



Dr. Eve Carney | Chief of Districts and Schools

TN State Charter Commission | July 13, 2021



BEST FOR ALL

We will set all students on a path to success.

ACADEMICS

ALL TENNESSEE STUDENTS WILL HAVE ACCESS TO A HIGH-QUALITY EDUCATION, NO MATTER WHERE THEY LIVE

STUDENT READINESS

TENNESSEE PUBLIC SCHOOLS WILL BE EQUIPPED TO SERVE THE ACADEMIC AND NON-ACADEMIC NEEDS OF ALL STUDENTS IN THEIR CAREER PATHWAYS

EDUCATORS

TENNESSEE WILL SET A NEW PATH FOR THE EDUCATION PROFESSION AND BE THE TOP STATE TO BECOME AND REMAIN A TEACHER AND LEADER FOR ALL

Agenda

- Current landscape of ASD
- Bill overview
- Other Provisions and Updates
 - Accountability/ESSER
 - Special Session legislation
 - Role of SPF
 - ASD school transition plan
- Implementation
 - Implications for schools and operators
 - Implications for charter commission
- Timeline
- Questions



Current Landscape of ASD



ASD Landscape



- 27 schools currently
 - 23 charter schools across 10 operators
 - 4 direct-run schools
- Three charter schools will enter their 10th year in 2021-22
 - Varying levels of performance historically
- 3 direct-run schools will enter their 10th year in 2021-22
- Complete school listing in meeting materials
- To date, three schools have earned priority exit (two charter schools and one direct-run)
 - Cornerstone Prep – Denver Campus
 - Lester Prep
 - Georgian Hills Achievement Elementary (direct-run)
- Several additional schools are trending positively

Bill Overview



Public Chapter 490



Provisions for higher-performing ASD charter schools to exit ASD before the end of its original ten-year agreement and apply directly to commission

Bill details two potential direct pathways to commission:

1. Commissioner authority

"...the commissioner may determine that a school that entered the ASD and is operated as a charter school through authorization by the ASD... may exit the ASD prior to the expiration of the charter school's initial ASD charter agreement." 49-1-614(k)(2)

"The ASD-authorized charter school may apply to the Tennessee public charter school commission for a new charter agreement with a term not to exceed the term of the initial ASD charter agreement." 49-1-614(k)(2)(b)

2. School earns priority exit

"If, at any time, an ASD-authorized charter school meets the priority exit criteria set forth in the state's accountability model, then the school may apply to the LEA or the commission for a new charter agreement with a term not to exceed the term of the initial ASD charter agreement." 49-1-614(k)(4)

Public Chapter 490



- Both pathways provide opportunity for early exit and to apply for a new agreement for a term not to exceed initial ASD agreement
 - *“...the charter school has the right to continue to use the LEA's school building for the duration of that charter agreement.”* 49-1-614(k)(2)(b)
- *“Upon the expiration of the initial charter agreement with the commission, the charter school may apply to renew the charter agreement with the commission or apply to the LEA for a charter agreement.”* 49-1-614(k)(2)(b)
 - If renewal is approved by the commission
 - “...the LEA shall grant the charter school operator the option to enter into a lease agreement at or below fair market rental value to occupy the LEA's school building for at least three (3) years, or to purchase the building from the LEA at or below fair market value, less the value of capital repairs or improvements made to the school building by the charter school operator.”*

Other Bill Provisions – Facilities

- Bill includes protections on facilities during transition
 - LEA options on facilities:
 - LEA may opt to enter into lease agreement for at least three years; or
 - LEA may allow operator to purchase building at or below fair market value
 - Provisions on how FMV is determined
 - Operator has first right of refusal should LEA elect to sell property



Other Bill Provisions

- 49-1-614(k)(5)
 - *“Notwithstanding subdivision (k)(2)(B), an ASD-authorized charter school shall not apply directly to the commission for approval of a charter agreement prior to the 2022-2023 school year.”*
- 49-1-614(k)(6)
 - *“Notwithstanding subdivisions (k)(1)-(4) or any other provision to the contrary, the commissioner may remove any school from the jurisdiction of the ASD at any time.”*



Other Considerations and Factors



Other Provisions and Relevant Information

- School accountability - ESSA
- Extraordinary Session of the Legislature
- ASD School Performance Framework
- ASD School Transition Plan

Accountability: Priority and ASD Exit Criteria

- The state's approved ESSA plan includes exit criteria for priority schools.
 - A school earns **priority exit** when any of the following occur:
 - The school's one-year success rate for the all students group exceeds the **10th percentile in the state in both of the two most recent years**
 - The school's one-year success rate for the all students group exceeds the **15th percentile in the state in the most recent year**
 - The school earns a TVAAS level of **4 or 5** in all accountability subjects/content areas for **both of the two most recent years**
 - If it was identified for graduating less than 67 percent of its students, the school may exit by graduating **at least 67 percent of its students in both of the two most recent years**
- Tennessee Code Annotated (TCA) includes ASD exit criteria
 - A school meets **ASD exit criteria** when, *"a school improves student performance such that the school is no longer identified as a priority school for two (2) consecutive cycles."* 49-1-614(k)(4)



Extraordinary Session of the Legislature

- Governor Lee called an extraordinary session of the 112th General Assembly
 - Focused on learning loss, literacy, teacher pay, and accountability
 - Accountability bill language impacted school accountability directly, specifically priority schools
- Who is eligible to exit priority status?
 - Any priority school that tested at least 80% of students and met exit criteria
 - *"This subdivision (a)(6) does not prohibit the use of student performance and student growth data from TCAP tests administered in the 2020-2021 school year from being used to determine priority exit status for schools identified as priority schools pursuant to subsection (b)."*
- Final participation rates are still being determined



School Performance Framework



- Current ASD schools will continue to be evaluated based on the school performance framework (SPF) that is part of their operator agreements
- The department is currently updating the ASD SPF for new schools entering ASD in future years
 - More aligned to SPFs utilized by the TN Charter Commission and LEAs to facilitate a more seamless transition
 - Prior to the new SPF being finalized, we will seek public comment and will ensure you all know when that comment window is open

ASD School Transition Plan

- TDOE is in the process of updating the ASD School Exit Plan ([T.C.A. 49-1-614\(k\)\(4\)](#)) reflect the additional pathway passed in most recent session ([Public Chapter 490](#))
 - Informed by advisory group
 - Presented to education committees January 1, 2021
- Primary transition components remain
 - Team approach
 - Financial, operational, programmatic considerations
 - Implementation plan (including goals, milestones)
 - Communication and engagement plan
 - Evaluation and oversight
- We will be reaching out to the advisory group, operators, and other stakeholders for feedback late summer



Implementation



What does this mean for schools and operators?



- Continue with current SPF and monthly discussions w/ ASD leadership on improvement
- School options will be individually determined based on SPF, accountability, time remaining in ASD agreement, as noted in the bill
 - Schools will receive spring 2021 assessment results
 - Schools will be engaged in individual discussions around student achievement, charter agreements, and options in fall of 2021 (after data from spring assessments)
- Communication plan
 - Impacted teachers, staff, families

What does this mean for TN Charter Commission?

- Fall 2021
 - Commissioner will make determinations on current ASD schools and may recommend schools to apply directly to the commission
 - TDOE will notify Executive Director of the Commission of commissioner recommendations
 - Commissioner will inform operator of individual schools authorized for direct application to charter commission
 - TDOE and commission collaboration and early discussions on transition
 - Commission application serves as transition plan for schools afforded the opportunity to apply directly to commission
 - Operators will follow established commission process for application



Implementation Timeline



TDOE Timeline

- Summer 2021: Finalize processes for determining Commissioner authority and other bill provisions
- Summer/Fall 2021: Revise ASD School Transition Plan to include option for direct pathway to apply to commission
 - Re-engage advisory group and seek other feedback from operators, other stakeholder groups
- Aug/Sept. 2021: Review assessment data to inform decisions on options (schools assessing 80% of enrolled students)
- Fall 2021: Host in-person meeting with current ASD operators to provide updates and have individual discussions on potential options based on accountability and SPF
- Sept. 2021: Notification to operator(s) on commissioner determination(s)
- October 2021: Begin drafting transition plans for schools exiting 2022-23
- August 2022: New priority schools identified and published



Questions

