

# Smith County Board of Education

Monitoring: <b>Review: Annually, in November</b>	Descriptor Term: <b>Charter Schools</b>	Descriptor Code: <b>1.704</b>	Issued Date: <b>12/20/05</b>
		Rescinds:	Issued:

## 1 **DEFINITION**

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

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8 Charter schools may be formed to:<sup>2</sup>

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- 10 1. Provide alternatives for students in schools failing to make adequate yearly progress.
  - 11 2. Address the unique needs of students eligible for special education services.
  - 12 3. Provide local school systems the option to work in concert with the state's public higher  
13 education teacher training institutions.
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## 15 **APPLICATION PROCESS** <sup>3</sup>

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18 A sponsor requesting that the Board approve a charter school must provide a written application in the  
19 form provided by the state and a list of requirements that the sponsor wants to waive. In the application,  
20 the sponsor must demonstrate that the proposed charter school meets the purpose prescribed by law for  
21 the formation of a charter school and the proposed charter school will be able to implement a viable  
22 program of quality education for its students. In the case of a conversion school, the application must  
23 include documents showing the necessary parental or teacher support for a charter school.

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25 On or before November 15 of the year preceding the year in which the proposed charter school plans  
26 to begin operation, the sponsor seeking to establish a public charter school shall file with the Board the  
27 written application with required supporting documents.

## 28 29 **REVIEW TEAM**

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32 The Board shall establish a review team consisting of appropriate school personnel and a local business  
33 representative. The Board shall designate a chairman of the review team as the contact person for an-  
34 swering questions about the application process and receiving applications. The review team shall work  
35 cooperatively with applicants for charter schools.

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37 The Board shall require a procedure of receiving, reviewing and ruling on applications for the establish-  
38 ment of charter schools. The procedure must include a timeline for the application and review process  
39 and the means for reviewing and evaluating each application, including the criteria on which the decision  
40 to grant or deny a charter will be based. A copy of the procedure, including the review criteria, shall be  
41 available to any interested party upon request.

1 The review team shall:  
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- 3 1. Evaluate all charter school applications based on the review criteria adopted by the Board;  
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- 5 2. Recommend one of the following options to the Board for each application: approve, reject, or  
6 reject with stipulations for reconsideration;  
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- 8 3. Monitor charter school progress; and  
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- 10 4. Make recommendations for revocation, renewal or non-renewal of charter contracts.  
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### 12 **APPROVAL, DENIAL OF APPLICATION** <sup>4</sup>

15 The Board shall rule by resolution on the approval or denial of a charter application within sixty (60) days  
16 of receipt of the completed application.  
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18 Upon receipt of the grounds for denial, the sponsor shall have fifteen (15) days within which to submit an  
19 amended application to correct the deficiencies. The Board shall have fifteen (15) days either to deny or to  
20 approve the amended application.  
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22 A denial of an application for new schools formed to address low performers by the Board may be appealed  
23 by the sponsor, within ten (10) days of the final decision to deny to the State Board of Education.  
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43 Legal References:

- 44 1. TCA 49-13-105; TCA 49-13-111(1) - (4)(b)(c)
- 45 2. TCA 49-13-106(1)(2)
- 46 3. TCA 49-13-107
- 47 4. TCA 49-13-108; TRR/MS 0520-14-1-.01 &.02  
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