

# TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION

## RENEWAL OF COMMISSION-AUTHORIZED CHARTER AGREEMENTS

23.400600

**Purpose:** This policy sets forth the process and criteria the Commission shall use when considering a renewal application received directly from a charter school where the Commission serves as the authorizer.

### **Policy Sections:**

1. Generally
2. Renewal Application
3. Renewal Criteria
4. Renewal Cumulative Performance Report
5. Renewal Application Review Committee
6. Renewal Application Evaluation
7. Final Recommendation and Decision of the Commission
8. Renewal Charter Agreement

**1. Generally.** When the Commission is the authorizer, the governing body of a charter school shall submit a renewal application to the Commission no later than April 1 of the year prior to the year in which the charter agreement expires. The Commission shall decide whether to approve or deny the renewal application on or before February 1 of the following year.

### **2. Renewal Application.**

- (a) Any school that seeks renewal from the Commission as its authorizer pursuant to T.C.A. § 49-13-121, shall submit a renewal application in accordance with T.C.A. § 49-13-121 and any charter renewal guidance issued by the Commission or the Department of Education. The guidance shall also include the standards and criteria that shall guide the Commission's renewal decisions. A school may choose not to submit a renewal application to the Commission, in which case the charter school shall close at the end of its current charter term.
- (b) The deadline for the submission of all renewal applications is no later than April 1 of the year prior to the year in which the charter expires.
- (c) The renewal application shall provide a school with the opportunity to make a clear and compelling case for renewal, respond to its cumulative performance report, and to submit any corrections or clarifications for the report. The renewal application shall require a charter school to present evidence supporting its case for charter renewal that is aligned with the Commission's renewal standards and the charter school's performance standards in its charter agreement, as well as any additional evidence and improvements undertaken during the charter term. The renewal application shall also require each charter school to present its plans for the next charter term.

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### 3. Renewal Criteria.

- (a) The Commission shall adopt, publicize, and use clear and rigorous standards that establish the expectations for academic, organizational, and financial performance necessary to earn renewal of a charter where it serves as the authorizer.
- (b) The Commission shall execute charter agreements with its charter schools, pursuant to Commission Policy 4.300, that establish the performance standards under which schools shall be evaluated so that all stakeholders are aware from the outset what a charter school must accomplish in order to meet performance expectations set forth in the charter agreement.
- (c) The Commission shall ensure that renewal decisions are based on demonstrable merit and grant renewal only to charter schools that have sufficiently met the Commission's high standards, sufficiently achieved the targets stated in the charter agreement, are organizationally and fiscally viable, have been faithful to the terms of their charter agreement and applicable law, and present sound academic, financial, and organizational plans for the next charter term.
- (d) The Commission shall not make renewal decisions on the basis of political or community pressure or solely on promises of future improvement.
- (e) Ongoing monitoring, data collection, and reporting requirements shall be aligned with the Commission's renewal standards and criteria.

### 4. Renewal Cumulative Performance Report.

- (a) Pursuant to T.C.A. § 49-13-121, the Commission shall develop a cumulative performance report for all charter schools where it serves as the authorizer whose agreement expires the following year.
- (b) The performance report shall summarize the charter school's performance record to date over the charter term based on the data required by law, the Commission, and the charter agreement. The report shall include the Commission's summative findings concerning the charter school's performance against the Commission's renewal standards and criteria. It shall describe the charter school's prospects for renewal at the time of the report and include notice of any weaknesses or concerns perceived by the Commission concerning the charter school that may jeopardize its position in seeking renewal if not timely rectified.

### 5. Renewal Application Review Committee.

- (a) The Commission staff shall assemble a renewal application review committee ("Renewal Review Committee") comprised of teams of internal and external evaluators with relevant and diverse educational, organizational (governance and management), financial and legal expertise, as well as a thorough understanding of the essential principles of public

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school autonomy and accountability. The Commission shall provide training to the Renewal Review Committee members to ensure consistent standards and fair treatment of all renewal application reviews.

- (b) The Renewal Review Committee shall review the renewal record received directly by the Commission as the authorizer.
- (c) The Commission shall ensure that the renewal review process, Renewal Review Committee members, and decision-making processes are free of conflicts of interest, in accordance with Commission Policy 1.100, and shall require full disclosure of any potential or perceived conflicts of interest between Renewal Review Committee members and applicable charter schools.
- (d) The Renewal Review Committee members shall provide an evidence-based recommendation to the Executive Director of the Commission.

### 6. Renewal Application Evaluation.

- (a) The Commission staff shall conduct a renewal evaluation site visit to each charter school that submits a charter renewal application to the Commission as the authorizer. The site visit shall take place after the Commission receives a charter school's renewal application and before any preliminary renewal recommendation is issued. The renewal site visit shall be used to evaluate the school's academic program, organizational and fiscal soundness, and plans for the next charter term. The Commission staff shall interview the governing body of the charter school in accordance with Section 1(e) of Policy 2.200, Renewal Appeals. This interview may take place in conjunction with the renewal evaluation site visit and may include the Renewal Review Committee.
- (b) The Executive Director of the Commission shall issue a preliminary renewal recommendation prior to the public hearing. The Executive Director shall consider the recommendation of the Renewal Review Committee, the interview, and the renewal evaluation site visit in his or her preliminary renewal recommendation to the Commission.
- (c) A public hearing shall be held in accordance with Section 1(f) of Policy 2.200, Renewal Appeals, except that such hearing shall be held after receipt of the renewal application and no later than November 1 of the school year in which the charter expires. Further, the Executive Director or a Commission staff member (the "Hearing Officer") shall preside at the hearing, and a Commission staff member shall summarize the Commission's preliminary renewal recommendation. The governing board or its designated representative shall have twenty (20) minutes to address the preliminary renewal recommendation at the public hearing.

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- 7. Final Recommendation and Decision of the Commission.** Following the public hearing and the review of the renewal application as set forth in this policy, the Executive Director of the Commission shall provide a final recommendation to the Commission. The Executive Director shall consider the recommendation of the Renewal Review Committee, the site visit, and the public hearing in his or her final renewal recommendation to the Commission. The Commission shall consider the recommendation of the Executive Director when rendering a decision on the renewal, but the Commission is not bound by the recommendation. The Commission shall meet and render a decision on or before February 1 of the year following submission of the charter renewal application. If the Commission grants the renewal application, the school shall continue to operate for the prescribed period of ten (10) academic years (subject to the right of the Commission to revoke the charter agreement), and the Commission shall continue to be the authorizer. The Commission's decision on a renewal application is final and may not be appealed.
  
- 8. Renewal Charter Agreement.** For all charter schools where the Commission serves or will serve as the authorizer, the Commission's approval of a charter school's renewal application is separate and distinct from the Commission's approval of its renewal charter agreement and a school's right to remain open. Once a renewal application is approved by the Commission, the Commission shall negotiate a renewal charter agreement with the school's governing body that must be signed by both parties and submitted to the Commission for approval.