

3.600 Renewal of Commission-Authorized Charter Agreements

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Purpose

This policy sets forth the process and criteria the Commission shall use when considering a renewal application received directly from a charter school where the Commission serves as the authorizer.

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Generally

When the Commission is the authorizer, the governing body of a charter school shall submit a renewal application to the Commission no later than April 1 of the year prior to the year in which the charter agreement expires. The Commission shall decide whether to approve or deny the renewal application on or before February 1 of the following year.

Renewal Application

1. Any school that seeks renewal from the Commission as its authorizer pursuant to T.C.A. § 49-13-121, shall submit a renewal application in accordance with T.C.A. § 49-13-121 and any charter renewal guidance issued by the Commission or the State Board of Education. The guidance shall also include the standards and criteria that shall guide the Commission's renewal decisions. A school may choose not to submit a renewal application to the Commission, in which case the charter school shall close at the end of its current charter term.



2. The deadline for the submission of all renewal applications is no later than April 1 of the year prior to the year in which the charter expires.
3. The renewal application shall provide a school with the opportunity to make a clear and compelling case for renewal, respond to its cumulative performance report, and to submit any corrections or clarifications for the report. The renewal application shall require a charter school to present evidence supporting its case for charter renewal that is aligned with the Commission's renewal standards and the charter school's performance standards in its charter agreement, as well as any additional evidence and improvements undertaken during the charter term. The renewal application shall also require each charter school to present its plans for the next charter term.

Renewal Criteria¹

1. The Commission shall adopt, publicize, and use clear and rigorous standards that establish the expectations for academic, organizational, and financial performance necessary to earn renewal of a charter where it serves as the authorizer.
2. The Commission shall execute charter agreements with its charter schools, pursuant to Commission Policy 3.100, that establish the performance standards under which schools shall be evaluated so that all stakeholders are aware from the outset what a charter school must accomplish in order to meet performance expectations set forth in the charter agreement.
3. The Commission shall ensure that renewal decisions are based on demonstrable merit and grant renewal only to charter schools that have sufficiently met the Commission's high standards, sufficiently achieved the targets stated in the charter agreement, are organizationally and fiscally viable, have been faithful to the terms of their charter agreement and applicable law, and present sound academic, financial, and organizational plans for the next charter term.
4. The Commission shall not make renewal decisions on the basis of political or community pressure or solely on promises of future improvement.

¹ The Tennessee Public Charter School Commission renewal criteria is included as an appendix to this policy.



5. Ongoing monitoring, data collection, and reporting requirements shall be aligned with the Commission's renewal standards and criteria.

Renewal Cumulative Performance Report

1. Pursuant to T.C.A. § 49-13-121, the Commission shall develop a cumulative performance report for all charter schools where it serves as the authorizer whose agreement expires the following year.
2. The performance report shall summarize the charter school's performance record to date over the charter term based on the data required by law, the Commission, and the charter agreement. The report shall include the Commission's summative findings concerning the charter school's performance against the Commission's renewal standards and criteria. It shall describe the charter school's prospects for renewal at the time of the report and include notice of any weaknesses or concerns perceived by the Commission concerning the charter school that may jeopardize its position in seeking renewal if not timely rectified.
3. Within the renewal application, the charter school shall make a clear and compelling case for renewal, provide a response to the Commission's cumulative performance report, and submit any corrections or clarifications for the report, in accordance with subsection 3 of "Renewal Application" of this policy.

Renewal Application Review Committee

1. The Commission staff shall assemble a renewal application review committee ("Renewal Review Committee") comprised of teams of internal and external evaluators with relevant and diverse educational, organizational (governance and management), financial and legal expertise, as well as a thorough understanding of the essential principles of public charter school autonomy and accountability. The Commission shall provide training to the Renewal Review Committee members to ensure consistent standards and fair treatment of all renewal application reviews.
2. The Renewal Review Committee shall review the renewal record received directly by the Commission as the authorizer.
3. The Commission shall ensure that the renewal review process, Renewal Review Committee members, and decision-making processes are free of conflicts of interest, in accordance with Commission Policy 1.100 and 1.300, and shall require full disclosure of any potential or perceived conflicts of interest between Renewal Review Committee members and applicable charter schools.



4. The Renewal Review Committee members shall provide an evidence-based report to the Executive Director of the Commission.

Renewal Application Evaluation

1. The Commission staff shall conduct a renewal evaluation site visit to each charter school that submits a charter renewal application to the Commission as the authorizer. The site visit shall take place after the Commission receives a charter school's renewal application and before any preliminary renewal recommendation is issued. The renewal site visit shall be used to evaluate the school's academic program, organizational and fiscal soundness, and plans for the next charter term. The Commission staff shall interview the governing body of the charter school in accordance with the "Interviews" section of Policy 2.200, Renewal Appeals. This interview may take place in conjunction with the renewal evaluation site visit and may include the Renewal Review Committee.
2. The Executive Director of the Commission shall issue a preliminary renewal recommendation prior to the public hearing. The Executive Director shall consider the recommendation of the Renewal Review Committee, the interview, and the renewal evaluation site visit in his or her preliminary renewal recommendation to the Commission.
3. A public hearing shall be held in accordance with the "Public Hearings" section of Policy 2.200, Renewal Appeals, except that such hearing shall be held as soon as practicable after receipt of the renewal application but no later than November 30 of the school year in which the charter expires. Further, the Executive Director or a Commission staff member (the "Hearing Officer") shall preside at the hearing, and a Commission staff member shall summarize the Commission's preliminary renewal recommendation. The governing board or its designated representative shall have twenty minutes to address the preliminary renewal recommendation at the public hearing.

Final Recommendation and Decision of the Commission

Following the public hearing and the review of the renewal application as set forth in this policy, the Executive Director of the Commission shall provide a final recommendation to the Commission. The Executive Director shall consider the report of the Renewal Review Committee, the site visit, and the public hearing in his or her final renewal recommendation to the Commission. The Commission shall consider the recommendation of the Executive Director when rendering a decision on the renewal, but the Commission is not bound by the recommendation. The Commission shall meet and render a decision on or before February 1 of the year following submission of the charter renewal application. If the Commission grants the renewal application, the school shall continue to operate for the prescribed period of ten



academic years (subject to the right of the Commission to revoke the charter agreement), and the Commission shall continue to be the authorizer. The Commission's decision on a renewal application is final and may not be appealed.

Renewal Charter Agreement

For all charter schools where the Commission serves or will serve as the authorizer, the Commission's approval of a charter school's renewal application is separate and distinct from the Commission's approval of its renewal charter agreement and a school's right to remain open. Once a renewal application is approved by the Commission, the Commission shall negotiate a renewal charter agreement with the school's governing body that must be signed by both parties and submitted to the Commission for approval.

Appendix

Renewal Criteria

Applicable only to charter schools authorized by the Commission

The following criteria help determine whether a charter school is on or off track for renewal. These criteria apply to charter schools authorized by the Tennessee Public Charter School Commission (“Commission”) for the duration of the charter term¹ and are included as part of the renewal record in alignment with Commission policies.² The Commission holds responsibility for the final decision regarding renewal or nonrenewal.

To be considered on track for renewal, in alignment with Commission Policy 3.700 School Performance Framework, schools must:

Section of Framework	Criteria
Academic Performance	<ul style="list-style-type: none"> • Meet standard for the majority of the years in the current charter term; and • Meet standard for at least two of the three most recent years
Organizational Performance	<ul style="list-style-type: none"> • Meet standard for the majority of the years in the current charter term; and • Meet standard for at least two of the three most recent years or must not have consecutive years of not meeting standard
Financial Performance	<ul style="list-style-type: none"> • Meet standard for the majority of the years in the current charter term; and • Meet standard for at least two of the three most recent years or must not have consecutive years of not meeting standard

A school will be evaluated in alignment with these criteria at interim and renewal reviews. Additional updates on a school’s performance in alignment with these criteria may be provided by the Commission throughout the charter term. The renewal record contains a comprehensive review of the school including but not limited to a cumulative performance report, the



evaluation of the renewal application, a site visit, and a public hearing. The on- and off-track designations are intended to provide a general performance overview, highlighting trends over time. These designations do not, however, constitute a guarantee of renewal or nonrenewal by the Commission.

In the event a majority cannot be determined within these criteria, Commission staff will further evaluate the school's cumulative performance metrics including but not limited to state accountability data, any interventions in alignment with Commission Policy 3.400, and further data analysis to determine if the school is on or off track for renewal. Any school that has received notice of Tier 2 intervention or higher, in alignment with Commission Policy 3.400 particularly in the last three years of operation prior to evaluation, will have the intervention actions weighed heavily in alignment with these criteria.

The Commission holds responsibility for the final decision for renewal or nonrenewal.

These criteria are only to be used as guidelines for performance evaluation and the additional documentation that will be gathered through the renewal process.