

Houston County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Charter Schools	Descriptor Code: 1.901	Issued Date: 12/11/17
		Rescinds: 1.704	Issued: 07/08/13

SCOPE

This policy shall apply to sponsors and potential sponsors of newly created public charter schools. It shall not apply to public charter schools converted from existing public schools pursuant to TCA 49-13-106 (b) (2).

DEFINITION

A charter school shall be a public, nonsectarian, non-religious, non-home based school which operates within a public school district. It shall be subject to all state and federal laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry or need for special education services.¹

The purposes of charter schools are to:²

- 1) Improve learning for all students and close the achievement gap between high and low students;
- 2) Provide options for parents to meet educational needs of students in high priority schools;
- 3) Encourage the use of different and innovative teaching methods, and provide greater decision-making authority to schools and teachers in exchange for greater responsibility for student performance;
- 4) Measure performance of pupils and faculty, and ensure that children have the opportunity to reach proficiency on state academic assessments;
- 5) Create new professional opportunities for teachers; and
- 6) Afford parents substantial meaningful opportunities to participate in the education of their children.

APPLICATION PROCESS³

A prospective charter school sponsor shall send the director of schools notice of its intent sixty (60) days prior to April 1 of the year preceding the year in which the proposed charter school plans to begin operation as a public charter school.

A sponsor seeking board approval of an initial charter school application must complete the forms provided by the Tennessee Department of Education. The application must provide all the information required by law. The sponsor must demonstrate that the proposed charter school meets the purpose prescribed by law for the formation of a charter school and the proposed charter school will be able to implement a viable program of quality education for its students.

Applications must be submitted to board on or before 4:30 p.m. on April 1 of the year preceding the year in which the proposed charter school plans to begin operation as a public charter school.

Applications will be accepted only between March 1 and April 1. If the 1st of April falls on a Saturday, Sunday, or holiday on which the school district offices are closed, applications will be accepted on the next business day on or before 4:30 p.m. Late applications will not be accepted, without exception. The sponsor shall pay an application fee of \$2,500.00.³

REVIEW TEAM

If necessary, the board shall appoint a review team to assist in reviewing and evaluating charter school applications. The team shall be composed of: members of the administrative staff for the district; community members; and a member of the board. At the board meeting in February each year, the Director of Schools shall make a recommendation to the board of which members of his administrative staff should be appointed to the team. The board shall name the members of the team at its meeting in March of each year. The board shall designate a chairman of the review team as the contact person for answering questions about the application process and receiving applications.

The board shall require a procedure for receiving, reviewing, and ruling on applications for the establishment of charter schools. The procedure must include a timeline for the application and review process. A copy of the procedure, including the review criteria, shall be available to any interested party upon request.

The review team shall:

- 1) Evaluate all charter school applications based on the review criteria adopted by the board;
- 2) Recommend one of the following options to the board for each application: approve, reject, or reject with stipulations for reconsideration; and
- 3) Make recommendations for revocation, renewal, or non-renewal of charter contracts.

APPROVAL, DENIAL OF APPLICATION⁴

The board shall rule by resolution on the approval or denial of a charter application within ninety (90) days of receipt of the completed application or the application shall be deemed approved by law. The director of schools shall report the action taken by the board to the Department of Education.

Approval

The sponsor of a public charter school that is approved by the board shall enter into a written agreement with the board, which shall be binding on the charter school's governing body. This agreement, known as the charter agreement, shall be in writing signed by the sponsor and the board. In the application, the sponsor must demonstrate that the proposed charter school meets the purpose prescribed by law for the formation of a charter school and the proposed charter school will be and shall include all aspects of the sponsor's approved application as well as any reporting requirements prescribed under state or federal laws.⁵

Starting in the 2018-2019 school year, the board will receive an annual authorizer fee of three percent (3%) of the annual per student state and local allocations or thirty-five thousand dollars (\$35,000), whichever is less.⁷ Charter schools approved by the board of education are expected to implement the application as submitted and approved. Material variations in operations from the approved application require amendment pursuant to statute and the charter school agreement.

The board should not be expected to provide services to charter schools that are not requested during the application process except for those services that are required under state or federal laws. Services agreed to be provided to the charter schools by the board shall be provided at board actual cost. The board and charter school shall execute a service contract for any additional services.

New public charter school agreements are approved for a ten-year period.⁶ The board may revoke or deny renewal of a public charter school agreement for any of the reasons enumerated in TCA 49-13-122.

Denial

Upon receipt of the grounds for denial, the sponsor shall have thirty (30) days within which to submit an amended application to correct the deficiencies. The board shall have thirty (30) days either to deny or to approve the amended application or the application shall be deemed approved by law.⁴

A denial of an application by the board may be appealed by the sponsor, within ten (10) days of the final decision to deny to the State Board of Education.

Legal References

1. TCA 49-13-105; TCA 49-13-111(a)-(c)
2. TCA 49-13-102
3. TCA 49-13-107, 108; TCA 1-3-102; TCA 49-13-108(a)(5)
4. TCA 49-13-108; TRR/MS 0520-14-1-.01 & .02
5. TCA 49-13-110
6. TCA 49-13-121
7. TCA 49-13-143