

## **1035 – Out of District Enrollment Procedures<sup>1</sup>**

### **Definitions**

For purposes of these procedures, the Tennessee Public Charter School Commission (“Commission”) shall define the following terms:

- “Administrative Fee” shall mean a fee assessed by the Commission after a finding that an authorized public charter school failed to comply with the enrollment notice and signed memorandum of understanding (“MOU”) for out of district enrollment.
- “Enrollment Notice” shall mean the documentation which indicates a Commission authorized public charter school’s intent to engage in out of district enrollment for the upcoming school year.
- “Resident LEA” shall mean the geographic LEA in which the out-of-district student would be enrolled if the student did not attend a public charter school authorized by the Commission.

### **Out-of-District Enrollment Notice**

Any Commission-authorized public charter school that seeks to enroll students residing outside of the boundaries of the geographic LEA, in accordance with T.C.A. § 49-13-113, shall submit an out-of-district enrollment notice to the Commission by October 1 of the upcoming school year. The enrollment notice shall include a point of contact, including name, title, email address, and telephone number of the person responsible for supervising enrollment for the public charter school.

### **Memorandum of Understanding on Out-of-District Enrollment Responsibilities**

Upon submission of a notice to offer out of district enrollment, the Commission-authorized public charter school shall sign and enter into an MOU with the Commission whereby the authorized public charter school will agree and acknowledge the requirement of compliance with Commission LEA Policy 6207 and T.C.A. § 49-13-113. Signing onto the MOU will specify the following documentation has been submitted and approved:

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<sup>1</sup> Cross References:

1006 Enrollment Procedures

LEA Policy 6207 Out of District Enrollment

Tuition Costs by Geographic LEA



- Submission of the authorized public charter school's lottery process in accordance with T.C.A. § 49-13-113;
- The plan for address verification for out-of-district students enrolling for the upcoming school year;
- The plan for continued attendance and enrollment verification for out-of-district students;
- The plan for collection of tuition by the authorized public charter school for submission to the geographic LEA for out-of-district students
- The plan for the Commission to calculate and communicate to the school the per student tuition amount to the paid to the resident LEA.

### **Tuition Assessment and Collection**

Any authorized public charter school that is approved to enroll students residing outside the boundaries of the geographic LEA shall be responsible for submitting tuition payments to the resident LEA in an amount equal to the per pupil cost for each individual out-of-district student enrolled, or the agreed upon rate between the Commission and the resident district. The Commission shall be responsible for providing the per pupil costs for each out-of-district student enrolled at an authorized public charter school, for purposes of tuition assessment and collection.

The Commission shall work with the geographic LEA to determine the per pupil tuition costs for out-of-district students, and the Commission will communicate this amount to the authorized charter school annually. Any authorized public charter school that enrolls students residing outside the boundaries of the geographic LEA shall establish a policy and procedure to collect tuition for attendance at the school. An authorized public charter school that enrolls an out-of-district student shall calculate tuition costs on a semester basis. There shall not be prorated tuition beyond a per semester calculation.

In the event that the resident LEA does not have an agreed upon tuition amount with the Commission, the tuition amount shall be determined in accordance with calculations in accordance with T.C.A. § 49-3-101 et. seq.

All tuition costs for a resident LEA shall be posted on the Commission website each semester. Any tuition costs not submitted to the resident LEA timely shall be deemed a failure to comply.

### **Failure to Comply**

Any authorized public charter school that has submitted an enrollment notice and signed onto an MOU with the Commission is responsible for the timely submission of all tuition costs to the resident LEA of the out-of-district students enrolled.



If the authorized public charter school fails to submit timely payment to the resident LEA, the Commission shall withhold the appropriate amounts to submit for the out-of-district students enrolled after thirty days' notice to the authorized public charter school. The Commission shall calculate the amount to be withheld based on the students identified as being enrolled out of district by the Commission staff.

If an authorized public charter school is found to be out of compliance with the enrollment notice and signed MOU, the Commission shall assess an administrative fee for the withholding and submission of tuition payments to the resident LEA, in an amount of \$500 or 2% of the tuition amount not remitted to the resident directed, whichever is greater. Additionally, if the Commission finds that an authorized charter school failed to comply with the enrollment notice and signed MOU, the noncompliance will be reflected in the annual School Performance Framework.

If the Commission finds that an authorized charter school fails to comply with the enrollment notice and signed MOU for two consecutive years, the Commission retains the right to deny the authorized public charter school the opportunity to engage in out of district enrollment.