



Executive Director's Recommendation

Founders Classical Academy of Hendersonville Appeal

Pursuant to Tennessee Code Annotated (T.C.A.) § 49-13-108, sponsors proposing to open a new charter school may appeal the denial of their amended application by a local board of education to the Tennessee Public Charter School Commission ("Commission"). On July 21, 2022, the sponsors of Founders Classical Academy of Hendersonville ("FCAH" or "sponsor") appealed the denial of its amended application by the Sumner County Schools's ("SCS") Board of Education to the Commission.

Based on the procedural history, findings of fact, analysis, and Review Committee Report, attached hereto, I believe that the decision to deny the Founders Classical Academy of Hendersonville amended application was not contrary to the best interests of the students, LEA, or community.¹ Therefore, I recommend that the Commission uphold the decision of SCS's Board of Education to deny the amended application for Founders Classical Academy of Hendersonville.

STANDARD OF REVIEW

Pursuant to T.C.A. § 49-13-108 and Commission Policy 2.000, Commission staff and an independent review charter application review committee conducted a de novo, on the record review of the Founders Classical Academy of Hendersonville amended application. In accordance with the Tennessee Department of Education's charter application scoring rubric, "applications that do not meet or exceed the standard in all sections (academic plan design and capacity, operations plan and capacity, financial plan and capacity, and, if applicable, past performance) . . . will be deemed not ready for approval."² In addition, the Commission is required to hold a public hearing in the district where the proposed charter school seeks to locate.³

In order to overturn the decision of the local board of education, the Commission must find that the application meets or exceeds the metrics outlined in the department of education's application-scoring rubric and that approval of the amended charter application is in the best interests of the students, local education agency (LEA), or community.⁴ If the local board of education's decision is overturned, then the Commission can approve the application, and thereby authorize the school, or affirm the local board's decision to deny.

PROCEDURAL HISTORY

1. On December 2, 2021, the sponsor submitted a letter of intent to SCS expressing its intention to file a charter school application.
2. The sponsor submitted its initial application for Founders Classical Academy of Hendersonville to SCS on January 26, 2022.
3. SCS assembled a review committee to review and score the Founders Classical Academy of Hendersonville initial application.

¹ T.C.A. § 49-13-108.

² Tennessee Charter School Application Evaluation Rubric – Ratings and Scoring Criteria, pg. 1.

³ T.C.A. § 49-13-108.

⁴ Id.



4. On March 28, 2022, SCS's review committee conducted a capacity interview with representatives of Founders Classical Academy of Hendersonville.
5. SCS's review committee reviewed and scored the Founder's Classical Academy of Hendersonville initial application and recommended to the SCS Board of Education that the initial application be denied, indicating the academics, operations, and finance sections did not meet standards.
6. On April 19, 2022, SCS's Board of Education voted to deny the Founders Classical Academy of Hendersonville initial application based on the review committee's recommendation.
7. The sponsor amended and resubmitted its application for Founders Classical Academy of Hendersonville to SCS on May 20, 2022.
8. SCS's review committee reviewed and scored the Founders Classical Academy of Hendersonville amended application based on the charter application scoring rubric.
9. SCS's review committee rated each section of Founders Classical Academy of Hendersonville's amended application as "Does Not Meet Standard" and recommended denial to the local board of education.
10. On July 12, 2022, the SCS Board of Education voted to deny the amended application of Founders Classical Academy of Hendersonville.
11. The sponsor appealed the denial of the Founders Classical Academy of Hendersonville amended application in writing to the Commission on July 21, 2022, including submission of all required documents per Commission Policy 2.000.
12. The Commission's review committee independently analyzed and scored the Founders Classical Academy of Hendersonville amended application using the Tennessee Department of Education's charter school application scoring rubric.
13. On September 20, 2022, the Commission staff held a public hearing at SCS Boardroom in Gallatin, Tennessee. At the public hearing, the Executive Director, sitting as the Commission's Designee, heard presentations from the sponsor and SCS and took public comment regarding the Founders Classical Academy of Hendersonville amended application.
14. The Commission's review committee conducted a capacity interview with key members of the Founders Classical Academy of Hendersonville leadership team on September 23, 2022 via Microsoft Teams.
15. After the capacity interview, the Commission's review committee determined a final consensus rating of the Founders Classical Academy of Hendersonville amended application, which served as the basis for the Review Committee Recommendation Report, attached hereto as **Exhibit A**.

FINDINGS OF FACT

District Denial of Initial Application

The review committee assembled by SCS to review and score the Founders Classical Academy of Hendersonville initial application consisted of the following individuals:

| Name | Titles |
|------------------|--|
| Dr. Del Phillips | Director of Schools, Ex Officio |
| Paul Decker | Community Member, Former Sumner County Commissioner, Retired Principal |
| Dr. Charles Lea | Community Member, Vice President for Academic Affairs, Volunteer State Community College |
| Amy Ramsey | Community Member and SCS Parent |
| Amanda Brown | Chief Financial Officer |
| Norma Dam | Chief Student Support Officer |
| Scott Langford | Chief Academic Officer |
| Andy Brown | Assistant Director for Facilities and Support Services |
| Chris Brown | Assistant Director for Information Services |
| Katie Brown | Assistant Director for Student Support |
| Lisa Herren | Assistant Director for Health Services |
| Jeremy Johnson | Assistant Director for Communications and Board Relations |
| Craig Ott | Interim Assistant Director of Human Resources |
| Brad Schreiner | Founding Principal, Merrol Hyde Magnet School |
| Dr. Jeff Yawn | Supervisor of Professional Growth |
| Rhonda Jernigan | Supervisor of Accounting and Reporting |

The Founders Classical Academy of Hendersonville initial application received the following ratings from the SCS review committee:

| Sections | Ratings |
|-----------------------------------|------------------------|
| Academic Plan Design and Capacity | Does Not Meet Standard |
| Operations Plan and Capacity | Does Not Meet Standard |
| Financial Plan and Capacity | Does Not Meet Standard |

After the SCS review committee completed its review and scoring of the initial application, its recommendation was presented to the SCS Board of Education on April 19, 2022. Based on the review committee's recommendation, the SCS Board of Education voted to deny the initial application of Founders Classical Academy of Hendersonville.



District Denial of Amended Application

The review committee assembled by SCS to review and score the Founders Classical Academy of Hendersonville’s amended application mirrored that of the committee that reviewed the initial application. Upon resubmission, the SCS review committee conducted a review of the amended application, and the amended application received the following ratings from the SCS review committee:

| Sections | Ratings |
|-----------------------------------|------------------------|
| Academic Plan Design and Capacity | Does Not Meet Standard |
| Operations Plan and Capacity | Does Not Meet Standard |
| Financial Plan and Capacity | Does Not Meet Standard |

After the SCS review committee completed its review and scoring of the amended application, its recommendation was presented to the SCS Board of Education on July 12, 2022. At the July 12, 2022 board meeting, the SCS Board of Education voted to deny the amended application of Founders Classical Academy of Hendersonville.

Commission Review Committee’s Evaluation of the Application

Following the denial of the Founders Classical Academy of Hendersonville amended application and subsequent appeal to the Commission, Commission staff assembled a diverse review committee of internal and external experts to independently evaluate and score the Founders Classical Academy of Hendersonville amended application. This review committee consisted of the following individuals:

| Name | Title: |
|-------------------|-------------------|
| Adam Aberman | External Reviewer |
| Halli Faulkner | External Reviewer |
| Beth Figueroa | Commission Staff |
| Chase Ingle | Commission Staff |
| Whitney O’Connell | External Reviewer |
| Clare Vickland | External Reviewer |

The review committee conducted an initial review and scoring of the Founders Classical Academy of Hendersonville amended application, a capacity interview with the sponsor, and a final evaluation and scoring of the amended application, resulting in a consensus rating for each major section. The review committee’s consensus rating of the Founders Classical Academy of Hendersonville application was as follows, and additional information about the expertise of the review committee is contained in Exhibit A.

| Sections | Ratings |
|-----------------------------------|--------------------------|
| Academic Plan Design and Capacity | Does Not Meet Standard |
| Operations Plan and Capacity | Partially Meets Standard |



| | |
|-----------------------------|------------------------|
| Financial Plan and Capacity | Does Not Meet Standard |
|-----------------------------|------------------------|

The review committee has recommended denial of the application for Founders Classical Academy of Hendersonville because the sponsor failed to provide sufficient evidence in the academic, operational, and financial sections to meet the required criteria of the rubric.

The academic plan presented by the applicant does not meet the standard because while the application contains a clear mission and vision for a classical school, the review committee found that the plan to serve special populations, and particularly students with disabilities, had significant deficiencies. This is a result of the applicant not providing a clear plan for identifying, monitoring, and serving special populations in alignment with state and federal requirements. Additionally, the review committee found the recruitment strategy lacked evidence to support the applicant's year one enrollment projections and notably did not reflect the demographics of the community, particularly students with disabilities. While the school has contracted with ResponsiveEd to support the school in the execution of its academic program and the CMO has experience and success opening schools in Texas and Arkansas, the review committee found the application reflected a lack of familiarity and alignment with Tennessee state academic standards.

The review committee found the applicant's operations plan partially meets the standard because of the governing board's lack of experience in oversight and operations of a K-12 school, a lack of clarity between the responsibilities of the governing board and ResponsiveEd, and deficiencies with the staffing plan. While the review committee recognized the governing board was created with intention and reflects diverse experience, the committee found the governing board does not include any individuals with K-12 academic or school leadership experience. The review committee also found the application lacks details on the distribution of responsibilities between ResponsiveEd and the Headmaster of the proposed school, and how these two parties will report to the governing board. Moreover, the staffing plan also was found to be insufficient to meet the standard, as the staffing handbook was not provided, and the application lacked a clear plan for recruiting teachers.

Lastly, the financial plan does not meet standard because the cost assumptions were found to be incomplete and understated. This is a result of the budget not including, or underestimating, foundational and required expenses, such as retirement contributions, social security, and adequate instructional supplies for the school's projected 618 students in the first year of operation. The review committee also found inconsistencies between the budget and staffing plans, specifically in the area of special education and other administrative roles. The financial viability of the school in the early years is reliant on fundraising, philanthropy, and debt. However, the applicant was unable to provide evidence of access to funds sufficient to begin operations. Further, the review committee noted the applicant was unable to articulate contingency plans should enrollment projections not be met or should startup funds not materialize. Finally, the review committee found the budget does not reflect long-term sustainability based on the school projecting deficient spending in years four and five.

For the aforementioned reasons, the review committee found that the sponsor did not meet or exceed the standard for approval based on the state's scoring rubric.

For additional information regarding the review committee's evaluation of the FCAH amended application, please see **Exhibit A** for the complete Review Committee Recommendation Report, which is fully

incorporated herein by reference.

Public Hearing

Pursuant to statute⁵ and Commission Policy 2.000, a public hearing chaired by the Executive Director was held on September 20, 2022. SCS's presentation at the public hearing focused on its process for reviewing the application of FCAH and the reasons for denial. Representatives from SCS indicated that FCAH's amended application was denied based on deficiencies identified with the academic, operations, and financial plans. The representative for SCS stated that the review committee found the academic plan did not meet standards in part due to a lack of evidence of community support. Both the initial and amended applications did not provide evidence of community support, and the survey referenced was specific to Williamson County. SCS also cited that the application lacked career technical education (CTE) pathways in comparison to the 30 career pathways offered by the district. Additionally, the application referenced AP offerings, but SCS found no evidence to support this assertion. Other deficiencies in the academic plan included that the plan significantly underrepresented special populations, resulting in insufficient staffing to support students with disabilities. For operations, SCS's review committee found that the plan lacked the details necessary to support the school opening in August 2024. While FCAH identified three potential facility sites, through their due diligence, the district did not find that the facilities were sufficient to house the proposed school due to a lack of playground, square footage, and necessary special education classrooms. The district also disagreed with the applicant's assertion regarding overcrowding within the district, and SCS believes it has managed growth adequately and has two new schools in the process of being built. Lastly, SCS found that the financial plan lacked complete and accurate budget figures to support the ability to open and operate successfully. This is due to the budget not including proper employment costs and tax amounts, a heavy reliance on fundraising and philanthropy, and an insufficient budget to serve special populations.

In the sponsor's opening statement, the representative from FCAH began by establishing the reasons for applying to open a charter school in Sumner County. FCAH stated that they applied to open a school in Hendersonville due to a need communicated by parents and the belief that competition would be good and healthy for all. FCAH then discussed the purposes of a charter school based on statute and stated they believe that the school meets the intended purpose and is in the best interest of the students, the LEA, and the community. FCAH asserted the school was in the best interest of the LEA, as taxpayers are not required to fund charter school facilities, and the school would be innovative, as running a classical school is something that the sponsor and CMO are capable of doing. FCAH addressed the best interest of parents and the community by sharing that half of the students in SCS are scoring "below grade level" and Merrol Hyde, the district's magnet school, is at capacity. The sponsor also believes that the school's emphasis on civic virtue and moral character will benefit the community. The sponsor then transitioned to speak about Merrol Hyde, which provides a classical education model, but said the school has academic-based entrance requirements. Additionally, the school currently has a waitlist. FCAH believes that they are well-positioned to accept students on the Merrol Hyde waitlist, as well as all students, through their open enrollment system. The sponsor stated that the board will be responsible for school oversight and will contract with ResponsiveEd to operate the school, for which the board will hold accountable. It was shared that ResponsiveEd is the largest nonprofit operator in Texas and started in 1998. The CMO has over 85 campuses and 92% of its students perform at grade level, in comparison

⁵ T.C.A. § 49-13-108(5)(b)(i).



to Sumner County, which is at 50%. In closing, the sponsor argued that the application for FCAH meets standards based on the academic plan, progress on its facility search, and the secured startup financing from a loan company to support the school.

During questioning by the Commission staff, SCS shared the enrollment growth trends in the district, which show the district is rapidly growing and diversifying because families are moving in from other districts and states. This has resulted in growth county-wide, but it is mostly concentrated in Hendersonville and Gallatin. While growth has occurred steadily throughout the county, the district shared that school demographics can vary greatly from school to school. The district discussed Merrol Hyde and explained that the magnet school has a blend of traditional classical education with a heavy emphasis on athletics, extracurriculars, and character building. The entry requirements state that students must have an A-B average and score 85% or higher on an entrance exam. The SCS representative confirmed that there is a waitlist for the school, and transportation is not provided by the district. Questioning then transitioned to how the district convened a review committee and worked to build consensus among the 16 reviewers. SCS explained that individuals were required to read the full application, but that they also focused on specific areas based on the subcommittee that they were assigned. When questioned about why the district cited a waiver for administrative licensure for the principal as a reason for denial, the district stated that research from TDOE states that over 25% of student success comes from the principal. Therefore, the district believes that the school leader should have the required training and background to ensure academic success. Lastly, the district answered questions regarding what type of charter school would be a good fit in the district. SCS stated that to be considered by the district, a charter school would need to align with the district's mission and vision and should not offer less than the district.

The Commission staff then questioned the sponsor. The sponsor described the research and community analysis that was conducted to determine that Hendersonville or Gallatin were good fits for the proposed school. Representatives of FCAH explained that the sponsor had researched bringing the classical education model to Tennessee. They found Sumner County to be a viable option for their school based on the substantial growth in the geographic region and a desire to be near their other proposed school to achieve economies of scale. FCAH also described an informal poll that was conducted to determine whether parents were seeking alternative educational options. However, the representative confirmed that they dedicated this part of the process to Williamson County, as it is the county where Del Rey proposes to open its first campus. When questioned how the school determined the rates for students with disabilities and economically disadvantaged, the sponsor explained that they used information from the department of education's report card. The sponsor also explained that they do not specifically market to any one type of family but instead focus on finding families within 15-20 minutes of the proposed location. Questions were then asked to garner an understanding of the board's experience starting and overseeing school operations. FCAH shared the experience of the governing board, which covered areas such as finance, business operations, and special education. The governing board stated that they will partner with ResponsiveEd based on the CMO's experience, and the board will conduct the oversight and monitoring. Lastly, the sponsor described its plans to expand the board and have a presence across Tennessee. The board will work to give parents local access through community advisory committees.

The public hearing concluded with closing statements by both parties and the receipt of 10 in-person comments, with seven (7) speaking in support of SCS and three (3) speaking in support of FCAH. The Commission



also accepted written comments through September 27, 2022, and the Commission received 93 written comments, with 52 writing in support of SCS to deny the application for FCAH, and five (5) writing in support of FCAH. The remainder of the written public comments reflected individuals' opinions on charter schools in general, and/or were in opposition to any future charter schools in Sumner County.

ANALYSIS

State law requires the Commission to review the decision of the local board of education and determine if the application “meets or exceeds the metrics outlined in the department of education’s application-scoring rubric and⁶,” whether “approval of the application is in the best interests of the students, LEA, or community⁷.” In addition, pursuant to T.C.A. § 49-13-108, the Commission adopted the State Board of Education’s quality public charter schools authorizing standards set forth in State Board Policy 6.111 and utilizes these standards to review charter applications received upon appeal. In making my recommendation to the Commission, I have considered the Review Committee’s Recommendation Report, the documentation submitted by both the sponsor and Sumner County Schools, the arguments made by both parties at the public hearing, and the public comments received by Commission staff and conclude as follows:

The review committee’s report and recommendations are thorough, citing specific examples in the application and referencing information gained in the capacity interview in support of its findings. For the reasons explicated in the report, I agree that the Founders Classical Academy of Hendersonville amended application did not rise to the level of meeting or exceeding the standards required for approval. While the sponsor has a clear mission and vision for the school, I cannot recommend the sponsor’s amended application for approval after reviewing the plan to serve special populations, and in particular students with disabilities. The sponsor did not provide sufficient evidence of a plan to identify, monitor, and serve special populations. Any approved public charter school should have a strong and realistic plan to serve these populations of students. After the capacity interview and the public hearing, I still do not have confidence that the sponsor has given full consideration to serving special populations based on the anticipated demographics of the school as named in the amended application. The sponsor explained that it would be difficult to predict demographics as Founders Classical Academy appeals to parents seeking a certain curriculum. Based on the predictions in the amended application, I question whether the school would be seen as exclusionary to families with students who may qualify as students with disabilities or English Learners. Moreover, the amended application contained a lack of evidence of community demand. Even after conducting the public hearing and a review of the written public comments received by the Commission, the significant majority of public comments do not demonstrate support for approving this amended application.

The sponsor’s lack of community support increases the importance of the contingency plan should enrollment projections not materialize. Based on the information provided throughout the record, I am not confident that the sponsor has fully considered contingencies to meet enrollment projections. The sponsor has indicated that it plans to open Founders Classical Academy of Hendersonville in 2024, and therefore, it has time to build community support, increase parent engagement, and create contingency plans. However, my analysis of the application is based on whether it, in its current form, meets the requirements set forth by the state for approval. At this time, there is insufficient evidence to demonstrate there is strong community demand to meet

⁶ T.C.A. § 49-13-108(5)(E).

⁷ *Id.*



the enrollment projections. I strongly encourage the sponsor to take the time to increase community engagement and demand in any proposed location such that it can provide evidence within the application.

While I do acknowledge that the proposed CMO has experience establishing charter schools in other states and the academic track record of those schools, I share the same concerns of the review committee if the applicant and CMO have enough knowledge of Tennessee law, Tennessee academic standards, and Tennessee education context to open and operate a school successfully at this point. For example, the application stated that it took the CMO two years to align its curriculum with Arkansas state academic standards when it expanded from Texas. I am concerned that, if this school is approved, it could take two years or longer to align its curriculum to Tennessee academic standards.

I also agree with the review committee that the sponsor's operations plan lacks clarity such that I cannot recommend approval of the amended application. While the sponsor explained the various experiences of its board members, there do not appear to be any board members with the necessary academic experience to make the school establishment successful and ensure strong oversight of the CMO. The governing board cannot fully delegate all academic operations to the CMO without having the expertise and experience within schools to hold the entity accountable for its implementation. Additionally, the proposed board is not representative of the community of Sumner County, and there was not a clear timeline for when it would expand its board to include Sumner County representation. The lack of Sumner County context is reflected throughout the application, and moving forward, the sponsor should be intentional about the inclusion of local voices on the board and in the development of the application. Moreover, the reporting structure of the staff to the CMO, rather than the governing board, lacks clarity, and I share the concerns of the review committee regarding how the oversight responsibilities would be delineated between the board and the CMO. Additionally, the sponsor was unable to clarify how they intend to recruit and retain licensed teachers in Tennessee and how a Texas-based entity could effectively support individuals obtaining Tennessee licensure.

Finally, I agree with the review committee that the sponsor put forth a budget that was understated and incomplete. The sponsor's budget did not include required expenses, and without those considerations, I do not have confidence in the accuracy of the sponsor's financial plan overall. The sponsor did not provide the review committee with a sufficient explanation for the lack of required budgetary items such that I can recommend approval. The sponsor also did not have a sufficient plan for the staffing to support special populations. Based on the aforementioned deficiencies in the special population demographics, I do not have confidence that the sponsor has properly assumed or budgeted for its staffing needs. Further, the sponsor failed to provide evidence of its claimed fundraising and philanthropy efforts in year one. This is of greater concern for this amended application's long-term viability, as the sponsor's budget indicates a deficit in years four and five. ResponsiveEd's involvement in the sponsor's back-office supports is promising based on its charter school experience, but, while ResponsiveEd has indicated a financial commitment to the sponsor, I do not have evidence of the amount of that commitment and/or any contingencies surrounding that commitment. In light of these considerations, I cannot recommend approval of this amended application.

Any authorized public charter school is entrusted with the great responsibility of educating students and a significant amount of public funds. For these reasons, the Commission expects that only those schools that have demonstrated a high likelihood of success and meet or exceed the required criteria in all areas will be authorized. At this time, the amended application of Founders Classical Academy of Hendersonville has significant gaps, and for the reasons expounded on in this report, I recommend that the Commission deny the



Founders Classical Academy of Hendersonville amended application.

CONCLUSION

For these reasons, and for the reasons stated in the Review Committee Report attached hereto as **Exhibit A**, I do not believe that the decision to deny the amended application for Founders Classical Academy of Hendersonville was contrary to the best interests of the students, the LEA, or the community. Therefore, I recommend that the Commission affirm the decision of the Sumner County Schools Board of Education to deny the amended application for Founders Classical Academy of Hendersonville.

A handwritten signature in black ink that reads "Tess Stovall". The signature is written in a cursive style.

Tess Stovall, Executive Director
Tennessee Public Charter School Commission

10/17/22
Date



EXHIBIT A

Charter Application Review Committee Recommendation Report

October 17, 2022

School Name: Founders Classical Academy Hendersonville

Sponsor: Del Rey Education, Inc.

Proposed Location of School: Sumner County Schools

Evaluation Team:

- Adam Aberman
- Halli Faulkner
- Beth Figueroa
- Chase Ingle
- Whitney O'Connell
- Clare Vickland

This recommendation report is based on a template from the National Association of Charter School Authorizers.



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Introduction

Tennessee Code Annotated (T.C.A.) § 49-13-108 allows the sponsor of a public charter school to appeal the denial of an application by the local board of education to the Tennessee Public Charter School Commission (Charter Commission). In accordance with T.C.A. § 49-13-108, the Charter Commission shall conduct a de novo, on the record review of the proposed charter school's application, and Charter Commission has adopted national and state quality authorizing standards to guide its work. As laid out in Charter Commission Policy 3.000 – Core Authorizing Principles, the Charter Commission is committed to implementing these authorizing standards that are aligned with the core principles of charter school authorizing, including setting high standards for the approval of charter schools in its portfolio.

In accordance with T.C.A. § 49-13-108, the Charter Commission adopted Charter Commission Policy 2.000 – Charter School Appeals. The Charter Commission has outlined the charter school appeal process to ensure the well-being and interests of students are the fundamental value informing all Charter Commission actions and decisions. The Charter Commission publishes clear timelines and expectations for applicants, engages highly competent teams of internal and external evaluators to review all applications, and maintains rigorous criteria for approval of a charter school. In addition, the Charter Commission plans to evaluate its work annually to ensure its alignment to national and state standards for quality authorizing and implements improvement when necessary.

The Charter Commission's charter application review process is outlined in T.C.A. § 49-13-108, Charter Commission Policy 2.000 – Charter School Appeals, and Charter Commission Policy 2.100 – Application Review. The Charter Commission assembled a charter application review committee comprised of highly qualified internal and external evaluators with relevant and diverse expertise to evaluate each application. The Charter Commission provided training to all review committee members to ensure consistent standards and fair treatment of all applications.

Overview of the Evaluation Process

The Tennessee Public Charter School Commission's charter application review committee developed this recommendation report based on three key stages of review:

1. Evaluation of the Proposal: The review committee independently reviewed the amended charter application, attachments, and budget submitted by the sponsor. After an independent review, the review committee collectively identified the main strengths, concerns, and weaknesses as well as developed specific questions for the applicant in the three sections of the application: Academic Plan Design and Capacity, Operations Plan and Capacity, and Financial Plan and Capacity.
2. Capacity Interview: Based on the independent and collective review of the application, the review committee conducted a 90-minute interview with the sponsor, members of the governing board, and identified school leader to address the concerns, weaknesses, and questions identified in the application, and to assess the capacity to execute the application's overall plan.
3. Consensus Judgment: At the conclusion of the review of the application and the capacity interview, the committee submitted a final rubric and developed a consensus regarding a rating for each section of the application.

This recommendation report includes the following information:

1. Summary of the application: A brief description of the applicant’s proposed academic, operations, and financial plans.
2. Summary of the recommendation: A brief summary of the overall recommendation for the application.
3. Analysis of each section of the application: An analysis of the three sections of the application and the capacity of the team to execute the plan as described in the application.
 - a. Academic Plan Design and Capacity: school mission and goals; enrollment summary; school development; academic focus and plan; academic performance standards; high school graduation standards; assessments; school schedule; special populations and at-risk students; school culture and discipline; marketing, recruitment, and enrollment; community involvement and parent engagement; and the capacity to implement the proposed plan.
 - b. Operations Plan and Capacity: governance; start-up plan; facilities; personnel/human capital; professional development; insurance; transportation; food service; additional operations; waivers; and the capacity to implement the proposed plan.
 - c. Financial Plan and Capacity: budget narrative; budgets; cash flow projections; related assumptions; financial policies and procedures; and the capacity to implement the proposed plan.

The Charter Commission’s charter application review committee utilized the Tennessee Department of Education’s Charter School Application Evaluation Ratings and Sample Scoring Criteria (the rubric), which is used by all local boards of education when evaluating an application. The rubric states:

An application that merits a recommendation for approval should present a clear, realistic picture of how the school expects to operate; be detailed in how this school will raise student achievement; and inspire confidence in the applicant’s capacity to successfully implement the proposed academic and operational plans. In addition to meeting the criteria that are specific to that section, each part of the proposal should align with the overall mission, budget, and goals of the application.

The evaluators used the following criteria and guidance from the scoring rubric to rate applications:

| Rating | Characteristics |
|---------------------------|--|
| Meets or Exceeds Standard | The response reflects a thorough understanding of key issues. It clearly aligns with the mission and goals of the school. The response includes specific and accurate information that shows thorough preparation. |



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|--------------------------|---|
| Partially Meets Standard | The response meets the criteria in some aspects, but lacks sufficient detail and/or requires additional information in one or more areas. |
| Does Not Meet Standard | The response is significantly incomplete; demonstrates lack of preparation; is unsuited to the mission and vision of the district; or otherwise raises significant concerns about the viability of the plan or the applicant's ability to carry it out. |



Summary of the Application

School Name: Founders Classical Academy Hendersonville

Sponsor: Del Rey Education, Inc.

Proposed Location of School: Sumner County Schools

Mission:¹ The mission of Del Rey Education and its schools is to develop the minds and improve the hearts of students through a classical education in the liberal arts and sciences, with instruction in the principles of moral character and virtue.

Number of Schools Currently in Operation by Sponsor: There are no schools currently in operation by the sponsor. The sponsor, Del Rey Education, Inc. is partnering with Responsive Education Solutions, a non-profit charter management organization, to operate Founders Classical Academy Hendersonville. Del Rey Education, Inc. has one (1) additional charter school application currently under consideration by the Tennessee Public Charter School Commission: Founders Classical Academy Brentwood.

Proposed Enrollment:²

| Grade Level | Year 1: 2024-2025 | Year 2: 2025-2026 | Year 3: 2026-2027 | Year 4: 2027-2028 | Year 5: 2028-29 | At Capacity: |
|-------------|----------------------|----------------------|----------------------|----------------------|--------------------|--------------|
| K | 72 | 72 | 72 | 72 | 72 | 72 |
| 1 | 60 | 60 | 60 | 60 | 60 | 60 |
| 2 | 60 | 60 | 60 | 60 | 60 | 60 |
| 3 | 66 | 66 | 66 | 66 | 66 | 66 |
| 4 | 72 | 72 | 72 | 72 | 72 | 72 |
| 5 | 72 | 72 | 72 | 72 | 72 | 72 |
| 6 | 72 | 72 | 72 | 72 | 72 | 72 |
| 7 | 72 | 72 | 72 | 72 | 72 | 72 |
| 8 | 72 | 72 | 72 | 72 | 72 | 72 |
| 9 | 0 | 72 | 72 | 72 | 72 | 72 |
| 10 | 0 | 0 | 72 | 72 | 72 | 72 |
| 11 | 0 | 0 | 0 | 72 | 72 | 72 |
| 12 | 0 | 0 | 0 | 0 | 72 | 72 |
| Totals | 618 | 690 | 762 | 834 | 906 | 906 |

Brief Description of the Application:

The sponsor, Del Rey Education, Inc., is proposing to open a charter school in Sumner County, Tennessee and serve students in kindergarten through 12th grades when fully built out. The school, Founders Classical Academy Hendersonville, is a new-start school and would be the first school for the sponsor. The proposed school will be organized under a Board of Directors and contract directly with Responsive Education

¹ Founders Classical Academy Hendersonville Amended Application, pg. 13

² Ibid, pg. 24



Solutions as its charter management organization (CMO). The school intends to operate in Sumner County to make the option of a classical education “more readily available to all parents who believe a classical liberal arts education will offer their children an advantage in an increasingly competitive global environment.”³ The school proposes to offer high quality classical education accessible to all families who desire it and provide an opportunity for students in Sumner County additional school options.

In Year 0, Founders Classical Academy Hendersonville has budgeted \$1,300,000, composed of local philanthropy and anticipated bridge loan support, and projects \$1,171,420 in expenses for the school.⁴ Founders Classical Academy Hendersonville projects the school will have \$5,809,200 in revenue and \$5,493,340 in expenses in Year 1, resulting in a balance of \$444,440.⁵ By Year 5, the school projects to have \$7,883,084 in revenue and \$8,169,365 in expenses, resulting in a positive ending fund balance of \$786,950.⁶

The school anticipates that 11% of the student population will qualify as economically disadvantaged, 2% of the student population will be students with disabilities, and 1% of the student population will be English Learners.⁷

³ Ibid, pg. 11

⁴ Charter School Application Budget, Pre-Opening Budget

⁵ Charter School Application Budget, Year 1 Budget

⁶ Charter School Application Budget, Summary

⁷ Ibid, pg. 24



Summary of the Evaluation

The review committee recommends denial of the application for Founders Classical Academy of Hendersonville because the applicant failed to provide sufficient evidence in the academic, operational, and financial sections to demonstrate the application meets the required criteria of the rubric.

The academic plan presented by the applicant does not meet the standard because while the application contains a clear mission and vision for a classical school, the plan to serve special populations had significant deficiencies. This is a result of the applicant not providing a clear plan for identifying, monitoring, and serving special populations in alignment with state and federal requirements. Additionally, the recruitment strategy lacked evidence to support the enrollment projection of 618 students in year one and notably did not reflect the demographics of the community, particularly students with disabilities. While the school has contracted with ResponsiveEd to support the school in the execution of its academic program, and the CMO has experience and success opening schools in Texas and Arkansas, the application reflected a lack of familiarity and alignment with Tennessee state academic standards.

The applicant's operations plan partially meets the standard because of the board's lack of direct experience in oversight and operations of a K-12 school, a lack of clarity between the responsibilities of the board and ResponsiveEd, and deficiencies with the staffing plan. While the governing board was created with great intention and reflects diverse experience, the board does not include any individuals with direct K-12 academic or school leadership experience. The application also lacks details on the distribution of responsibilities between ResponsiveEd and the Headmaster and how these two parties will report to the board, such that the board is equipped to hold both parties accountable. Moreover, the staffing plan also was found to be insufficient to meet standards, as the staffing handbook was not provided, and the application lacked a clear plan for recruiting teachers.

Lastly, the financial plan does not meet standard because the cost assumptions were found to be incomplete and understated. This is a result of the budget not including, or underestimating, foundational and required expenses, such as retirement contributions, social security, and adequate instructional supplies for 618 students in the first year of operation. There were also inconsistencies between the budget and staffing plans, specifically in the area of special education and other administrative roles. The financial viability of the school in the early years is reliant on fundraising, philanthropy, and debt; however, the applicant was unable to provide evidence of access to funds sufficient to begin operations. Further, the applicant was unable to articulate a contingency plan should enrollment projections not be met, or the startup funds not materializing. Finally, the budget does not reflect long term sustainability based on the school projecting deficient spending in years four and five.

Summary of Section Ratings

In accordance with the Tennessee Department of Education's charter application scoring rubric, applications that do not meet or exceed the standard in all sections will be deemed not ready for approval⁸ and strengths in one area of the application do not negate weaknesses in other areas. Opening and maintaining a successful, high-performing charter school depends on having a complete, coherent plan and identifying highly

⁸ Tennessee Charter School Application Rubric-Evaluation Ratings and Sample Scoring Criteria, pg. 1.



capable individuals to execute that plan. The review committee’s consensus ratings for each section of the application are as follows:

| Sections | Rating |
|-----------------------------------|--------------------------|
| Academic Plan Design and Capacity | Does Not Meet Standard |
| Operations Plan and Capacity | Partially Meets Standard |
| Financial Plan and Capacity | Does Not Meet Standard |

Analysis of the Academic Plan Design and Capacity

Rating: Does not meet standard

Weaknesses Identified by the Committee:

The applicant's Academic Plan Design and Capacity does not meet the standard because while the application contains a clear mission and vision for a classical school, significant gaps remain within the proposed plan. Specifically, the application had deficiencies in its plan to serve special populations, particularly regarding serving students with disabilities. The review committee found that the applicant did not provide a clear plan for identifying, monitoring, and serving special populations, including students with disabilities, English Learners (EL), and at-risk students, in alignment with state and federal requirements and the state's scoring rubric.

While the application notes that the school will have a process for identifying students with disabilities, EL students, and at-risk students, the application lacks detail as to the actual identification processes for these subgroups, apart from the Response to Instruction and Intervention (RTI²) process and multi-tier system of support (MTSS). When the applicant referred to RTI² and MTSS, both in the application and in the capacity interview, the discussion was vague and did not demonstrate a clear plan for integrating these processes into the school day and academic plan. For example, the applicant did not explain which staff members at the school would be responsible for the academic success of students with disabilities, ELs, and at-risk students. This is particularly concerning given that no one serving on the board has experience with serving special populations as a classroom teacher or school leader. Additionally, the applicant, in both the application and the capacity interview, did not share plans to provide professional development focused on the needs of students with disabilities or ELs or how the classical curriculum would be adapted to serve these specific populations.

Additionally, the review committee found that the applicant did not have a clear plan for recruiting students for the proposed school, which has an initial student enrollment projection of 618 in year one and 906 in year five. The applicant shared that they would use primarily person-to-person recruitment strategies but did not provide clear details about what these strategies would be beyond posting flyers about the school in local churches. This strategy did not align with the characteristics of a strong response, as the current marketing strategy did not address how it would provide equal access to all interested students and families, including those in poverty, academically low-achieving students, students with disabilities, and English Learners. In addition to the lack of detailed recruitment strategies, there was a lack of evidence or rationale as to how the applicant determined its projected population of students with disabilities (2%) and ELs (1%). This misrepresentation of anticipated demographics is significantly different from the demographics of Sumner County Schools, and there was insufficient evidence within the application that the sponsor understands the community and had appropriate engagement within Sumner County to clearly describe its proposed community. The rubric specifies that applicants should clearly describe the community from which the school intends to draw students and that the recruitment and marketing should provide equal access to all interested students and families, including those in poverty, academically low-achieving students, students with disabilities, and English Learners. In totality, there was a lack of clear evidence to meet this requirement.

Another weakness that the review committee noted in this application is a lack of evidence of community support for the proposed school. The application did not include any letters of support from Hendersonville community members, which is a requirement for every application. The applicant did include a



community survey to indicate support for the proposed school, but all the survey participants were based in Williamson County and not Sumner County. Due to the lack of evidence presented, the review committee could not conclude that there is adequate community support for the proposed school.

ResponsiveEd, the proposed CMO, has opened and operated schools in both Texas and Arkansas but has never opened or operated a school in Tennessee, and the review committee found that the applicant demonstrated a general lack of understanding or familiarity with the Tennessee state academic standards, which are the foundation of all public education in Tennessee. As examples, the application does not include the economics strands of the Tennessee social studies standards and does not include many of the government and civics standards. Although the applicant said they would align their classical curriculum with Tennessee state standards, this alignment has not yet begun. Within the application, the applicant stated it took two years from authorization to align its curriculum with Arkansas standards when the CMO expanded from Texas to Arkansas. It is unclear whether the process of aligning the school curriculum with Tennessee state standards would be completed before a proposed school opening in fall 2024 and who would be responsible for this work. Also, the applicant demonstrated insufficient knowledge of and familiarity with state regulations and state assessments in both the application and the capacity interview.

Analysis of the Operations Plan and Capacity

Rating: Partially Meets Standard

Weaknesses Identified by the Committee:

The applicant's Operations Plan and Capacity partially meets the standard because there is a lack of clarity around the board's experience with and ability to open a high-performing public charter school, a lack of clarity between the board and ResponsiveEd, the proposed CMO, and deficiencies with the staffing plan.

While the initial five board members have a range of backgrounds and experiences that will be helpful in founding a charter school, there are currently no board members who have direct experience in oversight and operations of a K-12 school. This lack of direct school leadership experience among the board members is likely to impede the board's ability to sufficiently monitor the academic effectiveness of a school and the effectiveness of the CMO, which is a board's primary function. In accordance with the state's scoring rubric, the proposed board should also reflect community experts, and the applicant did not provide a clear timeline or plan to recruit a board member representative of Sumner County. Further, the review committee could not determine how ResponsiveEd and the Headmaster will report to the board. This resulted in a lack of clarity in how the governing board would ensure effective governance and meaningful oversight of the school's academic performance, operations, and finance, as there were not clear delineations of who is responsible for each of these critical areas and how the corresponding metrics will be communicated to the board.

There is also a lack of clarity in the division of responsibilities between the proposed charter school board and ResponsiveEd, the CMO based in Texas. Since ResponsiveEd has experience opening charter schools and the list of responsibilities that ResponsiveEd would manage for the proposed school includes academic support, back-office support, and recruitment, the board would be heavily reliant on the CMO for starting, supporting, and operating the proposed school. However, it is not clear in the application how the board would hold ResponsiveEd accountable for all the services provided to this proposed school in Tennessee. The applicant also shared that all the school staff, including the principal and teachers, would report directly to ResponsiveEd rather than the school's board. This reporting structure could pose significant challenges for both the board, as they would not directly oversee school leadership, and the CMO, as they would be managing a school leadership team in another state. When a charter school is managed by an external entity, it is critical that there are clear delineations of accountability and responsibility between the school's board and CMO, and the review committee did not find these delineations within the application or in responses to questions posed during the capacity interview.

Finally, the review committee identified several weaknesses within the staffing plan. First, there was no staffing handbook included in the application, which is a requirement for a charter application under Tennessee state law. There is also a lack of clarity in the application about the plans for staffing the school, particularly around methods of recruitment. The applicant, for example, did not cite any plans for recruiting teachers through local colleges, universities, or career fairs. The applicant did state that ResponsiveEd will support with the recruitment of teaching candidates, but ResponsiveEd has never recruited educators to teach in Tennessee and it was not clear through the application or capacity interview that they are prepared to do so, especially with the teacher shortages that Tennessee is currently experiencing. Even if ResponsiveEd was able to identify teachers in other states to come teach in Tennessee, the staff is likely to experience delays in transferring their



licensure to Tennessee, and the school must be prepared to address these types of challenges. Moreover, the applicant's proposed budget does not provide for competitive teacher salaries, particularly those individuals who required additional endorsements, such as special education and EL. In totality, there was a significant lack of evidence of a robust recruitment and staffing plan to support opening the school with over 600 students in the first year.

Strengths Identified by the Committee:

While the Operations Plan and Capacity partially meets the standard because of the weaknesses described above, the review committee did find that the applicant has made commendable progress on securing a school facility in the Hendersonville area. The applicant shared during the capacity interview that they have identified a church facility in which to locate the proposed school that is near both Gallatin and Hendersonville. Additionally, even though there is a lack of clarity around the proposed governance roles of ResponsiveEd and the charter school board and the CMO's ability to open and operate in Tennessee, ResponsiveEd does have a track record of academic success in the schools it oversees outside of Tennessee.

Analysis of the Financial Plan and Capacity

Rating: Does Not Meet Standard

Weaknesses Identified by the Committee:

The applicant's Financial Plan and Capacity does not meet standard because of understated cost assumptions, inconsistencies between the budget and staffing plans, and the lack of evidence demonstrating access to funds required to begin operations. Further, the applicant did not articulate a contingency plan should enrollment projections not be met, and the budget does not reflect long term sustainability based on deficit spending projected in years four and five.

During the review of the application, the review committee found that expenses were underestimated, caused by inaccurate base assumptions. Examples of inaccurate budget assumptions include the lack of TCRS contributions, which should be budgeted at approximately 10% of instructional salaries, social security at the statutory rate of 6.2%, and debt service payments, which would be required based on the school's plan to secure loans in its first year of operation. Additionally, the review committee found the assumptions within the budget for textbooks and instructional supplies were insufficient based on the projected enrollment and not in alignment with the characteristics of a strong response within the state's scoring rubric. The rubric requires budgets to reflect amounts that are complete, realistic, and viable. While the review committee sought to gain clarification on how budget projections were prepared and why certain amounts, such as retirement, were not accounted for, the applicant failed to address the question in the capacity interview and simply stated that there are a lot of moving parts. Overall, throughout the application there was a lack of evidence of the accuracy of cost assumptions and the school's ability to absorb the material costs.

The review committee also expressed concern over the inconsistencies between the positions referenced in the academic and operations plans and the budget. For example, in the academic plan, the applicant states that the school will typically employ a collection of professionals to meet the needs of students with IEPs and 504s; however, the individual positions named do not align with the budget and personnel plan, including positions such as special education teachers, special education aides, a dyslexia specialist, and a 504 coordinator. Additionally, the review committee was unable to ascertain how many Latin teachers will be required and budgeted since the school plans for all middle school students to enroll in a Latin course. The application references a testing coordinator to be hired to support assessments, an Executive Director, and Head of Schools. However, since the budget only included total salary amounts and not FTE counts, the review committee was unable to verify whether the amounts included in the budget were consistent with the positions listed in the application and sufficient to deliver the services identified in the academic and operations portions of the application.

The budget includes \$1.3 million in fundraising and philanthropy in year one, but there is a lack of evidence of these sources in the application nor is it clear whether the source of startup funding will come in the form of philanthropy or a bridge loan. The review committee sought clarification during the capacity interview, and the school provided details related to a line of credit that has been secured but did not specify the loan amount. ResponsiveEd also confirmed their financial commitment to the school and a board member spoke about their experience raising funds. However, the review committee was unable to confirm the amounts



that would be realized from these sources such that the school would have funding adequate to cover essential startup costs, such as tenant improvements, instructional supplies, and preliminary staffing.

The review committee also cited concerns over the budget being predicated on aggressive enrollment assumptions given the lack of a clear contingency plan should enrollment not materialize at the expected amounts. As previously mentioned, there is a lack of robust community support and parent engagement evidenced in the application, and as such, the school would need to be positioned to implement a contingency plan as early as years one and two of operations. The applicant expects to lean toward philanthropy, fundraising, and loans to cover cash shortfalls, but it is unclear the amount of funds the board and school leadership can generate. Lastly, the year four and five budgets project to operate with a deficit of (492,560) and (286,280), respectively. This is concerning as a sound budget and operational plan should become more solvent as the organization matures and begins experiencing operating efficiencies. The fact that expenses outpace revenue at greater rates yearly leads the review committee to question the school's long-term sustainability and fiscal solvency. Due to the totality of the evidence presented, the review committee determined that the Financial Plan and Capacity section of the application did not meet standard.



Evaluation Team

Adam Aberman Adam is the CEO and Founder of The Learning Collective. Adam has a 25+ year track record in numerous educational venues from traditional public schools to school district administration trainings. Since establishing The Learning Collective in 2003, Adam has assessed over 250 current, and 100 proposed, charter schools nationally (California, Colorado, Illinois, Indiana, Michigan, Minnesota, Nevada, New Jersey, New York and Washington), including lead writer for charter renewal inspection visits, charged with evaluating the school and writing the report that is submitted to authorizers. This represents over 2,500 classroom observations, including over 200 observations of remote learning classrooms. Adam has led teams of reviewers of charter school applications, submitting the finalized application reviews to boards of education. Recently, Adam worked with the Tennessee State Board of Education to lead its strategic planning and goal-setting process and is currently leading the New Orleans Public Schools charter application evaluation process. In 2022 Adam co-authored a report of findings and recommendations, supported by Central Michigan University, to inform 57 charter schools across Michigan how to effectively and strategically plan for the 2022-23 school year. Adam has also worked with the National Association of Charter School Authorizers (NACSA) and other organizations on evaluation and strategic planning projects regarding Florida, Idaho, Minnesota, New York, Oklahoma and Ohio authorizers. Other TLC clients have included Alliance College-Ready Public Schools, Chicago Public Schools, College Board, Inglewood Unified School District, KIPP, Tiger Woods Foundation and UCLA. Adam is also the founder, former acting board member and current board member emeritus of www.icouldbe.org, the non-profit Internet-based career mentoring program that has served over 25,000 students, and hundreds of schools, nationally since 2000. Adam began his career in education as a Spanish bilingual public school teacher in Los Angeles. Adam earned a B.A. from Vassar College and Master in Public Policy, with an emphasis on Education, from Harvard University's Kennedy School of Government

Halli Faulkner started her career as a middle school English teacher in East Los Angeles, where she earned her Masters in Secondary Education from Loyola Marymount University. After working as a teacher, Halli went on to earn her law degree from The George Washington University Law School and then work for over a decade in education policy at the state and federal levels. She is passionate about providing high-quality school options for all families.

Beth Figueroa is the Director of Authorizing for the Tennessee Public Charter School Commission. She is a Certified Public Accountant and has spent the last 15 years specializing in school finance and charter school oversight. Before working at the Commission, Beth worked as an administrator and charter school authorizer for the Riverside County Board of Education. She has also had the opportunity to serve as the Chief Business Officer of a charter school, an Executive Director of Fiscal Services for a school district with an annual budget of over \$500 Million, and an auditor of charter schools and non-profit organizations. She earned her Master of Business Administration degree from California Baptist University, where she also received her B.S. in Business Administration and serves as an adjunct professor teaching Government and Non-Profit Accounting.

Chase Ingle is from Seymour, Tennessee. He attended the University of Tennessee, graduating summa cum laude in 2017. After graduation Chase went to work in the Tennessee General Assembly for three years. He spent one year working for the House of Representatives, and the next two working for the Senate Education Committee Chairman. He is currently the Director of External Affairs for the Tennessee Public Charter School Commission. This state agency was created in 2019 to authorize and oversee select charter schools across the



state of Tennessee.

Whitney O'Connell started her career as an elementary educator and received her Masters of Education in Curriculum and Instruction, with an ELL endorsement, from the University of Washington. In her years of teaching, she taught nationally and internationally, across a variety of school settings - including in Metro Nashville Public Schools. Aside from being a classroom teacher, Whitney has experience in curriculum writing, professional development, and education-related research. Whitney is now a Curricular Solution Architect at Newsela - partnering with districts in developing custom curriculum and digital resource implementation.

Clare Vickland has over a decade of experience in the charter school sector, focusing on special populations. She is currently working as an independent education consultant and her clients include state and local charter school authorizers, independent charter schools, and school districts. Clare specializes in high impact leadership and instructional coaching, systems evaluation and development, charter school authorization, project management, and advocacy for students with disabilities. Previously, Clare worked at the Colorado Charter School Institute as the Director of Student Services and Professional Learning for 6 years after serving as a classroom teacher, special education teacher, instructional coach, and school leader in Denver-area charter schools. Clare holds a B.S. in Special Education from Vanderbilt University and her M.Ed. in Risk and Prevention from the Harvard Graduate School of Education.