



TO: Tennessee Public Charter School Commission

FROM: Tess Stovall, Executive Director, Tennessee Public Charter School Commission

DATE: December 16, 2020

SUBJECT: Executive Director Updates

Operational Updates

Staffing

- I have hired two individuals to fill key roles with the Charter Commission. Ashley Thomas will serve as the General Counsel, and Chase Ingle will serve as the Director of External Affairs.
- I am now conducting the hiring process for the Director of Finance and Operations who will oversee the LEA functions for the Charter Commission.
- After the hire of the Director of Finance and Operations, the focus will shift to hiring two coordinator roles to support the set up of the LEA functions, and these individuals will report into the Director of Finance and Operations role.
- Because of the FY 2022 budget request to increase the equity amount available to the Charter Commission, there are three positions that will be held to fill until FY2022. The amount of available equity is something that I am keenly focused on, and it is critically important to increase the equity available so that the Commission can hire competitively and retain staff in the long-term.

Office Space

- The Charter Commission officially assumed office space on the 5th Floor of Davy Crockett Tower as of December 1st, and the Commission will slowly acquire additional office space as we build out the staff. Additional space acquisition will be reported to the Business Operations Committee.

Commission Website, Logo, and Branding

- The [Charter Commission's website](#) was launched in November 2020, and the Commission used a vendor, Elizabeth Tullos, to build out the website. Moving forward, Ms. Tullos is on a short-term contract through the remainder of Fiscal Year 2021 to provide regular updates to the website and train the staff on updating the website.
- Staff worked with the Department of General Services to establish the Commission's logo, a PowerPoint template, and a one-pager which is reflected in this document.

SharePoint

- Through the Tennessee Department of Education, a SharePoint site ("TNShare") for the Commission has been set up to share agenda materials with Commissioners moving forward. The agenda materials will also be publicly posted on the Commission's website.

Staff Professional Development

- As the Commission staffs up, it is critically important for the staff to receive training on quality authorizing, and the Commission's membership with the National Association of Charter School Authorizing (NACSA) allows staff to access professional development opportunities. The new general counsel will participate in a virtual authorizing bootcamp which is an eight-week virtual professional development on charter school authorizing through NACSA.

Commission Member Vacancy

- Chairman Griscom and I continue to be in regular contact with the Governor's office regarding the appointment of the 9th member to ensure it remains a priority to fill.

Tennessee General Assembly

- The Charter Commission was in front of the Education, Health, and General Welfare subcommittee of the Joint Government Operations Committee on November 17, 2020 for a sunset hearing. The Charter Commission will go in front of the full House Government Operations Committee and Senate Government Operations Committee for additional sunset hearings when the General Assembly returns for its 112th General Assembly.
- On Wednesday, December 9, the Charter Commission staff presented at the Joint Government Operations Committee for rule review for the charter school appeal rules. We received a positive recommendation from the committee on the rules.

ASD Transition Plan Update

- In accordance with T.C.A. § 49-1-614, the Commissioner of Education must develop a transition plan for schools to exit the ASD no earlier than the 2024-25 school year and the plan must be submitted to the education committees of the Tennessee General Assembly by January 1, 2021. The Achievement School District (ASD) and the Tennessee Department of Education published the [ASD School Transition Framework](#) draft on December 4, 2020, and the department is currently accepting comments on the draft plan.
- A summary of the draft transition plan is below:
 - The ASD will work with each school to develop a School Exit Plan (SEP) based on one of five options.
 - Option 1: A school has earned Priority exit status, and a SEP is developed. The charter agreement would be either assigned to the home district under Option 2 or the charter would remain in the ASD until the end of the charter term.
 - Option 2: Mutual agreement between the ASD, the charter operator, and the home district for the assignment of the remaining charter term to the home district. At the conclusion of the charter term, the operator would apply for renewal to the home district, and the Charter Commission would hear any appeals of these denials of renewal.
 - Option 3: If a school is approaching the end of its ten-year charter term and it is has not met Priority exit criteria, then the school could apply to the home district for a new charter agreement. If the application is denied by both the

home district and Charter Commission on appeal, the school would close. The SEP for this option would focus on transitioning students into other higher performing schools in the home district.

- Option 4: If the ASD revokes a charter agreement prior to the expiration of the ten-year term, then the ASD could elect to directly operate the school, enter into a new charter agreement with a new operator, contract with individuals, government entities, or non-profit entities to manage the school, or transition the school back to the home district.
- Option 5: If the current charter operator agrees to terminate the current charter school agreement, then the SEP would focus on transitioning students to a higher performing school.
- SEP template includes:
 - Identification of Transition Team members;
 - School profile information including current academic performance;
 - Finance information and considerations about the school;
 - Operational considerations including facilities, procurement, transportation, food services, and enrollment;
 - Programmatic considerations to ensure a continuity of learning for students, continuity for staff, and transition of student data;
 - Goals for implementation of the plan and monitoring timelines for the plan;
 - Identification of milestones for the transition process; and
 - Communications and engagement plan and a dispute resolution process.

Renewal Appeal Timeline

- On January 1, 2021, the Charter Commission will assume the responsibilities of hearing charter school appeals from the State Board of Education.
- The first type of appeal the Charter Commission may hear is renewal appeals. The following renewal applications are being considered by local districts:
 - East End Prep, Metropolitan Nashville Public Schools
 - STEM Prep, Metropolitan Nashville Public Schools
 - Nashville Prep & Liberty Collegiate, Metropolitan Nashville Public Schools
 - Cameron College Prep, Metropolitan Nashville Public Schools
 - Memphis Business Academy Elementary School, Shelby County Schools
 - KIPP Memphis High School, Shelby County Schools
 - Power Center Academy High School, Shelby County Schools
- Local school districts have until February 1, 2021 to vote on renewal applications. At that point, any operators denied renewals may appeal to the Charter Commission, and Commission staff will know by early February if any appeals have been received by the Commission. If an appeal is received, Commission staff will proceed with the appeal process on the following page:



Overview of Renewal Appeal Process

- A governing board may submit a notice of appeal by the 10th calendar day after the local board of education's decision to deny renewal. The notice of appeal is due to the Commission's general counsel by 11:59pm Central Time, and the contents of the notice of appeal are outlined in the Commission's rule on renewal appeals.
- The Commission staff will notify the Commissioners and the local board of education of the receipt of the appeal, and the staff may collect additional documentation from the local board of education, the governing board, and the Tennessee Department of Education regarding the renewal decision.
- The Commission staff will assemble a review committee made up for internal and external reviewers to review the renewal record and renewal application, and the staff and review committee will conduct an interview with the governing board.
- The Commission staff will hold a public hearing in the local district where the charter school is located. Information about the public hearing will be posted on the Charter Commission's website, and representatives from the charter school and the local board of education will have the opportunity to present. The Commission will also accept public comment at the public hearing.
- The Commission staff will review the entire record of the appeal, and the Executive Director will present a findings and recommendation to the Commission.
- Commission's standard of review in a renewal appeal:
 - Was the local board of education's decision contrary to the best interests of the students, LEA, or community.
- The Commission can uphold the local board of education's decision to deny the renewal, and the local board of education is responsible for working with the governing board and operator of the school to wind down the school's operations.
- The Commission can overturn the local board of education's decision to deny the renewal, and if the local board of education and governing board do not agree that the school will be oversee by the local board of education, the Commission will be the authorizer of the school. The Commission would then sign a charter agreement with the governing body for the ten-year charter term.