
Achievement School District, Rule 0520-14-03

The Background:

T.C.A. § 49-13-106 provides that charter schools may be authorized by the Achievement School District (ASD), and T.C.A. § 49-1-614 gives the commissioner the authority to grant waivers from state board rules or statutes to ASD schools that show how the state board rule or statute inhibits or hinders the school's ability to meet its goals or comply with its mission statement.

This item seeks to update the ASD Rule to clarify the charter school authorization and waiver processes. The updates specifically include that the ASD authorization application for charter schools must be approved by the department, and the decision to grant or deny a charter application must be made within 90 days.

This item also removes outdated references to blanket waivers and outlines the process for the submission of ASD school waiver requests, areas where waivers may not be granted by the commissioner, the commissioner's review of waiver request, and the effective period for each waiver granted.

The Fiscal Analysis Impact:

T.C.A. § 49-1-212 requires that the Department prepare a fiscal analysis of any policy, rule, or regulation proposed to the State Board of Education. This item has no financial impact on an LEA.

The Recommendation:

The Department of Education recommends acceptance of this item on first reading. The SBE staff concurs with this recommendation.