



TENNESSEE
STATE BOARD OF EDUCATION

RECOMMENDATION OVERVIEW

COMPASS COMMUNITY SCHOOLS - MIDTOWN

AMENDMENT APPEAL

JULY 23, 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 Compass Community Schools – Midtown (Compass Midtown), Shelby County Schools (SCS) denied the amendment petition request by Compass Midtown based on SCS Board Policy 1011.

STATE BOARD'S PROCESS

- Pursuant to State Board 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.
- State Board staff conducted the following process:
 - Requested documentation from SCS and Compass Midtown to gather evidence regarding the reasons cited by SCS in the denial decision;
 - Held a virtual public hearing on July 8, 2020 and accepted 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 deny a charter amendment petition, 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 not contrary to the best interests of the students, the LEA, or the community.
- Therefore, the Executive Director recommends that the State Board uphold the decision of SCS to deny the amendment petition of Compass Midtown.

BACKGROUND INFORMATION

OVERVIEW OF TIMELINE

TIMELINE OVERVIEW

- Compass Midtown opened in the 2019-20 school year with students in grades 7-12.
- On January 15, 2020, Compass Midtown submitted a letter of intent to SCS to amend its charter agreement, and on February 14, 2020 submitted an application to the district.
- On April 28, 2020, the SCS Office of Charter Schools recommended to the SCS Board of Education that the Compass Midtown amendment application be denied. The SCS Board of Education voted to send the amendment, along with others, back to committee for further review.
- On May 11, 2020, the SCS Office of Charter Schools recommended to the SCS Board of Education that the Compass Midtown amendment application be denied. The SCS Board of Education voted to deny the amendment application of Compass Midtown.
- Compass Midtown appealed this denial to the State Board on May 21, 2020.

BACKGROUND INFORMATION

FACTS AND ANALYSIS

FINDINGS OF FACT

- Compass Midtown opened for the 2019-20 school year and struggled to meet its enrollment targets of 60 students each in grades 7 and 8.
- Mid-way through its first year of operation, the school submitted an amendment petition to change its grade configuration from 7-12 to a 9-12 high school, gradually reducing its grades beginning in 2020-21.
- Compass Midtown based its rationale for the amendment on enrollment during its first year of operation and feedback from current families within the Compass network of schools who wished to remain at their current K-8 Compass school.
- The State Board's emergency rule on amendment petitions had expired and the State Board's permanent rule was not yet in effect; therefore, SCS created their own application and process to evaluate its amendment petitions as required by the State Board's quality authorizing standards.

FINDINGS OF FACT

- SCS presented its “Regional Seat Analysis” which noted the Midtown neighborhood, where Compass Midtown operates, is in need of 254 quality seats in the 6-8 grade band.
- SCS stated that part of the reason for approving the original charter application was that Compass Midtown would provide more quality seats in the middle school grades.
- SCS expressed concern with the school’s request to reduce their grade-band in its first operating year after only one enrollment cycle.
- SCS denied Compass Midtown’s amendment request, citing its local board policy which states:
 - Amendments shall be considered only after one or more schools operated by the network have been in operation for at least three years; and
 - Each school within the network has a composite score of 3.0 or better on the core components of its accountability framework.

ANALYSIS OF FACTS

- Compass Midtown has not focused on recruitment of students outside of the Compass network to fill their 7th and 8th grade seats, though SCS provided evidence of a need for quality 6-8th grade seats in the Midtown neighborhood.
- The school submitted their amendment request mid-way through the first year of operation, and therefore did not focus on recruitment of 7th and 8th grades for the 2020-21 school year. Its recruitment efforts assumed the approval of the amendment.
- SCS provided evidence that it communicated the performance requirements to amend agreements prior to Compass Midtown submitting its petition.
- Despite knowing that the school did not meet the performance requirements for approval of their amendment, evidence reflects that Compass Midtown did not plan to serve 7th grade students for the 2020-21 school year.

QUALITY AUTHORIZING STANDARDS

ANALYSIS OF SCS'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.
- SCS 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; and
 - Recommended applicants for approval only if they met the high bar set for academic, operational, and financial results.

RECOMMENDATION

RECOMMENDATION

- The SCS Office of Charter Schools recommended denial of the Compass Midtown amendment application because Compass Community Schools does not have any schools within its network that has been in operation for at least three years, and Compass Midtown lacks performance data to evaluate its ratings on the district's accountability framework.
- In the absence of a state-approved application and rubric, SCS created, communicated, and followed a transparent application and evaluation process and demonstrated a need for high quality seats in the Midtown community.
- Therefore, the Executive Director recommends that the State Board uphold the decision of SCS to deny the amendment petition of Compass Midtown.

DISCUSSION AND QUESTIONS

THANK YOU!



TENNESSEE
STATE BOARD OF EDUCATION