



# TENNESSEE

PUBLIC CHARTER SCHOOL COMMISSION

**NEW START CHARTER  
SCHOOL APPEAL  
OVERVIEW**

**MARCH 24, 2023**

# A QUALITY AUTHORIZER

- Grants charters to applicants that have demonstrated **competence and capacity to succeed** in all aspects of their model, **consistent with the state's scoring rubric criteria**.
- Rigorously evaluates each application through **thorough review of the written proposal**, a substantive **in-person interview** with each qualified applicant, and all **appropriate due diligence** to examine the applicant's experience and capacity, conducted by knowledgeable and competent evaluators.
- Engages, for both written application reviews and applicant interviews, highly competent teams of **internal and external evaluators** with relevant educational, organizational (governance and management), financial, and legal **expertise**, as well as thorough **understanding of the essential principles of charter school autonomy and accountability**.

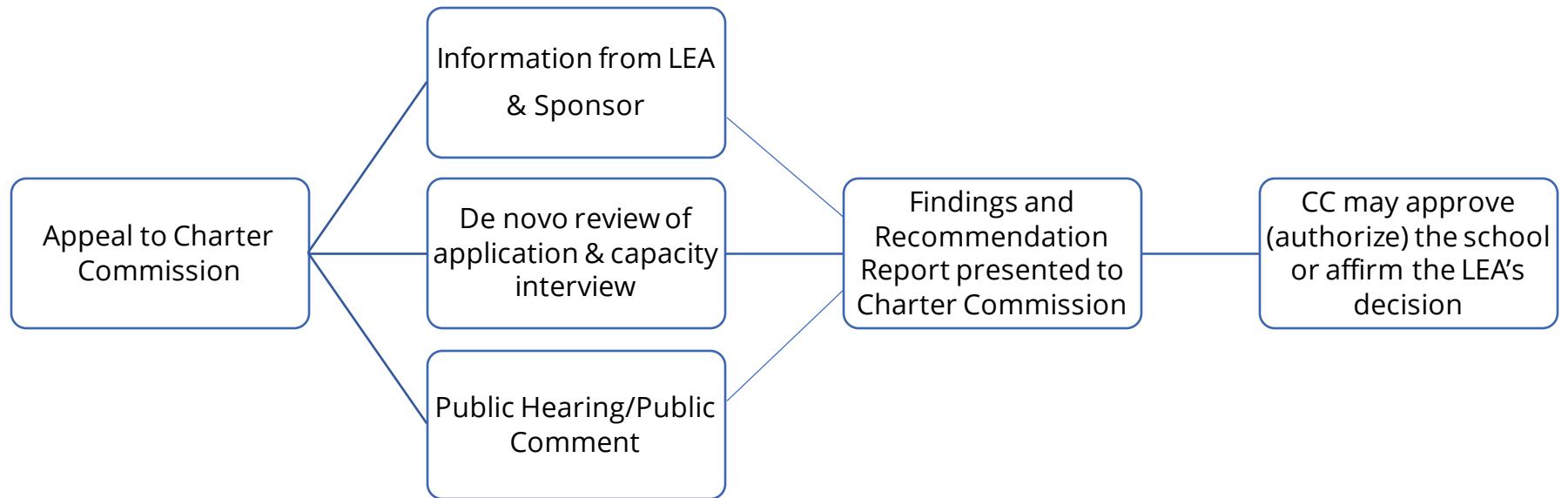


# ACTIVE APPLICATIONS

District	Number of Applications
Clarksville-Montgomery Schools	1
Jackson-Madison County Schools	1
Knox County	1
Maury County Public Schools	1
Memphis-Shelby County Schools	10
Metro Nashville Public Schools	4
Robertson County Schools	1
Rutherford County Schools	1
<b>Total Active Applications</b>	<b>20</b>



# APPEALS PROCESS FLOWCHART



A maximum of 75 calendar days



# COMPILING OF INFORMATION

- Information obtained from appellant upon receipt of the notice of appeal:
  - Initial and amended application
  - Summary of the application timeline
  - Copies of letters from the local board of education stating the reasons for denial
  - A brief statement that includes an explanation of why the local board of education's denial of the application was contrary to the best interest of the students, LEA or community
  
- Information obtained from the LEA:
  - A list of individuals that reviewed the initial and amended application
  - Copies of the minutes and notes of all presentation materials
  - Copies of scoring rubrics
  - Copies of reports or notes prepared for the local board of education
  - Copies of letters information the sponsor of the local board of education's reasons for denial
  
- Any additional clarifying information requested by the Commission staff will be communicated to both the LEA and appellant in accordance with Commission rule



# REVIEW OF APPLICATION AND CAPACITY INTERVIEW

- The Commission assembles a review committee of internal and external experts with a variety of background and expertise to independently review the amended application
- Each reviewer is required to participate in a training on how to review and score an application
- Review committees are built to ensure balance of expertise and are free of potential or real conflicts
- Committees reflect geographical and community considerations
- Upon completion of their initial review, the review committee conducts a 90 minute capacity interview with the applicant to assess the operator's capacity and to ask clarifying questions
- A review committee report is compiled summarizing the committee's consensus ratings and is provided to the Executive Director in consideration of her recommendation
- To protect the de novo review, the Review committees are not provided the reasons for denial by the local LEA



# PUBLIC HEARING

- A public hearing is required to be held in the district in which the proposed school proposes to locate
- During the hearing, the sponsor of the school and the local board of education have the opportunity to present on the appeal
- The executive director asks questions of the sponsor and the local board based on the initial review of the record
- Public comments provide an opportunity for members of the public to demonstrate support for or against the proposed school
- Public comments can provide applicants the opportunity to affirm the applicant's ability to operate in the geographic region and meet enrollment projections



# CHANGES THIS YEAR

- Guidance documents have been updated to:
  - Provide additional clarity related to public comments at public hearings and Commission meetings
  - Address capacity interviews for sponsors with multiple active applications
  - Clarifying language added regarding the De Novo review process and the steps for compiling the record





# **COMMISSIONER REVIEW OF THE RECORD**



# T.C.A. § 49-13-108(5)

- The Commission, or its designee, shall:
  - Hold an open meeting in the LEA where the proposed charter school submitted its application
  - Conduct a **de novo on the record review of the proposed public charter school's application**
  
- The Commission may approve the application if the application
  - 1) meets or exceeds the metrics outlined by the department of education's application-scoring rubric **and**
  - 2) approval of the application is in the best interests of the students LEA or community



# DE NOVO

- “From the beginning”
  - The foundation of the Commission’s review shall be the amended application, as submitted to the local district.
  - The Commission shall review amended applications without deference to the district’s decision
    - There is no assumption of correctness on the part of the district.



# ON THE RECORD

- On the Record: The elements of the appeal under consideration by the Commission.
- The record, as evaluated by the Executive Director, shall consist of:
  - The proposed public charter school's amended application, as submitted to the local district
  - Notice of appeal and related exhibits
  - The results of the capacity interview
  - The public hearing
  - Any clarifying documentation requested, in accordance with Commission rule
  - Public Comments - oral and written
  - Review Committee Report
- Any information gathered outside of what constitutes the record should not be considered in the Commission's decision



# REVIEW OF THE RECORD

- Commissioner's record will include:
  - Correspondence from the Commission staff to parties
  - Notice of Appeal from the Sponsor
  - Recording of Capacity Interview
  - Public Hearing and Public Comment
  - Executive Director's Recommendation inclusive of the review committee report
  - Written statements in response recommendation





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