

Achievement School District	
Compliance and Intervention Policy	
Policy Number: 6318	Adopted: September, 2023
Revised: August 15, 2023	Monitoring Review: Annually
Approved by:	Signature:

Purpose. The purpose of this policy is to set forth the criteria and process for authorizer intervention decisions and actions by The Achievement School District (ASD) with regard to its authorized charter schools.

Policy Sections

1. Generally
2. Intervention
3. Grounds for Intervention and Consequences
4. Charter School Responsibilities
5. Table of Interventions

1. **Generally.** The Achievement School District shall have a clear, explicit plan for monitoring schools as set forth in the charter agreement. To the extent possible, this plan shall limit the administrative burden on schools. If there is reason for concern, the ASD shall monitor as often and vigorously as needed to ensure the charter school remedies serious issues in a timely manner. In cases where intervention by the ASD is warranted, it shall be proportionate to the identified problem, adhere to provisions of the charter agreement, and respect the autonomy of the charter school.

2. **Intervention.**
 - a. The ASD has established this intervention policy stating the general conditions that may trigger intervention and the types of actions and consequences that may ensue. The table of interventions can be found on page 3 of this policy.
 - b. This intervention policy shall be set forth in the charter agreements of the charter schools it authorizes and serves as the chartering authorizer.
 - c. The ASD shall give the charter schools in its portfolio timely notice of any charter agreement violations or performance deficiencies justifying intervention. Notices shall state the deficiency; the applicable regulatory, performance or contractual provision(s) not satisfactorily met; the expected remedy, including whether a Plan of Correction is required (as further described below); and the timeframe by which the ASD expects a deficiency to be remedied and/or submission of a Corrective Action Plan.

- d. The ASD shall provide its charter schools with reasonable time and opportunity for submission of a Corrective Action Plan and/or remediation in non-emergency situations.
- e. Where intervention is needed, the ASD shall engage in intervention strategies that preserve charter school autonomy and responsibility by identifying what the charter school must remedy without prescribing solutions.

3. Grounds for Intervention and Consequences.

- a. If issues of concern or deficiencies are identified, the ASD may assign a level of intervention for the charter school. This policy as incorporated into the charter agreement shall outline these levels of intervention as well as the grounds that may result in certain levels of intervention. The ASD shall adhere to the provisions of the charter agreement if it determines an intervention is appropriate.
- b. Depending on the severity of the concern or deficiency, the ASD reserves the right to revoke the charter agreement in accordance with the terms and provisions of the charter agreement and Tenn. Code Ann. § 49-13-122. If the ASD deems that an intervention other than contract revocation is appropriate, it may begin at any level of intervention and shall be permitted to jump levels. The ASD does not need to commence interventions at Level 1 and move incrementally through the levels.
- c. The ASD staff shall notify the governing board of any charter school that requires an intervention. The notice shall describe the intervention and may include additional consequences if the deficiency and/or concern(s) are not remedied within the stated timeline.
- d. A Plan of Correction shall include specific improvement objectives, responsible person(s) for each action, technical assistance requirements (if applicable), a schedule, and indicators of success. The charter school shall submit its Plan of Correction within the timelines prescribed by the ASD or its staff.
- e. ASD staff's approval of a Plan of Correction shall in no way abridge or mitigate the charter school's ultimate responsibility and accountability for remedying the deficiency and/or the ASD's authority to take additional action in response to the charter school's failure to remedy the deficiency satisfactorily including revocation of the charter agreement to operate a charter school.
- f. If there is an immediate concern for student or employee health or safety at a charter school, the ASD may revoke the charter agreement or adopt an interim reconstitution plan that may include the appointment of an interim governing board and/or a governing board chairperson.

4. Charter School Responsibilities.

- a. When a charter school in the ASD's portfolio receives a deficiency notice from the ASD, it may:
 - i. Remedy noted deficiencies and provide evidence of such remedy to the ASD within the timeframe identified in the notice.

- ii. Appeal the ASD's determination that a breach of the charter agreement has occurred by providing a written response contesting such determination to the ASD within the timeframe prescribed in a deficiency notice.
- iii. Submit a Corrective Action Plan, if requested, to the ASD within the timeframe identified in the notice.

b. If a charter school is not able to meet timeframes for remediation and/or submission of a Corrective Action Plan, it shall provide a written response to the ASD within the stated timelines, which shall include a justification for its inability to meet the timeframe together with a proposed timeframe for remedying deficiencies. The ASD shall consider the charter school's justification and either approve, approve with modifications, or reject the charter school's proposed timeframe.

c. Charter schools shall be responsible for notifying the ASD when a deficiency has been remedied, if the charter school requires an extension of time to remedy a deficiency, or if the charter school requires a modification to its Corrective Action Plan.

5. Table of Interventions.

The Table of Interventions for the ASD lays out the general conditions that may trigger interventions by the ASD, including types of actions and consequences. The outlined procedures are not a step-by-step process. **The ASD reserves the right to place a charter school on any status without going through the preceding steps if more immediate actions are warranted.**

Status	Possible Triggers	Possible Actions/Consequences
Initial Notice (Level 1)	<ul style="list-style-type: none"> • Signs of weak performance identified through routine monitoring; through implementation, compliance, performance reviews, or through any other means identified by the Achievement School District (ASD). • Signs of financial weakness identified through an annual financial audit. • Achievement of “Falls Far Below” in one area of the performance frameworks or achievement of “does not meet” in multiple areas of 	<ul style="list-style-type: none"> • An initial Notice of Non-Compliance is sent to the CMO Board Chair, CMO executive director, and school leader (if applicable). • The ASD Authorizing and Accountability team will email the CMO designee or school leader requesting documentation for the identified non-compliance issue. • CMO acknowledgment of non-compliance notice is requested.

	<p>the performance frameworks.</p> <ul style="list-style-type: none"> • Repeated failure to submit required documents on a timely basis. 	
<p>Notice of Deficiency (Level 2) *Required Corrective Action Plan</p>	<ul style="list-style-type: none"> • Achievement of “Falls Far Below” in one area of the performance frameworks or achievement of “does not meet” in multiple areas of the performance frameworks. • Signs of significant financial weakness identified through an annual financial audit. • Failure to comply with applicable state laws, ASD rules/policies, or other regulations. • Failure to comply with terms of the charter agreement with the ASD. 	<ul style="list-style-type: none"> • Letters to the CMO/school governing board detailing areas of deficiency with a requirement of the development of a Corrective Action Plan (with specific improvements, objectives, timelines, and measures). The Corrective Action Plan must be approved by the ASD staff.
<p>Notice of Probationary Status (Level 3)</p>	<ul style="list-style-type: none"> • Continued failure to meet performance targets (state accountability, charter contract, or performance frameworks). • Failure to meet objectives set forth in the Plan of Correction. • Continued or significant signs of financial weakness identified through annual financial audits or other means. • Continued or significant failure to comply with applicable state laws, ASD rules/policies, or other regulations. • Continued or significant failure to comply with 	<ul style="list-style-type: none"> • Letter to the CMO/school governing board to serve as notice of probationary status and outlining terms of probation which includes the creation of a Corrective Action Plan in consultation with ASD staff to address the deficits and has measurable outcomes, a timeline, and very specific improvement expectations. The Corrective Action Plan must be approved by the ASD staff.

	conditions of the charter agreement.	
Charter Review (Level 4)	<ul style="list-style-type: none"> • Pattern of failure to comply with or meet performance targets (state accountability, charter contract, or performance frameworks). • Three consecutive years of achieving “Does Not Meet” on the performance frameworks in the same category. • Failure to successfully address the terms of the probationary status, including the Corrective Action Plan. • Flagrant disregard of the charter agreement (T.C.A. § 49-13-122); fraud, misappropriation of funds (T.C.A. § 49-13-122); an extended pattern of failure to comply with the terms of the charter; failure to meet generally accepted standards of fiscal management. • Performed any of the acts that are conditions for non-approval of a charter school under T.C.A. § 49-13-108. 	<ul style="list-style-type: none"> • Recommendation to revoke the charter contract or to impose lesser sanctions including but not limited to a requirement to adopt an interim reconstitution plan that may include the appointment of an interim governing board and/or a governing board chairperson. (T.C.A. § 49-13-122). • Decision by the ASD to commence revocation proceedings.
Charter Revocation (Level 5)	<ul style="list-style-type: none"> • Charter Review results in a recommendation to revoke. <p>The school has done any of the following:</p> <ul style="list-style-type: none"> o Pattern of failure to comply with or meet performance targets (state accountability, charter contract, or performance frameworks). 	<ul style="list-style-type: none"> • Letter stating reasons for proposed revocation to governing board. • Charter closure timeline goes into effect immediately.

	<ul style="list-style-type: none"> o Three consecutive years of achieving “Falls Far Below” on the performance frameworks in the same category. o Failure to successfully address the terms of the probationary status, including the Plan of Correction. o Flagrant disregard of the charter agreement (T.C.A. § 49- 13-122); fraud, misappropriation of funds (T.C.A. § 49-13-122); an extended pattern of failure to comply with the terms of the charter; failure to meet generally accepted standards of fiscal management. o Performed any of the acts that are conditions for non-approval of a charter school under T.C.A. § 49-13-108. <ul style="list-style-type: none"> • Except in the cases of fraud, misappropriation of funds, flagrant disregard of the charter agreement, or similar misconduct, a decision to revoke shall become effective at the close of the academic year (T.C.A. § 49-13-122). 	
--	--	--