

Houston County Board of Education

Monitoring: Review: Annually, in August	Descriptor Term: <h2 style="text-align: center;">Charter School Applications</h2>	Descriptor Code: 1.901	Issued Date: 11/14/22
		Rescinds:	Issued: 07/03/13; 12/11/17

General

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

APPLICATION PROCESS^{3 2}

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

A sponsor seeking board approval of an initial charter school application shall complete the forms provided by the Tennessee Department of Education. The application shall provide all the information required by law. The sponsor shall 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.³

Applications shall be submitted to the Board and Department of Education on or before 4:30 p.m. on 1st of the year preceding the year in which the proposed charter school plans to begin operation as a charter school.

If the 1st of February 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 \$2,500.00.²

REVIEW TEAM¹

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 with relevant educational, organizational, financial and legal experience. At the board meeting in December of each year, the Director of Schools shall make a recommendation to the Board of which members of his/her administrative staff should be appointed to the team. The Board shall name the members of the team at its meeting in January of each year. The Board shall designate a Chair of the review team as the contact person for answering questions about the application process and receiving applications. The Director of Schools shall develop an orientation for the team to ensure consistent evaluation standards and the elimination of real or perceived conflicts of interest.

The Board shall require the Director of Schools to develop a procedure for receiving, reviewing, and ruling on applications for the establishment of charter schools by the review team. The procedure shall

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 school 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 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. The charter school agreement shall be in writing and signed by the sponsor and the Board.

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.^{7,5}

Charter schools approved by the Board 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 shall not 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 school 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 charter school agreements are approved for a ten (10) year period.⁶ The Board may revoke or deny renewal of a charter school agreement for any of the reasons enumerated in state law.⁷

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

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

Legal References

1. TCA 49-13-106; State Board of Education Policy 6.111
2. TCA 49-13-107; TCA 1-3-102; TCA 49-13-108; TRR/MS 0520-14-01; Public Acts of 2019, Chapter No. 219
3. TCA 49-13-110
4. TCA 49-13-108; TRR/MSS 0520-14-01
5. TCA 49-13-128
6. TCA 49-13-121
7. TCA 49-13-122