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## Charter School Appeals Policy 2.500

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### The Background:

In order to provide additional information and clarity to the State Board of Education's charter school appeal process, the State Board approved changes on first reading at the April 2015 quarterly meeting to require additional documents as a part of the notice of appeal; to give sponsors, LEAs, and/or the Department of Education five days to return any documents requested by State Board staff; and to clarify the process for an analysis of substantial negative fiscal impact.

Since passage on first reading, the following changes have been made to the policy. State Board staff consulted with participants of the Tennessee Association of Charter School Authorizers which includes representatives of school districts, the Tennessee Charter School Center, and the Tennessee Department of Education when making these additional changes:

- **Page 2, Fiscal Impact Information:**
  - During a State Board analysis of an appeal of an application that was denied based upon substantial negative fiscal impact, we clarified that the LEA is the entity required to submit additional documentation and that the State Board has a right to obtain additional information beyond what is provided by the LEA.
  - Clarified that LEAs must use Average Daily Membership figures as a part of the documentation submitted to the State Board as this information is currently the basis for BEP funding for districts.
- **Page 4, Decision of the State Board**
  - Clarified that the State Board will consider the Executive Director's findings and recommendation report when making a decision on the appeal, but the Board is not bound by the recommendation.
  - Clarified that discussion of the findings and recommendation report will take place prior to the vote on the item when ruling at a special called meeting.

### The Fiscal Analysis Impact:

This item has no financial impact on an LEA.

### The Recommendation:

SBE staff recommends adoption of this item on final reading.