

# Hardeman County Board of Education

Monitoring: <b>Review: Annually, in August</b>	Descriptor Term: <b>Charter School Applications</b>	Descriptor Code: <b>1.901</b>	Issued Date: <b>11/09/17</b>
		Rescinds: <b>1.704</b>	Issued: <b>02/11/16</b>

## 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 of schools notice of its intent sixty (60)  
29 days prior to April 1 of the year preceding the year in which the proposed charter school plans to begin  
30 operation as a public charter school.

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

6 Applications must be submitted to the board on or before 4:30 p.m. on April 1 of the year preceding  
7 the year in which the proposed charter school plans to begin operation as a public charter school.  
8 Applications will be accepted only between March 1 and April 1. If the 1st of April falls on a Saturday,  
9 Sunday, or holiday on which the school district offices are closed, applications will be accepted on the  
10 next business day on or before 4:30 p.m. Late applications will not be accepted, without exception.  
11 The sponsor shall pay an application fee of \$2,500.00.<sup>3</sup>

## 12 **REVIEW TEAM**

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

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

24 The review team shall:

- 25 1) Evaluate all charter school applications based on the review criteria adopted by the board;
- 26
- 27 2) Recommend one of the following options to the board for each application: approve, reject, or  
28 reject with stipulations for reconsideration; and
- 29
- 30 3) Make recommendations for revocation, renewal or non-renewal of charter contracts.

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

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

### 35 **Approval**

36 The sponsor of a public charter school that is approved by the board shall enter into a written  
37 agreement with the board, which shall be binding on the charter school's governing body. This  
38 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 Starting in the 2018-2019 school year, the board will receive an annual authorizer fee of three percent  
6 (3%) of the annual per student state and local allocations or thirty-five thousand dollars (\$35,000),  
7 whichever is less.<sup>7</sup>

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. The  
14 board and charter school shall execute a service contact for any additional services.

15 New public charter school agreements are approved for a ten-year period.<sup>6</sup> The board may revoke or  
16 deny renewal of a public charter school agreement for any of the reasons enumerated in TCA 49-13-  
17 122.

## 18 Denial

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

22 A denial of an application by the board may be appealed by the sponsor, within ten (10) days of the  
23 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; 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

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### Cross References