



Charter schools should significantly benefit the children they serve while, at the same time, further the cause of education reform and improvement. Given this understanding, the following principles and conditions will be considered in approving the adoption of a charter.

These principles and conditions reflect the Board's priorities.

### **Academic Achievement**

Charter schools must be committed to attaining a higher level of academic achievement than that realized in typical schools in our system that serves similar student populations. Charter schools must be committed to meeting each of the Board's policy Ends statements (the end results that the Board would like every student to achieve) and must be focused on clear instructional goals that support rigorous, challenging learning for all students.

### **Commitment to Diversity and the Varied Needs of Students**

Charter schools must demonstrate the ability to balance academic goals with the social and emotional needs of its students. As any other school in the public school system, a charter school must be accessible to and positioned to address the needs of all school-aged children, regardless of race, color, national-origin, religion, gender, proficiency in English, disability, or academic achievement.

### **Centers of Reform and Innovation**

The Board's expectation is that charter schools approved by our district will serve as true alternative school programs that are markedly different than those already being offered within our system. To warrant adoption, charter schools must promote and implement new and innovative practices and conditions in delivering public education not typically found in traditional public schools. In so doing, they are expected to serve as centers of reform and innovation from which educators, parents, and community members can learn new, successful dynamics and methods that could ultimately be replicated.

***Date Published***  
***August, 2009***

***Revision History***  
***August, 2007***  
***September, 2004***  
***July, 2004***

***Review***  
***Annually***

### **True Schools of Choice**

While there is no prototypical charter school, those selected for adoption should provide parents and children with a clear, meaningful alternative to what is currently available to them. Charter schools must be able to attract the interest of parents and children based on the uniqueness and attractiveness of their educational approach and offerings. The vision, mission, and operation of charter schools should be clear and focused such that parents will be able to determine whether or not they are a good match with their family's value system, their child's unique learning style and learning needs, and the personal interests of both children and parents.

### **Management and Operation**

Given that by granting a charter application the Board is opting to entrust our children and public dollars with a chartering agency, it is essential that ample evidence be presented that will assure the Board that the charter school will be managerially and fiscally sound as well as accountable. It is essential that the business plan presented is capable of on-going success and will endure the test of time. The Board has to be confident that the charter school management has the expertise, skills, and capacity to lead and operate its school and meet its defined academic focus and vision for learning while remaining within its designated fiscal constraints. Sponsors and charter school administrators should not rely on the expertise of district administrators before, during, or after the charter school application process as district administrators do not have the luxury of time to assist in the management or operation of charter schools.

### **Successful Track Record**

Given the array of charter schools and the risk factors associated with each, the Board will give priority for application approval to charter schools with established and successful academic and fiscal records.

### **Facilities**

It is essential that all charter school applicants guarantee operation in facilities that will provide students with the necessary and appropriate conditions for learning, conditions that meet or exceed Board standards. No charter school shall open unless and until the charter school's facility has been evaluated for compliance with all applicable laws, including but not limited to ADA, fire, zoning, and other compliance standards.

### **School Governance**

In many ways, charter schools reflect the concept of the one-room schoolhouse, with all of the policy-making and administration occurring at a single site. As such, they need to facilitate the active participation of charter school constituents (administrators, board, teachers, students, parents, etc.).

### **Professional Environment**

Charter schools are expected to serve as examples of true learning communities. As such, they must be committed to hiring qualified personnel and have the capacity to provide appropriate and ongoing professional development to their staff that is based on

student needs as well as reasoned and sound pedagogy. Conditions must be established that will promote a sense of professional community through sufficient opportunities, time, and resources that will build teacher knowledge, expertise, collaboration, and reflection.

### **Discipline**

The Board expects all charter school students to be treated with dignity and respect. While the State of Tennessee allows for the use of corporal punishment, Metro Nashville Public Schools prohibits it. The Board will not approve a charter school that employs corporal punishment.

### **Consistent Tier Levels**

The Board recognizes the importance of continuity in a child's education and is committed to maintaining consistent tier levels. The purposes of consistent tier levels are to allow all students to remain at the same school for a significant number of years, to allow students to transition to a new tier level at the same time, and to maintain consistency in program offerings from school to school. Therefore, the Board requires that all applicants maintain the same tier levels as the majority of MNPS schools, i.e., K-4, 5-8, or 9-12. Proposals for charter schools that combine tier levels, i. e., K-4 and 5-8, or 5-8 and 9-12, thus creating a K-8 or 5-12 schools will be accepted. Proposals that split tier levels or combine grade levels into other configurations will not be approved.

### **Deviation from Approved Application**

The Board is desirous of clearly understanding the stated purpose and particular plan of implementation of all charter schools prior to their approval. Therefore, charter schools approved by the Board of Education are expected to implement the application as submitted and approved. Substantial deviations from the approved application may result in revocation of the Charter by the Board. Changes to the application that either add or delete proposed services may be considered substantial. Examples of substantial deviations may include but are not limited to, transportation, services for special education, changes to the governing board, opening date of school, location of school, etc.

### **Southern Association of Colleges and Schools (SACS) Accreditation**

While it is desirable that all schools agree to seek accreditation from SACS, MNPS requires that all charter schools that include high schools (grades 9-12) must be SACS accredited. It is expected that the candidate school status for accreditation will be received during the first year of the charter school operation.

### **Choice Schools Under NCLB**

No newly established school, including charter schools, shall be considered for assignment as a "choice school" pursuant to NCLB, until the school has met AYP for two consecutive years. No choice school shall receive students from more than two low-performing schools.

### **Charter Schools Autonomy**

Charter Schools approved by the Metropolitan Nashville Board of Public Education are expected to operate with knowledge of and compliance with all rules, regulations, statutes, and policies relevant to that charter school's operations; including but not limited to instruction, human resources, communication, administration, business services, facilities and operations, transportation, food services, safety, and student discipline. MNPS should not be expected to provide services to charter schools that are not requested during the application process. Services agreed to be provided to charter schools by MNPS shall be provided at MNPS actual cost.

### **Requirements for Student Eligibility**

It is the responsibility of the charter school to verify legal residence in the zone of proximity in order to verify eligibility requirements of students to the district. "Students eligible to enroll in a charter school formed under Tenn. Code Ann. § 49-13-106(a)(1) [*i.e.*, Type 1] are students who come from failing schools. A student from a school that is not failing may not enroll at this type of charter school." [Op. Tenn. Atty. Gen. 03-083 (July 2, 2003)] Students may also enroll if they are below proficient in grades 3-8 on the TCAP in either reading/language arts or mathematics regardless of the school they currently attend. In order for AYP to be verified by the state, the recognized enrollment date for charter schools is August 1 or the first Monday following.

### **Charter High Schools**

Any charter high school must, at a minimum, meet MNPS' graduation requirements, and provide a curriculum to meet University of Tennessee, Tennessee Board of Regents, and NCAA requirements for Division I schools.

### **Waiver of Requirements**

The Chartering Authority shall not waive any statute, rule or regulation that it does not have the authority to waive for any of the schools within its jurisdiction or for itself, as a local education agency. The Chartering Authority shall grant no waivers except by specific express written agreement. The Chartering Authority shall not recognize any waiver granted by the Commissioner of Education except upon the Sponsor's presentation of specific express written proof of such waiver. The Sponsor shall not seek and no waivers shall be granted that conflict with the Sponsor's Application or Charter Agreement.

### **Requirements For Requesting Waivers of MNPS District Standard Operating Procedures (DSOP)**

- All waiver requests shall be submitted in writing to the Chartering Authority no later than sixty (60) days prior to the school's intention to implement the waiver, if granted.
- All waiver requests shall include a listing of the specific DSOP requested to be waived.
- All waiver requests shall include detailed documentation of the grounds for requesting the waiver and specific evidence showing how the DSOP currently

inhibits or hinders the proposed charter school's ability to meet its goals or comply with its mission statement

- All waiver requests filed with the Chartering Authority shall contain information on other waiver requests filed with a Commission of Education including the status of those waiver requests.

### ***Purpose***

It is the purpose of this policy to provide a fair and equitable process to Sponsors seeking to establish public charter schools within Metropolitan Nashville and Davidson County, as required by the Tennessee Public Charter School Act of 2002 at T.C.A. § 49-13-101 et seq.

### ***Scope***

This policy shall apply to Sponsors and potential Sponsors of newly created public charter schools within Metropolitan Nashville and Davidson County. This policy shall not apply to public charter schools converted from existing public schools pursuant to T.C.A. § 49-13-106 (b) (2).

### ***Definitions***

Terms used in this policy shall be as defined in T.C.A. § 49-13-104.

## ***Application and Review Procedures***

### ***Applications***

Applications must be submitted to the Metropolitan Board of Public Education (hereinafter, "the Board"), through the Board Administrative Secretary, on or before 4:30 p.m. on October 1<sup>st</sup> of the year preceding the year in which the proposed public charter school plans to begin operation as a public charter school. Applications will be accepted only between September 1 and October 1<sup>st</sup>. If the 1<sup>st</sup> of October falls on a Saturday, Sunday or holiday on which the school district offices are closed, applications will be accepted on the previous business day on or before 4:30 p.m. Late applications will not be accepted, without exception.

The Sponsor must complete the state-developed application form for public charter schools. Applications are available through the Tennessee State Department of Education or on-line at [www.mnps.org](http://www.mnps.org) or [www.state.tn.us/education/charterschsum.htm](http://www.state.tn.us/education/charterschsum.htm).

Pages in the application must be numbered, and a table of contents must also be included in the application. Applications must be submitted with one (1) typed original, twenty (20) hard copies and one (1) electronic copy (i.e. a PDF file attached to an email or a CD), all of which shall include any attachments and/or exhibits. Applications must be presented in a binder or notebook on 8 x 11 inch paper using 12-point font.

The operating budget, which is a required element of a complete application, must be submitted in the state-approved budget document format.

### **Charter School Application Review Committee**

The Board may appoint a Charter School Application Review Committee (hereinafter, “the Committee”) to assist it in reviewing and evaluating charter school applications. The Committee shall be composed of: members of the administrative staff for the Metropolitan Nashville Public Schools; community members; and, a member of the Board. At the last Board meeting in July each year, the Director of Schools shall make a recommendation to the Board of which members of his administrative staff should be appointed to the Committee. The Board shall name the members of the Committee at its first meeting in August of each year. The Board shall also name a Committee Chairperson, from the members of the administrative staff appointed to the Committee, at its first meeting in August. An Executive Group of the Committee shall be composed of the Committee Chairperson, the Board member serving on the Committee, and a community member of the Committee selected by the Committee Chairperson.

### **Assessment for Completeness**

As the Chartering Authority for Metropolitan Nashville Davidson County, the Board shall approve or deny a charter school application within sixty (60) days of receipt of the *complete* application.

An application is complete if and only if it: provides all information and documents listed in T.C.A. § 49-13-107; identifies a student population eligible to attend the school for the upcoming school year; intends to begin operation as a public charter school in the year following the year of application; is sponsored by an eligible individual, group, or other organization; and, is submitted in the appropriate form, with the requisite number and type of copies, per this policy.

Within ten (10) school days from the receipt of a charter school application, the Committee Chairperson shall assess the application for completeness and shall notify the Sponsor, in writing, if the application is incomplete. Notice is deemed received upon deposit in the U.S. mail, by certified mail. If the application is received after September 20 the sponsor may not be notified if his/her application is incomplete.

The sixty (60) day review period shall commence on the date of receipt of the completed application. If the Sponsor does not submit a complete application within the time period set forth in law and this policy for receipt of charter school applications, the review process shall cease and the application will not be further considered.

### **First Review of Complete Application**

The Committee members shall independently review each charter school application and render recommendations to the Committee Chairperson. For each application, each Committee member shall recommend that: the Committee has further discussion on the application; the application be denied; or, the application be further considered during

Second Review. If the recommendation is that the application be denied, the recommendation should include objective reasons for denial.

Based on the recommendations of Committee members, the Executive Group shall decide whether the Committee: will meet to discuss the application further; will recommend denial of the application without further review; or, will further consider the application during Second Review.

If the Executive Group decides that the Committee will meet to discuss the application further, the Committee will meet to discuss the application before the Executive Group determines whether it will recommend denial of the application without further review or further consider the application during Second Review. If the Executive Group decides to recommend denial of an application without further consideration, the Committee Chairperson shall compile the Committee members' objective reasons for denial and shall render a written recommendation to the Board to deny the application based on the compiled objective reasons. If the Executive Group recommends that an application be further considered during Second Review, the review process shall continue as set forth in Section V.E.

Nothing in Board policy or these procedures shall preclude the Committee from seeking expertise from outside the Committee to assist in its evaluation of any application at any time during the application review process.

### **Second Review of Complete Application**

The Committee shall meet to review and evaluate applications on Second Review. The Committee shall use the Scoring Criteria and Rubric developed and approved by the Tennessee Department of Education to score applications on second review. The "score" received by a Sponsor through the Committee's use of the Scoring Criteria and Rubric shall not be the determining factor in the Committee's recommendation to the Board; no numeric score will guarantee the Committee's recommendation of any application to the Board. The Committee may, but is not required to, interview the Sponsor, Governing Body, and/or proposed leaders and/or teachers of the proposed charter school during Second Review. The Committee also may, but is not required to, visit existing schools established by the Sponsor of a proposed charter school on Second Review.

Upon completion of Second Review, the Committee Chairperson shall render the Committee's recommendation to approve or deny the charter school application to the Board, in writing. If the Committee recommends denial of the application, the Committee shall include in its recommendations the objective reasons for denial. The Committee may, but is not required to, include in its recommendation to the Board the "score" received by a Sponsor as derived from the use of the Tennessee Department of Education's Scoring Criteria and Rubric.

### **Initial Board Decision**

The Board shall approve or deny a charter school application within sixty (60) days of receipt of the complete application. If the application is approved, the Sponsor may proceed to negotiate a charter agreement with the Board, through its designee within the district administration.

The Initial Board Decision shall be a final decision for applications to create new public charter schools pursuant to T.C.A. § 49-13-106 (a) (2). Decisions concerning applications to create new public charter schools pursuant to T.C.A. § 49-13-106 (a) (1) may be appealed as follows.

### **Amendment Process**

The provisions of this subsection shall apply only to applications for newly created charter schools pursuant to T.C.A. § 49-13-106 (a) (1).

If an application is denied, the Sponsor shall have fifteen (15) days to correct the deficiencies in the application and submit an amended application. All changes within amended applications shall be embedded within the text of the original application, in bold lettering. Information that has been deleted from the original application shall remain in the text of the amended application, but shall be noted with strike-through marks. Amended applications shall be submitted to the Board Administrative Secretary. Amended applications must be submitted with one (1) typed original, twenty (20) hard copies and one (1) electronic copy (i.e. a PDF file attached to an email or a CD), all of which shall include any attachments and/or exhibits. Amended applications must be presented in a binder or notebook on 8 x 11 inch paper using 12-point font.

If the Sponsor elects not to submit an amended application, if the amended application is not timely submitted or if the amended application is not submitted in the appropriate format with the requisite number and type of copies, the review process shall cease and the application will not be further considered.

The Board shall have fifteen (15) days from receipt of an amended application to approve or deny the amended application. During the fifteen (15) day review period, the Committee shall review and evaluate the amended application. The amended application shall be reviewed and evaluated as a whole. Upon completion of the review of the amended application, the Committee Chairperson shall render the Committee's recommendation to approve or deny the amended charter application to the Board, in writing. If the Committee recommends denial of the amended application, the Committee shall include in its recommendations the objective reasons for denial.

### **Final Board Decision**

The Board shall approve or deny an amended application within fifteen (15) days of receipt of the amended application. If the amended application is approved, the Sponsor may proceed to negotiate a charter agreement with the Board, through its designee

within the district administration. If the application is denied, the Board shall give objective reasons for the denial. The Sponsor shall have ten (10) days to appeal the Board's final denial to the State Board of Education. Appeals to the State Board of Education shall proceed as set forth in T.C.A. § 49-13-108 (3).

### ***Approved Public Charter Schools***

The Sponsor of a public charter school that is approved by the Board shall enter into a written agreement with the Board, which shall be binding on the charter schools' governing body. This agreement, known as the charter agreement, shall be in writing and shall include all aspects of the Sponsor's approved application.

### **Reporting Requirements**

The Governing Body of an approved public charter school shall make a written report to the Board annually between August 1<sup>st</sup> and September 1<sup>st</sup>. This reporting requirement shall begin in the year after the year in which the public charter school begins operation. This annual report shall include: a report on the progress of the school in achieving its goals, objectives, pupil performance standards, content standards, and all other terms of the charter agreement; and, a financial statement disclosing the financial health of the school including the costs of the administration, instruction and other spending categories of the school.

Between October 15<sup>th</sup> and November 15<sup>th</sup> 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.

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.

### ***References/Authority***

T.C.A. § 49-13-122  
T.C.A. § 49-13-106 (a) (1)  
T.C.A. § 49-13-106 (a) (2)  
T.C.A. § 49-13-107  
T.C.A. § 49-13-104  
T.C.A. § 49-13-101 et seq  
Op. Tenn. Atty. Gen. 03-083 (July 2, 2003)