



## **Executive Director's Recommendation**

### **Saber STEM Academy 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 22, 2022, the sponsors of Saber STEM Academy ("sponsor" or "Saber") appealed the denial of its amended application by the Metro Nashville Public Schools ("MNPS") 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 Saber STEM Academy amended application was not contrary to the best interests of the students, the LEA or the community.<sup>1</sup> Therefore, I recommend that the Commission uphold the decision of MNPS Board of Education to deny the amended application for Saber STEM Academy.

### **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 Saber STEM Academy's 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."<sup>2</sup> In addition, the Commission is required to hold a public hearing in the district where the proposed charter school seeks to locate.<sup>3</sup>

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.<sup>4</sup> 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 MNPS expressing its intention to file a charter school application.
2. The sponsor submitted its initial application for Saber STEM Academy to MNPS on February 1, 2022.
3. MNPS assembled a review committee to review and score the Saber STEM Academy initial application.
4. On March 24, 2022, MNPS's review committee conducted a capacity interview with representatives of Saber STEM Academy.

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<sup>1</sup> T.C.A. § 49-13-108.

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

<sup>3</sup> T.C.A. § 49-13-108.

<sup>4</sup> Id.



5. MNPS's review committee reviewed and scored the Saber STEM Academy initial application and recommended to the MNPS Board of Education that the initial application be denied, indicating it did not meet standards in academics, operations, and finance, as well as partially meeting standards in past performance.
6. On April 26, 2022, the MNPS Board of Education voted to deny the Saber STEM Academy initial application based on the review committee's recommendation.
7. The sponsor amended and resubmitted its application for Saber STEM Academy to MNPS on May 26, 2022.
8. MNPS's review committee reviewed and scored the Saber STEM Academy amended application based on the charter application scoring rubric.
9. MNPS's review committee rated academics, operations, and finance sections of Saber STEM Academy's amended application as does not meet standard, as well as past performance partially meets standard, and recommended denial to the local board of education.
10. On July 12, 2022, the MNPS Board of Education voted to deny the amended application of Saber STEM Academy.
11. The sponsor appealed the denial of the Saber STEM Academy amended application in writing to the Commission on July 22, 2022, including submission of all required documents per Commission Policy 2.000.
12. The Commission's review committee independently analyzed and scored the Saber STEM Academy amended application using the Tennessee Department of Education's charter school application scoring rubric.
13. The Commission's review committee conducted a capacity interview with key members of the Saber STEM Academy leadership team on September 2, 2022 via Microsoft Teams.
14. On September 8, 2022, the Commission staff held a public hearing at Davy Crockett Tower in Nashville, Tennessee. At the public hearing, the Executive Director, sitting as the Commission's Designee, heard presentations from the sponsor and MNPS and took public comment regarding the Saber STEM Academy amended application.
15. After the capacity interview, the Commission's review committee determined a final consensus rating of the Saber STEM Academy 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 MNPS to review and score the Saber STEM Academy initial application consisted of the following individuals:

<b>Name</b>	<b>Titles</b>
Dr. David Williams	MNPS Executive Officer, Teaching and Learning
Kenneth Stark	MNPS Executive Officer of Operations
Conor Rayel	MNPS Data Analyst, Research Assessment and Evaluation
Molly Hegwood	MNPS Executive Director, Office of English Learners
Debra McAdams	MNPS Executive Director of Exceptional Education
Dr. Elisa Norris	MNPS Executive Officer, Strategy of Performance Management
Casey Meow	MNPS Assistant Director of Facility Planning and Construction
Ryan Latimer	MNPS Director of Boundary Planning and Enrollment Forecasting
Dr. Alyson Lerma	MNPS Director of Grants Management
Dr. Gay Burden	External Reviewer

The Saber STEM Academy initial application received the following ratings from the MNPS review committee:

<b>Sections</b>	<b>Ratings</b>
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
Portfolio Review	Partially Meets Standard

After the MNPS review committee completed its review and scoring of the initial application, its recommendation was presented to the MNPS Board of Education on April 26, 2022. Based on the review committee's recommendation, the MNPS Board of Education voted to deny the initial application of Saber STEM Academy.

### **District Denial of Amended Application**

The review committee assembled by MNPS to review and score the Saber STEM Academy amended application mirrored that of the committee that reviewed the initial application. Upon resubmission, the MNPS review committee conducted a review of the amended application, and the amended application received the following ratings from the MNPS review committee:



<b>Sections</b>	<b>Ratings</b>
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
Portfolio Review	Partially Meets Standard

After the MNPS review committee completed its review and scoring of the amended application, its recommendation was presented to the MNPs Board of Education on July 12, 2022. At the July 12, 2022 board meeting, the MNPS Board of Education voted to deny the amended application of Saber STEM Academy.

**Commission Review Committee’s Evaluation of the Application**

Following the denial of the Saber STEM Academy 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 Saber STEM Academy amended application. This review committee consisted of the following individuals:

<b>Name</b>	<b>Title</b>
DreJean Cummings	Commission Staff
Reggie Epps	Commission Staff
Melanie Harrell	Commission Staff
Alexander Burke Roberson	External Reviewer
Hillary Sims	External Reviewer

The review committee conducted an initial review and scoring of the Saber STEM Academy 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 Saber STEM Academy application was as follows:

<b>Sections</b>	<b>Ratings</b>
Academic Plan Design and Capacity	Partially Meets Standard
Operations Plan and Capacity	Does Not Meet Standard
Financial Plan and Capacity	Does Not Meet Standard
Portfolio Review	Does Not Meet Standard



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

The applicant's academic plan proposes a unique STEM education program and a strong school culture for the proposed student population. The plan includes several benefits of STEM for students and the applicant plans to address student need from an assets-based approach. However, the review committee found that the application failed to demonstrate understanding of Tennessee requirements regarding academics. Additionally, while the applicant demonstrated strong interest and support from some community partners in the application, they failed to demonstrate strong parent demand for the school. Also, the model for the school relies on a significant EL population, and the applicant could not articulate contingency plans should their enrollment not materialize; for example, how that would impact their model and plan to meet the needs of all students.

The applicant's operations plan includes significant governance concerns, as it is unclear who is responsible for running the proposed school and managing the day-to-day operations. The various organizations involved also create concern for who is ultimately responsible for the success of the school. Additionally, including an organization that is for-profit to manage the school is in violation of Tennessee law. The applicant also included a timeline that is not feasible given the timing for several critical tasks related to school opening. Moreover, the applicant did not provide enough information related to finding appropriately licensed staff for this model or a compelling plan for recruitment and retention of staff.

The outlined financial plan also lacks appropriate assumptions and sound contingency plans in case of changes to revenue and startup funds. In addition, the staffing model included does not align to the Tennessee requirement for special populations, which is a serious concern given the school's focus and target demographic of students.

Finally, the applicant's past performance does not include all required documentation nor detail their experience with special populations. Additionally, the applicant's previous experience creates concern about their ability to open and sustain a school in Tennessee, due to two school closures for which EMAN was the charter management organization (CMO).

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 Saber's amended application, please see **Exhibit A** for the complete Review Committee Recommendation Report, which is fully incorporated herein by reference.

### **Public Hearing**

Pursuant to statute<sup>5</sup> and Commission Policy 2.000, a public hearing chaired by the Executive Director was held on September 8, 2022. MNPS's opening presentation at the public hearing focused on deficiencies

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<sup>5</sup> T.C.A. § 49-13-108(5)(b)(i).



found by MNPS's review committee. Representatives from MNPS indicated that Saber STEM Academy's amended application was denied based on seven key areas, including a 9% decline in the Kurdish-speaking population in the area of the proposed school, a lack of clarity regarding the relationship between Salman Community Services and Education Management Network, Inc., and an architectural timeline that was not adequate in relation to securing permits. MNPS also stated that the review committee shared concerns that the application lacked a plan to include the STEM curriculum for linguistically diverse students, citing that the applicant did not sufficiently integrate this into their academic plan. They also found the application submitted by Saber STEM included an overreliance on state and federal funds and no contingency plan if there were a decline in federal funding. Finally, MNPS noted concerns with the network, namely how a network located in Michigan will be able to support a school in Nashville, as well as concerns regarding several schools who chose to terminate their relationship with the charter management organization.

In the sponsor's opening statement, they noted that their mission and vision is about providing STEM for the targeted community and discussed their intent to focus on English Learners (EL), given the sponsor's background with at-risk students. They also shared their long history of experience with improving student performance and noted that their schools in Michigan have better performance with EL students as compared to MNPS. The sponsor stated they plan to provide students with a STEM curriculum that is exciting and hands-on, citing project-based learning as an integral part of their academic plan. The sponsor noted they will provide special populations students with everything required by the state, and that they have a multi-system support model devoted to supporting all students. The sponsor also addressed their plan to provide competitive teacher salaries and how teachers would be drawn to the overall benefit package they would provide. Finally, the sponsor discussed that although they are located in Michigan, they plan to build a network and a team in Tennessee to support the proposed school.

During questioning by the Commission, MNPS shared the primary reasons for the denial of Saber STEM Academy and how the findings were prepared. MNPS stated that the review committee scored both the initial and amended applications, and the committee was comprised of a variety of members employed by MNPS and one external review committee member. The Saber STEM Academy review committee included two members who have extensive experience in EL and were uniquely qualified to review the amended application. MNPS reiterated the seven key areas of concern that the review committee cited within the application as reasons for denial of the amended application. The Executive Director asked for clarification on the district's process, as there appeared to be discrepancies between the review committee's rubric and concerns noted in the evidence findings presented to the MNPS Board of Education. MNPS explained that while not in the review committee's rubric, concerns remained regarding the sponsor's facility plans, including the timeline for soliciting an architect and overall construction of the facility, and were therefore included in the evidence findings reported to the Board. When asked about the MNPS Board of Education's discussion of the accuracy of the utilization report for the Antioch and Cane Ridge clusters, MNPS representatives stated that the report came from Metro Nashville's Planning Development Tracker tool and included the housing construction in the area.

The Commission then questioned the sponsor to learn more about the proposed academic program. The sponsor shared that their plan is to meet the needs of the community, which reflects over 18 different spoken languages, by first providing the languages parents indicate they would like offered by the school. They shared that from their survey, Arabic and Somali were the two languages that the school would provide as part

of a foreign language elective program. When asked by the Commission about their plan to adjust proposed enrollment if numbers are not met, the sponsor shared that they were confident in what was included in the application, and they would be responsive to changing and evolving demographics. When discussing the location of the school, the sponsor shared that they are aware of other charter schools in the area who have waiting lists, which they said indicates a need for the school. In addition, the Saber STEM Academy team described a survey administered in part by the Islamic Center of Tennessee that demonstrates parent demand for the school. Finally, in response to questions regarding the governance structure and the possible use of a for-profit education service provider, the sponsor shared that Salman Community Services has an independent governing board who would contract with Education Management Network, Inc. to provide services for the management of the school.

The public hearing concluded with closing statements by both parties and the receipt of 15 in-person comments, with none speaking in support of MNPS and 15 speaking in support of Saber STEM Academy. The Commission also accepted written comments, and the Commission received 279 written comments, with none writing in support of MNPS and 279 writing in support of Saber STEM Academy.

### **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 and<sup>6</sup>,” whether “approval of the application is in the best interests of the students, LEA, or community<sup>7</sup>.” 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 MNPS, 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 Saber STEM Academy amended application did not rise to the level of meeting or exceeding the standards required for approval. Saber STEM Academy has proposed a charter school with a strong mission and vision to serve its proposed student population. I share in the review committee’s belief that a STEM academic program would benefit the identified community and is an option to address student needs. However, the details of the sponsor’s amended application do not demonstrate how their intended academic plan aligns to Tennessee academic standards or how it will be implemented successfully. In addition, within the amended application, the sponsor failed to provide evidence of parent demand to support the school’s enrollment projections. The public comments received by the Commission as a part of the appeal process were overall supportive of the school, and I do acknowledge that there is a passion within the community for this type of school. However, there was little evidence within the application to demonstrate how this would translate into meeting the school’s enrollment projections.

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<sup>6</sup> T.C.A. § 49-13-108(5)(E).

<sup>7</sup> *Id.*



Additionally, I agree with the review committee that the amended application does meet the standard for approval in the operations plan and capacity section. In both the capacity interview and the public hearing, questions remained about the overall governance of the school, as well as the relationship of the parties named throughout the application. The highest concern for me in this section is the involvement of Education Management & Networks, Inc. ("EMAN"), which is a for-profit charter management organization. T.C.A. § 49-13-106(b) prohibits the granting of a charter to a for-profit corporation within the State of Tennessee, and T.C.A. § 49-13-124(a)(1) prohibits a governing board from contracting with a for-profit corporation to manage the school. While the sponsor testified that Salman Community Services stands as the applicant, there was also testimony that EMAN will provide management services as a contract vendor. In any capacity, it would be a violation of Tennessee law to permit this for-profit entity to manage and operate a charter school. However, it was not clear from the amended application or public hearing of the role of the Tennessee-based governing board identified by the applicant, and the only draft services agreement within the application was one with EMAN. In totality, the lack of clarity regarding the governance structure and its alignment to statute does not provide sufficient evidence that the applicant meets the standard for approval.

With regard to the school's financial plan and capacity, I have outstanding questions about the sponsor's budget, as there are several items not addressed in the amended application. The financial plan and budget set forth in the amended application do not provide clarity on how integral functions of the school will be handled. The sponsor's budget does not include a realistic staffing budget. For example, the sponsor stated an intent to hire specialized therapists for their students (i.e. Speech and Language therapists), yet the application also indicates an intent to contract for these specialized services. Therefore, it is not clear that the sponsor has a reasonable budget that aligns with the proposed academic model within the application and will be able to implement the plan successfully. Further still, the amended application and budget indicate a reliance on EMAN to cover several expenses, whether through a loan or an "absorption" of costs. This reinforces my concern regarding the governance of the school and the potential violation of Tennessee law. The sponsor has an ambitious plan to serve special populations, in line with the mission and vision of the school. However, the budget set forth in the amended application is well below the amounts necessary to properly retain and staff the positions to accommodate these plans.

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. In totality, the amended application for Saber STEM Academy does not meet the requirements set forth in statute for approval.

For the reasons expounded on in this report, I recommend that the Commission deny the Saber STEM Academy 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 Saber STEM Academy was contrary to the best interests of the students, the LEA, or community. Therefore, I recommend that the





Commission affirm the decision of the MNPS Board of Education to deny the amended application for Saber STEM Academy.

A handwritten signature in black ink that reads "Tess Stovall".

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Tess Stovall, Executive Director  
Tennessee Public Charter School Commission

\_\_\_\_\_  
10/5/22  
Date



**EXHIBIT A**

**Charter Application Review Committee Recommendation Report**

October 5, 2022

School Name: Saber STEM Academy

Sponsor: Salman Community Services

Proposed Location of School: Metro Nashville Public Schools

Evaluation Team:

- DreJean Cummings
- Reggie Epps
- Melanie Harrell
- Alexander Burke Roberson
- Hillary Sims

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 four sections of the application: Academic Plan Design and Capacity, Operations Plan and Capacity, Financial Plan and Capacity, and Portfolio Review.
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 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, financial plans, and portfolio review.
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 four 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; ; 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.
  - d. Portfolio Review: Past performance

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:



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<b>Rating</b>	<b>Characteristics</b>
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.
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: Saber STEM Academy

Sponsor: Salman Community Services

Proposed Location of School: Metro Nashville Public Schools

Mission:<sup>1</sup> Saber STEM Academy (SSA) will provide access to high-quality, equitable K-8 STEM education for culturally and linguistically diverse students in a safe, inclusive, and nurturing environment. We are committed to cultivating a family of multilingual students and staff who solve problems through collaboration, innovation, passion, patience, empathy, and thoughtful discourse to make this world a better place and best for all.

Number of Schools Currently in Operation by Sponsor: The sponsor, Salman Community Services, “the non-profit extension of Education Management & Networks, Inc.” together “operate in full collaboration to support the schools within their network (the “Network”).”<sup>2</sup> They currently have seven (7) operating charter schools, each of which authorized in the state of Michigan.

Proposed Enrollment:<sup>3</sup>

Grade Level	Year 1: 2023-2024	Year 2: 2024-2025	Year 3: 2025-2026	Year 4: 2026-2027	Year 5: 2027-28	At Capacity:
K	44	44	44	44	44	44
1	22	44	44	44	44	44
2	22	22	44	44	44	44
3	22	22	22	44	44	44
4	22	22	22	22	22	44
5	22	22	22	22	22	44
6	0	22	22	22	22	44
7	0	0	22	22	22	44
8	0	0	0	22	22	44
9	0	0	0	0	0	0
10	0	0	0	0	0	0
11	0	0	0	0	0	0
12	0	0	0	0	0	0
Totals	154	198	242	286	308	396

<sup>1</sup> Saber STEM Amended Application, pg. 8

<sup>2</sup> Ibid, pg. 112

<sup>3</sup> Ibid, pg. 25



Brief Description of the Application:

The sponsor, Salman Community Services, is proposing to open a charter school in Davidson County, Tennessee and serve students in kindergarten through 8<sup>th</sup> grade when fully built out. The school, Saber STEM Academy, is a new-start school and would be the eighth currently operating school for the sponsor. The proposed school will be organized under the Board of Directors of Saber STEM Academy and contract directly with Salman Community Services as its charter management organization. The school intends to operate in the Antioch/Cane Ridge communities of Davidson County to, “reach out to the underserved foreign-born population in Southeast Nashville and provide a more meaningful educational experience, in a safe welcoming environment.”<sup>4</sup> The school proposes to offer “equitable access to high quality STEM pathways for diverse K-8 children,”<sup>5</sup> and provide an opportunity for students in the Southeast Nashville area additional school options.

Salman Community Services will operate in collaboration with Education Management & Networks, Inc. In Year 0, Saber STEM Academy has budgeted for a \$350,000 loan from Education Management and Networks, Inc. and projects \$344,007 in expenses for the school.<sup>6</sup> Saber STEM Academy projects the school will have \$2,589,192 in revenue and \$2,294,335 in expenses in Year 1, resulting in a balance of \$300,850.<sup>7</sup> By Year 5, the school projects to have \$4,936,732 in revenue and \$4,554,737 in expenses, resulting in a positive fund balance of \$2,171,651.<sup>8</sup>

The school anticipates that 45% of the student population will qualify as economically disadvantaged, 12% of the student population will be students with disabilities, and 65-70% of the student population will be English Learners (EL).<sup>9</sup>

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<sup>4</sup> Ibid, pg. 6

<sup>5</sup> Ibid, pg. 6

<sup>6</sup> Saber STEM Academy Amended Budget, Pre-Opening Budget

<sup>7</sup> Saber STEM Academy Amended Budget, Year 1 Budget

<sup>8</sup> Saber STEM Academy Amended Budget, Year 2 through 5 Budget

<sup>9</sup> Ibid, pg. 25



### **Summary of the Evaluation**

The review committee recommends denial of the application for Saber STEM Academy (SSA) because the applicant failed to provide sufficient evidence in the academic, operational, financial, and past performance sections to demonstrate the application meets the required criteria of the rubric.

The applicant's academic plan includes a compelling vision and mission that is focused on providing STEM education and a strong school culture for the proposed student population. The plan includes several benefits of STEM for students and the applicant plans to address student need from an assets-based approach. However, the application failed to demonstrate understanding of Tennessee requirements regarding academics. Additionally, while the applicant demonstrated strong interest and support from some community partners in the application, they failed to demonstrate strong parent demand for the school. Also, the model for the school relies on a significant EL population, and the applicant could not articulate contingency plans should their enrollment not materialize; for example, how that would impact their model and plan to meet the needs of all students.

The applicant's operations plan includes serious governance concerns, as it is unclear who would be running the proposed school and managing the day-to-day operations. The various organizations involved create concern for who is ultimately responsible for the success of the school. Additionally, including an organization that is for-profit to manage the school is in violation of Tennessee law. The applicant also included a timeline that is not feasible given the timing for several critical tasks related to school opening. Finally, the applicant did not provide enough information related to finding appropriately licensed staff for this model and failed to provide a compelling plan for recruitment and retention of staff.

The outlined financial plan also lacks appropriate assumptions and sound contingency plans in case of changes to revenue and startup funds. In addition, the staffing model included does not align to the Tennessee requirement for special populations, which is a serious concern given the school's focus and target demographic of students.

Finally, the applicant's past performance does not include required documentation nor detail their experience with special populations. Additionally, the applicant's previous experience creates concern about their ability to open and sustain a school in Tennessee, due to two school closures for which EMAN was the charter management organization (CMO). Overall, the application lacks sufficient detail in all sections to show that the school would be ready to open and operate.

#### 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 approval<sup>10</sup> 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 capable individuals to execute that plan. The review committee's consensus ratings for each section of the application are as follows:

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<sup>10</sup> Tennessee Charter School Application Rubric-Evaluation Ratings and Sample Scoring Criteria, pg. 1.



**TENNESSEE**  
PUBLIC CHARTER SCHOOL COMMISSION

<b>Sections</b>	<b>Rating</b>
Academic Plan Design and Capacity	Partially Meets Standard
Operations Plan and Capacity	Does Not Meet Standard
Financial Plan and Capacity	Does Not Meet Standard
Portfolio Review and Performance Record	Does Not Meet Standard

## **Analysis of the Academic Plan Design and Capacity**

*Rating: Partially Meets Standard*

### **Weaknesses Identified by the Committee**

The Academic Plan Design and Capacity proposed by the applicant, although having a compelling mission and unique STEM education program tailored to an emerging bilingual learner population, partially meets the standard due to lack of specificity and understanding of the Tennessee requirements in several critical areas. While reviewing the application, the review committee noted that the academic plan, parent and community support, and enrollment and retention summary sections lack sufficient evidence to support a rating of meeting the standard. Further, while there is evidence of an experienced team, there are several areas where Tennessee specific requirements and law are not sufficiently addressed.

As detailed in the application, a key component of the proposed academic plan includes a plan for both a language immersion program and a language elective program. During the capacity interview, the applicant explained their affinity for meeting the needs of EL students and clarified that school would provide an Arabic language elective. However, this elective program does not align with the language immersion program described in the application, and the actual language program of the proposed school is not clear. In addition, the STEM component of the application, while innovative, does not include specifics about how STEM would be infused throughout each school day. Finally, there is a lack of knowledge of Tennessee requirements, as, for example, the application notes the use of an outdated WIDA placement test and the RTI<sup>2</sup> framework requirements included do not align to Tennessee requirements.

Parent and community support is noted via a survey in the application, however, during the capacity interview it was mentioned that the survey was administered by the Islamic Center of Tennessee (ICT). It was not clear how the applicant was able to confirm who of the respondents were potential parents for the proposed school, although they have noted that there are about 100 parents who have shown an interest in the school. While the school has a committed partnership with the ICT, which has a strong presence in the community, it is unclear if there are other community partners who support the proposed school. Additionally, the applicant only provided two of three required letters of support, as required by the rubric, with one being from the ICT and the other a potential vendor for the school. Overall, the documented support does not reflect strong community and parent demand.

Stemming from the lack of clear demand for the school is the issue around enrollment and retention. The applicant could not articulate a contingency plan for the academic model should they not meet their proposed enrollment target, which is relevant given the school's emphasis on service of EL students and related academic plan. Given the number of charter schools currently in operation in the area and the options that parents have available in the community, enrollment and recruitment plans are critically important, but the applicant's provided plans lack the necessary detail regarding how the school plans to recruit and retain students. The applicant also cites within the application an interview process for enrollment, which may be perceived as a barrier for entry. In addition, they cite the need for a "good faith agreement" for students presenting false information about themselves during this interview, which gives the applicant the right to expel a student whom they determine may not be the right fit, which is not permissible in Tennessee.



**Strengths Identified by the Committee**

The academic plan includes a clear intention to serve EL students, along with a strong mission statement and vision, which highlights the applicant's commitment to the proposed community. In addition, the applicant's noted experience with the population in other network schools is a strength and speaks to their deep dedication to serving these students. The applicant's passion to provide a quality education for students was apparent in the application and throughout the capacity interview. The applicant shared a deep knowledge of the targeted population and the benefits that Saber STEM Academy would have for students in the area, highlighting their understanding of the culture.

## **Analysis of the Operations Plan and Capacity**

*Rating: Does Not Meet Standard*

### **Weaknesses Identified by the Committee**

The applicant's Operations Plan and Capacity does not meet standard because the proposed governance structure creates serious concerns regarding conflict of interest, the included startup plan is not feasible, and they fail to provide a compelling plan for recruitment and retention of staff.

The applicant proposes that Saber STEM Academy would be governed by a board who would contract with Salman Community Services, a non-profit organization. Salman Community Services would then contract with Education Management Inc. (EMAN), the for-profit education management organization that founded Salman Community Services, as the vendor who would run the day-to-day operations for Saber STEM Academy. This relationship was a critical area of concern for the review committee. First, there was no representative from Salman Community Services present during the capacity interview to help explain the application, and the representatives of EMAN (the body present for the capacity interview) indicated they would be running the day-to-day operations of the school. The applicant shared that the local governing body for the board would be responsible for setting policies and would contract with Salman and EMAN. The applicant did not describe how the local board would ensure proper oversight of the Salman or EMAN in the application. There was also no detail provided for how communication would flow between the three entities, or how they would make sure that the roles and responsibilities of all are clearly defined. In addition, they did not share who worked for each entity and who would be responsible for certain tasks outlined within the application. This is a critical point given that this would be the organization's first school in Tennessee and would require a great deal of detailed planning. Furthermore, the relationship between Salman Community Services and Education Management Community Services calls into question their alignment with Tennessee law since EMAN is a for-profit entity.

The review committee also noted concerns with the startup plan provided for Saber STEM Academy. The application includes a startup plan that, while ambitious, does not provide enough detail to address who will be completing the tasks required for school opening. The applicant notes experience in this area, as well as their plan to provide transportation to all students who require it, but there were no specifics provided by the team on how this would be managed for Saber STEM Academy. Rather, it was noted how they have handled this for other schools in the past, in different states, and vendors with whom they have established relationships. It was not clear if these vendors were present in the Nashville market or available to provide the services to the proposed school.

Finally, throughout this section of the amended application and in the capacity interview, there was a lack of attention provided to the issue of staffing. Finding teachers that are licensed and specialized for this type of model would prove challenging given the current staffing shortages nationally and locally. The review committee noted concerns with finding such staff members based on their current timeline, and the applicant did not provide a compelling strategy to explain how they would attract these bilingual, certified teachers. When asked about this in the capacity interview, the applicant explained that they are hoping to recruit teachers who are certified, have bilingual endorsements, and who are willing to go through the National Institute for STEM Education endorsement program within the same timeline. This was concerning to the review committee



because the included salary for teachers is not competitive for the area and unlikely to attract the teachers the school desires. Additionally, the startup plan includes a plan to find a school leader in July, a timeline that raises concerns given the experience that the applicant hopes they will possess.

## **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 it fails to include adequate expense assumptions, a clear contingency plan for revenue assumptions, and a lack of required information at the school and network level.

The applicant's budget narrative provides virtually no explanation and support for included costs, and the provided budget does not include reasonable assumptions. For example, the transportation budgeted costs are lower than the transportation BEP component they are projecting to receive. Notably, this revenue assumption itself may not be reasonable, as the BEP rate assumed within the applicant's budget already includes the transportation component.

The applicant's model relies on serving EL students and, to that end, will require teachers to meet the needs of those students. There are numerous staffing assumptions in the budget that are not aligned with other portions of the application narrative or are unreasonable. For example, the school includes speech and language therapists in the staffing budget, but elsewhere they state they will contract with related service providers for these services. Additionally, the school only budgeted for a part-time SPED teacher, but, based on the special populations assumptions provided, this is not sufficient to cover the projected needs of the school. Moreover, the school also does not detail how they would recruit certified SPED personnel on a part-time basis. The school appears to have only budgeted for one EL teacher, though in the interview the applicant noted that they would like for all teachers to have EL endorsements. Based on the application narrative about the projected EL population, the school would need at least three teachers to meet Tennessee ratio requirements. When asked about the absence of a director of operations in year one of the budget, a role that was indicated within the application narrative, the EMAN team explained that Mr. Hassan, the Chief Operations Officer (COO), would fulfill that role himself for year one at no cost to the school budget, as, "EMAN absorbs the cost." This further compounds the concern of governance and funding if the for-profit education services provider is paying their COO to relocate to Nashville for a year to function as the Director of Operations.

In the fund balance projected from the applicant's revenue versus expenditures, there is a noted variation in financial gain, as shown in the application versus the budget sheet. There is no clarity around whether the operator will continue to contribute the Tennessee Consolidated Recruitment System (TCRS), a statutory requirement, as a part of the budget. In addition, there is a loan included from EMAN, and not Salman Community Services, which raises continued questions as to who is responsible for running the proposed school and the relationship between the entities. Additionally, there are large, material costs underestimated or excluded from the budget (such as retirement contributions and authorizer fees) without explanation. This further casts doubt on the operator's ability to maintain the positive cash flow and fund balance projected in the budget.

Overall, given the mission and vision of the school to educate economically disadvantaged students, who are likely foreign born, students with disabilities, English Learners, or at-risk students, they have greatly under budgeted at the school-level for the professionals who are prepared and licensed to teach and counsel those



students. This further demonstrates the review committee's concern with the applicant's ability to maintain the positive cash flow and fund balance projected in the budget and to fully serve all students enrolled at SSA.



**Analysis of the Portfolio Review and Performance Record**

*Rating: Does Not Meet Standard*

**Weaknesses Identified by the Committee:**

The applicant's Portfolio Review and Performance Record does not meet standard because of a lack of information related to the past performance of the operator and questions around their ability to create positive results in Tennessee.

The applicant provided information regarding their past performance from an authorizer, noting their A+ rating on their authorizer evaluation. However, there is no evidence of student achievement in their other schools other than the provided narrative. In addition, the evaluation does not address any sub-group or special populations' performance. In the capacity interview, the applicant did provide information on the performance of students in Michigan with the release of their accountability data, noting that students in the combined grades 3-8, who range from 80-85% EL, are proficient in reading. They did not specify their performance with special populations, stating the number of students with disabilities served did not meet a reportable level.

When asked in the capacity interview about their past performance with other schools, including litigation, the service provider being removed from schools, and contracts not being renewed, the operator commented that school closures happen and are a natural progression. The comment regarding school closure is a concerning disregard for how school closures impact students, families, staff, and the community. This topic is particularly salient for a new operator in a new state, as the startup and success of the school requires a great deal of planning and effort. A school that would open and close in the proposed community would surely have a negative impact on students. Additionally, the applicant took no responsibility for any of the partnerships ending, noting that all changes were a result of a change in vision. The review committee did not find these answers sufficient or in alignment with the rubric.

The applicant did not provide enough evidence that they would be successful in Tennessee nor provide a sound plan to confidently address any potential school closure in Antioch, based on their past performance. Overall, there was a lack of specificity and detail throughout, which raises concerns with the review committee about the applicant's readiness to launch a school in Tennessee.



## Evaluation Team

**DreJean Cummings** joined the Tennessee Charter School Commission in 2021, serving as the Special Assistant to the Executive Director. Prior to working at the Commission, DreJean held a variety of roles at the Tennessee Department of Education, most recently as the Research Manager for the Research and Evaluation team. She holds a Bachelor of Arts degree from Rhodes College and a Master of Public Policy from Vanderbilt University.

**Reggie Epps** serves as the Special Populations Coordinator for the Tennessee Public Charter School Commission. He has an B.S. in Education from the University of Tennessee at Knoxville, Postbaccalaureate Degree in Special Education from Middle Tennessee State University, and a M.Ed. in Educational Leadership from Arkansas State University. Reginald began his career as a high school Special Education teacher with Knox County Schools before relocating to Nashville. During his time in Nashville, he has served as Special Education Coordinator and Director of Student Services for a few local public charter schools. He has focused his educational career on serving students with disabilities and English Language Learners within the public and charter school community.

**Melanie Harrell** is the Director of Finance and Operations for the Tennessee Public Charter School Commission. Prior to working at the Commission, Melanie worked as a fiscal consultant for RePublic Charter Schools, and as the Charter School Program manager at the Tennessee Department of Education. She was a Teach For America corps member and spent three years as a classroom teacher at a charter school in Dallas County, TX where she also served as the Humanities Department Chair. She received her M.P.P in Education Policy from Vanderbilt University, and her B.A. in Political Science and Philosophy from TCU.

**Alexander Burke Roberson** is the School Administration Consultant for Charter Schools at the Wisconsin Department of Public Instruction, working primarily with Wisconsin's thirty-five independent charter schools ("ICS") and five ICS authorizers. Roberson supports operators and authorizers in navigating bureaucratic burdens, so they can focus on educating Wisconsin students. Prior to returning to his home state, Roberson was the Advisor for School Governance & Compliance at Memphis-Shelby County Schools, helping establish systems of oversight and accountability in Tennessee's largest authorizing shop. Hailing from a family of educators, Roberson started his own career in education as a special education summer school aide in his hometown of Kenosha, Wisconsin for two summers during college.

Roberson earned his undergraduate degree in political science from Auburn University and both his graduate degree in political science and juris doctorate from the University of Memphis. He lives in Sun Prairie, Wisconsin with his partner and their four pets.

**Hillary Sims** has been a founding school leader of several Tennessee Charter Schools beginning shortly after the passing of Chapter 13. With a Bachelor of Sciences in both Psychology & Sociology from East Tennessee State University, a Master of Science in Holistic Teaching and Learning, and an Education Specialist Degree in Comprehensive and Modified, K-12 Special Education from the University of Tennessee, Knoxville. Ms. Sims has current licensure/certifications in seven subject areas in Tennessee to include an Administrator's License.



Having taught in traditional public and private schools as well as served as a School Administrator for greater than 10 years, Ms. Sims brings a broad scope of school academics, culture, operations, and governance as a reviewer. Ms. Sims has contributed to charter school improvement across the United States while working for a global charter management organization. Ms. Sims has served on the Governor’s Advisory Council for Students with Disabilities, served as a charter review team member for the State Board of Education for six years and is now reviewing for a second year with the TPCSC. Areas of expertise are Students with Disabilities, Adolescent Mental Health, Special Populations, Compliance, Holistic Learning Strategies, Discipline/Culture, and School Leadership. Ms. Sims currently serves as an Exceptional Education Coach for Metropolitan Nashville Public Schools.