12.org</a>
Director, Organizational Quality	Quache Spencer	<a href="mailto:spencerqb@scsk12.org">spencerqb@scsk12.org</a>
Specialist, Organizational Quality	Jessica Benson	<a href="mailto:bensonj1@scsk12.org">bensonj1@scsk12.org</a>
Senior Advisor, School Development	Arlandra Parker	<a href="mailto:parkeras@scsk12.org">parkeras@scsk12.org</a>

Metro Nashville Public Schools		
Staff Title	Staff Name	Staff Email
Director of Charter Schools	Shereka Roby-Grant	<a href="mailto:shereka.robymnps.org">shereka.robymnps.org</a>
Coordinator of Charter Schools	Amy Leslie	<a href="mailto:amy.leslie@mnps.org">amy.leslie@mnps.org</a>

Rutherford County Schools		
Staff Title	Staff Name	Staff Email
School Choice Charter Coordinator	Jeff McCann	<a href="mailto:mccannj@rcschools.net">mccannj@rcschools.net</a>

See contact information for the [Tennessee Public Charter School Commission here](#).

To contact local education agencies that are not active charter school authorizers, [please visit the Tennessee School Directory for information](#).

# Part IV

## Resources

### ***State Education Agency Websites***

- [Tennessee Department of Education Website](#)
  - [Department Charter School Page](#)
- [Tennessee State Board of Education Website](#)
  - [State Board of Education Charter School Page](#)
- [Tennessee Public Charter School Commission Website](#)

### ***Tennessee Governing Statues, Rules, Policies, and Guidance***

#### *Tennessee Laws*

- [Tennessee Code Annotated](#)
- [Tennessee Code Annotated, Title 49 Education](#)
- [Tennessee Code Annotated, Title 49, Chapter 13 Tennessee Public Charter Schools Act](#)
- [113<sup>th</sup> General Assembly Public Acts 2023-24](#)

#### *Tennessee State Board of Education Administrative Rules and Regulations*

- [Tennessee State Board of Education Rules](#)
- [Tennessee State Board of Education Policies](#)
- [Tennessee State Board of Education Guidance](#)
- [Tennessee State Board of Education Pending Rules and Policies](#)

#### *Tennessee Public Charter School Commission Administrative Rules and Regulations*

- [Tennessee Public Charter School Commission Rules](#)
- [Tennessee Public Charter School Commission Policies](#)
- [Tennessee Public Charter School Commission Pending Rules and Policies](#)

### ***External Resources***

- [National Charter School Resource Center](#)
- [National Alliance for Public Charter Schools](#)
- [National Association of Charter School Authorizers](#)
- [Education Board Partners](#)
- [Tennessee Charter School Center](#)



## Glossary of Terms

Below are the definitions of certain terms used throughout this application.

<b>Academic focus<sup>4</sup></b>	A distinctive, thematic program such as math, science, arts, general academics, or an instructional program such as Montessori or Paideia.
<b>Academic plan<sup>5</sup></b>	A platform that supports the academic focus of the charter school and will include instructional goals and methods for the school, which, at a minimum, shall include teaching and classroom instruction methods, materials and curriculum that will be used to provide students with knowledge, proficiency and skills needed to reach the goals of the school
<b>Authorizer<sup>6</sup></b>	A local board of education, the Tennessee public charter school commission, or the achievement school district as defined in <a href="#">Tenn. Code Ann. § 49-1-614</a> , that makes decisions regarding approval, renewal, and revocation of a public charter school application or agreement. For the purposes of this application, the authorizer is the local board of education.
<b>Blended learning<sup>7</sup></b>	The combination of virtual learning with the integration of in-person teaching practices. Blended learning occurs in a school building and can be teacher-led or involve the purchase or use of a technology.
<b>Charter agreement<sup>8</sup></b>	A fixed-term renewable agreement between a public charter school and the authorizer that outlines the rights, responsibilities, and performance expectations of each party.
<b>Charter Management Organization or CMO<sup>9</sup></b>	A nonprofit entity that manages or operates two (2) or more public charter schools; at least one (1) of which is in Tennessee;
<b>Commission<sup>10</sup></b>	Tennessee public charter school commission
<b>Conversion public charter school<sup>11</sup></b>	A charter school established by the conversion of an existing non-charter public school into a charter school.
<b>Currently operating</b>	The school is open and educating students as of the date of this application.
<b>Department</b>	Tennessee Department of Education

<sup>4</sup> [Tenn. Code Ann. § 49-13-104\(1\)](#)

<sup>5</sup> [Tenn. Code Ann. § 49-13-104\(2\)](#)

<sup>6</sup> [Tenn. Code Ann. § 49-13-104\(3\)](#)

<sup>7</sup> [Tenn. Code Ann. § 49-18-102\(1\)](#)

<sup>8</sup> [Tenn. Code Ann. § 49-13-104\(4\)](#)

<sup>9</sup> [Tenn. Code Ann. § 49-13-104\(5\)](#); [Tenn. Code Ann. § 49-18-102\(2\)](#)

<sup>10</sup> [Tenn. Code Ann. § 49-13-104\(6\)](#)

<sup>11</sup> [Tenn. Code Ann. § 49-13-104\(7\)](#)

<b>Elementary<sup>12</sup></b>	Schools serving any combination of kindergarten through grade six (K-6). For purposes of federal funding, “elementary schools” are schools serving any combination of pre-kindergarten through grade six (pre-K-6)
<b>Foreign<sup>13</sup></b>	A country or jurisdiction outside of any state or territory of the United States;
<b>Governing body<sup>14</sup></b>	The organized group of persons who will operate a public charter school or schools by deciding matters, including, but not limited to, budgeting, curriculum and other operating procedures for the public charter school and by overseeing management and administration of a public charter school.
<b>Licensed teacher<sup>15</sup></b>	A person over the age of eighteen (18) who meets the qualifications of chapter 5, part 1 of this title and holds a valid Tennessee educator license in compliance with the rules and regulations of the state board of education
<b>Local Education Agency or LEA<sup>16</sup></b>	Any county, city, or special school district, unified school district, school district of any metropolitan form of government or any other school system established by law ( <a href="#">Tenn. Code Ann. § 49-3-104(15)</a> )
<b>Proposed school</b>	The new charter school that the sponsor is proposing to open, or an existing charter school in the ASD that the governing body is proposing to move to its home LEA.
<b>Public charter school<sup>17</sup></b>	A public school in this state that is established and operating under the terms of a charter agreement and in accordance with the Tennessee Public Charter Schools Act of 2002.
<b>Sponsor<sup>18</sup></b>	A proposed governing body filing an application for the establishment of a public charter school, that: <ul style="list-style-type: none"> <li>(A) Is not a for-profit entity; nonpublic school as defined in <a href="#">[Tenn. Code Ann.] § 49-6-3001</a>; other private, religious, or church school; or postsecondary institution not regionally accredited; and</li> <li>(B) Does not promote the agenda of any religious denomination or religiously affiliated entity.</li> </ul>
<b>Underutilized or vacant property<sup>19</sup></b>	An entire property or portion thereof, with or without improvements, which is not used or is used irregularly or intermittently by the LEA for instructional or program purposes. “Underutilized or vacant property” does not include real property on which no building or permanent structure has been erected.

<sup>12</sup> [Tenn. Code Ann. § 49-6-301\(a\)](#)

<sup>13</sup> [Tenn. Code Ann. § 49-13-104\(8\)](#)

<sup>14</sup> [Tenn. Code Ann. § 49-13-104\(9\)](#)

<sup>15</sup> [Tenn. Code Ann. § 49-13-104\(10\)](#)

<sup>16</sup> [Tenn. Code Ann. § 49-13-104 \(11\)](#)

<sup>17</sup> [Tenn. Code Ann. § 49-13-104\(12\)](#)

<sup>18</sup> [Tenn. Code Ann. § 49-13-104\(13\)](#)

<sup>19</sup> [Tenn. Code Ann. § 49-13-104\(14\)](#)

# Part V

## Application Overview

### **Applicant Types**

Pursuant to [Tenn. Code Ann. § 49-13-106\(g\)](#), a public charter school may be formed by creating or converting a school to charter status. Public charter schools are part of the state program of public education and shall not be granted to a for-profit corporation, a nonpublic school, as defined in [Tenn. Code Ann. § 49-6-3001\(c\)\(3\)\(A\)](#), or other private, religious, or church school or cyber-based school.

Category		Description
1	New Start Applicant	Sponsor with no currently operating and/or authorized schools throughout the United States proposing the creation of a new school in Tennessee
2	New Start Applicant Proposing Multiple Schools	Sponsor with no schools currently and/or previously operating and/or authorized in Tennessee or throughout the United States proposing the creation of two or more schools within the same application cycle.
3	Out of State Sponsor	Sponsor with at least one school currently and/or previously operating outside of Tennessee and no schools currently authorized in Tennessee proposing to create a school in Tennessee.
	Existing Tennessee Sponsor Proposing a New School with Change in Focus / Grade Structure	Sponsor with at least one school currently and/or previously authorized in Tennessee proposing to create a new school with a change in focus and/or grade structure from the existing school
4	Existing Tennessee Sponsor Proposing to Replicate an Existing School	Sponsor with at least one school currently and/or previously operating in Tennessee proposing to start a new school with no material change in focus or grade structure from an existing school.

# Planning and Authorization Documents

## ***Vacant and Underutilized Facilities Reports***

Annually, local education agencies (LEAs) with one or more charter schools provide the department with a catalog of all underutilized or vacant properties owned or operated by the LEA and all underutilized or vacant properties within any educational facility owned or operated by the LEA<sup>20</sup>. Below is a list of the provided information that contains properties available for use by charter schools operating within the LEA.

- [Achievement School District](#)
- Hamilton County Schools - *No Current Vacancies Reported*
- Knox County Schools - *No Current Vacancies Reported*
- [Memphis Shelby County Schools \(Shelby Co.\)](#)
- [Metro Nashville Public Schools \(Davidson Co.\)](#)
- Rutherford County Schools - *No Current Vacancies Reported*

## ***Authorizer Additional Priorities Request***

In addition to the state charter application, each local board of education may ask charter school sponsors to address additional priorities. Charter school sponsors may choose not to address any of these priorities. Local boards of education may not deny or refuse to review an application for failing to address additional priorities<sup>21</sup>. Local boards have until November 1 to submit additional priorities to the department. Upon receipt, the department will post the information to the department's [Charter Schools](#) website.

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<sup>20</sup> [Tenn. Code Ann. § 49-13-136\(c\)\(1\)](#)

<sup>21</sup> SBE Rule 0520-14-01-.01(2)(a)

# Letter of Intent Submission Instructions

## ***Letter of Intent***

Prior to submitting an application, all applicants must file a letter of intent. The letter of intent must be submitted at least 60 days prior to the application deadline of February 1.<sup>22</sup> Therefore, the letter of intent must be completed and delivered to the applicant’s local board of education and the Tennessee Department of Education (TDOE) no later than December 3. When the December 3 deadline falls on a Saturday, Sunday, or State observed holiday, the letter of intent is due on the next business day.

## ***Letter of Intent Submission***

The letter of intent shall be electronically filed with the Tennessee Department of Education and the local board of education. If applying for authorization of more than one school, a letter of intent is required to be filed for each school.

- To submit to the Tennessee Department of Education:
  - The electronic file shall be uploaded to a secure TNCloud website. The webpage will close once the deadline set by [Tenn. Code Ann. § 49-13-107\(a\)](#) for submission has passed.
  - To upload, please visit the link and password below for to your proposed LEA:
    - [Hamilton County Schools](#) (pw: HamiltonUpload)
    - [Knox County Schools](#) (pw: KnoxUpload)
    - [Memphis-Shelby County Schools](#) (pw: MSCSUpload)
    - [Metro Nashville Public Schools](#) (pw: MNPSUpload)
    - [Rutherford County Schools](#) (pw: RutherfordUpload)
    - [Unlisted County](#) (pw: TennesseeUpload)
  - The upload file should be named using the following structure: “LOI – *School Name* 2024” (ie. LOI – TDOE Academy 2024)
  - The department will email the primary contact listed on your letter of intent within 48 hours to confirm receipt and share the link and password for application submission.
- To submit to the local board of education for which the applicant is planning to apply, please contact the authorizer for information regarding how to submit the letter of intent.

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<sup>22</sup> [Tenn. Code Ann. § 49-13-107\(a\)](#)

# Application Submission Instructions

## ***Application Deadline***

On or before 11:59 p.m. CT on February 1 of the year preceding the year in which the proposed public charter school plans to begin operation, the charter school sponsor seeking to establish a public charter school shall prepare and file an electronic copy of the state charter school application with the authorizer and the department<sup>24</sup>. Any electronic application received on or before the filing deadline will be considered on time and will be reviewed by the authorizer. Note: If the February 1 due date for charter applications falls on a Saturday, Sunday, or state observed holiday, the application materials shall be due on the next business day. When amended applications are submitted to an authorizer, one electronic copy must also be submitted to the TDOE.

## ***Application Contents***

A completed application shall all required contents as listed in the application completeness checklist included in Part 4 of the “*Charter School Creation Application*” available on the department’s [Charter Schools](#) website.

## ***Application Page Limit***

The application, excluding attachments, tables, and budget worksheets, may not exceed 250 pages. If a previous application was requested as an attachment, it is excluded from the above listed maximum page count.

## ***Application Fee***

Authorizers may charge an application fee of up to \$2,500 per school<sup>25</sup>.

## ***Ensuring Accessible Documents***

Congress significantly strengthened Section 508 in the Workforce Investment Act of 1998. Its primary purpose is to provide access to and use of Federal executive agencies’ electronic and information technology (ICT) by individuals with disabilities. Charter school applications must meet the Section 508 compliance requirements so that they can be posted to the TDOE Website.

- [Section 508 Homepage](#)
- [Section 508 Accessible Electronic Documents Resource Page](#)

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<sup>24</sup> [Tenn. Code Ann. §49-13-107\(b\)](#); [SBE Rule 0520-14-01-.01\(e\)](#)

<sup>25</sup> [Tenn. Code Ann. §49-13-107\(f\)](#)



## ***Application Submission Format***

Applicants may be required to submit up to five hard copies, and one electronic copy of the application materials to the authorizer.

### **Physical Copy**

Authorizers shall require no more than five paper copies of the application in addition to an electronic version of the application, per

- Physical copies of the application should be placed in three ring binders, with the front cover and spine labeled with, at a minimum, the name of the proposed charter school and its applicable authorizer.
- Each section of the application should be tabbed and clearly labeled according to the table of contents.
- All pages in the application (after the table of contents) should be numbered sequentially (e.g., 1 of 178).
- Applicable attachments should be clearly labeled and referenced as appropriate in the narrative.

### **Electronic copy**

- The electronic copy should be an exact version of the hard copy and should be submitted as one PDF document including all attachments and the budget. In addition, one Excel version of the budget worksheet should be attached.

## ***Filing Application***

All applications must be filed with both the department and the local board of education by the required deadline.

### **Filing with a local board of education**

- In order to submit to the local board of education, applicant should contact the authorizer with whom they are intending to apply for information regarding application submission.

### **Filing with the department**

- The electronic file shall be uploaded to a secure TNCloud website. The webpage will close once the deadline set by [Tenn. Code Ann. § 49-13-107\(a\)](#) for submission has passed.
- Within 48 hours of receipt of a letter of intent, the department will electronically send the primary contact the link and password for application submission. If for any reason the applicant cannot file via TNCloud, an applicant may file their application via email to [Charter.Schools@tn.gov](mailto:Charter.Schools@tn.gov).

# Review Process

## *Letter of Intent Review*

### **1. Filing of a Letter of Intent by Sponsor**

Sixty (60) days before the application process begins pursuant to subsection (b), a prospective charter school sponsor shall submit a letter of intent to the department of education and the authorizer of its plan to submit an application to operate a charter school.

SBE Rule 0520-14-01-.01(1)(d)

Failure to submit a letter of intent to both the Department and to the appropriate authorizer shall exclude a charter school sponsor from submitting an application for that application cycle.

### **2. Category Review by Authorizer**

#### **i. Category Review Determination Notification by Authorizer**

SBE Rule 0520-14-01-.01(1)(b)

The authorizer shall determine whether the sponsor has selected the correct application category within ten (10) business days of receiving the letter of intent and notify the sponsor within five (5) business days of a determination that the incorrect application category has been selected.

#### **ii. Correction and Resubmission of Letter of Intent by Sponsor**

SBE Rule 0520-14-01-.01(1)(b)

The sponsor shall correct and resubmit the letter of intent within five (5) business days of receipt of a notice from the authorizer that the wrong application category was selected.

## *Initial Application Review*

### **1. Filing of an Initial Application**

On or before February 1 of the year preceding the year in which the proposed public charter school plans to begin operation, the sponsor seeking to establish a public charter school shall prepare and file with the authorizer and the department of education an application.

### **2. Completeness Review by Authorizer**

SBE Rule 0520-14-01-.01(1)(i)

The authorizer shall determine whether an application is complete within ten (10) business days of receiving the application.

#### **i. Completeness Review Determination Notification by Authorizer**

SBE Rule 0520-14-01-.01(1)(i)

The authorizer shall determine whether an application is complete within ten (10) business days of receiving the application, and shall notify the sponsor within five (5) business days of the determination if the application is determined to be incomplete.

**ii. Correction and Resubmission of Application by Sponsor**

SBE Rule 0520-14-01-.01(1)(i)(2)

If the charter application is determined to be incomplete due to the sponsor not meeting the requirements of subparagraphs (g)2. or (g)4. of this rule, the sponsor shall be provided the opportunity to address any deficiencies and re-submit the application within five (5) business days after the notification from the authorizer that the application is incomplete.

**i. Failure to Correct and Resubmit Application by Sponsor**

SBE Rule 0520-14-01-.01(1)(i)(2)

If the sponsor does not correct the deficiencies to meet the requirements of subparagraphs (g)2. or (g)4. of this rule by the deadline, the authorizer is not required to review the application.

**3. Application Determination & Resolution by Authorizer**

The local board of education shall rule by resolution, at a regular or specially called meeting, to approve or deny a public charter school application no later than ninety (90) days after the local board of education's receipt of the completed application.

**i. Should Local Board of Education Fail to Approve or Deny Application Within Period Prescribed**

If the local board of education fails to approve or deny a public charter school application within the ninety-day time period prescribed in this subdivision (b)(2), then the public charter school application shall be deemed approved.

**4. Application Determination Notification via Resolution by Authorizer**

**i. Notification to the Department by Authorizer**

SBE Rule 0520-14-01-.01(1)(k)

No later than ten (10) calendar days after approval or denial of a charter application or amended charter application, the authorizer shall report to the Department whether the authorizer has approved or denied the application.

**ii. Notification to the Sponsor by Authorizer**

SBE Rule 0520-14-01-.01(2)(e)

If a charter school application is denied, the grounds upon which the local board of education based the decision to deny an application shall be stated in writing and provided to the charter school sponsor within ten (10) calendar days of the date of the decision to deny, specifying objective reasons for the denial and the deadline by which the charter school sponsor shall submit an amended application.

**i. If an application is denied**

SBE Rule 0520-14-01-.01 (2)(f)

If a charter school application is denied, the charter school sponsor shall have thirty (30) calendar days from receipt of the grounds for denial to submit an amended application to correct the deficiencies.

## ***Amended Application Review***

### **1. Filing of an Amended Application by Sponsor**

Upon receipt of the grounds for denial, the sponsor has thirty (30) days from receipt to submit an amended application to correct the deficiencies.

### **2. Amended Application Determination & Resolution by Authorizer**

The local board of education has sixty (60) days from receipt of an amended application to deny or to approve the amended application.

#### **i. Should Local Board of Education Fail to Approve or Deny Application Within Period Prescribed**

If the local board of education fails to approve or deny the amended application within sixty (60) days, then the amended application shall be deemed approved.

### **3. Amended Application Determination Notification via Resolution by Authorizer**

#### **i. Notification to the Department by Authorizer**

SBE Rule 0520-14-01-.01(1)(k)

No later than ten (10) calendar days after approval or denial of a charter application or amended charter application, the authorizer shall report to the Department whether the authorizer has approved or denied the application.

#### **ii. Notification to the Sponsor by Authorizer**

SBE Rule 0520-14-01-.01(2)(f)

If the local board of education denies the amended application, it shall provide to the charter school sponsor the grounds upon which the local board of education based the decision to deny in writing within five (5) calendar days of the date of the decision to deny, specifying objective reasons for the denial.

#### **i. Amended Application Appeal by Sponsor**

A sponsor may appeal a local board of education's decision to deny a public charter school application to the commission no later than ten (10) days after the date of the local board of education's decision.

## ***Commission Appeal Process***

For more information regarding the Tennessee Public Charter School Commission appeal process, [please visit the commission website.](#)

### **1. Filing Notice of Appeal by Sponsor**

TPCSC Rule 1185-01-01-.01(1)

The charter school sponsor shall submit a notice of appeal by email to the Commission. The notice of appeal must be received by the Commission no later than 11:59 p.m. Central Standard Time on the tenth (10th) day after the local board of education's decision.

**i. Incomplete Notice of Appeal by Sponsor**

TPCSC Rule 1185-01-01-.01(2)

Commission staff shall not accept an incomplete appeal or any additional documentation from the charter school sponsor beyond the contents of the notice of appeal unless requested by the Commission staff.

**2. Request for Additional Documentation by Commission**

TPCSC Rule 1185-01-01-.01(2)(a)

Additionally, the Commission staff may request additional documentation from the charter school sponsor, the local board of education, and the Tennessee Department of Education. In such case, each is requested to comply with the document request within five (5) calendar days of the request or as soon as possible thereafter, but in no event more than seven (7) calendar days after the request.

**3. De Novo Review of Amended Application by Commission**

The commission shall review applications on appeal in accordance with the SBE's quality public charter school authorizing standards.

**i. Analysis of Applications Denied Based on Substantial Negative Fiscal Impact**

TPCSC Rule 1185-01-01-.01(4)

The Commission shall conduct a separate analysis for each application that was denied based upon substantial negative fiscal impact.

**a. Documentation Submission by Local Board of Education**

TPCSC Rule 1185-01-01-.01(4)

If the local board of education's denial is based on substantial negative fiscal impact, the local board shall submit documentation explaining the fiscal impact of the charter school as requested by the Commission staff. The local board of education is requested to provide this documentation within five (5) calendar days of receiving notification from the Commission that a sponsor is appealing the local board of education's denial of a charter application or as soon as possible thereafter, but in no event more than seven (7) calendar days. The burden will be on the local board of education to prove that substantial negative fiscal impact does exist. The Commission may also obtain information independently from the information provided by the local board of education.

**ii. Application Review Committee Creation by Commission**

TPCSC Rule 1185-01-01-.01(5)

The Commission staff shall assemble a charter application review committee comprised of teams of internal and external evaluators with relevant and diverse educational, organizational, financial, and legal expertise, as well as an understanding of the essential principles of public charter school autonomy and accountability.

**iii. Capacity Interview of Governing Board and School Leadership by Commission Staff**

TPCSC Rule 1185-01-01-.01(6)

The Commission staff shall assemble an interview panel that may include Commission staff, a Commission member, review committee members, and any other internal or external individuals whose knowledge and expertise would assist the Commission in its decision.

**iv. Public Hearing by Commission, or Commission's designee**

TPCSC Rule 1185-01-01-.01(7)

Within seventy-five (75) calendar days after receipt of the notice of appeal, the Commission, or the Commission's designee, shall hold a public hearing. The public hearing shall be attended by the Commission or its designated representative and shall occur in the LEA in which the proposed charter school submitted the charter school application.

**4. Written Findings by the Executive Director of the Commission**

TPCSC Rule 1185-01-01-.01(8)

Following the public hearing, the interview, and the de novo review of the record including the amended application, the Executive Director of the Commission shall provide written findings and recommendations to the Commission. The Commission shall consider the findings and recommendations of the Executive Director when rendering a decision on the appeal, but the Commission is not bound by the recommendation.

**5. Appeal Determination by Commission**

The commission shall either approve or deny a public charter school application no later than seventy-five (75) days from the commission's receipt of the notice of appeal.

**i. Upon Approval or Denial of Application by Commission**

The commission's decision is final and is not subject to appeal.