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**BEFORE THE TENNESSEE STATE BOARD OF EDUCATION**

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IN RE: )      State Board of Education Meeting  
KIPP Antioch College Prep High School      )      September 21, 2020  
Charter School Appeal      )  
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**FINDINGS AND RECOMMENDATION REPORT  
OF THE EXECUTIVE DIRECTOR**

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Pursuant to Tennessee Code Annotated (T.C.A.) § 49-13-108, Sponsors proposing to open a new charter school may appeal the denial of their amended application by a local board of education to the State Board of Education (State Board). On July 24, 2020, the Sponsor of KIPP Antioch College Prep High School (KACPHS) appealed the denial of its amended application by the Metropolitan Nashville Public Schools (MNPS) Board of Education to the State Board.

Based on the following procedural history, findings of fact, and Review Committee Recommendation Report attached hereto, I believe that the decision to deny the KACPHS amended application was “contrary to the best interests of the students, LEA, or community.”<sup>1</sup> Therefore, I recommend that the State Board overturn the decision of MNPS to deny the amended application for KACPHS and authorize the school.

**STANDARD OF REVIEW**

Pursuant to T.C.A. § 49-13-108 and State Board policy 2.500, State Board staff and an independent charter application review committee conducted a de novo, on the record review of the KACPHS amended application. In accordance with the Tennessee Department of Education’s charter application scoring rubric, “applications that do not meet or exceed the standard in all sections (academic plan design and capacity, operations plan and capacity, financial plan and capacity, and, if applicable, past performance) . . . will be deemed not ready for approval.”<sup>2</sup> In addition, the State Board is required to hold a public hearing in the district where the proposed charter school seeks to locate.<sup>3</sup>

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<sup>1</sup> T.C.A. § 49-13-108.

<sup>2</sup> Tennessee Charter School Application Evaluation Rubric – Ratings and Sample Scoring Criteria, pg. 1.

<sup>3</sup> T.C.A. § 49-13-108. Due to the public health emergency, the public hearing was held virtually.

Further, when a district denies a charter school application on the basis of substantial negative fiscal impact, per T.C.A. § 49-13-108(c) and State Board rule 0520-14-01-02, the State Board must consider the financial impact of the charter school on the district and shall not approve the charter school application if the State Board determines that the school will have a substantial negative fiscal impact on the district such that authorization would be contrary to the best interests of the students, local education agency (LEA), or community.<sup>4</sup> Pursuant to State Board policy, 2.500 and State Board rule 0520-14-01-02, the burden is on the LEA to prove that substantial negative fiscal impact exists. If the charter school is found not to have a substantial negative fiscal impact on the district, the analysis then turns to the merits of the application.

Then, in order to overturn the decision of the local board of education, the State Board must find that the local board's decision to deny the amended charter application was contrary to the best interests of the students, LEA, or community.<sup>5</sup> Because KACPHS is proposing to locate in a school district that contains a school on the current or last preceding priority school list, the State Board has the ability to approve the application, and thereby authorize the school, or to affirm the local board's decision to deny.

#### **PROCEDURAL HISTORY**

1. On December 3, 2019, the Sponsor filed a letter of intent with MNPS for a high school serving grades 9 through 12.
2. The Sponsor of KACPHS submitted its initial application to MNPS on February 3, 2020. MNPS assembled a review committee to review and score the KACPHS application.
3. MNPS's review committee held a capacity interview with the Sponsor on March 31, 2020.
4. MNPS's review committee reviewed and scored the KACPHS initial application. A report was presented to the MNPS Board of Education regarding the review committee's ratings; however, neither the review committee nor the MNPS staff made a recommendation to the MNPS Board of Education to either approve or deny the initial application.
5. On April 28, 2020, the MNPS Board of Education voted to deny the KACPHS initial application.
6. On May 28, 2020, the Sponsor submitted the KACPHS amended application to MNPS.
7. MNPS's review committee reviewed and scored the KACPHS amended application. Again, a report was presented to the MNPS Board of Education regarding the review committee's ratings; however neither the review committee nor the MNPS staff made a recommendation to the MNPS Board of Education to either approve or deny the amended application.
8. On July 14, 2020, the MNPS Board of Education voted to deny the KACPHS amended application.

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<sup>4</sup> Pursuant to the language of T.C.A. § 49-13-108(c) and State Board policy 2.500, the State Board conducts a separate analysis for each charter application that is denied based upon substantial negative fiscal impact.

<sup>5</sup> Ibid.

9. The Sponsor appealed the denial of the KACPHS amended application in writing to the State Board on July 24, 2020, including submission of all required documents per State Board policy 2.500.
10. At the time of appeal to the State Board, the Sponsor did not submit proposed corrections to the application as allowed under T.C.A. § 49-13-108(b)(4).
11. On July 27, 2020, State Board staff sent a request for information to MNPS to gather information related to the denial of the KACPHS amended application. The State Board staff sent a separate letter to MNPS requesting clarity on whether the MNPS Board of Education's denial of the KACPHS amended application was, in part, because of substantial negative fiscal impact under T.C.A. § 49-13-108(c).
12. On August 3, 2020, the attorney for the MNPS Board of Education confirmed via e-mail that the MNPS Board of Education denied the KACPHS amended application in part because of substantial negative fiscal impact under T.C.A. § 49-13-108(c).
13. On August 3, 2020, pursuant to State Board policy 2.500 and State Board rule 0520-14-01-02, State Board staff sent a request for information to MNPS to gather information regarding the substantial negative fiscal impact of KACPHS.
14. The State Board's review committee independently analyzed and scored the KACPHS amended application using the Tennessee Department of Education's charter application scoring rubric.
15. On August 26, 2020, the State Board staff held a virtual public hearing. At the public hearing, the Executive Director, sitting as the State Board's designee, heard presentations from KACPHS and MNPS and took public comment regarding the KACPHS application.
16. On August 31, 2020, State Board staff sent a second request for information to MNPS regarding substantial negative fiscal impact.
17. The State Board's review committee conducted a capacity interview with the governing board of KACPHS and key members of the leadership team on August 27, 2020. Due to the COVID-19 public health emergency, the capacity interview was held virtually.
18. After the capacity interview, the State Board's review committee determined a final consensus rating of the KACPHS amended application, which served as the basis for the Review Committee Recommendation Report, attached hereto as **Exhibit A**.

#### **FINDINGS OF FACT**

- **Substantial Negative Fiscal Impact Findings and Analysis**

The following findings are based on information collected by State Board staff regarding the substantial negative fiscal impact of KACPHS:

1. KACPHS's amended application states that in 2023-24, KACPHS's first anticipated year of operation, it will enroll a total of 144 ninth grade students.<sup>6</sup>
2. State Board staff requested historical trends on projected school year Average Daily Membership (ADM) versus actual ADM for the current and three (3) preceding school years. In response to this request, MNPS provided the following data:

**Table 1. Three-Year Historical ADM<sup>7</sup>**

	<b>Projected ADM</b>	<b>Actual ADM</b>	<b>Percent Fluctuation</b>
<b>SY 20-21</b>	81,622	N/A	N/A
<b>SY 19-20</b>	81,184	81,328	0.18%
<b>SY 18-19</b>	82,815	82,330	-0.59%
<b>SY 17-18</b>	84,487	82,596	-2.24%

In previous analyses of substantial negative fiscal impact conducted by the State Treasurer and the State Board, a key question has been: what historical enrollment fluctuations has the school district dealt with, and how does the enrollment decline that would result from the opening of the proposed charter school compare to these fluctuations? In order to conduct this analysis, State Board policy 2.500 requires the district to provide a projection of the LEA's ADM figures for the school year in which the charter school seeks to begin operation. The State Board requested this information from MNPS in its August 3<sup>rd</sup> request and its August 31<sup>st</sup> request. The district stated that this enrollment projection was not available. Therefore, State Board staff was unable to conduct this analysis.

3. MNPS provided data dating back to School Year (SY) 2011-12 showing the difference between historical projected enrollment and actual enrollment.

**Table 2. Nine-Year Historical Enrollment**

<b>Projection VS Actual Enrollment (K-12)</b>				
<b>School Year</b>	<b>Projection</b>	<b>Actual</b>	<b>Difference</b>	<b>% of Projection</b>
2011-12	77,960	77,012	(948)	98.78%
2012-13	78,729	78,874	145	100.18%
2013-14	80,549	80,638	89	100.11%
2014-15	82,635	81,831	(804)	99.03%

<sup>6</sup> In its August 3, 2020 letter, State Board staff requested MNPS provide an estimate of the number of students currently enrolled in the district who would transfer to the charter school in its first year of enrollment. MNPS responded that the figure was 288, however, this figure is not the projected first year enrollment for KACPHS. Therefore, the State Board staff used the year-one enrollment projection in the KACPHS amended application of 144.

<sup>7</sup> Percent fluctuations were calculated by State Board staff using the data provided by MNPS.

2015-16	83,775	83,204	(571)	99.32%
2016-17	84,685	83,684	(1,001)	98.82%
2017-18	84,487	82,596	(1,891)	97.76%
2018-19	82,815	82,330	(485)	99.41%
2019-20	81,184	81,328	144	100.18%

4. Antioch High School and Cane Ridge High School, the two (2) zoned high schools in the southeast region of the district, are both projected to increase in enrollment and building capacity over the next five (5) years based on data provided by MNPS.<sup>8</sup>

**Table 3. Area Zoned High School Enrollment**

	SY 20-21 Projected Enrollment	Current Building Capacity Utilization	SY 24-25 Projected Enrollment	Projected 5 Year Building Capacity Utilization
Antioch H.S.	1,949	93.6%	2,171	104.6%
Cane Ridge H.S.	1,877	109.0%	2,373	132.0%

5. MNPS estimated that the projected per pupil amount in 2023-24 would be \$11,016, which would equal a transfer of approximately \$1,586,304<sup>9</sup> to KACPHS in Year 1. State Board staff requested MNPS provide the projected district operating budget for the 2023-24 school year to determine the impact of the transfer of funds to KACPHS on the MNPS district budget. In the August 31, 2020, response provided by MNPS, MNPS stated that it does not have those budget projections.
6. The MNPS Board of Education motion to deny KACPHS cited “low budget implications because of COVID-19” as a reason supporting why the Board felt KACPHS would have a substantially negative fiscal impact on the district. However, in response to the August 3, 2020 request information, MNPS provided no data or information regarding the specific revenue implications due to the COVID-19 pandemic. Moreover, in the public hearing, when asked about the per-pupil projections for 2023-24, MNPS staff stated that they believe the per-pupil rate for MNPS will continue to increase. Additionally, MNPS staff stated at the public hearing that KACPHS would have a substantial negative fiscal impact on the district regardless of COVID-19. In the August 31 request for information, the State Board staff provided MNPS with an opportunity to provide any additional information related to the substantial negative fiscal impact of KACPHS on MNPS. However, MNPS provided no further information regarding the impact of COVID-19 on its budget projections.
7. State Board staff requested the projected unrestricted fund balance for school year 2020-21 and school year 2023-24. MNPS provided the unrestricted fund balance for school year 2020-21, \$28,312,700, but it stated it could not produce a projection for school year 2023-24.

<sup>8</sup> The State Board requested projected enrollment data and building capacity data for SY 2023-24 for both high schools, but MNPS said this data was not available. The only projected data provided by MNPS was for SY 2024-25.

<sup>9</sup> State Board staff calculation.

## ANALYSIS

When a local school district has denied a charter school application on the basis of substantial negative fiscal impact, State Board rule 0520-14-01-.02 states that the burden is on the district to establish that substantial negative fiscal impact exists such that approval of the charter school would be contrary to the best interests of the students, school district, or community. After an in-depth analysis of the data provided by MNPS in support of its argument, I cannot conclude that MNPS has carried its burden of proving that the approval of KACPHS's application will present a substantial negative fiscal impact on the district.

The crux of the MNPS argument rested on the fact that state law requires districts to transfer 100% of the per-pupil revenue to a charter school, but there are certain fixed costs that remain within MNPS even when the funding is transferred. However, in the presentation to the MNPS Board of Education on the fiscal impact of the proposed school, the presentation stated "The fixed costs are difficult to calculate because of the many people and expenses involved in educating students. Some of the expenses are not needed if the student transfers" and "the fixed costs could change over time." Therefore, there is no conclusive evidence presented by MNPS about the fixed costs that remain with the district for the State Board to analyze.

Additionally, MNPS stated that, in order to make up for the reduction in revenue after the transfer of funds to the charter school, MNPS would have to cut the budgets of the zoned schools in the area as well as the district overhead costs. However, as seen in Table 3, both zoned high schools are projected to continue to grow over the next five (5) years, and by school year 2023-24, both high schools' enrollments are projected to be over the capacity of their respective buildings. The projected increase in the enrollments of these two (2) schools by SY 2024-25 is greater than the proposed Year 2 enrollment of KACPHS, and therefore, these schools would not be forced to cut any current programs. Additionally, it is a district-level decision to allocate funds to zoned schools based on a per-student basis, which is the way MNPS allocates funding to individual schools. MNPS always has the option to adjust the way it funds schools to adjust for any enrollment increases or decreases.

Moreover, figures provided by MNPS in Table 2 show that the district regularly experiences actual enrollments that come in both below and above enrollment projections. In fact, six (6) times since 2011, the district has had to adjust to actual enrollments that are below projected enrollments, and these adjustments are far greater than the adjustment necessary if KACPHS opens. While the State Board staff requested data to analyze the percent reduction in district enrollment that would be caused by the opening of KACPHS in SY 2023-24, MNPS did not provide the necessary data to conduct this analysis.

In addition, State Board staff tried to analyze the impact of the KACPHS Year 1 transfer of \$1,586,304 against the projected MNPS operating budget for SY 2023-24. However, MNPS stated that this budget projection was not available because the district will not receive the revenue projections for several years. While this lack of data is understandable, it also reinforces that the MNPS Board of Education lacked this critical information when evaluating the fiscal impact of the school. Additionally, State Board staff asked for additional information regarding the projected impact of the COVID-19 pandemic on budget projections, as cited in the MNPS Board of Education's motion to deny KACPHS, but

no specific revenue impacts were provided. In fact, in the public hearing, MNPS stated that they expected per pupil amounts to continue to increase until school year 2023-24. MNPS provided data that the district's unrestricted fund balance is \$28,312,700 for school year 2020-21. The State Board asked for information regarding the projected unrestricted fund balance in school year 2023-24, but MNPS stated that this projection was not available.

In totality, there was a lack of evidence provided by MNPS to meet the burden of proving that the approval of KAPCHS will constitute substantial negative fiscal impact on the district. State Board staff gave MNPS multiple opportunities throughout the appeal process to provide specific budgetary and enrollment information for the district in school year 2023-24 to support its claim of substantial negative fiscal impact, but MNPS stated this information was not available. If this information is not available, there is no evidence to analyze how the MNPS Board of Education determined the financial impact of the approval of KACPHS on the district or for the State Board to determine if the approval of the school would have a substantially negative fiscal impact on the district in the first year of operation (SY 2023-24), as required by Board policy and consistent with past practice.

Based on these findings of fact and analysis, I find that the evidence provided by MNPS does not meet the burden of proving that the approval of KACPHS will constitute a substantial negative fiscal impact on the district such that approval of the school would be contrary to the best interests of the students, school district or community.

## **FINDINGS OF FACT**

- **KACPHS Charter Application Review Findings and Analysis**

Having resolved the threshold issue that the approval of the KACPHS amended application will not constitute a substantial negative fiscal impact on MNPS such that approval is contrary to the best interests of the students, school district or community, the analysis now turns to whether or not the denial of the KACPHS application based on the additional reasons outlined by MNPS was contrary to the best interests of the students, school district or community.

- **District Denial of Application.**

The review committee assembled by MNPS to review and score the KACPHS initial and amended applications consisted of the following individuals:

Name	Title or Area of Expertise
Dennis Queen	Executive Office of Charter Schools, MNPS
Dr. John Thomas	Director, Office of Charter Schools, MNPS
Denise Brown	Coordinator, Office of Charter Schools, MNPS
Katy Enterline	Director of Talent Management, HR, MNPS
Daniel Killian	Director, Exceptional Education of Fiscal State Reporting and Monitoring, MNPS
Dr. Alyson Lerma	Director of Grant Management, MNPS
Michelle Doane	Consultant

Name	Title or Area of Expertise
Ricky Caldwell	Exceptional Education Coach, MNPS
Dr. Joseph Gordon	Coordinator of School Counseling Services, MNPS
Dr. Matthew Nelson	Director, Advanced Academics Talent Development, MNPS
Alyssa Udvotsch	English Learner Coach, MNPS
Todd Wigginton	Director of Instruction Elementary, MNPS
Dr. Jennifer Berry	Director STEAM Science, MNPS
Ashley Montgomery	Consultant

The KACPHS initial application received the following ratings in the presentation MNPS staff gave to the MNPS Board of Education<sup>10</sup>:

Sections	Rating
Academic Plan Design and Capacity	PARTIALLY MEETS STANDARD
Operations Plan and Capacity	PARTIALLY MEETS STANDARD
Financial Plan and Capacity	MEETS or EXCEEDS STANDARD
Portfolio Review/Performance Record	DOES NOT MEET STANDARD

The MNPS review committee found the KACPHS initial application did not meet the standard required for approval in all four (4) sections of the rubric. The MNPS review committee's ratings and potential fiscal impact of KACPHS was presented to the MNPS Board of Education on April 28, 2020. Based on the review committee's ratings and fiscal impact information provided, the MNPS Board of Education voted to deny the initial application of KACPHS.

Upon resubmission, the KACPHS amended application received the following ratings from the MNPS review committee:

Sections	Rating
Academic Plan Design and Capacity	PARTIALLY MEETS STANDARD
Operations Plan and Capacity	MEETS OR EXCEEDS STANDARD
Financial Plan and Capacity	MEETS OR EXCEEDS STANDARD
Portfolio Review/Performance Record	PARTIALLY MEETS STANDARD

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<sup>10</sup> There is conflicting information on the ratings of the initial KACPHS application based on the documentation submitted by MNPS in the appeal. The scoring rubric provided by MNPS has the academic plan and portfolio review/performance record partially meeting standard and the operations plan and financial plan meeting or exceeding the standard. The review committee report provided by MNPS has the academic plan partially meeting the standard, and the operations plan, the financial plan, and the portfolio review/performance record meeting or exceeding the standard.

Again, in totality, the MNPS review committee found the KACPHS amended application did not meet the standard of the rubric.<sup>11</sup>

After the MNPS review committee completed its review and scoring of the amended application, its rubric was presented to the MNPS Board of Education on July 14, 2020. Based on this rubric and potential fiscal impact of the proposed school, the MNPS Board of Education voted to deny the amended application of KACPHS.

- **State Board Charter Application Review Committee's Evaluation of the Application**

Following the denial of the KACPHS amended application and subsequent appeal to the State Board, State Board staff assembled a diverse review committee of internal and external experts to independently evaluate and score the KACPHS amended application. This review committee consisted of the following individuals:

Name	Title
Leigh Cummins	Independent Education Consultant
Cheryl Green	Owner and Founder, Coplexity
Mark Modrcin	Director of Authorizing, State Public Charter School Authority of Nevada
Jason Roach	Principal, Rogersville Middle School
Tess Stovall	Director of Charter Schools, State Board of Education

The State Board review committee conducted an initial review and scoring of the KACPHS amended application, a capacity interview with the Sponsor, and a final evaluation and scoring of the amended application resulting in a consensus rating for each major section. The State Board review committee's consensus rating of the KACPHS amended application was as follows:

Sections	Rating
Academic Plan Design and Capacity	MEETS OR EXCEEDS STANDARD
Operations Plan and Capacity	MEETS OR EXCEEDS STANDARD
Financial Plan and Capacity	MEETS OR EXCEEDS STANDARD
Portfolio Review and Performance Record	MEETS OR EXCEEDS STANDARD

The State Board's review committee recommended approval of the amended application for KACPHS because of a demonstrated need within the selected community and strong academic plan with proven results. Additionally, the Sponsor has a strong governing board and leadership experienced in expansion, as well as a clear plan for human capital, start-up, and facilities. Finally, the Sponsor's network is in good fiscal health, as evidenced by its significant cash reserves and its strong audits, and the network has an established record of academic performance.

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<sup>11</sup> Please see **Exhibit B** for a copy of the final MNPS review committee rubric.

The review committee found the Sponsor presented a compelling academic plan, which will serve as a needed alternative in the intended community. The academic plan was detailed and clearly aligned with the mission and vision of the school. Additionally, the Sponsor presented significant evidence that the academic plan has been successful at the network's current high school. Finally, the academic plan included a robust plan to support and serve all students, including English Learners.

The review committee further determined the operations plan met the standard due to a strong governing board made up of members with a variety of experiences and expertise. The application presented a compelling description of the governing board's oversight, including quarterly reviews of the network goals. Both the governing board and network leadership have demonstrated experience of successful expansion and understand how to mitigate risks when it comes to growing the network. The start-up plan and facility plan are detailed and based on the significant experience that the network brings to the opening of the proposed school.

With regard to the financial plan presented in the application, the review committee found it to be detailed and comprehensive both at the network and the school level. The network has a strong finance team that oversees the fiscal health of the organization, and the governing board has strong oversight of the overall financials of the organization. The network's most recent audit was clean and demonstrated that the network is in a healthy financial position. Furthermore, the network recently concluded a \$15 million fundraising campaign which will be used, in part, to support the opening of KACPHS.

Finally, the Sponsor presented significant evidence that the network's schools are high performing and provide a high-quality option for students who attend. The academic performance of current schools operated by the Sponsor shows that the schools regularly perform above the district and state averages on TNReady, and the network's current high school has a larger percentage of students achieving a 21 on the ACT than the district or state average. Overall, the review committee determined that the evidence presented in the KACPHS application demonstrates a strong and sustained track record of academic, organizational, and financial success.

For additional information regarding the review committee's evaluation of the KACPHS amended application, please see **Exhibit A** for the complete Review Committee Recommendation Report, which is fully incorporated herein by reference.

- **Public Hearing**

Pursuant to statute<sup>12</sup> and State Board policy 2.500, a public hearing was held virtually on August 26, 2020. MNPS's presentation at the public hearing focused on the deficiencies found by the MNPS review committee in five (5) key areas: incomplete academic focus, concerns regarding student progression in math for special education students, concerns regarding student retention and progression, and substantial negative fiscal impact. Specifically, MNPS argued the academic focus described in the application was high level and did not answer important questions. Additionally, the math progression plan for students exiting special education was a concern as well as the retention plan stating that a student who fails two (2) or more courses must repeat all coursework. With regard to past

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<sup>12</sup> T.C.A. § 49-13-108(b)(4).

performance, MNPS noted the network's current high school earned a TVAAS growth score of 1 in the past two (2) years. Finally, MNPS highlighted the substantial negative fiscal impact of KACPHS on the district, arguing that when fully enrolled, the school will have a net fiscal impact of \$4,340,000 a year. In response to questions from State Board staff regarding the effects of COVID-19 on the substantial negative fiscal impact analysis, MNPS stated that the impact of KACPHS would be substantial regardless of COVID-19.

In response to MNPS, the Sponsor emphasized a presence in the Nashville community dating back to 2005 when their first school opened. The Sponsor outlined the reasons for applying for a high school to serve the Antioch community, noting that they currently have an elementary and middle school in Antioch, both of which were approved by the State Board. They initially applied for the Antioch schools in response to a request by the MNPS Board of Education for applications to ease overcrowding in southeast Nashville in 2013. The Sponsor noted its current Antioch elementary and middle school have seen significant demand, in that they received 900 applications for the 200 available seats. Additionally, the Antioch schools have a 99% retention rate and over 88 current Antioch parents have urged the governing board to open a high school to serve students through 12<sup>th</sup> grade. The Sponsor further argued that this strong demand in Antioch is based on the Sponsor's college-prep focus and high achievement on ACT scores, noting the average ACT score from its current high school is 22.3. Additionally, the Sponsor argued KACPHS is in the best interest of the district and community because it will ease high school overcrowding at the two (2) Antioch high schools operated by MNPS, and that the Sponsor will build a new high school without any cost to the city. In response to MNPS arguments regarding substantial negative fiscal impact, the Sponsor stated that the question is not how much less money the district and these schools will have, but how much more, as demonstrated by MNPS projections that student enrollment at the two (2) Antioch high schools will only continue to increase over the next five (5) years due to the continued population growth in this area of Nashville. The Sponsor argued this projected increase in enrollment will mean the opening of KACPHS will not result in any reduction in funding for current programs offered at either of the two (2) Antioch high schools. In response to questions from SBE staff regarding the performance of its existing high school, the Sponsor noted that student performance at the current high school demonstrates they are meeting their goal of getting kids to and through college, as evidenced by a 94% senior college acceptance rate, and an average ACT score of 22.3, including that seniors averaged growth of three (3) points per year on the ACT. Additionally, the Sponsor noted that it has made numerous adjustments which have been successful in lowering the chronic absenteeism rate at its current high school by 3% last school year.

A portion of the public hearing was dedicated to taking public comment, which was read aloud by State Board staff. Fifteen (15) public comments were received in support of the school. The State Board also provided a window for members of the public to submit written comments. The State Board received forty-seven (47) additional written comments, all in support of the school.

- **Alignment of Metropolitan Nashville Public Schools' Application Process to State Board Quality Authorizing Standards**

State Board staff collected and analyzed information regarding MNPS's application review process to determine alignment with State Board Quality Authorizing Standards as set forth in State Board policy

6.111. At the public hearing, MNPS presented information regarding its application process and alignment to the Quality Authorizing Standards. MNPS articulated that they recruit and train internal and external experts to participate in the review committee, and host a capacity interview with the applicant to ensure a fair review. A review committee report is created based on this review and sent to the MNPS board of education for consideration.

While the review committee process outlined by MNPS appears in alignment with State Board Quality Authorizing Standards, MNPS fell short in terms of the process employed after the review committee's ratings on the KACPHS application were presented to the board. T.C.A. § 49-1-108(a)(3) and State Board rules 0520-14-01-.01 and .02 require that a local board of education provide a written notification to the charter school sponsor of the objective reasons for denial of the application. The local board of education is required to file this written notification with the Department of Education and the Sponsor must submit copies of the letters notifying them of the reasons for denial to the State Board upon appeal. Additionally, State Board quality authorizing standard 2(b) requires that authorizers implement fair, transparent procedures that "communicates... approval criteria, and decisions clearly to the public" and "Informs applicants of their rights and responsibilities and promptly notifies applicants of approval or denial, while explaining the factors that determined the decision so that applicants can decide if they wish to revise their plans based in part on that information and resubmit in the future."

Here, the reasons for the denials of both the initial and amended applications for KACPHS were not clear. First, there were inconsistent ratings on the initial application, and it is not clear where the ratings presented to the MNPS Board of Education came from as they differ from the review committee report and the scoring rubric. Second, in the letter from MNPS to the Sponsor providing the reasons for denial of the initial application, only the merits of the application were referenced. There was no reference to the potential fiscal impact of the proposed school although this information was presented to and considered by the MNPS Board of Education. With the denial of the amended application, the motion approved by the MNPS Board of Education only references the budget implications of the school. However, the written letter from MNPS to the Sponsor listed reasons for denial based on the merits of the application and "the fiscal impact of opening an additional school as well as other items mentioned on the board floor." Based on this letter, it was not clear to the Sponsor, or the State Board, if the MNPS Board of Education intended to cite substantial negative fiscal impact as a reason for denial. Moreover, the inclusion of "other items mentioned on the board floor" does not provide the applicant with specific, objective reasons for denial.

As stated in the Quality Authorizing Standards, it is necessary to ensure a fair, transparent process, that an authorizer make the reasons for denial clear to the applicant so that they may revise and resubmit their application in the future, and so that all parties are aware of the reasons for denial should the school choose to appeal the local board's decision. I strongly urge MNPS to revisit its process to ensure that the board votes on a clear resolution regarding the specific, objective reasons for denial of the initial and amended applications, and that the letters notifying the Sponsor of those reasons clearly state all of the reasons for denial included in the board's resolution denying the application.

## ANALYSIS

State law requires the State Board to review the decision of the local board of education and determine whether the denial of the proposed charter school was contrary to the “best interests of the students, LEA, or community.”<sup>13</sup> In addition, pursuant to T.C.A. § 49-13-108, the State Board adopted Quality Charter Authorizing Standards set forth in State Board policy 6.111 and utilizes these standards to review charter applications received upon appeal. One such standard is to maintain high but attainable standards for approving charter applications. In making my recommendation to the Board, I have considered the State Board Review Committee Recommendation Report, the documentation submitted by both the Sponsor and MNPS, the arguments made by both parties at the public hearing, and the public comments received by State Board staff and conclude as follows:

The State Board review committee’s report and recommendations are thorough, citing specific examples in the application and referencing information gained at the capacity interview in support of its findings. For the reasons explicated in the report, I agree that the KACPHS amended application met or exceeded the standards required for approval.

Given the great responsibility of educating students and the amount of public funds entrusted to a charter school that is approved by a local district, the State Board expects that only those schools that have demonstrated a high likelihood of success and meet or exceed the required criteria in all areas will be authorized. It is readily apparent that the Sponsor has a passion for students and dedication to the communities they currently serve and that there exists a significant need for a high school option in the Antioch area. I agree with the review committee’s assessment that the application included a compelling academic plan, which will serve as a needed alternative in the intended community. The academic plan was detailed and clearly aligned with the mission and vision of the school. Additionally, the Sponsor presented significant evidence that the academic plan has been successful at the network’s current high school and that the Sponsor has a robust plan to support and serve all students, including English Learners.

I also agree that the operations plan met the standard due to a strong governing board made up of members with a variety of experiences and expertise. Both the governing board and network leadership have demonstrated experience of successful expansion and understand how to mitigate risks when it comes to growing the network. Additionally, the start-up plan and facility plan are detailed and based on the significant experience that the network brings to the opening of the proposed school. The Sponsor also presented a strong financial plan anchored by a finance team that oversees the fiscal health of the organization, and a governing board that has strong oversight of the overall financials of the organization. The network’s most recent audit was clean and demonstrated that the network is in a healthy financial position. Furthermore, the Sponsor recently concluded a \$15 million fundraising campaign which will be used, in part, to support the opening of KACPHS.

Finally, the Sponsor presented significant evidence that the network’s schools are high performing and provide a high-quality option for students who attend. The academic performance of current schools operated by the Sponsor shows that the schools regularly perform above the district and state averages

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<sup>13</sup> T.C.A. § 49-13-108.

on TNReady, and the network's current high school has a larger percentage of students achieving a 21 on the ACT than the district and state average. Overall, I agree with the review committee that the evidence presented in the KACPHS application demonstrates a strong and sustained track record of academic, organizational, and financial success to merit approval of another school.

Additionally, the Sponsor was able to demonstrate significant community need and interest in the proposed school. The Sponsor's current schools in the Antioch area have long waiting lists and a student retention rate of 99%. The Sponsor received over 88 letters from parents asking that they open an Antioch high school, and the State Board received 62 total public comments all from parents and community members in support of the opening of KACPHS. Additionally, the MNPS school board member who represents the Antioch area was vocal at the July 2020 Board meeting that her constituents wanted this school to be approved, and in fact voted against the motion to deny the KACPHS application. Approval of the KACPHS application also benefits the Antioch community as it will help relieve overcrowding at the district's two (2) Antioch high schools. Based on data provided by MNPS, both high schools are either over capacity or close to it this school year, and MNPS projects both schools will be significantly over capacity within the next five (5) years. When State Board staff sent a request for information to MNPS asking how it plans to address overcrowding in Antioch should KACPHS not be approved, MNPS provided a list of capital projects the district is seeking funding for in the Antioch area. However, none of the listed capital projects include a new high school or any expansion of the two (2) current Antioch high schools. As such, it does not appear that MNPS has a clear plan to alleviate overcrowding that is already happening and projected to get worse, and approval of KACPHS will provide a needed relief to ease these overcrowding concerns.

While some of the TVAAS data at the network's current high school in east Nashville is concerning, the Sponsor was able to provide significant additional evidence that its students are meeting state and national standards. Specifically, the Sponsor's current high school outperforms both the district and the state in English language arts proficiency and outperforms both Antioch area high schools on ELA and Math proficiency by a significant margin. Additionally, the Sponsor's current high school has a larger percentage of students achieving a 21 on the ACT than the district or state average. The school boasts a graduation rate that is higher than the district average and both Antioch area high schools and 94% of seniors were accepted to a college or university.

Therefore, having already determined that the approval of KACPHS will not create a substantial negative fiscal impact on MNPS, there is significant evidence demonstrating that approval of the KACPHS amended application is in the best interests of the students, and the community and as such, I recommend that the State Board approve the KACPHS amended application.

## CONCLUSION

For these reasons, and for the reasons stated in the Review Committee Report attached hereto as **Exhibit A**, I believe that the decision to deny the amended application for KIPP Antioch College Prep High School was contrary to the best interests of the students, the LEA, or the community. Therefore, I recommend that the State Board overturn the decision of the MNPS Board of Education to deny the amended application for KIPP Antioch College Prep High School and authorize the school.



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Dr. Sara Morrison, Executive Director  
State Board of Education

9/16/2020

Date



## EXHIBIT A

### **Charter Application Review Committee Recommendation Report**

**September 14, 2020**

School Name: KIPP Antioch College Prep High School

Sponsor: KIPP Nashville

Proposed Location of School: Metropolitan Nashville Public Schools

Evaluation Team:

Leigh Cummins

Cheryl Green

Mark Modrcin

Jason Roach

Tess Stovall



This recommendation report is based on a template from the National Association of Charter School Authorizers.



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## Introduction

Tennessee Code Annotated (T.C.A.) § 49-13-108 allows the sponsor of a public charter school to appeal the denial of an application by the local board of education to the State Board of Education. In accordance with T.C.A. § 49-13-108, the State Board of Education shall conduct a de novo, on the record review of the proposed charter school's application, and the State Board of Education has adopted national and state authorizing standards. As laid out in State Board policy 6.200 - Core Authorizing Principles, the State Board is committed to implementing these authorizing standards that are aligned with the core principles of charter school authorizing, including setting high standards for the approval of charter schools in its portfolio.

In accordance with T.C.A. § 49-13-108, the State Board adopted State Board policy 6.111 - Quality Charter Authorizing Standards. The State Board has aligned the charter school appeal process to these high standards to ensure the well-being and interests of students are the fundamental value informing all State Board actions and decisions. The State Board publishes clear timelines and expectations for applicants, engages highly competent teams of internal and external evaluators to review all applications, and maintains rigorous criteria for approval of a charter school. Annually, the State Board evaluates its work to ensure its alignment to national and state standards for quality authorizing and implements improvement when necessary.

The State Board of Education's charter application review process is outlined in T.C.A. § 49-13-108, State Board policy 2.500 – Charter School Appeals, and State Board policy 6.300 – Application Review. The State Board assembled a charter application review committee comprised of highly qualified internal and external evaluators with relevant and diverse expertise to evaluate each application. The State Board provided training to all review committee members to ensure consistent standards and fair treatment of all applications.

## Overview of the Evaluation Process

The State Board of Education's charter application review committee developed this recommendation report based on three key stages of review:

1. **Evaluation of the Proposal:** The review committee independently reviewed the amended charter application, attachments, and budget submitted by the sponsor. After an independent review, the review committee collectively identified the main strengths, concerns, and weaknesses as well as developed specific questions for the applicant in the four sections of the application: Academic Plan Design and Capacity, Operations Plan and Capacity, Financial Plan and Capacity, and Portfolio Review and Performance Record.
2. **Capacity Interview:** Based on the independent and collective review of the application, the review committee conducted a 90-minute in-person interview with the sponsor, members of the proposed governing board, and identified school leader (if applicable) to address the concerns, weaknesses, and questions identified in the application, and to assess the capacity to execute the application's overall plan.



3. **Consensus Judgment:** At the conclusion of the review of the application and the capacity interview, the committee submitted a final rubric and developed a consensus regarding a rating for each section of the application.

This recommendation report includes the following information:

1. **Summary of the application:** A brief description of the applicant's proposed academic, operations, financial plans, and performance record.
2. **Summary of the recommendation:** A brief summary of the overall recommendation for the application.
3. **Analysis of each section of the application:** An analysis of the four sections of the application and the capacity of the team to execute the plan as described in the application.
  - a. Academic Plan Design and Capacity: enrollment summary; community involvement and parent engagement; existing academic plan; and performance management.
  - b. Operations Plan and Capacity: network vision and growth plan; network management; network governance; and network personnel/human capital.
  - c. Financial Plan and Capacity: budget narrative; budgets of network and school; cash flow projections; related assumptions; financial policies and procedures; and the capacity to implement the proposed plan.
  - d. Portfolio Review and Performance Record: evidence of successful student outcomes in network; evidence that schools within network are high-performing; detailed narrative of high-performing and low-performing schools; latest audit presented without findings; and organization in good standing with authorizers.

The State Board's charter application review committee utilized the Tennessee Department of Education's Charter School Application Evaluation Ratings and Sample Scoring Criteria (the rubric), which is used by all local boards of education when evaluating an application. The rubric states:

An application that merits a recommendation for approval should present a clear, realistic picture of how the school expects to operate; be detailed in how this school will raise student achievement; and inspire confidence in the applicant's capacity to successfully implement the proposed academic and operational plans. In addition to meeting the criteria that are specific to that section, each part of the proposal should align with the overall mission, budget, and goals of the application.

The evaluators used the following criteria and guidance from the scoring rubric to rate applications:

Rating	Characteristics
Meets or Exceeds Standard	The response reflects a thorough understanding of key issues. It clearly aligns with the mission and goals of the school. The



	response includes specific and accurate information that shows thorough preparation.
Partially Meets Standard	The response meets the criteria in some aspects, but lacks sufficient detail and/or requires additional information in one or more areas.
Does Not Meet Standard	The response is significantly incomplete; demonstrates lack of preparation; is unsuited to the mission and vision of the district; or otherwise raises significant concerns about the viability of the plan or the applicant's ability to carry it out.



## Summary of the Application

School Name: KIPP Antioch College Prep High School

Sponsor: KIPP Nashville

Proposed Location of School: Metropolitan Nashville Public Schools

Mission:<sup>1</sup> The mission of KIPP Antioch College Prep High School is to cultivate in our students the academic and character skills needed to succeed in top colleges and life beyond.

Number of Schools Currently in Operation by Sponsor:

Nashville (7): The sponsor has five (5) operating charter schools authorized by Metropolitan Nashville Public Schools and two (2) operating charter schools authorized by the State Board of Education.

Proposed Enrollment:<sup>2</sup>

Grade Level	Year 1 (2023)	Year 2 (2024)	Year 3 (2025)	Year 4 (2026)	Year 5 (2027)	At Capacity (2028)
9	144	144	288	288	288	288
10	0	144	144	288	288	288
11	0	0	144	144	288	288
12	0	0	0	144	144	288
<b>Total</b>	<b>144</b>	<b>288</b>	<b>576</b>	<b>864</b>	<b>1,008</b>	<b>1,152</b>

Brief Description of the Application:

The sponsor, KIPP Nashville, is proposing to open a high school in the southeast area of Nashville, Tennessee and serve students in 9<sup>th</sup> through 12<sup>th</sup> grades. The school, KIPP Antioch College Prep High School (KACPHS), is a new-start school and would be the eighth school for the sponsor. The school intends to operate in the Antioch/Cane Ridge community of Nashville to “be a partner for [Metropolitan Nashville Public Schools] in educating students as well as alleviating overcrowding in Southeast Nashville schools”.<sup>3</sup> The school plans to offer a “well-rounded, college preparatory academic program”<sup>4</sup> that will be based on KIPP Nashville’s current operating high school, KIPP Nashville Collegiate High School, and provide a high school pathway in the southeast area of Nashville for students currently enrolled in the sponsor’s elementary and middle schools in the Cane Ridge area.

The proposed school will be organized under the existing charter management organization, KIPP Nashville, and the current Board of Directors will govern the new school. KIPP Nashville has budgeted \$850,000 in revenue, primarily from a projected Charter School Program grant from the KIPP Foundation,

<sup>1</sup> KIPP Antioch College Prep High School Amended Application, pg. 9.

<sup>2</sup> Ibid. pg. 13.

<sup>3</sup> Ibid. pg. 11.

<sup>4</sup> Ibid. pg. 14



and projects \$114,611 in expenses for the school in Year 0. KIPP Nashville projects the school will have \$2,251,498 in revenue and \$2,313,230 in expenses in Year 1 resulting in a deficit of (\$61,732). By Year 5, the school projects to have \$12,267,847 in revenue and \$10,008,330 in expenses, resulting in a positive ending fund balance of \$6,047,872.<sup>5</sup> The school anticipates that 48% of the student population will qualify as economically disadvantaged, 10% of the student population will be students with disabilities, and 24% of the student population will be English Learners.<sup>6</sup>

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<sup>5</sup> Attachment Q: Network-Wide Budget and School Level Budget Summaries.

<sup>6</sup> Ibid. pg. 13.



## Summary of the Evaluation

The review committee recommends approval of the amended application for KIPP Antioch College Prep High School because of a demonstrated need within the desired community and strong academic plan with proven results. Additionally, the network has a strong governing board and leadership experienced in expansion and a clear plan for human capital, start-up, and facilities. Finally, the network is in strong fiscal health, as evidenced by its significant cash reserves and its strong audits, and the network has an established record of academic performance.

In the application, the applicant presented a compelling academic plan, which will serve as a needed alternative in the intended community. The academic plan was detailed and clearly aligned with the mission and vision of the school, and the network presented significant evidence that the academic plan has been successful at the network's current high school. Finally, the academic plan included a robust plan to support and serve all students, including English Learners.

The operations plan is led by a strong governing board made up of members with a variety of experiences and expertise that lead the network. The application presented a compelling description of its governing board's oversight, including quarterly reviews of the network goals. Both the governing board and network leadership have demonstrated experience of successful expansion and understand how to mitigate risks when it comes to growing the network. The applicant's start-up plan and facility plan are detailed and based on the significant experience that the network brings to the opening of the proposed school.

The financial plan presented in the application is detailed and comprehensive both at the network and the school level. The network has a strong finance team that oversees the fiscal health of the organization, and the governing board has strong oversight of the overall financials of the organization. The network's most recent audit was clean and demonstrated that the network is in a strong financial position. Furthermore, the network recently concluded a \$15 million fundraising campaign which will be used, in part, to support the opening of the proposed school.

Finally, the applicant presented significant evidence that the network's schools are high performing and provide a high-quality option for students who attend. The academic performance shows that the schools regularly perform above the district and state averages on TN Ready, and the network's current high school has a larger percentage of students achieving a 21 on the ACT than the state of Tennessee. Overall, the evidence presented by the applicant demonstrates a strong and sustained track record of academic, organizational, and financial success of the network.

### Summary of Section Ratings

In accordance with the Tennessee Department of Education's charter application scoring rubric, "applications that do not meet or exceed the standard in all sections...will be deemed not ready for approval,"<sup>7</sup> and strengths in one area of the application do not negate material weaknesses in other areas. Opening and maintaining a successful, high-performing charter school depends on having a complete, coherent plan and identifying highly capable individuals to execute that plan. The review committee's consensus ratings for each section of the application are as follows:

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<sup>7</sup> Tennessee Charter School Application Rubric – Evaluation Ratings and Sample Scoring Criteria, pg. 1.



Sections	Rating
Academic Plan Design and Capacity	Meets or Exceeds Standard
Operations Plan and Capacity	Meets or Exceeds Standard
Financial Plan and Capacity	Meets or Exceeds Standard
Portfolio Review and Performance Record	Meets or Exceeds Standard



## **Analysis of the Academic Plan Design and Capacity**

*Rating: Meets or Exceeds Standard*

### **Strengths Identified by the Committee:**

The applicant's Academic Plan Design and Capacity meets or exceeds standard because the applicant presented a compelling description of how the school will serve as a needed alternative in the intended community, a detailed academic plan aligned to the mission and vision of the school and modeled after the network's current high school, and a clear plan to serve and support all students.

The applicant intends to open KACPHS in the Antioch and Cane Ridge area of Nashville. The applicant provided a clear rationale for this choice of community, including projected population growth and enrollment trends at the current area high schools, limited secondary school options, and a lack of high-quality charter school options in the area. In the application, the applicant describes how the proposed school would provide a needed alternative for families in the southeast area of Nashville. Specifically, the school would relieve overcrowding at the area's current zoned high schools, Antioch High School and Cane Ridge High School, and provide a high school feeder pattern for KIPP Nashville's elementary and middle schools in the area. As further articulated in the capacity interview, parents in the area of southeast Nashville have vocally asked for a high school option under KIPP Nashville since the network opened its elementary school in the community in 2018, and this parent demand has only increased since the network opened its middle school in the same community in 2019. Through evidence provided in the application and the capacity interview, there is clear and demonstrated demand for the school in the proposed area.

Additionally, the applicant provided a detailed academic plan clearly aligned to its mission and vision, including a robust assessment plan directly tied to their academic goals, and modeled after the applicant's current high school. The academic plan is firmly based in Tennessee Academic Standards and demonstrated the applicant's deep understanding of the requirements of state law and State Board policy in both matriculation and graduation. The mission and vision of providing a high-quality college preparatory option are infused throughout the academic plan and, in particular, in the applicant's proposed goals. Specifically, the applicant's goals focus on post-secondary readiness, including ACT performance goals and AP participation and performance goals, and the applicant's assessment plan directly ties to these goals. For example, beginning in 9<sup>th</sup> grade, students take annual baseline ACT assessments to benchmark performance on ACT and to drive student achievement in preparation for the ACT in 11<sup>th</sup> grade. The proposed academic plan is based on the network's current operating high school and demonstrates a clear understanding of the course progression and support needed to ensure students succeed in the academic environment.

The network described a robust plan to support special populations within the academic plan. The applicant plans to have a staff member on the school leadership team oversee the services for special populations, and the applicant gave a detailed answer in the capacity interview about the network's recruitment strategies to fill the position within its current schools. Additionally, the applicant provided a copy of the network's special education handbook, which includes significant detail about the school's plans for supporting students with disabilities. The network also demonstrated a deep knowledge of the projected student population at the school because the network currently operates two schools in the community and has adjusted its academic program to serve an increased population of English Learners as compared to the network's other schools.



In totality, the applicant presented a robust academic plan that meets or exceeds the standard of the rubric because of the clear demand in the proposed community, its mission-alignment, and its plan to serve all student populations.



## **Analysis of the Operations Plan and Capacity**

*Rating: Meets or Exceeds Standard*

### **Strengths Identified by the Committee:**

The applicant's Operations Plan and Capacity meets or exceeds standard because it has a strong governing board and network leadership with demonstrated success in expansion, a clear approach to human capital and school leadership, and detailed start-up and facility plans.

The applicant's governing board has been in place since the network first began in 2005. The fifteen member board has diverse backgrounds, expertise, and a robust committee structure, and regularly reviews its network goals to determine any areas that need additional attention. The governing board's sole employee is the executive director, and the executive director is responsible for the hiring of the network leadership team and the oversight of the region against the established goals. The network presented evidence of a strong leadership team that has overseen the successful expansion of the network into the southeast area of Nashville, including the ground-up construction of its KIPP Antioch College Prep building which holds its elementary and middle schools. Additionally, during the capacity interview, the network leadership discussed the significant enrollment demands that its elementary and middle schools have seen in the community and the support the schools have from its elected school board member and city councilwoman. The applicant demonstrated compelling evidence of strong network governance that is prepared to successfully open the proposed school.

The applicant presented a thoughtful and detailed approach to human capital that supports recruiting and retaining high quality individuals to serve in school leadership and teaching positions. When identifying potential school leaders, the applicant described how it utilizes a Principal-in-Residence program to allow for the leader to participate in a six to 18-month residency within KIPP Nashville prior to the school opening. Additionally, the applicant provided a detailed recruitment strategy and timeline for hiring staff to support the school, and in the capacity interview, the applicant shared how it has created a Chief Talent Officer role at the network leadership level to oversee the recruitment process for the entire network. The applicant also described how teachers are coached and supported by the school leadership team, including three weeks of professional development before the school year begins and weekly coaching sessions to provide for reflection and feedback.

The applicant described a start-up plan and facility plan for the school that are based on the network's deep experience with expansion and facilities and demonstrates a keen understanding of the potential challenges the network will face when opening the school. For example, the applicant's start-up plan begins approximately two years in advance with the network leadership identifying a principal as well as finalizing the facility plan. The applicant identifies human capital, academic performance, and facility planning as the biggest challenges it will face, but it also provided detailed information in the application and the capacity interview of how the network will mitigate against these risks. Specifically, in the capacity interview, the applicant named multiple facility options including the lead option which will be a ground-up construction. The applicant gave a detailed description of how the network supports school construction and how it evenly spreads facility costs across the network. The network has demonstrated expertise in this facility option since it followed this same plan to successfully open its current KIPP Antioch campus.



In totality, the review committee found evidence that the operations plan meets or exceeds the standard for approval because of its strong network leadership and governance, its plan for school leadership and staffing, and the detailed start-up and facility plans.



## **Analysis of the Financial Plan and Capacity**

*Rating: Meets or Exceeds Standard*

### **Strengths Identified by the Committee:**

The applicant's Financial Plan and Capacity meets or exceeds standard because of their reasonable and realistic operating budgets, the network's strong history of sustained financial health with oversight from the governing board and staff, and detailed descriptions of financial contingency plans.

As presented in the application, the budget contains reasonable assumptions and budget numbers that reflect all operating costs, including staffing, contracting, and insurance. The applicant provided a clear description of how the network will support start-up costs for the school through the Charter School Program grant through the KIPP Foundation and the use of the network's fundraising campaign and the bond market to finance the facility. In particular, the review committee was impressed by the fact that the network recently completed a \$15 million fundraising campaign which will, in part, support the opening of the proposed school.

KIPP Nashville is an experienced operator in strong financial health, operating seven (7) schools with a positive cash flow. The governing board demonstrates oversight of the overall financial health of the network through specific goals on fiscal health which are regularly reviewed by governing board members with financial expertise. Additionally, the network has a strong finance team, led by the Chief Financial Officer, which has overseen the network's fund balance growth to \$16 million in fiscal year 2019. As further evidence of the network's strong financial health, the network's fiscal year 2019 audit met all evaluation standards on the State Board's charter school performance framework in the 2019-20 school year.

During the capacity interview, the applicant gave detailed descriptions of how it is adjusting its network budget given the unknown impact of the COVID-19 pandemic. Specifically, the Chief Financial Officer discussed how the network made adjustments to the budgets to cover the need for additional technology purchased in school year 2020-21 and how the network managed the completion of its fundraising campaign even through the pandemic. In totality, the review committee identified significant evidence that the applicant's financial plan meets or exceeds the standard.



## **Analysis of the Portfolio Review and Performance Record**

*Rating: Meets or Exceeds Standard*

### **Strengths Identified by the Committee:**

The applicant's Portfolio Review and Performance Record meets or exceeds standard because of the network's strong academic performance, strong financial audit, and overall performance of the network on its current authorizers' performance frameworks.

The applicant presented clear and compelling evidence that its network schools are demonstrating student growth and achievement and are serving as high-quality school options. Over the past fifteen years that the network has been in operation, the network's schools have achieved an overall composite score of a TVAAS Level 5 fourteen (14) times and multiple schools in the network have been named Reward Schools by the Tennessee Department of Education. Additionally, at the network's current high school, 60% of the graduating seniors in 2019 received a score of 21 or higher on the ACT as compared to 40% of all Tennessee seniors and 30% of all seniors in Metropolitan Nashville Public Schools. Additionally, in 2019, the network saw a graduation rate of 91%.

In the applicant's most recent annual report (2018-2019), the applicant provided performance data that demonstrates that its schools regularly out-perform the TN Ready proficiency rates of Metropolitan Nashville Public Schools and the state. The applicant spoke frankly to the challenges it has seen at the network's turnaround school, KIPP Kirkpatrick, and how it made adjustments to its academic program at the school to increase the proficiency rates from 2017 to 2019. Additionally, the applicant provided detailed information on how it implemented additional math supports at its current high school after it saw a dip in performance in the 2018-19 school year.

In terms of overall network health, the fiscal year 2019 audit for the KIPP Nashville network demonstrates that the school is in strong financial health with no findings, and the network had a strong overall performance on the State Board's charter school performance framework in the 2018-19 school year. In totality, the review committee found significant evidence of strong and sustained success of the network in academics, operations, and finance to meet or exceed the standard.



## Evaluation Team

**Leigh Cummins** was formerly the Policy and Research Analyst for the Tennessee State Board of Education, supporting both the charter appeals and standards review processes. Prior to the State Board, Leigh worked at the Tennessee Department of Education, supporting the development and implementation of teacher professional development within the Division of Curriculum and Instruction. She also previously served as an AmeriCorps VISTA at the University of Mississippi, coordinating a support program for first-year, at-risk college students. Leigh earned her B.A. at the University of Mississippi and her M.Ed. at Vanderbilt University.

**Cheryl Green** is the owner and founder of Coplexity, a consulting company focused on helping leaders and organizations and people use their collective capacity to solve complex problems. Cheryl has a background in education and has served as a teacher, principal and district leader in multiple school districts. She has served in multiple roles including training school principals and leading leadership effectiveness work with legacy Memphis City Schools and serving as the Senior Consultant/Managing Director with Insight Education Group. Since 2015, Cheryl has been helping organizations with program planning and implementation, meeting and session facilitation and organizational development. Cheryl has a BS in Secondary Education from Alabama A&M University, a M.Ed. from Delta State University and is certified in the field of Human Systems Dynamics.

**Mark Modrcin** currently serves as the Director of Authorizing for the State Public Charter School Authority of Nevada, helping oversee the performance of nearly 40 charter school operators statewide that serve over 50,000 students. Mark has also worked as a district authorizer in Tulsa, Oklahoma, overseeing a much smaller portfolio while also focusing on the development of a Charter Collaboration Compact, which aimed to develop synergies between the district and the sponsored public charter schools. Mark holds a Bachelor of Science degree in Business from Miami University, a MBA from the University of Tulsa, and is a 2015 alum of the National Association of Charter School Authorizers (NACSA) Leaders Program.

**Jason Roach** has served as an educator in the state of Tennessee for 10 years. Upon graduating from Carson-Newman College, he worked at Lincoln Heights Middle School in Morristown, Tennessee as a 7th and 8th grade social studies teacher. During the last standards review process for social studies, he served as a Governor Haslam appointee to the Social Studies Standards Recommendation Committee and served as chairman of that committee. He has been a principal for five years and currently serves as the principal of Rogersville Middle School in Rogersville, Tennessee.

**Tess Stovall** serves as the Director of Charter Schools for the Tennessee State Board of Education. In this role, she manages the charter school application process and authorization duties of the State Board, and she was a member of the 2015 National Association of Charter School Authorizer's Leaders Program. Prior to joining the staff of the board, she served as the Transformation Facilitator at Cameron Middle School, the first district-led conversion of a traditional public school to a charter school in Metropolitan Nashville Public Schools. While in Washington, DC, Tess worked for Congressman Jim Cooper (TN-05) and a centrist think tank, Third Way, on economic and education policy. She is a Phi Beta Kappa graduate of The George



Washington University earning a Bachelor of Arts Degree in Political Science and Sociology and a graduate of the London School of Economics with a Master of Science Degree in Political Sociology.

## EXHIBIT B



### TENNESSEE CHARTER SCHOOL APPLICATION EVALUATION RATINGS AND SAMPLE SCORING CRITERIA

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#### Ratings and Criteria

State law requires the Tennessee Department of Education to provide “a standard application format,” T.C.A. 49-13-116, and “sample scoring criteria addressing the elements of the charter school application specified in the Tennessee Public Charter Schools Act of 2002,” SBE Rule 0520-14-01-.01(2).

Evaluators will use the following criteria to rate applications. Within each subsection, specific criteria define the expectations for a well thought out response that “Meets the Standard.” Evaluators will rate the responses by applying the following guidance:

Rating	Characteristics
<b>Meets or Exceeds the Standard</b>	The response reflects a thorough understanding of key issues. It clearly aligns with the mission and goals of the school. The response includes specific and accurate information that shows thorough preparation
<b>Partially Meets Standard</b>	The response meets the criteria in some aspects, but lacks sufficient detail and/or requires additional information in one or more areas.
<b>Does Not Meet Standard</b>	The response is significantly incomplete; demonstrates lack of preparation; is unsuited to the mission and vision of the district or otherwise raises significant concerns about the viability of the plan or the applicant's ability to carry it out

An application that merits a recommendation for approval should present a clear, realistic picture of how the school expects to operate; be detailed in how this school will raise student achievement; and inspire confidence in the applicant’s capacity to successfully implement the proposed academic and operational plans. In addition to meeting the criteria that are specific to that section, each part of the proposal should align with the overall mission, budget, and goals of the application.

Recommendations for approval or denial will be based on the written application (narrative and attachments), independent due diligence, and, if offered by the authorizer, applicant interviews.

Applications that do not meet or exceed the standard in all sections (academic plan, operations plan, financial plan, and, if applicable, past performance), as evidenced by the summary review ratings, and applications that do not meet or exceed any additional LEA requirements will be deemed not ready for approval. Tennessee law states, “The approval by the chartering authority of a public charter school application shall be in the form of a written agreement signed by the sponsor and the chartering authority, which shall be binding upon the governing body of the public charter school. The charter agreement . . .

shall be in writing and contain all components of the application.” T.C.A. § 49-13-110(a). Thus, an initial or amended charter application, to be approved, must be ready to be incorporated into a charter agreement.

#### **INSTRUCTIONS TO REVIEWERS**

Reviewers should use objective language and complete sentences in their comments on the strengths and weaknesses of each section of the application. Please also remember that all documents, including your individual review, may at some time be available to the public. Additional pages should be used as necessary. For example,

##### **Strengths of the academic plan**

- “The plan aligns with the overall mission and vision because . . .”
- “The chosen curriculum is research based and proven effective with the targeted population of students because . . .”

##### **Weaknesses of the academic plan**

- “The curriculum and daily schedule do not align with the mission and vision because . . .”
- “The discipline plan does not include provisions for students with disabilities.”

##### **Strengths of the operations plan**

- “The governing body is diverse and will be able to support the school effectively.”
- “The plan to recruit school leaders and teachers is robust and aligns with the mission of the school.”

##### **Weaknesses of the operations plan**

- “The governing board is composed of only two people who do not have sufficient credentials to support school leadership.”
- “The staffing projections do not align with the number of students or the stated mission of the school.”

##### **Strengths of the financial plan**

- “The financial plan is sound and the assumptions are consistent with the mission and vision of the proposed school.”
- “The budget assumptions include contingencies for high-dollar special needs students and funds are allocated in the budget document for such contingencies.”

##### **Weaknesses of the financial plan**

- “The budget assumptions include a line of credit from XYZ bank, but there is no proof such an agreement exists, and no plan to repay the line of credit when it is accessed.”
- “The proposed school assumes two buses in the first year, but there is no accompanying line item in the budget that allocates funds for purchasing buses nor is there any indication of salary and training for bus drivers.”

### **Step by step instructions for evaluators**

1. Fill in your name and the name of the proposed school on the following page. Click once on the grey boxes to begin typing.
2. Check the **General Information** page of application to determine which subsections the application was required to complete. The table below contains the required sections per applicant type.

APPLICANT TYPE	DESCRIPTION	REQUIRED SECTIONS
New-Start Applicant	Operator with no existing schools	<ul style="list-style-type: none"> <li>• Academic Plan Design and Capacity: <b>1.1 through 1.12</b></li> <li>• Operations Plan and Capacity: <b>2.1 through 2.10</b></li> <li>• Financial Plan and Capacity: <b>3.1 and 3.2</b></li> </ul>
Existing Tennessee Operator Proposing New Focus/Grade Structure  OR  Existing non-Tennessee operator	Operator with existing schools in Tennessee proposing to change their focus and/or grade structure  OR  Operator with existing schools outside of Tennessee	<ul style="list-style-type: none"> <li>• Academic Plan Design and Capacity: <b>1.1 through 1.14</b></li> <li>• Operations Plan and Capacity: <b>2.1 through 2.16</b></li> <li>• Financial Plan and Capacity: <b>3.1 through 3.3</b></li> <li>• Portfolio Review and Performance Record: <b>4.1</b></li> </ul>
Existing Tennessee Operator Proposing Exact Focus/Grade Structure	Operator with existing schools in Tennessee proposing no change in focus or grade structure	<ul style="list-style-type: none"> <li>• <b>Submit original application</b></li> <li>• Academic Plan Design and Capacity: <b>1.2, 1.12, 1.13, and 1.14</b></li> <li>• Operations Plan and Capacity: <b>2.11. through 2.16</b></li> <li>• Financial Plan and Capacity: <b>3.4</b></li> <li>• Portfolio Review and Performance Record: <b>4.1</b></li> </ul>

3. For each required subsection of the application, you should do the following during your initial individual analysis of the proposal:
  - a. Select a rating for each subsection. Click once on the box to select. If you are not able to check the box, please HIGHLIGHT your selection.
  - b. Use the “Strengths” area to identify notable positive aspects of the response. Be sure to include page references where applicable.
  - c. Use the “Concerns/Questions” area to identify weaknesses and areas that should be explored during the debrief calls and/or capacity interview. Again, reference relevant page numbers.
4. Complete the summary page for each major section (academic, operations, and financial) after you have completed all of the subsections within the section. Type a summary of your analysis of each section into the box provided; it will expand as needed. This should be a paragraph outlining the overall strengths or weaknesses of the application section as a whole. It should summarize your findings and should not be simply cut and pasted from your subsection analysis.
5. Use the “Final Rating” area to provide your final evaluation of each subsection based on the complete application record (initial proposal, due diligence, capacity interview, and amended application, if applicable). This analysis should support the final rating you select.
  - a. Complete the “Final Rating” area on the summary page for each major section. Document any additional evidence gathered during the capacity interview and/or amended application and indicate your final rating for each major subsection.

Your comments and evidence are at least as significant as your rating. Please also remember that all documents, including your individual review, may at some time be available to the public.

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Evaluator Name:

Proposed School Name:

Application includes an Executive Summary.

Yes

No

## SECTION 1 ACADEMIC PLAN DESIGN AND CAPACITY

1.1 SCHOOL MISSION AND VISION		
Characteristics of a strong response: <ul style="list-style-type: none"><li>▪ The mission statement defines the purpose of the proposed charter school.</li><li>▪ The mission statement is clear, concise, compelling and measurable.</li><li>▪ The vision provides a coherent description of what the school will look like when it is achieving its mission.</li></ul>		
Initial Application Review		
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Concerns/Questions	Page	
Final Application Review		
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## SECTION 1 ACADEMIC PLAN DESIGN AND CAPACITY

<b>1.2 ENROLLMENT SUMMARY</b>		
<p>Characteristics of a strong response:</p> <ul style="list-style-type: none"> <li>▪ A clear description of the community where school intends to draw students including school zones and academic performance of surrounding schools.</li> <li>▪ Rationale for selecting the community where school will locate and description of how the school will serve as a needed alternative.</li> <li>▪ Completed enrollment summary and anticipated demographics charts with reasonable enrollment projections.</li> </ul>		
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## SECTION 1 ACADEMIC PLAN DESIGN AND CAPACITY

<b>1.3 ACADEMIC FOCUS AND PLAN</b>		
<p>Characteristics of a strong response:</p> <ul style="list-style-type: none"> <li>▪ A clear and comprehensive explanation of the school's academic focus that is aligned with the school's mission and vision.</li> <li>▪ A framework for a rigorous research based academic plan that reflects the needs of the targeted student population and is aligned with the school's stated mission and vision.</li> <li>▪ A robust and quality curriculum overview, supported by research, with a plan for implementation that includes all grades the school will eventually include.</li> <li>▪ Evidence the curriculum design is aligned with the Tennessee State Standards.</li> <li>▪ Evidence the proposed academic plan will be appropriate and effective for growing all students while at the same time closing achievement gaps.</li> <li>▪ A description of effective methods for providing differentiated instruction to meet the needs of all students, including a strong plan for Response to Instruction and Intervention (RTI<sup>2</sup>) that aligns with Tennessee guidelines.</li> <li>▪ If including blended learning, a clear explanation of the model the school will use and the role of teachers within the blended learning environment.</li> </ul>		
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## SECTION 1 ACADEMIC PLAN DESIGN AND CAPACITY

### 1.4 ACADEMIC PERFORMANCE STANDARDS

Characteristics of a strong response:

- Academic achievement goals are rigorous, measurable, and realistic and set high standards and high expectations for student learning.
- Academic goals contribute to the stated mission and vision of the school.
- Clear and compelling process for setting, monitoring, and / or revising academic achievement goals.
- Evidence of clear, rigorous promotion/retention and exit policies and standards.
- Appropriate, well-defined corrective action plan if school falls below state and/or district academic achievement expectations.
- A clear description of the school's approach to help remediate students' academic underperformance based on assessment and other data, and evidence the chosen approach will result in improved academic achievement.
- Student attendance goals are realistic and plans to ensure high rates of student attendance and address chronic absenteeism are clearly outlined.

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## SECTION 1 ACADEMIC PLAN DESIGN AND CAPACITY

<b>1.5 PHASE-IN/TURNAROUND – IF APPLICABLE</b>		
<p>Characteristics of a strong response:</p> <ul style="list-style-type: none"> <li>▪ Inclusion of strong prior experience in turning around or converting an underperforming school or plan for doing so if the organization does not have prior experience.</li> <li>▪ A clear explanation for how the organization will engage with the neighborhood, community, and student population prior to conversion.</li> <li>▪ Specific ways to engage and transform the existing school culture and how the organization will determine what aspects of school culture to keep, modify, or add.</li> <li>▪ If proposing a phase-in approach, the organization clearly describes how transition to a shared campus will occur with regard to campus collaboration and building-wide issues.</li> <li>▪ If proposing a full school take-over approach, the organization has a clear plan for communicating with existing staff and a comprehensive plan for needed additional support to ensure student success.</li> </ul>		
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## SECTION 1 ACADEMIC PLAN DESIGN AND CAPACITY

### 1.6 HIGH SCHOOL GRADUATION AND POSTSECONDARY READINESS – IF APPLICABLE

Characteristics of a strong response:

- Plan for meeting the Tennessee Graduation Requirements (including credits, transcripts, electives, GPA calculation) and compelling explanation of any additional requirements beyond the State's requirements.
- Clear, persuasive explanation of how the school's graduation requirements will ensure student readiness for college or other postsecondary opportunities, including trade school, military service, or entering the workforce).
- Effective systems and structures for students at risk of dropping out or not meeting graduation requirements.

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## SECTION 1 ACADEMIC PLAN DESIGN AND CAPACITY

### 1.7 ASSESSMENTS

Characteristics of a strong response:

- Assessment selection will provide sufficiently rich data for evaluation of the academic program and align with state standards.
- Assessment plan details the collection and analysis of individual students, student cohorts, and school level performance throughout the school year, at the end of the academic year and for the term of the charter.
- A process for using data to support instruction is clearly articulated, with detailed plans presented to provide adequate training for teachers and school leaders.
- Demonstrates an understanding of the obligation under state law to participate in the statewide system of assessments and accountability.

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## SECTION 1 ACADEMIC PLAN DESIGN AND CAPACITY

<b>1.8 SCHOOL CALENDAR AND SCHEDULE</b>		
<p>Characteristics of a strong response:</p> <ul style="list-style-type: none"> <li>▪ School calendar (<b>Attachment A</b>) and student schedules meet Tennessee minimum requirements of the equivalent of 180 days of instruction.</li> <li>▪ Calendar and schedule support implementation of the academic plan and align with stated mission and vision.</li> <li>▪ Description of a typical day for teachers and students align with key priorities of the academic plan and the overall mission and vision for the school.</li> <li>▪ If proposing Saturday School, summer school, or after school programming, a description of programming is included</li> </ul>		
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## SECTION 1 ACADEMIC PLAN DESIGN AND CAPACITY

### 1.9 SPECIAL POPULATIONS AND AT-RISK STUDENTS

Characteristics of a strong response:

- An identified founding school team member with experience working with special populations.
- Clear process for identifying students with disabilities, English Language Learners, and at-risk students, and gifted students.
- Clear description of RTI<sup>2</sup> procedures, including a plan for how data will be collected, progress will be monitored, and instructional decisions made related to student performance
- A viable plan to provide students with special needs with instructional programs, practices, and strategies that ensure access to the general education curriculum and academic success.
- Requirements and processes for monitoring services to students in need and plans to exit students that attain sufficient progress.
- An understanding of, and capacity to fulfill, State and federal obligations and requirements pertaining to students with disabilities and English Language Learners.
- A realistic plan for hiring licensed and highly qualified personnel including service providers, nursing, and educational assistants.
- Evidence of adequate resources and staff to meet the needs of all students, including professional development for teachers.
- Articulated plan for how the school will utilize and evaluate data to inform instruction and evaluate academic progress for students with disabilities, English learners, at-risk students, and gifted students.

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## SECTION 1 ACADEMIC PLAN DESIGN AND CAPACITY

### 1.10 SCHOOL CULTURE AND DISCIPLINE

Characteristics of a strong response:

- A clear vision for school culture or ethos that will promote a positive academic environment and will reflect high levels of academic expectation and support.
- Coherent plan for creating and sustaining the intended culture for students, teachers, administrators, and parents from the school's inception, and for integrating new students and families as they arrive.
- Plan for how school culture will embrace students with special needs.
- Student discipline policy (**Attachment B**) that provides for effective strategies to support a safe, orderly school climate and strong school culture while respecting student rights.
- Evidence of legally sound discipline policies that outline discipline procedures, suspension, and expulsion procedures and appeals processes.
- If not included as part of school handbook (**Attachment B**), inclusion of student discipline policy (**Attachment C**)
- Thoughtful consideration of how the discipline policies protect the rights of students with disabilities..

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## SECTION 1 ACADEMIC PLAN DESIGN AND CAPACITY

### 1.11 MARKETING, RECRUITMENT, AND ENROLLMENT

Characteristics of a strong response:

- Articulated student recruitment and marketing plan, timeline, and enrollment policy that will provide equal access to all interested students and families, including those in poverty, academically low-achieving students, students with disabilities, and English Language Learners.
- Enrollment policy (**Attachment D**) that complies with state law and district policies.
- Compelling student outreach plan that includes community, family, and student involvement, and that is realistic and likely to foster student retention and community support.
- Description of existing community resources and partnerships already formed that will benefit students and parents and that include a description of the nature, purposes, terms, and scope of services of any such partnerships; and evidence of commitment from identified community partners including documentation of pledged support (**Attachment E**), if available.
- Letters of support, MOUs, or contracts (**Attachment E**) to show proposed school is welcomed by the community.

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## SECTION 1 ACADEMIC PLAN DESIGN AND CAPACITY

### 1.12 COMMUNITY INVOLVEMENT AND PARENT ENGAGEMENT

Characteristics of a strong response:

- Plan for student recruitment after school has opened.
- A sound and compelling plan for engaging parents and community partners in the design and life of the school.
- Clear plan for informing and educating parents on school policies.

#### Application Review

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## SECTION 1 ACADEMIC PLAN DESIGN AND CAPACITY

### 1.13 EXISTING ACADEMIC PLAN (FOR EXISTING OPERATORS)

Characteristics of a strong response:

- Key features of the existing academic plan that will significantly differ from the operator's existing schools (if any).
- Clear, concise rationale for any academic program variance that includes implementation strategies, resources needed, and expected outcomes.

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## SECTION 1 ACADEMIC PLAN DESIGN AND CAPACITY

### 1.14 PERFORMANCE MANAGEMENT (FOR EXISTING OPERATORS)

Characteristics of a strong response:

- Clear description of any mission-specific goals and targets the organization will have, with measures and/or assessments fully described and a rationale for their choices.
- Clear and compelling explanation of how the organization will measure its academic progress – individual students, student cohorts, all grade levels within a school and across the network of schools.
- Appropriate, well-defined corrective action plan if one school, student cohort, or entire network of schools falls below state and/or district academic achievement expectations.
- Clear and concise contingency plans that describe in great detail how the organization will react in the event academic targets are not met, and how the organization will react to adversity through delayed or modified growth.
- Plans for how the organization will assess its readiness to grow and under what circumstances the organization will delay or modify its growth plan.

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## SECTION 1 ACADEMIC PLAN DESIGN AND CAPACITY

### SUMMARY COMMENTS

Each part of your summary comments should, in a few sentences, provide a clear understanding of your overall evaluation of the proposal as well as the most significant strengths and/or weaknesses. The summary comments for each section should support your rating for the section, and should not be simply cut and pasted from your subsection analysis.

Summary Rating for Entire Academic Plan Design and Capacity		
<b>Initial Application Review</b>		
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Strengths:		
Weaknesses/Questions:		
<b>Final Application Review</b>		
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Strengths:		
(If Any) Weaknesses:		

## SECTION 2 – OPERATIONS PLAN AND CAPACITY

### 2.1 GOVERNANCE

Characteristics of a strong response:

- Strong understanding of the roles and responsibilities of a governing board including structure, size, powers, duties, and expertise that aligns with the school's mission and vision.
- Proposed structure is likely to ensure effective governance and meaningful oversight of school performance, operations, and financials.
- Evidence the proposed board members will contribute the wide range of knowledge, skills, and commitment needed to oversee a successful charter school, including but not limited to educational, financial, legal, and community experience and expertise.
- Plans for meaningful board training as required by law.
- If applicable, a timely plan for creating or transitioning from a founding board to a school governing board.
- Clear, compelling plans to ensure parents have access to the governing board, including a process for complaints that is fair, transparent and a plan for communicating the process.
- Sound plan and timeline for board recruitment, expansion and orientation of new members.
- Governance documents (**Attachments F1-F7**) are complete and align with state laws and district policies.

#### Initial Application Review

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## SECTION 2 – OPERATIONS PLAN AND CAPACITY

<b>2.2 START-UP PLAN</b>			
<p>Characteristics of a strong response:</p> <ul style="list-style-type: none"> <li>▪ Compelling plan for leading the development of the school from post-approval to opening, including identification of a capable individual or team to lead the planning and start-up, as well as a viable plan for compensating this individual or team during the planning year.</li> <li>▪ Adequately addresses potential challenges.</li> <li>▪ Detailed start-up plan specifying tasks and timelines which are aligned with a sound start-up budget.</li> </ul>			
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## SECTION 2 – OPERATIONS PLAN AND CAPACITY

<b>2.3 FACILITIES</b>			
<p>Characteristics of a strong response:</p> <ul style="list-style-type: none"> <li>▪ Facility plans are reasonable and adequately meet the requirements of the educational program and anticipated student population.</li> <li>▪ A sound plan and timeline for identifying, financing, renovating, and ensuring code compliance for a facility.</li> </ul>			
<b>Initial Application Review</b>			
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## SECTION 2 – OPERATIONS PLAN AND CAPACITY

<b>2.4 PERSONNEL/ HUMAN CAPITAL</b>		
<p>Characteristics of a strong response:</p> <ul style="list-style-type: none"> <li>▪ The schools organizational charts (<b>Attachment G</b>) clearly delineate the roles and responsibilities of – and lines of authority and reporting among – the Board, staff, any related bodies (such as advisory bodies or parent/educator councils), and any external organizations that will play a role in managing the school.</li> <li>▪ If leader is identified, chosen leaders have necessary qualifications, competencies, and capacity for their assigned roles and resumes for school leadership are included (<b>Attachment H</b>). If available, includes previous student achievement data for school leadership (<b>Attachment H</b>). NOTE: If school leader has not been chosen, a clear description of qualifications, expectations, responsibilities and timeline for hiring is included.</li> <li>▪ Identifies strategies for supporting school leadership.</li> <li>▪ Recruitment and hiring strategy, criteria, timeline, and procedures are likely to result in a strong staff and are well suited to the school.</li> <li>▪ Compensation packages are likely to attract and retain strong staff are clearly defined.</li> <li>▪ Provides a strong plan for supporting, developing, and annually evaluating school leadership and teachers that aligns statewide evaluation requirements.</li> <li>▪ Effective planning for unsatisfactory leadership/teacher performance and turnover.</li> <li>▪ Employee manual and personnel policies (<b>Attachment I</b>) are complete and effective.</li> <li>▪ Staffing projections for each year are robust and aligned with the educational program and conducive to the school's success.</li> </ul>		
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## SECTION 2 – OPERATIONS PLAN AND CAPACITY

<b>2.5 PROFESSIONAL DEVELOPMENT</b>		
<p>Characteristics of a strong response:</p> <ul style="list-style-type: none"> <li>▪ Professional development standards, opportunities, leadership, and calendar/scheduling effectively support the education program and are likely to maximize success in improving student achievement.</li> <li>▪ Thoughtful plan for professional development in the areas of special education and English Language Learners, including implementation of IEP's, discipline of students with disabilities and communication with ELL families.</li> <li>▪ Professional development plan supports professional growth, generates collaboration, and cultivates future leadership.</li> </ul>		
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## SECTION 2 – OPERATIONS PLAN AND CAPACITY

<b>2.6 INSURANCE</b>		
<p>Characteristics of a strong response:</p> <ul style="list-style-type: none"> <li>▪ Plan to secure comprehensive and adequate insurance coverage, including worker's compensation, liability, property, indemnity, directors and officers, automobile, sexual abuse and any other required coverage.</li> <li>▪ If applicable, additional liability for such activities as sports teams.</li> <li>▪ Insurance company letter (<b>Attachment J</b>) states required coverage will be provided upon approval of the charter school application.</li> </ul>		
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## SECTION 2 – OPERATIONS PLAN AND CAPACITY

<b>2.7 TRANSPORTATION – IF APPLICABLE</b>		
<p>Characteristics of a strong response:</p> <ul style="list-style-type: none"> <li>▪ Clear description of transportation plan that includes anticipated routes, extracurricular activities, and Saturday school where applicable.</li> <li>▪ A comprehensive oversight plan that identifies school staff responsible for this oversight.</li> <li>▪ Description of how the school will arrange transportation for special needs students where necessary.</li> <li>▪ Demonstrated familiarity with state and federal regulations relating to provision of transportation services to students.</li> </ul>		
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## SECTION 2 – OPERATIONS PLAN AND CAPACITY

2.8 FOOD SERVICE		
Characteristics of a strong response: <ul style="list-style-type: none"><li>▪ A clear description of how the school will offer food service to all students, adhering to all nutritional guidelines.</li><li>▪ A plan to collect free and reduced price lunch information, including procedures to receive reimbursement.</li><li>▪ A plan to ensure compliance with applicable state and federal regulations.</li></ul>		
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## SECTION 2 – OPERATIONS PLAN AND CAPACITY

<b>2.9 ADDITIONAL OPERATIONS – IF APPLICABLE</b>		
<p>Characteristics of a strong response:</p> <ul style="list-style-type: none"> <li>▪ Detailed plans for use of technology within the classroom and for state assessments.</li> <li>▪ Provides compelling data management plan that includes communication strategies for parents.</li> <li>▪ Demonstrates understanding of health and safety requirements that includes a plan for hiring a registered nurse for creating individual health plans as required by law.</li> <li>▪ Detailed safety and security plans for students, staff, guests, and property.</li> <li>▪ Provides detailed maintenance plan for school facilities.</li> <li>▪ If school plans to contract with a CMO, describes rationale and process for selecting CMO and explanation of why the CMO is a strong choice and good fit for the proposed school and community.</li> <li>▪ Provides clear division of roles between the board and the service provider.</li> <li>▪ If available, the CMO arrangement (<b>Attachment K</b>) is free of conflicts of interest and there is a viable plan for identifying and managing potential conflicts.</li> </ul>		
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## SECTION 2 – OPERATIONS PLAN AND CAPACITY

2.10 WAIVERS		
Characteristics of a strong response: <ul style="list-style-type: none"><li>▪ Detailed description of waivers requested that includes compelling and thoughtful rationale describing how the waivers will impact student achievement.</li><li>▪ A demonstrated understanding of the rules and statutes that cannot be waived under Tennessee law.</li></ul>		
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## SECTION 2 – OPERATIONS PLAN AND CAPACITY

### 2.11 NETWORK VISION, GROWTH PLAN, & CAPACITY (FOR EXISTING OPERATORS)

Characteristics of a strong response:

- Detailed strategic vision for the network that includes a robust five-year network growth plan. Growth plan should include the following: proposed years of opening; number and types of schools; a clear, detailed outline of any pending applications (whether in the same LEA, Tennessee or another state); all current and/or targeted markets/communities and criteria for selecting them; and projected enrollments.
- Strong, compelling evidence of organizational capacity to open and operate high quality schools in Tennessee and elsewhere including specific timelines for building organizational capacity.
- Clear, detailed description of the results of past replication effort, challenges, and lessons learned, and how the organization has addressed any challenges.
- Realistic presentation of anticipated challenges and risks over the next five years associated with opening additional schools, along with a plan to overcome them to achieve the organization's stated outcomes.
- Comprehensive and complete annual report (both network and individual schools) (**Attachment L**).
- If facility has been selected, facility plans are reasonable and adequately meet the requirements of the educational program and anticipated student population.
- If facility has not been selected, or selected facility needs renovations/upgrades, a sound plan and timeline for identifying, financing, renovating, and ensuring code compliance for a facility.

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## SECTION 2 – OPERATIONS PLAN AND CAPACITY

### 2.12 NETWORK MANAGEMENT (FOR EXISTING OPERATORS)

Characteristics of a strong response:

- Leadership team identified and role and responsibilities listed.
- As **Attachment M**, organizational charts for Year 1, Year 3, and Year 5 clearly delineate roles and responsibilities of the governing board, including lines of authority between the board, school leadership, and staff. If applicable, the chart should include other related bodies (advisory bodies or parent-teacher councils) and a charter management organization if school has contracted with one and it will play a role in managing the school.
- Clear, compelling network strategy that includes any shared or centralized support services, along with their costs, across the network.
- Strong description of relationship between schools and charter management organization, including presentation of a contract or MOU (if applicable).
- Fees from member schools are clearly delineated, along with a rationale for their collection, use, and structure (if applicable).
- Associated table provided in application is complete with explanations for school and organization-level decision-making responsibilities.

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## SECTION 2 – OPERATIONS PLAN AND CAPACITY

### 2.13 NETWORK GOVERNANCE (FOR EXISTING OPERATORS)

Characteristics of a strong response:

- 1) **If there is a network board that operates as the main governing body with each school having an advisory committee:**
  - Applicant provides a complete description of the governance structure at the network level and delineates how that relates to each individual school within the network.
  - Provides a robust plan for ensuring there is adequate local/Tennessee stakeholder representation.
  - Roles and responsibilities of this board described clearly and concisely.
  - Description of the current size and composition of the governing board, with a rationale of how the current/proposed governance structure and composition will ensure the desired outcomes of a network of highly effective schools.
  - A clear and compelling plan to evaluate academic and operational success including the evaluation of the school and school leader (s).
- 2) **If there will be one governing board for all schools at the local level, or separate governing boards for each school:**
  - **If there will be one governing board for all schools:**
    - A clear, detailed description of the governance structure at the network level and how it relates to the individual school including any changes that will take place at the board level for it to be effective (if necessary).
    - A copy of the by-laws and organizational chart is included.
    - A clear, thorough plan to transform the board's membership, mission and by-laws to support the expansion plan. Plan should include timeline for the transition and orientation of the board to its new responsibilities.
  - **If there will be a separate governing board for each school:**
    - A clear, detailed description of how the new governing board will be formed and the relationship between the new and old boards described, along with any overlapping responsibilities.
    - Includes biographies of new board members, roles and responsibilities of the board described clearly and concisely, an organizational chart and governing board structure.
  - By-laws of the new board are included (if available) and there is a plan in place for board training as required by Tennessee law.

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## SECTION 2 – OPERATIONS PLAN AND CAPACITY

### 2.14 CHARTER SCHOOL MANAGEMENT CONTRACTS (IF APPLICABLE; FOR EXISTING OPERATORS)

Characteristics of a strong response:

- As **Attachment N**, a detailed, strong rationale explaining the selection of the CMO, including descriptions of proposed duration of the contract, roles and responsibilities of the governing board, school staff, and the service provider, scope of services provided, performance evaluation measures, financial controls, and terms of renewal.
- Draft of proposed management contract.
- Detailed documentation of CMO's non-profit status, including evidence it is authorized to do business in Tennessee.

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## SECTION 2 – OPERATIONS PLAN AND CAPACITY

<b>2.15 PERSONNEL/HUMAN CAPITAL – NETWORK-WIDE STAFFING PROJECTIONS (FOR EXISTING OPERATORS)</b>		
Characteristics of a strong response:		
<ul style="list-style-type: none"> <li>▪ Network staffing projections for each year are robust and aligned with the educational program and are conducive to the school's success.</li> </ul>		
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## SECTION 2 – OPERATIONS PLAN AND CAPACITY

### **2.16 PERSONNEL/HUMAN CAPITAL – STAFFING PLANS, HIRING, MANAGEMENT, AND EVALUATION (FOR EXISTING OPERATORS)**

Characteristics of a strong response:

- Chosen leaders have necessary qualifications, competencies and capacity for their assigned roles.
- Identifies strategies for supporting school leadership.
- Recruitment and hiring strategy, criteria, timeline, and procedures are likely to result in a strong staff and meet requirements for being “highly qualified” and are well suited to the school.
- Effective planning for unsatisfactory leadership/teacher performance and turnover.
- The organizational charts (**Attachment G**) provided clearly delineate the roles and responsibilities of – and lines of authority and reporting among – the Board, staff, any related bodies (such as advisory bodies or parent/educator councils), and any external organizations that will play a role in managing the school.

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## SECTION 2 OPERATIONS PLAN AND CAPACITY

### SUMMARY COMMENTS

Each part of your summary comments should, in a few sentences, provide a clear understanding of your overall evaluation of the proposal as well as the most significant strengths and/or weaknesses. The summary comments for each section should support your rating for the section, and should not be simply cut and pasted from your subsection analysis.

Summary Rating for Entire Operations Plan and Capacity		
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Weaknesses/Questions:		
<b>Final Application Review</b>		
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Strengths:		
(If Any) Weaknesses:		

## SECTION 3 – FINANCIAL PLAN AND CAPACITY

### 3.1 & 3.2 CHARTER SCHOOL FINANCING

Characteristics of a strong response:

- Budget worksheet (**Attachment O**) contains assumptions and reasonable budget numbers that reflect rent, utilities, maintenance, insurance and build-out costs.
- Detailed budget assumptions that include the impact of the anticipated number of students who receive free or reduced price lunches.
- Detailed financial procedures, policy, or other reasonable assurance that the proposed school will have sound systems and processes in place for accounting, payroll, and independent annual school-level and network-level (where applicable) financial and administrative audits.
- Sound criteria and procedures in place for selecting contractors for any administrative services.
- Complete, realistic, and viable start-up and five year operating budgets.
- Detailed budget narrative (**Attachment P**) that clearly explains reasonable, well-supported revenue and cost assumptions, including grant/fundraising assumptions, identification of the amounts and sources of all anticipated funds, property, or other resources (noting which are secured vs. anticipated, and including evidence of firm commitments where applicable).
- Sound contingency plan to meet financial needs if anticipated revenues are lower than estimated.
- Individual and collective qualifications for implementing the financial plan successfully, including capacity in areas such as financial management, fundraising and development, and accounting.

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## SECTION 3 – FINANCIAL PLAN AND CAPACITY

### 3.3 FINANCIAL PLAN (FOR EXISTING OPERATORS COMPLETING SECTIONS 3.1 AND 3.2)

Characteristics of a strong response:

- Detailed description of the fiscal health of other schools in the network (if applicable) including a comprehensive description of any schools on fiscal probation or in bankruptcy.
- Complete, realistic, and viable budget for the network (**Attachment Q**). The budget includes reasonable, well-supported revenue and cost assumptions, including grant/fundraising assumptions, identification of the amounts and sources of all anticipated funds, property, or other resources (noting which are secured vs. anticipated) and including evidence of firm commitments where applicable.
- Sound contingency funds to meet financial needs if anticipated revenues are lower than estimated.

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## SECTION 3 – FINANCIAL PLAN AND CAPACITY

### 3.4 FINANCIAL PLAN (FOR EXISTING OPERATORS NOT COMPLETING SECTIONS 3.1 AND 3.2)

Characteristics of a strong response:

- Budget assumptions and reasonable budget numbers that reflect rent, utilities, maintenance, insurance and build-out costs of facilities.
- Detailed financial procedures, policy, or other reasonable assurance that the proposed school will have sound systems and processes in place for accounting, payroll, and independent annual school-level and network-level (where applicable) financial and administrative audits (both school level and network level).
- Complete, realistic, and viable start-up and five year operating budgets for network and individual schools (**Attachment Q**) that align with the academic plan and operations plan included in the application. If applicable, clearly describes the fiscal health of any other schools in the network and any fiscal issues the schools have faced (bankruptcy, fiscal probation, etc.).
- Detailed budget narrative (**Attachment P**) that clearly explains reasonable, well-supported revenue and cost assumptions, including grant/fundraising assumptions, identification of the amounts and sources of all anticipated funds, property, or other resources (noting which are secured vs. anticipated, and including evidence of firm commitments where applicable).
- Sound contingency plan to meet financial needs if anticipated revenues are lower than estimated. Particularly important is Year 1 cash flow projections and contingency, as well as a 24-month cash-flow projection.
- Individual and collective qualifications for implementing the financial plan successfully, including capacity in areas such as financial management, fundraising and development, and accounting.
- Detailed budget is inclusive of both individual schools and network.
- All cost revenues and all major expenditures are accounted for and are realistic.

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### SECTION 3 FINANCIAL PLAN AND CAPACITY

#### SUMMARY COMMENTS

Each part of your summary comments should, in a few sentences, provide a clear understanding of your overall evaluation of the proposal as well as the most significant strengths and/or weaknesses. The summary comments for each section should support your rating for the section, and should not be simply cut and pasted from your subsection analysis.

Summary Rating for Entire Financial Plan and Capacity Section		
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Strengths:		
(If Any) Weaknesses:		

## SECTION 4 – PORTFOLIO REVIEW/PERFORMANCE RECORD

### 4.1 PAST PERFORMANCE (FOR EXISTING OPERATORS)

Characteristics of a strong response:

- Applicant provides clear, compelling evidence of successful student outcomes for each school in the network (Portfolio Summary Template, **Attachment S**) and evidence that the operator's schools are high performing and successful by meeting state standards and national standards (**Attachment R**).
- Graduation rates are indicative of highly successful graduation strategies (if applicable, **Attachment R**).
- Applicant selects one or more of the organization's consistently high-performing schools and provides a detailed narrative outlining primary causation of high-quality, high-performing status, along with description of challenges met and overcome.
- Applicant selects one or more of the organization's low or unsatisfactorily performing schools and provides a detailed narrative outlining primary causation of low performing school(s) in the network and specific strategies outlined that corrected, or will correct, the deficiencies (if applicable).
- Latest audit (**Attachment U**) shows no findings and is prepared in accordance with generally accepted accounting and auditing principles as is outlined in Tennessee law.
- Organization is in good standing wherever they have located schools, and there have been no revocations, litigation that has resulted in negative outcomes, non-renewals, or financial, organizational, or academic deficiencies (if applicable, **Attachments T and V**).

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