

**RULES
OF
THE STATE BOARD OF EDUCATION**

**CHAPTER 0520-14-01
CHARTER SCHOOLS**

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0520-14-01-.06 AMENDMENTS TO THE CHARTER AGREEMENT.

- (1) Charter Amendments.
 - (a) The authorizer shall rule by resolution, at a regular or special called meeting, on the approval or denial of an amendment petition within ninety (90) calendar days of receipt of the petition.
 - (b) Should the authorizer fail to either approve or deny an amendment petition within the ninety (90) calendar day time limit, the amendment petition shall be deemed approved.
 - (c) If an amendment petition is denied, the grounds upon which the authorizer based the decision to deny an amendment must be stated in writing, specifying objective reasons for the denial.
- (2) Appealing an Amendment Decision.
 - (a) The governing body of a public charter school may appeal a decision by the authorizer to deny an amendment to the charter agreement to the State Board of Education within ten (10) calendar days of the denial. The governing body shall submit a notice of appeal by email to the General Counsel of the State Board. The notice of appeal must be received by the General Counsel of the State Board by 4:30 p.m. Central Time on the tenth (10th) calendar day. In order to be considered a complete appeal, the notice of appeal shall contain the following information:
 1. A copy of the amendment petition submitted to the authorizer;
 2. A summary of the petition timeline, including the date the petition was originally submitted to the authorizer and the date the petition was denied by the authorizer;
 3. A copy of the letter informing the governing body of the authorizer's reasons for denying the petition; and
 4. A brief statement, no longer than three (3) pages, including but not limited to, an explanation of why the authorizer's denial of the charter school amendment petition was contrary to the best interests of the pupils, school district, or community.
 - (b) State Board staff shall not accept an incomplete appeal or any additional documentation from the governing body of the charter school beyond the contents of the notice of appeal unless requested by the State Board staff.
 - (c) The State Board may request additional documentation from the governing body, the authorizer, and the Tennessee Department of Education.

(Rule 0520-14-01-.06, continued)

- (d) Following the review of the documentation included in the notice of appeal, including the amendment petition and any additional information collected by the State Board, the Executive Director of the State Board shall provide written findings and recommendations to the State Board. The State Board shall consider the findings and recommendations of the Executive Director when rendering a decision on the appeal, but the State Board is not bound by the recommendation.
- (e) Within sixty (60) calendar days after receipt of the appeal, the State Board shall meet to render a decision. If the State Board finds that the denial of the amendment petition is contrary to the best interests of the students, LEA, or community, the State Board shall remand the decision to the authorizer with written instructions for approval of the amendment. The State Board shall not become the authorizer, and the charter school shall remain under the supervision of the authorizer to whom the amendment application was submitted. The decision of the State Board is final and no other appeals shall be made.

Authority: T.C.A. § 49-13-110(b); Acts 2019, ch. 219. **Administrative History:**