3.010 Charter School New Start Application Review

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Legal Standard

Tennessee Code Annotated (T.C.A.) § 49-13-108(h) allows any sponsor that seeks to open a public charter school to apply directly to the Commission if one of the following criteria are met:

1. If the Commission has overturned an LEA's decision to deny a public charter school application on three (3) separate occasions within a three-consecutive-year period for the five-consecutive-year period immediately following the date on which the Commission overturned the board's third decision;[1]
2. If a public institution of higher education in this state that seeks to open a public charter school;[2] or
3. If a governing body has at least one (1) public charter school authorized by a local board of education or by the Commission that has been in operation for at least three (3) full school years and is seeking to replicate the academic model/focus of the operating school.[3]

Purpose

The purpose of this policy is to set forth the principles and criteria that the Commission will use in reviewing new charter school applications. The Commission is committed to conducting a rigorous evaluation of all charter school applications consistent with this policy and national and state authorizing standards.

Policy Sections

- Substantive Application Review
- Interviews
- Amended Application Review

Substantive Application Review

1. The Commission shall consider all properly submitted applications and materials in review

[1] T.C.A. § 49-13-108(h)(1).
[2] T.C.A. § 49-13-108(i)(1).
[3] T.C.A. § 49-13-137(a).

of initial new start applications received.

- An application submission shall be considered complete if:
  - The application is submitted on the State Board of Education state charter application form for that application cycle;
  - The sponsor has completed all required sections of the application aligned to the category indicated by the sponsor in its letter of intent, including all required attachments and signatures;
  - The application is submitted to the Commission on or before 11:59 p.m. Central Time on February 1 of the year preceding the year which the proposed public charter school plans to begin operation; and
  - The application fee is submitted with the application.
- The Commission shall not review an initial application if the sponsor did not comply with Tennessee law, State Board rule, Commission rule, and this policy.

2. The Commission shall assemble a charter application review committee (Review Committee) to conduct a substantive charter application review of each application received in accordance with the submission instructions set forth in Commission Policy 2.000. In conducting the substantive application review, the Commission shall contract with third-parties or utilize volunteers as it deems appropriate to serve on the Review Committee.
3. The Review Committee shall be 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 train Review Committee members to ensure consistent standards and fair treatment of all application reviews.
4. The Review Committee shall use the sample scoring criteria provided by the State Board of Education and available on the State Board of Education's website to evaluate the charter application.
5. The Commission will ensure that the application review process, Review Committee members, and decision-making processes are free of conflicts of interest in accordance with Commission Policy 1.300 and will require full disclosure of any potential or perceived conflicts of interest between Review Committee members and sponsors.
6. The substantive application review shall be an evaluation of the statutorily required elements, as set forth in T.C.A. § 49-13-107, including but not limited to an evaluation of the proposed charter school's mission; educational focus, program, and academic plan; business plan, including an operating budget; governance board and structure; discipline code; and compliance with applicable laws and regulations.
7. For sponsors applying for authorization by the Commission, the Commission and the

Review Committee shall consider and, if necessary, gather additional information regarding the past and current performance, including student growth and achievement, of any charter school operated by the sponsor pursuant to T.C.A. § 49-13-107(e).

8. For existing operators, the most recent three (3) years of academic performance and/or the most recent interim review report shall be a material consideration by the Commission.

Interviews

1. The Commission staff shall interview the governing board and school leadership, if named, of each sponsor that has filed an initial application in accordance with Commission Policy 2.000.
2. The Commission shall assemble an interview panel that may include Commission staff, a Commission member, Review Committee members, and any other internal or external individuals whose knowledge and expertise would assist the Commission in its decision to authorize the charter school.
3. The focus of the interview will be the governing board and school leadership's capacity to operate a high-quality charter school that is consistent with the charter application and in a fiscally responsible manner that advances the mission of the charter school.
4. Commission staff will schedule a date for the interview to be conducted electronically.
5. The interviews will be closed and not be open to the public.
6. The officers of the governing board and the school leader (if named) shall attend the interview. Other representatives that may attend the interview include, but are not limited to, all members of the governing board, school leadership positions, and key personnel of identified school partners. The Commission limits the total number of interview participants from the applicant to eight (8).

Amended Application Review

1. Where applicable, if the Commission denies an initial application, the sponsor shall have thirty (30) calendar days to submit an amended application to the Commission.
    - The sponsor shall highlight/track change evidence of the corrected deficiencies, as identified in the Commission's denial of the initial application.
    - Changes to the sponsor's application not in response to or affected by the deficiencies named in the Commission's initial denial will not be considered.
2. The Commission's decision on an amended application is final and not subject to appeal.[4]

[4] T.C.A. § 49-13-137(b)(4).