

Houston County Board of Education

Monitoring: Review: Annually, in August	Descriptor Term: Charter School Applications	Descriptor Code: 1.901	Issued Date: 12/11/23
		Rescinds:	Issued: 07/03/13; 12/11/17; 11/14/22

General

This policy shall apply to sponsors and potential sponsors of charter schools. It shall not apply to charter schools converting from existing public schools. Proposals from existing charter school operators or replicators and applicants proposing to contract with educational service providers shall be in accordance with state law.¹

APPLICATION PROCESS

A prospective charter school sponsor shall send notice to the Director of Schools/designee of its intent sixty (60) calendar days prior to February 1st of the year preceding the year in which the proposed charter school plans to begin operation as a charter school. The Director of Schools/designee shall determine whether the sponsor has selected the correct application category within ten (10) business days of receiving the letter of intent and notify the sponsor within five (5) business days of a determination that the incorrect application category has been selected.²

A sponsor seeking board approval of an initial charter school application shall complete the forms provided by the Department of Education. The application shall provide all the information required by state law. The sponsor shall demonstrate that the proposed charter school meets the purpose prescribed by state 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.

Electronic copies of applications shall be submitted to the Board and the Tennessee Department of Education on or before 11:59 p.m. Central Time on February 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 11:59 p.m. Late applications will not be accepted, without exception. The sponsor shall pay an application fee of \$2,500.00.²

The Board shall determine whether an application is complete within ten (10) business days of receiving the application and shall notify the sponsor within five (5) business days of the determination if the application is determined to be incomplete.³

REVIEW TEAM¹

If necessary, the Director of Schools/designee shall appoint a review team to assist in reviewing and evaluating charter school applications. The team shall be comprised of members of the administrative

staff for the district and community members with relevant educational, organizational, financial, and legal experience. At the board meeting in December of each year, the Director of Schools/designee shall make a recommendation to the Board on 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/designee 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/designee 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 on the district's website.

The review team shall:

1. Evaluate all charter school applications based on the review criteria established by state law; and
2. Recommend one of the following options to the Board for each application: approve, reject, or reject with stipulations for reconsideration.⁴

APPROVAL/DENIAL OF APPLICATION⁵

The Board shall rule by resolution on the approval or denial of an initial charter school application within ninety (90) calendar days of receipt of the completed application, or the application shall be deemed approved by state law. The Director of Schools/designee 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.⁶

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 state law and the charter school agreement.⁷

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 law. 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.⁸ The Board may revoke or deny renewal of a charter school agreement for any of the reasons enumerated in state law.⁹

Denial

If the initial charter school application is denied, the Board shall notify the sponsor in writing within ten (10) calendar days, specifying the objective reasons for the denial and the deadline by which the sponsor may submit an amended application. Upon written receipt of the grounds for denial, the sponsor shall have thirty (30) calendar days within which to submit an amended application to correct the deficiencies. The Board shall have sixty (60) calendar days either to deny or to approve the amended application, or the application shall be deemed approved by state law.⁵

If the amended charter school application is denied, the Board shall notify the sponsor in writing within five (5) calendar days, specifying the objective reasons for denial and the sponsor's right to an appeal. Within ten (10) calendar days of final denial, an appeal may be filed with the Tennessee Public Charter School Commission.¹⁰

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(1)(b),(e)
3. TRR/MS 0520-14-01(1)(i)
4. TRR/MS 0520-14-01
5. TCA 49-13-108; TRR/MSS 0520-14-01
6. TCA 49-13-128
7. TCA 49-13-110(d)-(e); TRR/MSS 0520-14-01
8. TCA 49-13-110(c)
9. TCA 49-13-122
10. TCA 49-13-108(b)(5)