



## **Appealing a Denied New Start Charter School Application to the State Board**

*This document is meant to serve as a resource for charter school applicants considering appealing to the State Board of Education (State Board). Full details about the appeal process can be found in our [Guidance Document](#) and policies linked below. Applicants may also wish to schedule a call with the State Board to discuss the process further prior to submitting a notice of appeal. The State Board staff can be reached at [CharterSchool.Appeals@tn.gov](mailto:CharterSchool.Appeals@tn.gov).*

### **Overview of the Appeal Process**

Pursuant to Tennessee Code Annotated (T.C.A.) § 49-13-108, public charter school sponsors may appeal the denial of their application by a local board of education to the State Board until December 31, 2020. The State Board's decision is final and not subject to further appeal. Upon receipt of an appeal, the State Board has sixty (60) calendar days to render a decision. Since 2014, the State Board has [approved 19% \(5 of 27\) of the total appeals](#) received.

### **The Appeal Process**

- While local boards of education and other authorizing agencies may allow significant corrections or changes to the application between the submission of the initial and amended applications, the State Board is limited in the types of corrections that may be accepted pursuant to T.C.A. § 49-13-108(b)(4) and State Board policy [2.500 – Charter School Appeals](#). Sponsors are encouraged to review this section of state law, the State Board policy, and the State Board's [proposed corrections template](#) prior to making corrections.
- Amended applications shall be scored using the sample scoring rubric available on the Tennessee Department of Education's website. Applicants will need to receive a "meets or exceeds the standard" in the academic, operational, financial, and past performance, if applicable, sections of the application in order for the review committee to recommend approval of the application to the Executive Director. Additional information about the review is available in State Board policy [6.300 – Application Review](#).
- The sponsor and LEA will be required to participate in a public hearing that will take place in the sponsor's local district. Additionally, the sponsor's governing board and school leadership, if named, will be required to participate in a ninety (90) minute capacity interview in Nashville, TN on a date selected by the State Board staff. Both events will occur with the sixty (60) day timeline.
- If approved, the amended application will be an exhibit of the charter agreement between the LEA and the sponsor. In developing the Executive Director's recommendation, the Executive Director will give significant consideration to the recommendation of the Review Committee.
- For further understanding of the State Board's appeal process, sponsors are encouraged to review past Executive Director [Findings and Recommendation](#) reports and the [Charter School New Start Appeals' History](#) on the State Board's charter schools page.