

# Decatur County Board of Education

Monitoring: <b>Review: Annually, in August</b>	Descriptor Term:  <b>Charter Schools</b>	Descriptor Code: <b>1.704</b>	Issued Date: <b>07/13/17</b>
		Rescinds:	Issued:

## 1 SCOPE

2 This policy shall apply to sponsors and potential sponsors of newly created public charter schools. It  
3 shall not apply to public charter schools converted from existing public schools pursuant to TCA 49-  
4 13-106 (b) (2).

## 5 DEFINITION

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

10 The purposes of charter schools are to:<sup>2</sup>

- 11 1) Improve learning for all students and close the achievement gap between high and low  
12 students;
- 13 14 2) Provide options for parents to meet educational needs of students in high priority schools;
- 15 16 3) Encourage the use of different and innovative teaching methods, and provide greater decision  
17 making authority to schools and teachers in exchange for greater responsibility for student  
18 performance;
- 19 20 4) Measure performance of pupils and faculty, and ensure that children have the opportunity to  
21 reach proficiency on state academic assessments;
- 22 23 5) Create new professional opportunities for teachers; and
- 24 25 6) Afford parents substantial meaningful opportunities to participate in the education of their  
26 children.

## 27 APPLICATION PROCESS<sup>3</sup>

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

1 A sponsor seeking board approval of an initial charter school application must complete the form  
2 provided by the Tennessee Department of Education. In the application, the sponsor must demonstrate  
3 that the proposed charter school meets the purpose prescribed by law for the formation of a charter  
4 school and the proposed charter school will be able to implement a viable program of quality education  
5 for its students. In the case where a traditional public school is seeking to convert to a charter school,  
6 the application must include documents showing the necessary parental or teacher support.

7  
8 Applications must be submitted to board on or before 4:30 p.m. on April 1 of the year preceding the  
9 year in which the proposed charter school plans to begin operation as a public charter school.  
10 Applications will be accepted only between March 1 and April 1. If the 1st of April falls on a Saturday,  
11 Sunday or holiday on which the school district offices are closed, applications will be accepted on the  
12 previous business day on or before 4:30 p.m. Late applications will not be accepted, without  
13 exception. The sponsor shall pay an application fee of \$500.00.<sup>3</sup>

#### 14 15 **REVIEW TEAM**

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

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

27 The review team shall:

- 28 1) Evaluate all charter school applications based on the review criteria adopted by the board;
- 29
- 30 2) Recommend one of the following options to the board for each application: approve, reject, or  
31 reject with stipulations for reconsideration; and
- 32
- 33 3) Make recommendations for revocation, renewal or non-renewal of charter contracts.

#### 34 **APPROVAL, DENIAL OF APPLICATION<sup>4</sup>**

35 The board shall rule by resolution on the approval or denial of a charter application within ninety (90)  
36 days of receipt of the completed application or the application shall be deemed approved by law.

#### 37 **Approval**

38 The sponsor of a public charter school that is approved by the board shall enter into a written  
39 agreement with the board, which shall be binding on the charter school's governing body. This  
40 agreement, known as the charter agreement, shall be in writing signed by the sponsor and the board. In

1 the application, the sponsor must demonstrate that the proposed charter school meets the purpose  
2 prescribed by law for the formation of a charter school and the proposed charter school will be and  
3 shall include all aspects of the sponsor's approved application as well as any reporting requirements  
4 prescribed under state or federal laws.<sup>5</sup>

5 All charter schools that include high schools (grades 9-12) must be regionally accredited. It is expected  
6 that the candidate school status for accreditation will be received during the first year of the charter  
7 school operation.

8 Charter schools approved by the board of education are expected to implement the application as  
9 submitted and approved. Material variations in operations from the approved application require  
10 amendment pursuant to statute and the charter school agreement.

11 The board should not be expected to provide services to charter schools that are not requested during  
12 the application process except for those services that are required under state or federal laws. Services  
13 agreed to be provided to the charter schools by the board shall be provided at board actual cost.

14 The Governing Body of an approved public charter school shall make a written report to the board  
15 annually between August 1 and September 1. This reporting requirement shall begin in the year after  
16 the year in which the public charter school begins operation. This annual report shall include: a report  
17 on the progress of the school in achieving its goals, objectives, pupil performance standards, content  
18 standards, and all other terms of the charter agreement; and a financial statement disclosing the  
19 financial health of the school including the costs of the administration, instruction and other spending  
20 categories of the school.<sup>6</sup>

21 New public charter schools, conversion schools, and all renewals of charter agreements are approved  
22 for ten year periods. However, following the fifth year of a charter school's initial period of operation  
23 or the fifth year of any renewal of a charter school agreement, the LEA must conduct an interim review  
24 of the charter school according to the guidelines developed by the Department of Education.

25 No later than October 1 of the year prior to the year in which the charter agreement expires, the  
26 governing body of a public charter school shall submit a renewal application to the board. The board  
27 shall make its renewal decision based on the progress of the school towards its stated goals and on the  
28 financial status of the school.<sup>7</sup>

29 The board may revoke or deny renewal of a public charter school agreement for any of the reasons  
30 enumerated in TCA 49-13-122.

### 31 **Denial**

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

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

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Legal References

1. TCA 49-13-105; TCA 49-13-111(a)-(c)
2. TCA 49-13-102
3. TCA 49-13-107, 108
4. TCA 49-13-108; TRR/MS 0520-14-1-.01 & .02
5. TCA 49-13-110
6. TCA 49-13-120
7. TCA 49-13-121

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Cross References