

Instructions for Completing and Submitting an Application to Amend a Charter Agreement

In accordance with Tennessee Code Annotated (T.C.A.) § [49-13-110\(d\)](#), the governing body of a charter school may petition its authorizer to amend its charter agreement. Timelines for approval and the appeals process are defined by Charter Commission rule [1185-01-01-.04](#).

Below are the steps that a charter school shall follow to complete and submit an application to amend a charter agreement:

1. **All applicants must complete Part I, General Information**, including:
 - a. Selecting the amendment petition category, as indicated in the submitted Letter of Intent;
 - b. Providing the requested School Background information;
 - c. Providing the Background Statements and related attachments for each amendment that is requested; and
 - d. Signing of the completed application by both the Contact Person and Board Chair.
2. **In Part II, Specific Amendment Requests, applicants shall ONLY complete the Subpart that applies to the category of amendment the school is seeking.** The Subparts contain more specific questions relevant to the identified category. If a school is seeking multiple amendments, the school shall complete the applicable Subpart for each requested amendment category. A school should include any attachments requested by the applicable Subpart.
3. An application for a single amendment, including Parts I and II, must not exceed 15 single-spaced pages, with one-inch margins and 12-point font, excluding attachments. The maximum page limit increases by 5 pages for each additional amendment sought by the applicant. For example, if a school is applying for 2 amendments, the maximum page limit (excluding attachments) is 20 pages.
4. The completed application form and all attachments shall be submitted in PDF form to the school's authorizer and the Tennessee Department of Education, Division of Choice, at Charter.Schools@tn.gov.
5. Failure to submit a complete application to the authorizer, including attachments, by the deadlines listed below will result in the amendment application not being reviewed by the authorizer.

Deadlines:

If the Letter of Intent was submitted by **September 1**, the application is due by **October 1**.

If the Letter of Intent was submitted by **January 15**, the application is due by **February 14**.

If the due date falls on a Saturday, Sunday or state-observed holiday, the due date shall be the next business day.

Emergency Amendment Applications:

A charter school may submit an emergency amendment application at any time if good cause exists for an amendment due to unanticipated extraordinary circumstances. In addition to the category of amendment, the school should check "EMERGENCY Petition" at the bottom of the first page of Part I and briefly describe the circumstances constituting the emergency. The Background Statements shall include detailed written findings explaining the unanticipated extraordinary circumstances giving rise to the emergency amendment application.

Timeline for Review:

The authorizer must rule on an amendment application within 60 days of its due date, or within 60 days of the date of submission of an emergency application. If the authorizer fails to do so, the school's amendment application shall be deemed approved. If the school's application is denied, the school may appeal the decision to the Charter Commission. See the Charter Commission rule [1185-01-01-.04](#) for more details regarding the appeals process for more details regarding the appeals process.

Ratings and Criteria

Charter Commission rule [1185-01-01-.04](#) requires the Tennessee Department of Education to develop a scoring rubric for use in evaluating petition applications to amend charter agreements. Evaluators will use the following criteria to rate each amendment for which an application is received:

Rating	Criteria
Meets or Exceeds the Standard	The response thoroughly addresses key issues. The proposed amendment clearly aligns with the mission and goals of the school. The response includes specific, evidence-based information that shows thorough preparation and viability of the plan.
Does Not Meet Standard	The response is substantially incomplete; demonstrates lack of preparation; is unsuited to the mission and goals of the school; or otherwise raises significant concerns about the viability of the plan or the applicant's ability to implement it.

Recommendations for approval or denial of each amendment requested in an amendment application will be based on the materials submitted as well as the authorizer's independent due diligence.

Amendment Petition
<p>Characteristics of a strong response:</p> <ul style="list-style-type: none"> ▪ Clear, evidenced-based rationale for the proposed amendment that is aligned with the school's mission and goals, and supports the best interest of students. ▪ Academic results provide compelling support for the proposed amendment. <i>(For Subparts B, C, F, G, and H only)</i> ▪ Realistic and detailed budget that explains the financial impact of the proposed amendment and clear evidence that the financial outlook of the school supports the costs associated with the proposed amendment. ▪ Thoughtful and realistic facility plans that accommodate the proposed amendment. <i>(For Subparts B, C, and E only)</i> ▪ Detailed implementation plan with a realistic timeline that addresses the operational impact of the proposed amendment. ▪ Clear evidence of support for the proposed amendment from parents, staff and community partners. ▪ FOR EMERGENCY PETITIONS ONLY: Compelling evidence of unanticipated extraordinary circumstances supporting the filing of an emergency amendment application.

Application Review	
<input type="checkbox"/> Meets or Exceeds Standard	<input type="checkbox"/> Does Not Meet Standard
Strengths	Page
Concerns/Questions	Page

Charter Agreement Amendment Application Checklist

The following components make up a complete amendment application and shall be submitted to the school's authorizer and to the Tennessee Department of Education, Division of Choice, at Charter.Schools@tn.gov:

- Letter of Intent (unless an Emergency Petition)
- Part I of the application (fill in the blanks, check the applicable box(es) and provide the Background Statements)
- Most recent audit*
- Balance sheet for the fiscal quarter ending thirty (30) or more days prior to submission of the application*
- Budgets for the current fiscal year and two (2) succeeding fiscal years, assuming approval of the amendment
- Written communications with stakeholders regarding the proposed amendment
- Minutes of Board meeting approving the amendment and vote results
- Executed Signature Page
- Responses to questions in the applicable Subpart(s) of Part II

* This is not required if the amendment application is submitted prior to the charter school's first year of operation.

APPLICATION TO AMEND A CHARTER AGREEMENT

Part I: General Information
All Applicants Must Complete This Section

Name of Charter School: _____

Amendment Petition Category identified in the Letter of Intent:

Check the box for the category under which this Amendment Petition falls:

- Change in governance structure (including, but not limited to, a change in the nonprofit entity governing the school), or addition of or changes to the charter management organization
- The addition or removal of a grade level or levels
- Changes in student enrollment which fall outside of the minimum or maximum enrollment thresholds set forth in the charter school's charter agreement
- The addition or removal of a plan to provide transportation to students attending the charter school
- Changes to the charter school's location, if outside the geographic area set forth in the charter agreement
- Changes to the charter school's academic focus or goals set forth in the charter agreement
- Changes identified in the charter agreement as material modifications or amendments. Please specify: _____
- Other material changes not covered by any of the above categories. Please specify: _____

- EMERGENCY Petition. Please briefly describe the emergency: _____

[Continue to School Background on next page]

SCHOOL BACKGROUND

Provide the following information about your school:

- a) Campus address: _____
- b) First school year in operation: _____
- c) Grade levels and enrollment currently serving: _____
- d) Grade levels and maximum enrollment to be served at maturation of charter agreement, if different: _____
- e) End of current charter term: _____

BACKGROUND STATEMENTS

This is an application to amend a school's charter agreement by changing the item selected above. Please submit a narrative and related attachments addressing each of the questions below:

1. Provide details on the selected amendment above and describe the requested change, including the school's rationale for the proposed change. Describe any planning that is already underway to prepare for the proposed amendment.
2. How will the proposed amendment support or enhance the school's mission and goals?
3. Describe how the proposed amendment will impact the school's finances. Explain any anticipated revenues or expenses arising from the proposed change. If expenses are anticipated, explain how the school will finance them. Please **attach** the school's (i) most recent audit, (ii) balance sheet for the fiscal quarter ending thirty (30) or more days prior to submission of the application, and (iii) budgets for the current fiscal year and two (2) succeeding fiscal years assuming the proposed amendment is approved.
4. How has the school informed its external stakeholders (e.g. local school board representatives, neighbors, community partners) and internal stakeholders (e.g. staff, parents) of the proposed amendment? Please **attach** any written communication (e.g., meeting minutes). Describe any notable support for or opposition to the proposed amendment. If concerns have been brought to the school or governing board's attention, what is the plan to address them?
5. When did the school's governing board approve the proposed amendment? Please **attach** minutes from the meeting and vote results.
6. FOR EMERGENCY PETITIONS ONLY: Explain the unanticipated extraordinary circumstances giving rise to the emergency amendment application. Identify when these circumstances were first discovered and brought to the attention of the governing board. Why did the governing board determine that the circumstances constituted an emergency that warranted the filing of an emergency petition?

[Continue to Signature Page]

Application to Amend a Charter Agreement Signature Page

By our signatures below, we hereby certify that the governing body of the charter school identified herein has approved the submission of this application to amend a charter agreement.

Contact Signature

Board Chair Signature

Contact, Printed Name & Title

Board Chair, Printed Name

Contact Email Address

Board Chair Email Address

Date

Date

This completed and signed form and all attachments shall be saved as a PDF and submitted to the applicant's authorizer as well as to the Tennessee Department of Education, Division of Choice, at Charter.Schools@tn.gov.

[Continue to Part II]

Part II: Specific Amendment Requests

Only Complete the Applicable Subpart for the Amendment the School is Seeking

Subparts:

- A. Change in governance structure (including, but not limited to, a change in the nonprofit entity governing the school), or addition of or changes to the charter management organization
- B. The addition or removal of a grade level or levels
- C. Changes in student enrollment which fall outside of the minimum or maximum enrollment thresholds set forth in the charter school's charter agreement
- D. The addition or removal of a plan to provide transportation to students attending the charter school
- E. Changes to the charter school's location, if outside the geographic area set forth in the charter agreement
- F. Changes to the charter school's academic focus or goals set forth in the charter agreement
- G. Changes identified in the charter agreement as material modifications or amendments
- H. Other material changes not covered by any of the above categories

Subpart A – Governance Structure

ONLY complete this section if applying to amend governance structure

Amendments Covered by this Subpart: A charter school should use this Subpart A to apply for an amendment to the governance structures established in its Articles of Incorporation, Bylaws, and rules and policies for governance and operation of the school. These changes range broadly and may include, but are not limited to, a change in the non-profit entity governing the school or engaging or severing a relationship with a charter management organization (CMO). Note: A charter school does not need to amend its charter when hiring a new school leader or board chair, unless specifically required by its charter agreement.

Application: Please submit a narrative and related attachments addressing each of the questions below:

1. What is the school's current governance structure?
2. What is the proposed governance structure?
3. How will the proposed governance structure improve oversight of the school and benefit students?
4. If the governing body is proposing to change CMOs or hire a CMO to oversee the day-to-day operations of the school, describe the following:
 - a. An explanation of how and why the CMO was selected;
 - b. A term sheet setting forth the proposed duration of the contract; roles and responsibilities of the school governing board, the school staff, and the CMO; scope of services and resources to be provided by the CMO; performance evaluation measures and mechanisms; detailed explanation of compensation to be paid to the CMO; financial controls and oversight; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract;
 - c. A draft of the proposed management contract;
 - d. Disclosure and explanation of any existing or potential conflicts of interest between the school governing board and proposed CMO or any affiliated business entities; and
 - e. Documentation of the CMO's non-profit status and evidence that it is authorized to do business in Tennessee.
5. How will the school ensure that parent participation and input is protected within the proposed governance structure?
6. Describe the school's plan for implementing and transitioning to the proposed governance structure, including timelines.
7. Attach the most recent non-profit certification for the proposed governing body.

Subpart B – Grade Levels

ONLY complete this section if applying to add or remove grade level(s)

Amendments Covered by this Subpart: A charter school should use this Subpart B to apply for the addition or removal of one or more grade levels to or from the grade levels set forth in its charter agreement.

Application: Please submit a narrative and related attachments addressing each of the questions below. If a question is inapplicable, mark it N/A.

1. What is the school's current grade structure?
2. What is the proposed grade structure?
3. Describe and attach documentary evidence of the community need for the proposed change in grade structure.
4. How will the addition or removal of the grade level(s) improve the school's existing program and benefit students?
5. How will the school adapt its physical space to accommodate the addition or removal of grade level(s)?
6. How will the school adapt its staffing (e.g., teachers, educational aides, special population staff, other support staff, etc.) to accommodate the addition or removal of grade level(s)?
7. How does the school's record of achievement support the approval of this amendment? For purposes of this question, the authorizer will review various metrics of success, including but not limited to the school's scores on TVAAS, TNReady and the authorizer's school performance framework, as well as the school's financial information and duration of operations.
8. Complete the proposed enrollment summary for each grade level and each year remaining in the charter agreement in the tables below:

Enrollment Table

Number of Students

Grade Level	Year 1: 20__ - 20__	Year 2: 20__ - 20__	Year 3: 20__ - 20__	Year 4: 20__ - 20__	Year 5: 20__ - 20__	At Capacity: 20__ - 20__
K						
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
Totals						

<u>Anticipated Demographics</u>		
% of Economically Disadvantaged Students	% of Students with Disabilities	% of English Language Learners

Subpart C - Student Enrollment

ONLY complete this section if applying to amend enrollment

Amendments Covered by this Subpart: A charter school should use this Subpart C to apply for a change in student enrollment outside of the minimum or maximum enrollment thresholds set forth in its charter agreement.

Application: Please submit a narrative and related attachments addressing each of the questions below. If a question is inapplicable, mark it N/A.

1. What is the school's current enrollment by grade level and by year of the charter agreement?
2. How will a change in enrollment improve the school's existing program and benefit students?
3. Describe and attach documentary evidence of the demand for this enrollment change. How does the scope, pace, and need for this enrollment change align with current demographic and growth projections in the city?
4. Describe the school's post-lottery enrollment/waiting list process.
5. Discuss the school's enrollment trends over the past three (3) years, including any waitlist information.
6. How will the school adapt its physical space to accommodate a change in enrollment?
7. How will the school adapt its staffing (e.g., teachers, educational aides, special population staff, other support staff, etc.) to accommodate the change in enrollment?
8. Describe ways that the school ensures recruitment, enrollment, and retention of students with disabilities and English language learners, along with the school's target population.
9. How does the school's record of achievement support the approval of this amendment? For purposes of this question, the authorizer will review various metrics of success, including but not limited to the school's scores on TVAAS, TNReady and the authorizer's school performance framework, as well as the school's financial information and duration of operations.
10. Complete the proposed enrollment summary for each grade level and each year remaining in the charter agreement in the tables below:

Enrollment Table

Number of Students

Grade Level	Year 1: 20__ - 20__	Year 2: 20__ - 20__	Year 3: 20__ - 20__	Year 4: 20__ - 20__	Year 5: 20__ - 20__	At Capacity: 20__ - 20__
K						
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
Totals						

Anticipated Demographics

% of Economically Disadvantaged Students	% of Students with Disabilities	% of English Language Learners

Subpart D – Transportation

ONLY complete this section if applying to amend the transportation plan

Amendments Covered by this Subpart: A charter school should use this Subpart D to apply for the addition or removal of a plan to provide transportation to students attending the charter school.

Application: Please submit a narrative and related attachments addressing each of the questions below. If a question is inapplicable, mark it N/A.

1. What is the school's current transportation plan?
2. What is the proposed transportation plan?
3. How will the proposed change to transportation improve school operations and benefit students?
4. If you are petitioning to add a transportation plan:
 - a. Describe the plan for oversight of transportation operations (e.g., whether the school will provide its own transportation, contract out for transportation, request that a district provide transportation, or a combination thereof) and what school staff position will provide this daily oversight;
 - b. Describe how the school will transport students with special transportation needs and how that will impact the school's budget;
 - c. Describe how the school will ensure compliance with state and federal laws and regulations related to transportation services; and
 - d. Explain how the school will ensure compliance with T.C.A. § 49-6-2116.
5. If the school is petitioning to remove a transportation plan, explain how the school will ensure students can get to school, including students that require transportation services under 34 CFR §300.34(c)(16) of the IDEA regulations.

Subpart E – Location

ONLY complete this section if applying to amend the school's location

Amendments Covered by this Subpart: A charter school should use this Subpart E to apply for a change in its location, if outside the geographic area set forth in the charter agreement.

Application: Please submit a narrative and related attachments addressing each of the questions below.

1. What is the current address of the school?
2. What is the proposed address of the school?
3. Please elaborate on the need of the community in the new location, which may include:
 - a. Academic – the other public schools in the area are underperforming and would benefit from your proposed charter school option.
 - b. Over-Enrollment/Waiting Lists – the other public schools in the area are over-enrolled, overcrowded or have lengthy waiting lists and would benefit from your proposed charter school option.
 - c. Programmatic – the other public schools in the area do not offer the program(s) your charter school would offer (e.g., language immersion; Montessori; agrusiness, etc.).
4. Describe the school's plan for transitioning to the new location.
5. What is the maximum occupancy at the new location?
6. Identify the square footage of the new space and any reconfiguration of classes necessitated by the new space.
7. Is the proposed new facility a property that the school plans to purchase or lease? Quantify the difference between mortgage or lease payments for the current location and mortgage or lease payments for the new location, as well as the school's financial capacity to handle this change.
8. Describe how the school has engaged its community in the decision to relocate. Describe communications with staff and families and any potential concerns raised by them.
9. How will the proposed location modification impact the current student population and the anticipated student demographics as described in the school's current charter agreement? How will the school ensure that students re-enroll?
10. What contingencies does the school have in place in case the new location enrolls fewer students than anticipated?
11. How will the school support families that need transportation to the new location?
12. Describe all community outreach that has been done in the local community of the new school location.

Subpart F – Academic Focus

ONLY complete this section if applying to amend the school’s academic focus or goals

Amendments Covered by this Subpart: A charter school should use this Subpart F to apply for an amendment to the academic focus or goals set forth in its charter agreement. “Academic focus” means a distinctive, thematic program such as math, science, arts, general academics, or an instructional program such as Montessori or Paideia. Some examples include adding or removing a specific curriculum outlined in the charter agreement that would alter the school’s academic focus (e.g., CORE Knowledge, STEM) or specific outcomes (e.g., International Baccalaureate Diploma). An amendment is not required for curriculum changes that do not alter the school’s academic focus.

Application: Please submit a narrative and related attachments addressing each of the questions below. If a question is inapplicable, mark it N/A.

1. What are the school’s current academic focus and goals?
2. What is the proposed change to the academic focus or goals?
3. How will the change in academic focus or goals improve the school’s existing program and benefit students?
4. Describe how the school arrived at the decision to change its academic focus or goals, as well as the involvement of parents, staff, and other stakeholders.
5. Describe specific measurable academic goals for the modified academic focus, or describe how the modified goals will support the school’s academic focus.
6. Describe the curriculum for all subject areas that will be used in conjunction with the modified academic focus or goals.

Subpart G – Material Modifications

ONLY complete this section if applying for a material modification identified in your charter agreement

Amendments Covered by this Subpart: A charter school should use this Subpart G to apply for a change to a provision of its charter agreement that is identified in the charter agreement as a material modification or amendment.

Application: Please submit a narrative and related attachments addressing each of the questions below.

1. What provision of the current charter agreement is the school seeking to modify? Specify the applicable section and text.
2. What material modification or amendment to this provision is the school proposing?
3. Specify the section of the charter agreement that identifies the proposed change as “material,” if different from the section identified in Question 1.
4. Describe how the school arrived at the decision to make this modification.
5. How will this change improve the school’s existing program and benefit students?
6. Provide qualitative and quantitative data to support the requested modification.

Subpart H – Other Material Change

ONLY complete this section if applying for a material change not covered by any other Subpart

Amendments Covered by this Subpart: A charter school should use this Subpart H to apply for a material change to its charter agreement that is not covered by any other Subpart.

Application: Please submit a narrative and related attachments addressing each of the questions below.

1. What provision of the charter agreement is the school seeking to modify? Specify the applicable section and text.
2. What is the proposed change to this provision?
3. Explain the material nature of the proposed change.
4. Describe how the school arrived at the decision to make this modification.
5. How will this change improve the school's existing program and benefit students?
6. Provide qualitative and quantitative data to support the requested modification.

END OF PART II