Hickman County Board of Education

	Descriptor Term: **Charter School Applications**	Descriptor Code: **1.901**	Issued Date: **03/11/24**
		Rescinds: **1.901**	Issued: **12/07/21**

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 TCA 49-13-106(b)(2).[1]

DEFINITION

A charter school shall be a public, nonsectarian, non-religious, non-home based school which operates within a public school district. 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.

The purposes of charter schools are to:

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.

APPLICATION PROCESS[2]

A prospective charter school sponsor shall send the Director of Schools notice of its intent sixty (60) 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 developed by the State Board of Education in coordination with the Tennessee Public Charter School Commission ("the Commission"). ~~provided by the 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] Electronic copies of applications shall be submitted to the Board and 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. The Director of Schools/designee shall report each application received to the Commission no later than ten (10) days after receipt.[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 TEAM[1]

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 with relevant educational, organizational, financial and legal experience; and a member of the board. At the board meeting in December 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 team. The board shall name the members of the team at its meeting in January of each year. The board shall designate a chairman 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 a procedure for receiving, reviewing and ruling on applications for the establishment of charter schools. The procedure must 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[4]; and

3) Make recommendations for revocation, renewal or non-renewal of charter contracts.

APPROVAL, DENIAL OF APPLICATION[5]

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 and the Commission.

Approval

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 school's governing body. This agreement, known as the charter agreement, shall be in writing signed by the sponsor and the board. In the application, the sponsor must 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 and shall include all aspects of the sponsor's approved application as well as any reporting requirements prescribed under state or federal laws.

Starting in the 2018-2019 school year, 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 of education 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.[7]

The board should not be expected to 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 schools by the board shall be provided at board actual cost. The board and charter school shall execute a service contact for any additional services.

New public charter school agreements are approved for a ten-year period.[8] The board may revoke or deny renewal of a public charter school agreement for any of the reasons enumerated in TCA 49-13-122.[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 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; Public Acts of 2025, Chapter No. 275;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; Public Acts of 2025, Chapter No. 275;
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)