



TENNESSEE
STATE BOARD OF EDUCATION

RECOMMENDATION OVERVIEW

NASHVILLE CLASSICAL CHARTER SCHOOL

AMENDMENT APPEAL

FEBRUARY 6, 2020

STATUTORY CHARGE

AMENDMENT APPEALS

ABILITY TO AMEND CHARTER AGREEMENTS

- Pursuant to T.C.A. § 49-13-110(d), the governing body of a charter school may petition the authorizer to amend the original charter agreement. Timelines for approval and the appeal process will be determined by the State Board.
- In the case of the Nashville Classical Charter School (NCCS), Metropolitan Nashville Public Schools (MNPS) denied the amendment petition request by NCCS based on fiscal impact and MNPS school capacity in the area.

STATE BOARD'S PROCESS

- Pursuant to State Board emergency rule 0520-14-01-.06, a charter school that has its amendment application denied by an authorizer may appeal the decision to the State Board.
- Pursuant to State Board emergency rule 0520-14-01-.06, the State Board staff conducted the following process:
 - Requested documentation from MNPS and NCCS to gather evidence regarding the reasons cited by MNPS in the denial decision;
 - Held a public hearing on January 13, 2020 and accepted both written and oral public comment; and
 - Conducted a complete review of the record.

STANDARD OF REVIEW

- In order to overturn a local board of education's decision to revoke a charter agreement, the State Board must find that the local board's decision to deny the charter amendment petition was contrary to the best interests of the students, LEA, or community.

RECOMMENDATION

RECOMMENDATION

- Based on the procedural history, findings of fact, and analysis of the issues, the Executive Director of the State Board believes that the decision to deny the charter amendment petition was contrary to the best interests of the students, the LEA, or the community.
- Therefore, the Executive Director recommends that the State Board overturn the decision of MNPS and remand the decision to MNPS with written instructions for approval of the amendment.

STATEMENTS FROM PARTIES

BACKGROUND INFORMATION

OVERVIEW OF TIMELINE

TIMELINE OVERVIEW

- NCCS opened in the 2013-2014 school year with kindergarten students. It is approved to serve up to 8th grade, and in the 2019-2020 school year, the school services grades kindergarten through 6th.
- On July 30, 2019, NCCS submitted a letter of intent to MNPS to amend its charter agreement, and on October 1, 2019 submitted an application to the district.
- On November 12, 2019, the MNPS Office of Charter Schools recommended to the MNPS Board of Education that the NCCS amendment application be approved. The MNPS Board of Education requested additional fiscal impact information prior to voting.
- On November 26, 2019, the MNPS Office of Charter Schools recommended to the MNPS Board of Education that the NCCS amendment application be approved and presented the additional fiscal information requested by the board. The MNPS Board of Education voted to deny the amendment application of NCCS.

QUALITY AUTHORIZING STANDARDS

ANALYSIS OF MNPS'S PRACTICES



ALIGNMENT TO QUALITY AUTHORIZING STANDARDS

- T.C.A. § 49-13-108(f) requires local boards of education to align their practice to the State Board's Quality Authorizing Standards.
- MNPS provided evidence of alignment to the following standards:
 - Developed an amendment application for its charter schools to use when petitioning to amend their charter agreements;
 - Clearly communicated the performance requirements to successfully amend a charter agreement with a focus on high academic, operational, and financial results to merit expansion; and
 - Recommended applicants for approved only if they met the high bar set in the application for academic, operational, and financial results.

DISCUSSION AND QUESTIONS

BACKGROUND INFORMATION

FACTS AND ANALYSIS

ANALYSIS OF REASONS FOR DENIAL

- Fiscal impact of the approval of the amendment petition.
 - Facts:
 - The NCCS amendment petition request is to increase the total enrollment at the school from 450 to 527, an additional 72 seats.
 - MNPS estimated that approving this amendment request would cost MNPS \$390,000 per year.
 - NCCS pays MNPS \$500,000 per year in rent for its facility.
 - NCCS was named a Reward School in 2019 and, for the past three years, the school has outperformed the district and the state in English language arts and math on TNReady.
 - 82% of the school population is in the state's "Super Subgroup", and the subgroup outperformed the district and the state in ELA and math.
 - Analysis:
 - NCCS is clearly a high performing charter school that is serving a high needs population. The school met the performance expectations outlined in the MNPS charter amendment application for a positive recommendation, and the MNPS Office of Charter Schools recommended the school for approval.
 - While approving the amendment request would result in additional funds flowing to NCCS, the costs are offset by the annual rent payments paid to MNPS by NCCS.

ANALYSIS OF REASONS FOR DENIAL

- MNPS school capacity in the area.
 - Facts:
 - The public schools in the area of NCCS (East Nashville) are under capacity, but two of the three zoned schools in the area are on the state's Priority List and score well below NCCS in achievement.
 - NCCS receives significantly more applications than available seats each year (approximately 8 applications for every seat), and the school has seen very low attrition rates as it has grown.
 - A high population area of Nashville, Antioch, is the third most high zip code for students at NCCS. The school noted that 69% of their student population comes from outside of the East Nashville area.
 - If the amendment is not approved, NCCS will have to drastically reduce enrollment in its kindergarten class or not grow to 7th and 8th grades, as approved in their charter agreement.
 - Analysis:
 - NCCS is a high performing school that is in high demand in an area with low performing traditional public schools.
 - The majority of NCCS students come from areas outside of East Nashville so it is not a foregone conclusion that the amendment denial would cause student populations to grow in East Nashville schools.
 - Not approving the amendment petition could have a devastating impact on the school and the families at the school, potentially impacting the high performance of the school in the long term.

RECOMMENDATION

- NCCS is a high performing charter school that seeks to expand to serve its current student population through 8th grade.
- The MNPS Office of Charter Schools recommended approval of the NCCS amendment application because of the school's high performance and clear demand by its current student population.
- Although the approval of the amendment would increase the amount of funds received by the school because the student enrollment would increase, NCCS also pays MNPS \$500,000 a year in rent for use of a facility.
- Therefore, the Executive Director recommends that the State Board overturn the decision of MNPS and remand the decision to MNPS with written instructions for approval of the amendment.

QUESTIONS?



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