Bartlett City Board of Education		1034
Descriptor Term: **CHARTER SCHOOLS**	Descriptor Code: **Board Operations**	Issue Date: **12/11/2014**
	Rescinds:	Revised: **07/23/2026**

SCOPE

This policy shall apply to sponsors and potential sponsors of newly created public charter schools. It shall not apply to public charter schools converted from existing public schools pursuant to T.C.A. §49-13-106(b)(2).

DEFINITION

A charter school shall be a public, nonsectarian, non-religious, non-home based school which operates within a public school district under the terms of a charter agreement and in accordance with Tennessee law. It shall be subject to all state and federal laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services.[1] A charter school shall not exclude students from enrollment based on race, color, ethnicity, national origin, religion, income level, disability, proficiency in the English language, or academic ability.

The purposes of charter schools are to:[2]

1. Improve learning for all students and close the achievement gap between high and low students;
2. Provide options for parents to meet educational needs of students in high priority schools;
3. Encourage the use of different and innovative teaching methods, and provide greater decision making authority to schools and teachers in exchange for greater responsibility for student performance;
4. Measure performance of pupils and faculty, and ensure that children have the opportunity to reach proficiency on state academic assessments;
5. Create new professional opportunities for teachers; and
6. Afford parents substantial meaningful opportunities to participate in the education of their children.

A sponsor of a charter school under Tennessee law means a proposed governing body filing an application for the establishment of a public charter school that is not a for-profit entity, nonpublic school defined by T.C.A. 49-6-3001, or postsecondary institution not regionally accredited.

APPLICATION PROCESS[3]

A prospective charter school sponsor shall send the Superintendent and the Tennessee Public Charter School Commission notice of its intent of its plan to submit an application to operate a charter school sixty (60) calendar days prior to February 1 of the year preceding the year in which the proposed charter school plans to begin operation as a public charter school. The letter of

[1] T.C.A. §49-13-105; T.C.A. §49-13-111(a)(1) – (5)(b)(c)
[2] T.C.A. §49-13-102
[3] T.C.A. §49-13-107

intent shall be completed on the form provided by TDOE. Failure to submit a letter of intent to the Tennessee Public Charter School Commission and the BCS Superintendent by the February 1 deadline shall exclude a charter school sponsor from submitting an application for that application cycle.

The BCS Superintendent shall confirm receipt of the letter of intent and provide the prospective charter school sponsor with the current federal, state, and local per pupil funding estimate within five (5) business days of receiving the letter of intent.

The BCS Superintendent or his/her designee shall determine whether the sponsor has selected the correct application category within ten (10) business days of receiving the intent letter and notify the sponsor within five (5) business days of a determination that the incorrect application category has been selected.

One (1) original, four (4) copies, and one (1) electronic version of the initial state charter school application must be received by the BCS Superintendent on or before 11:59 p.m., central time, on February 1 of the year preceding the year in which the proposed charter school plans to begin operation as a charter school. The prospective charter school sponsor must use the application form provided by TDOE. The TDOE and the Tennessee Public Charter School Commission must receive one (1) copy of the application on or before February 1 of the year preceding the year in which the proposed charter school plans to begin operation. Applications will be accepted only between January 1 and February 1. If February 1 falls on a Saturday, Sunday, holiday, or inclement weather day on which the school district offices are closed, applications will be accepted on the next business day on or before 11:59 p.m., central time. Late applications will not be accepted, without exception. Each charter school application must be accompanied by a cashier's check in the amount of Twenty-Five Hundred Dollars ($2,500.00), per proposed school, as an authorizer non-refundable application fee.

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 that the application is determined to be incomplete.

If the application is approved, the charter school shall follow the BCS policy regarding out-of-district enrollment.

REVIEW TEAM

If necessary, the Board shall appoint a charter school review team to assist the Board of Education in reviewing and evaluating charter school applications and making recommendations to the Board. The team shall be comprised of persons with relevant academic, organizational, financial, and legal expertise, as well as a thorough understanding of the essential principles of charter school autonomy and accountability. The charter school review team shall use the most current version of TDOE "Tennessee Charter School Application Scoring Criteria" for scoring each charter school application.

An application shall be considered complete if:

1. The application is submitted on the Department's state charter application form for that application cycle;
2. The sponsor has completed all required sections of the application aligned to the category indicated by the sponsor in its letter of intent and the application contains all required attachments and signatures;
3. The application is submitted to the authorizer by the deadline; and

4. The application fee is submitted with the application.

If the charter application is determined to be incomplete due to the sponsor not meeting the requirements of Sections 1 and 3 above, the Board of Education shall not be required to review the application, and the fee shall be refunded to the charter school sponsor.

If the charter application is determined to be incomplete due to the sponsor not meeting the requirements of Sections 2 or 4 above, the charter sponsor shall be provided the opportunity to address any deficiencies and re-submit the application within five (5) business days after the notification from BCS that the application is incomplete. If the sponsor does not correct the deficiencies to meet the requirements of Sections 2 or 4, by the deadline, the Board of Education shall not be required to review the application, and any required application fee shall be refunded to the charter school sponsor.

Neither the BCS charter school review team nor the Board of Education shall review or formally act upon the application if:

1. The sponsor did not submit the letters of intent by the required due date;
2. The application is incomplete; and/or
3. The application and fee are not submitted to the BCS Superintendent by "the filing deadline".

The review team shall:

1. Evaluate all charter school applications based on the aforementioned criteria;
2. Recommend one of the following options to the Board for each application: approve or deny;
3. Monitor charter school progress; and
4. Make recommendations for revocation, renewal, or non-renewal of charter contracts.

APPROVAL, DENIAL OF APPLICATION[4]

The Board of Education shall rule by resolution, at a regular or special called meeting, on the approval or denial of a charter application within ninety (90) calendar days of receipt of the completed application, or the application shall be deemed approved by law. If the Board of Education fails to approve or deny a charter school application within the ninety (90) calendar day time period, the charter school application shall be deemed approved.

A cyber-based public charter school shall not be authorized.

No later than ten (10) calendar days after the approval or denial of a charter school application, the Board of Education shall report to the TDOE and the Tennessee Public Charter School Commission whether the BCS Board of Education approved or denied the application. The Board of Education shall simultaneously provide the TDOE and the Tennessee Public Charter School Commission with a copy of the aforementioned resolution setting forth the Board of Education's decision and the reasons for its decision.

Approval

The approval by the Board of Education shall be accompanied by a written Agreement which shall contain all components of the application. The Agreement must be signed by the sponsor and the Board of Education's Executive Committee, and the Agreement shall be binding on the charter

[4] T.C.A. §49-13-108; TRR/MS 0520-14-1-.01; .02

school's governing body. The term of this Agreement, known as the charter agreement, shall be ten (10) academic years.

The Board of Education hereby adopts the Tennessee State Board of Education's Quality Charter Authorizing Standards.

No later than October 1 of the year prior to the year in which the charter agreement expires, the governing body of a public charter school shall submit a renewal application to the Board. The Board shall make its renewal decision based on the progress of the school towards its stated goals and on the financial status of the school.[5]

The Board may revoke or deny renewal of a public charter school agreement for any of the reasons enumerated in T.C.A. §49-13-122.

Denial

Within ten (10) calendar days of the date of the decision to deny, the grounds upon which the Board of Education based a decision to deny a charter school application must be stated in writing, specifying objective reasons for the denial and the deadline by which the charter school sponsor must submit an amended application.

Upon receipt of the ground for denial, the sponsor shall have thirty (30) calendar days from receipt of the grounds for denial, within which to submit an amended application to correct the deficiencies. The Board of Education shall have sixty (60) calendar days from receipt of the amended application, either to deny or to approve the amended application or the application shall be deemed approved by law.

If the Board of Education fails to approve or deny the amended application within sixty (60) calendar days from the receipt of the amended application, the amended application shall be deemed approved. If the Board of Education denies the amended application, it shall provide to the charter school sponsor the grounds upon which the Board of Education based the decision to deny in writing within five (5) calendar days of the date of the decision to deny, specifying objective reasons for the denial.

Renewal

The Superintendent or his/her designee shall annually notify an approved charter school of whether the charter is "on-track" or "off-track" for renewal. The status of each charter school shall be published in the annual report.

No later than April 1 of the year prior to the year in which the charter agreement expires, the governing body of a public charter school shall submit a renewal application to the Board of Education. The Superintendent shall report each renewal application received by BCS to the Tennessee Public Charter School Commission no later than ten (10) days from the date on which BCS received the renewal application.[6] On or before the following February 1, the Board of Education shall rule by resolution whether to approve or deny the renewal application.

Three (3) months prior to the date on which a charter school is required to submit a renewal application, the Superintendent or his/her designee shall submit to the charter school a performance report that reflects the renewal evaluation.[7] No later than ten (10) days after the

[5] T.C.A. §49-13-121

[6] T.C.A. §49-13-121(a)

[7] State Board of Education Policy 6.111

Board of Education adopts a resolution to renew or deny renewal of a charter agreement, the Superintendent or his/her designee shall report the Board's decision to the TDOE and the Tennessee Public Charter School Commission and shall provide a copy of the resolution that sets forth the Board of Education's decision and the reasons for the decision.

A charter school renewal application must contain a report of the charter school's operations including students' standardized test scores, financial statements, and audits for the eight (8) years immediately preceding the date of the renewal application.

High-performing charter school renewal applications shall be automatically approved for renewal. A charter school will be deemed high-performing if it:

1. Has met or exceeded standards on at least seventy-five percent (75%) of the indicators in each section of the school performance framework in each of the three (3) immediately preceding school years;
2. Has attained a school composite level of "above expectations" or "significantly above expectations" as represented by the Tennessee Value-Added Assessment System (TVAAS) in each of the three (3) immediately preceding school years; and
3. Has had no significant audit findings during the term of the current charter agreement.

Within ten (10) days of the Board approving a high-performing charter school for renewal, the Superintendent or his/her designee shall report the approval to the TDOE and the Tennessee Public Charter School Commission.

Authorizer Fee

If BCS becomes the authorizer of a charter school, BCS shall receive an annual authorizer fee that is a percentage of the charter school's per student state and local funding as allocated under T.C.A. §49-13-112. The annual authorizer fee shall be the lesser of three percent (3%) of the annual per student state and local allocation or Thirty-Five Thousand Dollars ($35,000) per school.

Interim Review

The Superintendent or his/her designee shall conduct an interim review of the charter school in the fifth (5^{th}) year of the charter's initial period of operation and in the fifth (5^{th}) year following any renewal of a charter agreement under guidelines developed by the Tennessee State Board of Education.

Annual Report

The Board of Education, through the Superintendent or his/her designee, shall oversee and annually evaluate each charter school to ensure it meets the performance standards and targets set forth in the charter school agreements. The Superintendent or his/her designee shall submit the charter school's evaluation to the Board of Education at its October Board meeting.

The Superintendent or his/her designee shall send a copy of the charter school's annual evaluation to each respective charter school within BCS's district. The report shall include, but not be limited to, violations of the charter school agreement and any performance deficiencies.

The Board of Education shall articulate and enforce stated consequences for failing to meet performance expectations or compliance requirements.

Site Visits

A site visit to each charter school shall be conducted by the BCS Superintendent or his/her designee annually. The purpose shall be to collect data and other qualitative information and to inspect the charter school facility and observe classroom teaching and learning. The observations made during the annual site visit shall be included in the annual charter school evaluation report.

Charter School Reporting

Charter schools shall provide the information required by the charter school agreement and state law to the Board. By September 1, the governing body of an approved charter school shall make a written report to the Board. The annual report shall include:

1. A report on the progress of the charter school in achieving the goals outlined in the charter school agreement;
2. A financial statement disclosing the financial health of the charter school, including the costs of the administration, instruction, and other spending categories of the charter school; and
3. A detailed accounting, including the amounts and sources, of all funds received by the charter school, other than the funds received per state law.

This reporting requirement shall begin in the year after the year in which the charter school begins operation.

Multiple charter schools overseen by a single governing board shall report their performance as separate, individual charter schools. Each charter school shall be independently accountable for its performance.

Each charter school governing body shall submit an annual audit of all accounts and records, to include internal school activity and cafeteria funds, to the Board of Education as soon as practical after June 30th annually.

Authorizer Reporting and Review

By December 1st, the Superintendent shall report to the Tennessee State Board of Education detailing the total amount of authorizer fees collected in the previous school year and the authorizing obligations fulfilled using the fee. By January 1st, the Board of Education shall submit an annual authorizer report to TDOE and the State Board of Education. The Superintendent or his/her designee shall prepare the reports and provide the information to the Board of Education prior to submission.

Revocation of Charter Agreement

The Board of Education may revoke a public charter school agreement if the public charter school receives identification as a priority school, as defined by the state's accountability system pursuant to T.C.A. §49-1-602. The revocation takes effect immediately following the close of the school year in which the public charter school is identified as a priority school.

The Board of Education shall revoke a public charter school agreement if the public charter school receives identification as a priority school for two (2) consecutive cycles. The revocation takes effect immediately following the close of the school year in which the public charter school is identified as a priority school for the second consecutive cycle.

A public charter school agreement may be revoked at any time by the Board of Education if the Board determines that the school:

1. Committed a material violation of any conditions, standards, or procedures set forth in the charter agreement;
2. Failed to meet or make sufficient progress toward the performance expectations set forth in the charter agreement; or
3. Failed to meet generally accepted standards of fiscal management.

If the Superintendent determines that the charter school meets the criterion for revocation set forth above, or if the Superintendent determines that the charter school is not complying with the requirements of T.C.A. §49-13-101, *et seq.*, (The Tennessee Public Charter School Act), or with the charter agreement:

1. The Superintendent shall notify the charter school, in writing, of the possibility of revocation and the reasons for the possible revocation. In the notification to the charter school, the Superintendent shall notify the charter school that the charter school must provide BCS's review team with a proposed plan to remediate the charter school's deficiencies which gave rise to the notice of possible revocation.
2. The charter school shall submit a written remediation plan to the BCS review team within thirty (30) days of receiving the notice of possible revocation. The remediation plan shall provide that the remediation itself shall be completed within thirty (30) days of submission of the remediation plan. The BCS review team shall notify the charter school within twenty (20) business days of receiving the proposed remediation plan of whether the remediation plan is acceptable to the review team.
3. If the proposed remediation does not, in the sole discretion of the BCS review team, provide a full remediation, the BCS review team shall, within thirty (30) business days of receiving the remediation plan, notify the charter school that the remediation plan is unacceptable and an explanation of the means to reconcile the plan. The charter school shall be given ten (10) business days to correct the proposed remediation plan and re-submit the plan to the BCS review team. The BCS review team shall notify the charter school within thirty (30) business days of the resubmission whether the resubmitted plan is acceptable to the review team.
4. If the charter school's re-submitted proposed remediation plan is rejected by the BCS review team, the charter school may appeal the decision to the BCS Superintendent. The Superintendent may, within thirty (30) business days of receiving the resubmission:
    a. Approve the resubmission; or
    b. Reject the resubmission; or
    c. Provide the charter school an additional ten (10) business days to further amend the remediation plan.
5. If the resubmission is rejected by the Superintendent, the charter school may appeal the Superintendent's decision to the Board of Education within ten (10) business days after receiving notice of the rejection. The Board of Education shall consider the resubmission within thirty (30) business days of receiving the appeal of the rejection. The Board of Education shall provide the charter school with a decision regarding the resubmission, in writing, explaining the reasons the proposed plan is unacceptable.

Thirty (30) days prior to any decision by the Board of Education to revoke a charter agreement, the Board of Education shall notify the charter school, in writing, of the possibility of revocation and the reasons for the possible revocation.

If the Board revokes a charter agreement, then the Board shall clearly state in writing the reasons for the revocation.

No later than ten (10) days after the Board adopts a resolution to revoke a charter agreement, the Board shall report the Board's decision to the TDOE and the Tennessee Public Charter School

Commission and shall provide a copy of the resolution that sets forth the Board's decision and the reasons for the decision.

Emergency Revocation

A charter agreement may be revoked at any time by the authorizer in an emergency situation without the authorizer first having to implement the progressive intervention policy. An emergency situation includes, but is not limited to, instances of fraud; misappropriation of funds; flagrant violation of health and safety laws, rules, and regulations; flagrant disregard of the charter agreement; or similar misconduct.