



Appealing a Charter School Revocation to the State Board

*This document is meant to serve as a resource for charter school governing boards **not authorized by the State Board** considering appealing to the State Board of Education (State Board). Full details about the appeal process can be found in our [Guidance Document](#) and the policies linked below. Applicants may also wish to schedule a call with the State Board to discuss the process further prior to submitting a notice of appeal. The State Board staff can be reached at CharterSchool.Appeals@tn.gov.*

Overview of the Appeal Process

Pursuant to Tennessee Code Annotated (T.C.A.) § 49-13-122, a public charter school's governing board may appeal the decision to revoke a charter agreement by a local board of education to the State Board until December 31, 2020. Upon receipt of an appeal, the State Board has sixty (60) calendar days to render a decision. The State Board's decision is final and not subject to further appeal. Since 2016, the State Board has [upheld the decision](#) of the LEA to revoke the charter agreement in every appeal received.

The Appeal Process

- A charter school's governing board that submits an appeal of a local board of education's decision to revoke a charter agreement should do so in accordance with State Board [policy 6.110 – Charter School Revocation & Revocation Appeals](#). To be considered, the notice of appeal must be received by the State Board via email at CharterSchool.Appeals@tn.gov by 4:30pm Central Time on the tenth (10th) calendar day after the local board of education's decision.
- The charter school's governing board and the local board of education are required to participate in a public hearing that will take place in the charter school's local district.
- The State Board staff will conduct a de novo, on the record review of the revocation decision, taking into account all documentation submitted by the operator and the local board of education, and additional information gathered at the discretion of the State Board staff. The State Board staff will then provide a recommendation to the Executive Director of the State Board.
- In order to overturn a local board of education's decision to revoke, the State Board must find that such decision was contrary to T.C.A. § 49-13-122.
- In developing the Executive Director's recommendation, the Executive Director will consider information presented at the public hearing, public comment received by the State Board, and the recommendation provided by State Board staff. The State Board will consider the recommendation of the Executive Director, but the Board is not bound by it.
- For further understanding of the State Board's appeal process, sponsors are encouraged to review past Executive Director [Findings and Recommendation](#) reports and the [Charter School Revocation Appeal Decision History](#) on the State Board's charter schools page.