

Hardin County Board of Education

Monitoring: Review: Annually, in August	Descriptor Term: Charter School Applications	Descriptor Code: 1.901	Issued Date: 11/12/18
		Rescinds: 1.901	Issued: 09/18/17

1 *General*

2 This policy shall apply to sponsors and potential sponsors of charter schools. It shall not apply to
3 charter schools converting from existing public schools. Proposals from existing charter school
4 operators or replicators and applicants proposing to contract with educational service providers shall
5 include the additional information required by state law.¹

6 **APPLICATION PROCESS²**

7 A prospective charter school sponsor shall send the Director of Schools notice of its intent sixty (60)
8 days prior to April 1st of the year preceding the year in which the proposed charter school plans to
9 begin operation as a charter school.

10 A sponsor seeking board approval of an initial charter school application shall complete the forms
11 provided by the Tennessee Department of Education. The application shall provide all the information
12 required by law. The sponsor shall demonstrate that the proposed charter school meets the purpose
13 prescribed by law for the formation of a charter school, and the proposed charter school will be able to
14 implement a viable program of quality education for its students.³

15 Applications shall be submitted to the Board on or before 4:00 p.m. on April 1st of the year preceding
16 the year in which the proposed charter school plans to begin operation as a charter school.

17 Applications will be accepted only between March 1st and April 1st. If the 1st of April falls on a
18 Saturday, Sunday, or holiday on which the school district offices are closed, applications will be
19 accepted on the next business day on or before 4:00 p.m. Late applications will not be accepted,
20 without exception. The sponsor shall pay an application fee of \$2,500.00.²

21 **REVIEW TEAM**

22 If necessary, the Board shall appoint a review team to assist in reviewing and evaluating charter school
23 applications. The team shall be composed of members of the administrative staff for the district,
24 community members, and a member of the Board with relevant educational, organizational, financial,
25 and legal experience. At the board meeting in February of each year, the Director of Schools shall
26 make a recommendation to the Board on which members of his/her administrative staff should be
27 appointed to the team. The Board shall name the members of the team at its meeting in March of each
28 year. The Board shall designate a Chair of the review team as the contact person for answering
29 questions about the application process and receiving applications. The Director of Schools shall
30 develop an orientation for the team to ensure consistent evaluation standards and the elimination of
31 real or perceived conflicts of interest.

1 The Board shall require the Director of Schools to develop a procedure for receiving, reviewing, and
2 ruling on applications for the establishment of charter schools by the review team. The procedure shall
3 include a timeline for the application and review process. A copy of the procedure, including the
4 review criteria, shall be available to any interested party upon request.

5 The review team shall:

- 6 1) Evaluate all charter school applications based on the review criteria adopted by the Board;
7
- 8 2) Recommend one of the following options to the Board for each application: approve, reject, or
9 reject with stipulations for reconsideration; and
- 10 3) Make recommendations for revocation, renewal, or non-renewal of charter contracts.
11

12 **APPROVAL/DENIAL OF APPLICATION⁴**

13 The Board shall rule by resolution on the approval or denial of a charter application within ninety (90)
14 days of receipt of the completed application, or the application shall be deemed approved by law. The
15 Director of Schools shall report the action taken by the Board to the Department of Education.

16 *Approval*

17 The sponsor of a charter school that is approved by the Board shall enter into a written agreement with
18 the Board, which shall be binding on the charter school's governing body. This agreement, known as
19 the charter agreement, shall be in writing and signed by the sponsor and the Board.

20 The Board will receive an annual authorizer fee of three percent (3%) of the annual per student state
21 and local allocations or thirty-five thousand dollars (\$35,000), whichever is less.⁵

22 Charter schools approved by the Board are expected to implement the application as submitted and
23 approved. Material variations in operations from the approved application require amendment pursuant
24 to statute and the charter school agreement.

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

29 New charter school agreements are approved for a ten (10) year period.⁶ The Board may revoke or
30 deny renewal of a charter school agreement for any of the reasons enumerated in state law.⁷

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 sixty (60) days either to deny
34 or to approve the amended application, or the application shall be deemed approved by law.⁴

35 Within ten (10) days of final denial, an appeal may be filed with the State Board of Education.

Legal References

1. TCA 49-13-106(b)(1); State Board of Education Policy 6.111
2. TCA 49-13-107; TCA 1-3-102; TCA 49-13-108(a)(5); TRR/MS 0520-14-01
3. TCA 49-13-110
4. TCA 49-13-108; TRR/MSS 0520-14-01; Public Acts of 2018, Chapter No. 698
5. TCA 49-13-128
6. TCA 49-13-121
7. TCA 49-13-122