BEFORE THE TENNESSEE STATE BOARD OF EDUCATION

2014 CHARTER SCHOOL APPEAL
Scholastic Academy of Logistics and Transportation

FINDINGS AND RECOMMENDATION

Pursuant to Tenn. Code Ann. § 49-13-108, sponsors proposing to open new charter schools may appeal the denial of their amended applications by a local board of education to the State Board of Education (State Board).

On Thursday, August 14, 2014, a hearing was held at the Shelby County Board of Education in Memphis, Tennessee, to consider Scholastic Academy of Logistics and Transportation's (SALT) appeal of the denial of its amended application by the Shelby County Schools.

Based on the following procedural history and findings of fact, I believe that the decision to deny Scholastic Academy of Logistics and Transportation's application was not "contrary to the best interests of the pupils, the school district, and the community," and therefore recommend that the Board affirm the decision of the Shelby County Board of Education

PROCEDURAL HISTORY

1. On May 27, 2014, the Shelby County Board of Education unanimously denied Scholastic Academy of Logistics and Transportation's initial application, following the unanimous recommendation of the Shelby County Schools charter school review committee.

2. SALT amended and resubmitted its application on June 26, 2014.

3. On July 15, 2014, the Shelby County Schools charter school review committee recommended denial of Scholastic Academy of Logistics and Transportation's amended application. Subsequently, the Shelby County Board of Education voted to deny the amended application of SALT.

4. SALT then appealed the denial in writing to the State Board, received July 24, 2014.

5. On September 8, 2014, the State Board Charter Application Review Committee interviewed the sponsor, rated their application, and provided the attached recommendation report. [See Exhibit 1]

FINDINGS OF FACT

1. The Shelby County Schools charter school review committee team evaluating the Scholastic Academy of Logistics and Transportation's application included the following individuals:
    a. Beth Murphree
    b. Amelia Anglin
    c. Taurus Currie
    d. Angela Carr
    e. Aetna Smith
    f. Carla Smith
    g. Dionne Williams
    h. Rhonda Hill
    i. Brian Fisher
    j. David Barrett
    k. Beth Stayton
    l. Cary Booker
    m. Dedric McGhee
    n. Eddie Jones
    o. Kemmie Ingram
2. Using the Tennessee Department of Education's (TDOE) scoring rubric as a guide for evaluating the application, the review committee scored the application into four main domains: Academic Plan Design and Capacity, Operations Plan and Capacity, Financial Plan and Capacity, and Additional Attachments: Facilities, Transportation Plan, Food Service, Insurance, Waivers, etc.
3. On the initial application, SALT's application was labeled according to the scoring criteria developed and promulgated by the TDOE. SALT's initial application scored as follows:

Academic Plan Design and Capacity	*Does Not Meet*
Operations Plan and Capacity	*Does Not Meet*
Financial Plan and Capacity	*Partially Meets*
Additional Attachments: Facilities, Transportation Plan, Food Service, Insurance, Waivers, etc.	*Does Not Meet*

4. After the Shelby County Board of Education voted to deny SALT's initial application, Shelby County Schools sent SALT the overall reasons for denying the SALT application.
5. SALT's amended application scored as follows:

Academic Plan Design and Capacity	*Does Not Meet*
Operations Plan and Capacity	*Does Not Meet*
Financial Plan and Capacity	*Partially Meets*

Additional Attachments: Facilities, Transportation Plan, Food Service, Insurance, Waivers, etc. *Partially Meets*

6. After review of the application, the committee unanimously recommended denying the amended application. Ultimately, the Board determined that the authorization of the charter would be contrary to the best interests of the students of Shelby County Schools. The committee had the following specific concern:
    a. Academic Plan Design and Capacity – The committee felt that the academic plan was unclear. How the proposed school would use the stated instructional methods with two blended curriculums was not adequately explained.
    b. Operations Plan and Capacity – The committee felt that the plan for hiring staff was underdeveloped and the required hiring timeline was not included.
    c. Financial Plan and Capacity – The budget narrative did not outline the amount of expected revenue and expenditures.
    d. Additional Attachments – The letter from the Olympic Training Center did not specify the nature, purpose, term, or scope of partnership.
7. The State Board Charter Application Review Committee evaluating the SALT application included the following individuals:
    a. Harry Allen, Senior Vice President, Senior Commercial Relationship Manager, Avenue Bank
    b. Rich Haglund, General Counsel and COO, Achievement School District
    c. Dr. Ally Hauptman, Assistant Professor, Lipscomb University
    d. Dr. Kimberly King-Jupiter, Dean of the College of Education, Tennessee State University
    e. David Mansouri, Executive Vice President, SCORE
    f. Dr. Alice Patterson, Director of the Doctor of Education Program, Trevecca University
    g. Hillary Sims, School Director, STEM Preparatory Academy
    h. Tess Stovall, Coordinator of Charter School Accountability and Policy, State Board of Education
8. At the time of appeal to the State Board, SALT submitted no additional amendments pursuant to T.C.A. §49-13-108(a)(4)(C).
9. The State Board Charter Application Review Committee* scored SALT's amended application as follows:
    a. Academic Plan Design and Capacity *Partially Meets*
    b. Operations Plan and Capacity *Does Not Meet*
    c. Financial Plan and Capacity *Does Not Meet*
    d. Additional Attachments: Facilities, Transportation Plan, Food Service, Insurance, Waivers, etc. *Partially Meets*

    **A copy of the State Board Charter Application Review Committee's recommendation and committee composition is attached.*

CONCLUSION

State law requires the State Board of Education to review the decision of the local board of education and determine whether the denial of the charter school was in the "best interests of the students, school district, and the community."[1] The State Board is also empowered with the authority to become the authorizer for applicants denied by an LEA that contains at least one (1) priority school on the current or last preceding priority school list.[2] Approval of a public charter school must be "in the form of a written agreement signed by the sponsor and the chartering authority, which shall be binding upon the governing body of the public charter school."[3] The means that when the authorizer votes to approve a charter school, it must be ready to sign that binding document at the same time, just as it would any other contract it approves.[4] Because of the important nature of such a contract, the charter sponsor must take care to include details with enough specificity that an authorizer can measure, with confidence, the school's likelihood of success upon approval.

Public Chapter 850 (2014) required the State Board of Education to adopt national standards of authorizing. One such standard is to maintain high standards for approving charter applications. To that end, the State Board employed a team of qualified individuals to independently score the application using the Tennessee Department of Education's scoring rubric. The team also conducted capacity interviews of the sponsor to determine whether the school and its leadership would be likely to succeed upon opening. The application review and interview process were rigorous. I would like to thank the review committee for lending their expertise in helping us meet the challenge of becoming a quality authorizer. To that end, I recommend that you adopt the findings of the review committee.

For these reasons, I do not believe that the decision to deny Scholastic Academy of Logistics and Transportation's application was contrary to the best interests of the students, the school district, and the community. Therefore, I recommend that the State Board of Education affirm the decision of the Shelby County Board of Education.

Gary Nixon

Dr. Gary L. Nixon, Executive Director
State Board of Education

9-15-14

Date

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[1] T.C.A. § 49-13-108(a)(3).
[2] T.C.A. § 49-13-108(a)(4).
[3] T.C.A. § 49-13-110(a).
[4] The Tennessee Attorney General recently confirmed that this is what the statutory language means. See Op. No. 10-45, available at http://www.tn.gov/attorneygeneral/op/2010/op/op10-45.pdf (last viewed Sept. 25, 2013).

Exhibit 1

Scholastic Academy of Logistics and Transportation

Charter Application Review Committee - Summary Report and Scoring

The State Board of Education's Charter Application Review Committee is made up of experts in the fields of curriculum, instruction, special populations, operations, finance, and charter schools. Members of the 2014 Charter Application Review Committee are:

1. Harry Allen, Senior Vice President, Senior Commercial Relationship Manager, Avenue Bank
2. Rich Haglund, General Counsel and COO, Achievement School District
3. Dr. Ally Hauptman, Assistant Professor, Lipscomb University
4. Dr. Kimberly King-Jupiter, Dean of the College of Education, Tennessee State University
5. David Mansouri, Executive Vice President, SCORE
6. Dr. Alice Patterson, Director of the Doctor of Education Program, Trevecca University
7. Hillary Sims, School Director, STEM Preparatory Academy
8. Tess Stovall, Coordinator of Charter School Accountability and Policy, State Board of Education

The committee completed an initial review and scoring of the application based on the scoring rubric developed and promulgated by the Tennessee Department of Education and, as a committee, discussed strengths, weaknesses, and concerns of the application prior to the capacity interview with the applicant. The committee drafted questions based on these concerns and weaknesses to be addressed at the capacity interview. At the conclusion of the capacity interview, the committee submitted revised scoring rubrics and developed a consensus report on the overall ratings of the application.

Based on the review of the written application and the capacity interview, the committee rated the Scholastic Academy of Logistics and Transportation's application as the following:

A. Academic Plan Design and Capacity	*Partially Meets*
B. Operations Plan and Capacity	*Does Not Meet*
C. Financial Plan and Capacity	*Does Not Meet*
D. Additional Attachments	*Partially Meets*

The committee has summarized the evidence used to determine these ratings below.

<u>Academic Plan Design and Capacity – Partially Meets</u>

While the curriculum was based on research and proven strategies that have worked at other schools, the application lacked a clearly articulated plan for students with disabilities or English Language Learners, and the capacity interview did not clarify this area for the review committee. The application contained a plan for parent and community engagement, but key community partnerships around the logistics and transportation theme were lacking. The applicant could not thoroughly articulate the research and background behind the academic performance standards laid out in this section.

Operations Plan and Capacity – Does Not Meet

The proposed governing board did not contain the level of expertise in all areas of charter school operation to give the committee confidence that it could successfully manage and govern a charter school, and there was not enough information provided to give the committee a sense of how they would recruit new members to the board. The application did not contain a clear plan for professional development, and the applicant's answer in the capacity interview did not give enough information to make the plan clear to the review committee. The applicant plans to employ both a principal and a chief academic officer, but the job descriptions and roles and responsibilities were not clearly delineated.

Financial Plan and Capacity – Does Not Meet

The application did not contain a detailed budget narrative including all expected revenues and expenses. There was not a clearly articulated plan for financial controls and policies, and a process for selection of vendors was not thoroughly explained. The positions listed in the budget were not consistent with the organizational chart, staffing charts, and other references listed within the application. Therefore, it was not clear to the committee what the staffing structure would be.

Additional Attachments - Facilities, Transportation Plan, Food Service, Insurance, Waivers, etc. – Partially Meets

The application contains plans for a facility, and during the capacity interview, the applicant discussed their current options regarding a facility. However, the committee was not confident that the application contained the budget necessary for renovations and stated classroom needs. Additionally, there was not enough information provided regarding the school's plan for transportation, and the application did not contain a clear understanding of the budgetary implications of the transportation plan.

Summary of Recommendation

Since the Scholastic Academy of Logistics and Transportation's application did not receive "Meets or Exceeds" ratings in all sections, the Charter Application Review Committee is recommending the application be denied.