



Executive Director's Recommendation

Founders Classical Academy of Brentwood Appeal

Pursuant to Tennessee Code Annotated (T.C.A.) § 49-13-108, sponsors proposing to open a new charter school may appeal the denial of their amended application by a local board of education to the Tennessee Public Charter School Commission ("Commission"). On July 29, 2022, the sponsors of Founders Classical Academy of Brentwood ("FCAB" or "sponsor") appealed the denial of its amended application by the Williamson County Schools (WCS) Board of Education to the Commission.

Based on the procedural history, findings of fact, analysis, and Review Committee Report, attached hereto, I believe that the decision to deny the Founders Classical Academy of Brentwood amended application was not contrary to the best interests of the students, LEA, or community.¹ Therefore, I recommend that the Commission uphold the decision of WCS Board of Education to deny the amended application for Founders Classical Academy of Brentwood.

STANDARD OF REVIEW

Pursuant to T.C.A. § 49-13-108 and Commission Policy 2.000, Commission staff and an independent review charter application review committee conducted a de novo, on the record review of Founders Classical of Brentwood's amended application. In accordance with the Tennessee Department of Education's charter application scoring rubric, "applications that do not meet or exceed the standard in all sections (academic plan design and capacity, operations plan and capacity, financial plan and capacity, and, if applicable, past performance) . . . will be deemed not ready for approval."² In addition, the Commission is required to hold a public hearing in the district where the proposed charter school seeks to locate.³

In order to overturn the decision of the local board of education, the Commission must find that the application meets or exceeds the metrics outlined in the department of education's application-scoring rubric and that approval of the amended charter application is in the best interests of the students, local education agency (LEA), or community.⁴ If the local board of education's decision is overturned, then the Commission can approve the application, and thereby authorize the school, or affirm the local board's decision to deny.

PROCEDURAL HISTORY

1. On December 2, 2022, the sponsor submitted a letter of intent to WCS expressing its intention to file a charter school application.
2. The sponsor submitted its initial application for Founders Classical Academy of Brentwood to WCS on February 1, 2022.
3. WCS assembled a review committee to review and score the Founders Classical of Brentwood initial application.

¹ T.C.A. § 49-13-108.

² Tennessee Charter School Application Evaluation Rubric – Ratings and Scoring Criteria, pg. 1.

³ T.C.A. § 49-13-108.

⁴ Id.



4. On March 10, 2022, WCS's review committee conducted a capacity interview with representatives of Founders Classical of Brentwood.
5. WCS's review committee reviewed and scored the Founders Classical Academy of Brentwood initial application and recommended to the WCS Board of Education that the initial application be denied, indicating it did not meet standards in academics, operations, and finance.
6. On April 18, 2022, WCS Board of Education voted to deny the Founders Classical Academy of Brentwood initial application based on the review committee's recommendation.
7. The sponsor amended and resubmitted its application for Founders Classical Academy of Brentwood to WCS on May 26, 2022.
8. WCS's review committee reviewed and scored the Founders Classical Academy of Brentwood amended application based on the charter application scoring rubric.
9. WCS's review committee rated each section of Founders Classical Academy of Brentwood's amended application as meets standard in academics, does not meet standard in operations, and partially meets standard in finance, and recommended denial to the local board of education.
10. On July 21, 2022, the WCS Board of Education voted to deny the amended application of Founders Classical Academy of Brentwood.
11. The sponsor appealed the denial of the Founders Classical Academy of Brentwood amended application in writing to the Commission on July 29, 2022, including submission of all required documents per Commission Policy 2.000.
12. The Commission's review committee independently analyzed and scored the Founders Classical Academy of Brentwood amended application using the Tennessee Department of Education's charter school application scoring rubric.
13. On September 19, 2020, WCS informed the Commission that, due to extenuating circumstances, they were unable to attend the previously agreed upon public hearing scheduled for September 21, 2022. Representatives of both WCS and FCAB agreed to hold the public hearing as scheduled without WCS's testimony, with an additional public hearing scheduled to hear WCS's testimony.
14. On September 21, 2022, the Commission staff held a public hearing at Williamson County Administrative Complex in Franklin, Tennessee. At the public hearing, the Executive Director, sitting as the Commission's Designee, heard presentations from the sponsor and took public comment regarding the Founders Classical Academy of Brentwood amended application.
15. The Commission's review committee conducted a capacity interview with key members of the Founders Classical Academy of Brentwood leadership team on September 23, 2022 via Microsoft Teams.
16. On October 3, 2022, the Commission staff held a follow-up public hearing for WCS's testimony at Williamson County Administrative Complex in Franklin, Tennessee.
17. After the capacity interview, the Commission's review committee determined a final consensus rating of the Founders Classical Academy of Brentwood amended application, which served as the basis for the Review Committee Recommendation Report, attached hereto as **Exhibit A**.



FINDINGS OF FACT

District Denial of Initial Application

The review committee assembled by WCS to review and score the Founders Classical Academy of Brentwood initial application consisted of the following individuals:

Name	Titles
Leigh Webb	Assistant Superintendent of Secondary
Jay Galbreath	Board Member for the 6 th District
Juli Oyer	Assistant Superintendent of Elementary
Mark Samuels	Assistant Superintendent for Operations
Laura LaChance	Executive Director for Elementary
Vickie Robbins	Assistant Finance Director
Janet Alexandrow	Principal
Eric Lifsey	Principal
Kevin Keidel	Principal
Laurette Carle	Executive Director, Teaching, Learning, and Assessment
Jenny Lopez	Curriculum Director
Adam Christopher	Maintenance Director
Angela Mull	Community Member
Emmaline Whitson	Community Member

The Founders Classical Academy of Brentwood initial application received the following ratings from the WCS review committee:

Sections	Ratings
Academic Plan Design and Capacity	Does Not Meet Standard
Operations Plan and Capacity	Does Not Meet Standard
Financial Plan and Capacity	Does Not Meet Standard

After the WCS review committee completed its review and scoring of the initial application, its recommendation was presented to the WCS Board of Education on April 18, 2022. Based on the review committee’s recommendation, the WCS Board of Education voted to deny the initial application of Founders Classical Academy of Brentwood.



District Denial of Amended Application

The review committee assembled by WCS to review and score the Founders Classical Academy of Brentwood amended application mirrored that of the committee that reviewed the initial application. Upon resubmission, the WCS review committee conducted a review of the amended application, and the amended application received the following ratings from the WCS review committee:

Sections	Ratings
Academic Plan Design and Capacity	Meets Standard
Operations Plan and Capacity	Does Not Meet Standard
Financial Plan and Capacity	Partially Meets Standard

After the WCS review committee completed its review and scoring of the amended application, its recommendation was presented to the WCS Board of Education on July 21, 2022. At the July 21, 2022 board meeting, the WCS Board of Education voted to deny the amended application of Founders Classical Academy of Brentwood.

Commission Review Committee’s Evaluation of the Application

Following the denial of the Founders Classical Academy of Brentwood amended application and subsequent appeal to the Commission, Commission staff assembled a diverse review committee of internal and external experts to independently evaluate and score the Founders Classical Academy of Brentwood amended application. This review committee consisted of the following individuals, and additional information about the review committee’s expertise is contained in Exhibit A.

Name	Title
Adam Aberman	External Reviewer
Halli Faulkner	External Reviewer
Beth Figueroa	Commission Staff
Chase Ingle	Commission Staff
Whitney O’Connell	External Reviewer
Clare Vickland	External Reviewer

The review committee conducted an initial review and scoring of the Founders Classical Academy of Brentwood amended application, a capacity interview with the sponsor, and a final evaluation and scoring of the amended application, resulting in a consensus rating for each major section. The review committee’s consensus rating of the Founders Classical Academy of Brentwood application was as follows:

Sections	Ratings
Academic Plan Design and Capacity	Partially Meets Standard
Operations Plan and Capacity	Partially Meets Standard

Financial Plan and Capacity	Partially Meets Standard
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The review committee has recommended denial of the application for Founders Classical Academy of Brentwood because the sponsor failed to provide sufficient evidence in the academic, operational, and financial sections to meet the required criteria of the rubric.

The academic plan presented by the applicant partially meets the standard because while the application contains a clear mission and vision for a classical school, the review committee found that the plan to serve special populations, and particularly students with disabilities, had significant deficiencies. This is a result of the applicant not providing a clear plan for identifying, monitoring, and serving special populations in alignment with state and federal requirements. Additionally, while the applicant has demonstrated community demand, the review committee found the recruitment strategy lacked evidence to support the enrollment of diverse demographics and notably did not reflect the demographics of the community, particularly students with disabilities. While the school has contracted with ResponsiveEd to support the school in the execution of its academic program, and the CMO has experience and success opening schools in Texas and Arkansas, the review committee found the application reflected a lack of familiarity and alignment with Tennessee state academic standards.

The review committee found the applicant's operations plan partially meets the standard because of the governing board's lack of experience in oversight and operations of a K-12 school, a lack of clarity between the responsibilities of the governing board and ResponsiveEd, and deficiencies with the staffing plan. While the review committee recognized the governing board was created with intention and reflects diverse experience, the committee found the governing board does not include any individuals with K-12 academic or school leadership experience. The review committee also found the application lacks details on the distribution of responsibilities between ResponsiveEd and the Headmaster of the proposed school, and how these two parties will report to the board, such that the governing board is equipped to hold both parties accountable. Moreover, the staffing plan also was found to be insufficient to meet standards, as the staffing handbook was not provided, and the application lacked a clear plan for recruiting teachers.

Lastly, the financial plan partially meets standard because the cost assumptions were found to be incomplete and understated. This is a result of the budget not including, or underestimating, foundational and required expenses, such as retirement contributions, social security, and adequate instructional supplies for the school's projected 618 students in the first year of operation. The review committee also expressed concerns over the budgeting for positions serving special populations. The financial viability of the school in the early years is reliant on fundraising, philanthropy, and debt; however, the applicant was unable to provide evidence of access to funds sufficient to begin operations. Further, the review committee noted the applicant was unable to articulate a contingency plan should startup funds not materialize.

For the aforementioned reasons, the review committee found that the sponsor did not meet or exceed the standard for approval based on the state's scoring rubric.

For additional information regarding the review committee's evaluation of the Founders Classical Academy of Brentwood amended application, please see **Exhibit A** for the complete Review Committee Recommendation Report, which is fully incorporated herein by reference.



Public Hearing

Pursuant to statute⁵ and Commission Policy 2.000, two public hearings chaired by the Executive Director were held on September 21, 2022 and October 3, 2022. Two separate hearings were held as a result of WCS informing the Commission that, due to extenuating circumstances, they were unable to attend the previously agreed upon public hearing scheduled for September 21, 2022. WCS's presentation at the public hearing focused on the process for reviewing the application of FCAB and the reasons for denial. Representatives from WCS indicated that FCAB's amended application was denied based on deficiencies noted in the operations and financial section of the application, as the district found the academic section met standard because FCAB addressed its feedback on the initial application. For operations, the district stated that a school's operation determines the school's ability to fulfill its mission, and the administration of a school is key to its success. Overall, the operations plan was found to lack sufficient detail because portions of the application were left blank, lack of clarity regarding how the CMO would lead the school, no policies or grievance process, and insufficient detail related to the hiring and recruitment of personnel. WCS also cited concerns over students having sufficient access to technology to complete state assessments. WCS ultimately concluded that this area did not meet standard, as they deemed FCAB unprepared to meet the needs of all learners, particularly special education and at-risk students. The financial plan partially met standard because the timing of the cash flow was deemed insufficient to determine whether FCAB could meet its financial needs, and WCS believed that the school could not fulfill its vision without evidence of access to sufficient funds and financial resources. Additionally, WCS cited concerns over the budgeted totals for textbooks, contracted services, and services for special populations. As a result of their review, the review committee for WCS concluded that the budget does not reflect a budget capable of serving all students.

In the sponsor's opening statement, representatives of FCAB shared that while Williamson County has good schools, families in the community desire alternative educational options. The board for FCAB is committed to the community, as the majority of its members reside in Williamson County. They stated the board has contracted with ResponsiveEd, which oversees 21 Founders classical academies across Texas and Arkansas. The sponsor then shared how the proposed school aligns with the stated purposes of charter schools in statute. Specifically, the applicant stated that this school would allow parents and children to exercise their right to choose the best educational option, and it would also create competition within the school system to improve everyone's delivery of service. The school would also provide innovative teaching methods for reaching student academic proficiency, provide new opportunities for teachers, and allow parents to participate in their child's education in a meaningful way. The applicant asserted the approval of FCAB is in the best interest of the students, LEA, and community based on the school creating an additional option for parents, while also serving a fast-growing community in need of additional schools. The sponsor also stated that they have received demonstrated interest from teachers in the community to work for FCAB and interest from the community as people are relocating to Williamson County in search of better educational options. The sponsor then cited WCS proficiency rates reflect that nearly one-third of students are below grade level, while Founders classical schools with similar demographics reflect 92% of students at grade level. The representative closed by addressing the concerns cited by WCS in their recommendation to the WCS Board of Education. The sponsor shared that the WCS process did not accurately reflect the progress made, as they did not recognize the work done on their facility plan or the backing from ResponsiveEd to get them through the startup period. Further, the sponsor

⁵ T.C.A. § 49-13-108(5)(b)(i).



stated ResponsiveEd has the experience necessary to support academics, financial management, human resources, facilities, and infrastructure. The sponsor then shared the many letters of support and intent to enroll forms that have been received to date. FCAB also shared a letter of interest from an investment firm, eco-fin, demonstrating access to startup capital and tax-exempt debt to cover facility costs.

During questioning by the Commission staff, WCS spoke to the growth and demographics in Nolensville and the southern regions of the county, including Thompson Station and Spring Hill, as well as the overall enrollment trends of the district. The district then transitioned to describing how the district's review committee was formed and how the committee reviewed the application for FCAB. WCS stated that the WCS Board of Education voted on the review committee members and ensured that its members had varying areas of expertise. Members of the committee were asked to review the entire application while taking a deeper dive into the areas of their assigned committee. While the district used committees to achieve in-depth reviews of the three main areas of the application, a consensus rating was built by taking an average of ratings across all rubrics, giving no weights for areas of expertise. When questioned about the primary reasons for denial, the district explained that the review committee faithfully utilized the state's scoring rubric, and since the application only partially met standard in two areas, the application was recommended for denial. WCS then clarified that the reasons cited in each major category of the rubric were the reasons cited by the local board of education as their reasons for denial, which were not narrowed to a few select reasons. Questioning then transitioned to understanding what type of school would be considered a good fit for Williamson County and whether there is a growing contingent of parents dissatisfied with the LEA's chosen curriculum, as stated in the applicant's notice of appeal. WCS stated that the decision to deny was not a political decision about the proposed school being a classical model, but instead was based on the deficiencies in the application. The district continued to explain that while there is a current lawsuit filed by former Williamson County parents regarding the district's curriculum, the district disagrees with the applicant's assertion that parents are dissatisfied, as the district continues to have growth annually in their schools.

The Commission staff then questioned the sponsor. Representatives from FCAB discussed the research that was conducted to determine which parts of Williamson County were advantageous for a charter school. The research was based on mapping home sales and determining areas of high growth. The applicant also shared that they have identified a 12-acre property and a location for the proposed school. The Executive Director then asked questions about how the applicant determined that there was a growing contingent of parents in the LEA that disapprove of the chosen curriculum. The representative explained the informal poll was distributed via email and Facebook and that approximately 92% of the 88 respondents had school-aged children. When questioned about community support, the applicant explained that they have over 300 interested parents in the proposed school. Additionally, as a contingency plan should enrollment targets not be met, the applicant described that they would prioritize expenses, and their current facility plan affords them the option to pay by membership, essentially allowing them to reduce costs. The Executive Director then asked a line of questioning to understand how FCAB came to their anticipated demographics, due to the difference between the district's demographics and the school's projection demographics within the application. The representative explained that they utilized the TDOE report card, which is no longer available, but believed it was an accurate source of information. Additionally, the sponsor stated that these projections are aligned with the experience of ResponsiveEd after opening 21 schools. A representative then went on to share about the academic model, which has been implemented for over twenty years and is deeply invested in special



education. He continued to explain that the classical model is not only for affluent families, but by leading in phonics, students struggling in reading, particularly students with an IEP or English Learners, can receive the services and supports necessary. Further, since a district cannot be compelled to contract for special education services, the applicant stated that they would be willing to contract for services to ensure special education services are provided. Lastly, the representatives fielded questioning related to their experience and long-term vision for the network. The governing board described their experience working in non-profit governance, real estate, and finance. They also shared that they would stagger the opening of the two schools they currently have applied to open but stated that ResponsiveEd has experience opening two to three schools in a single year.

The public hearing concluded with closing statements by both parties and the receipt of 13 in-person comments, with zero speaking in support of WCS and 13 speaking in support of FCAB. The Commission also accepted written comments through September 27, 2022, and the Commission received 119 written comments, with 10 writing in support of WCS to deny the application for FCAB, and 105 writing in support of FCAB. The remainder of the written public comments reflected individuals' opinions on charters in general, and/or were in opposition to any future charter schools in Williamson County.

ANALYSIS

State law requires the Commission to review the decision of the local board of education and determine if the application “meets or exceeds the metrics outlined in the department of education’s application-scoring rubric and⁶,” whether “approval of the application is in the best interests of the students, LEA, or community⁷.” In addition, pursuant to T.C.A. § 49-13-108, the Commission adopted the State Board of Education’s quality public charter schools authorizing standards set forth in State Board Policy 6.111 and utilizes these standards to review charter applications received upon appeal. In making my recommendation to the Commission, I have considered the Review Committee’s Recommendation Report, the documentation submitted by both the sponsor and WCS, the arguments made by both parties at the public hearing, and the public comments received by Commission staff and conclude as follows:

The review committee’s report and recommendations are thorough, citing specific examples in the application and referencing information gained in the capacity interview in support of its findings. For the reasons explicated in the report, I agree that the Founders Classical Academy of Brentwood amended application did not rise to the level of meeting or exceeding the standards required for approval. While the sponsor has a clear mission and vision for the school, I cannot recommend the sponsor’s amended application for approval after reviewing the plan to serve special populations, in particular students with disabilities. The sponsor did not provide sufficient evidence of a plan to identify, monitor, and serve special populations, and approved public charter schools should have a strong and realistic plan to serve these populations. After the capacity interview and public hearing, I do not have confidence that the sponsor has given the sufficient consideration needed to serve special populations based on the anticipated demographics of the school as named in the amended application. The sponsor explained that it would be difficult to predict demographics as Founders Classical Academies appeal to parents seeking a certain type of curriculum, and the parents enrolling students at these schools tend to be more motivated to seek out this option within a district. Therefore, it is

⁶ T.C.A. § 49-13-108(5)(E).

⁷ *Id.*



expected for the demographics at the school not to mirror that of the district. While the sponsor has done a tremendous job in garnering community support for this proposed school and there is clear evidence within the application and throughout the record that there is parent demand within Williamson County for this type of educational option, there is insufficient evidence that the school has a robust plan to market to, recruit, and serve all students. Without this plan, the amended application does not meet the standard for approval.

I appreciate that the sponsor has identified a CMO with experience establishing charter schools in other states, but I agree with the review committee that there is not a sufficient understanding at this time of Tennessee law, requirements, and academic standards across both the CMO and the governing board to ensure successful implementation of the proposed academic plan. Additionally, the sponsor's operations plan lacks clarity such that I cannot recommend approval of the amended application. The proposed governing board has no individual with the educational or academic experience necessary to ensure the board can successfully hold the CMO accountable for the school. Moreover, there is a lack of clarity regarding the distribution of responsibilities between the board and the CMO as well as what positions will report to each entity. There is also a lack of clear standards to which the governing board will hold the CMO accountable. Without a clearly established relationship on the front end, the governing board and CMO are not set up to open and operate a school successfully. Moreover, the staff reporting structure remains unclear, and with the school leadership reporting to ResponsiveEd, rather than the governing board, it is not clear how the governing board will ensure sufficient oversight and monitoring of the school.

Finally, I agree with the review committee that the sponsor put forth a budget that was understated and incomplete. The sponsor's budget did not include required expenses, and without those considerations, I do not have confidence in the accuracy of the sponsor's financial plan overall. The budget leaves out key items such as retirement contributions, social security contributions, and debt-service payments. Additionally, based on the low projections of students with disabilities previously noted, I do not have confidence that the sponsor has properly assumed or budgeted for its staffing needs. Further, the sponsor failed to provide evidence of its claimed fundraising and philanthropy efforts in year one. ResponsiveEd's involvement in the sponsor's back-office supports is promising based on their charter school experience, and while ResponsiveEd has indicated a financial commitment to the sponsor, I do not have evidence of the amount of that commitment and/or any contingencies surrounding that commitment. The sponsor also spoke to its planned expansion in the state of Tennessee, i.e. the amended application for Founders Classical Academy of Hendersonville, and thus, a sound financial plan becomes more critical when thinking of a potential expansion throughout the state.

Any authorized public charter school is entrusted with the great responsibility of educating students and a significant amount of public funds. For these reasons, the Commission expects that only those schools that have demonstrated a high likelihood of success and meet or exceed the required criteria in all areas will be authorized. While I appreciate the commitment of parents within Williamson County for this type of school option, parent demand is not enough to meet the standard for approval. A successful school must have a strong plan to serve all students and teach Tennessee academic standards, strong oversight from a diverse and experienced governing board, a teaching staff who is licensed, endorsed, and reflective of the community, and a strong financial plan. These are areas where the amended application currently falls short of meeting the standard for approval at this time.

For the reasons expounded on in this report, I recommend that the Commission deny the Founders Classical Academy of Brentwood amended application.



CONCLUSION

For these reasons, and for the reasons stated in the Review Committee Report attached hereto as **Exhibit A**, I do not believe that the decision to deny the amended application for Founders Classical Academy of Brentwood was contrary to the best interests of the students, the LEA, or community. Therefore, I recommend that the Commission affirm the decision of the WCS Board of Education to deny the amended application for Founders Classical Academy of Brentwood.

A handwritten signature in cursive script that reads "Tess Stovall".

Tess Stovall, Executive Director
Tennessee Public Charter School Commission

10/17/22
Date



EXHIBIT A

Charter Application Review Committee Recommendation Report

October 17, 2022

School Name: Founders Classical Academy Brentwood

Sponsor: Del Rey Education, Inc.

Proposed Location of School: Williamson County Schools

Evaluation Team:

- Adam Aberman
- Halli Faulkner
- Beth Figueroa
- Chase Ingle
- Whitney O'Connell
- Clare Vickland

This recommendation report is based on a template from the National Association of Charter School Authorizers.



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Introduction

Tennessee Code Annotated (T.C.A.) § 49-13-108 allows the sponsor of a public charter school to appeal the denial of an application by the local board of education to the Tennessee Public Charter School Commission (Charter Commission). In accordance with T.C.A. § 49-13-108, the Charter Commission shall conduct a de novo, on the record review of the proposed charter school's application, and Charter Commission has adopted national and state quality authorizing standards to guide its work. As laid out in Charter Commission Policy 3.000 – Core Authorizing Principles, the Charter Commission is committed to implementing these authorizing standards that are aligned with the core principles of charter school authorizing, including setting high standards for the approval of charter schools in its portfolio.

In accordance with T.C.A. § 49-13-108, the Charter Commission adopted Charter Commission Policy 2.000 – Charter School Appeals. The Charter Commission has outlined the charter school appeal process to ensure the well-being and interests of students are the fundamental value informing all Charter Commission actions and decisions. The Charter Commission publishes clear timelines and expectations for applicants, engages highly competent teams of internal and external evaluators to review all applications, and maintains rigorous criteria for approval of a charter school. In addition, the Charter Commission plans to evaluate its work annually to ensure its alignment to national and state standards for quality authorizing and implements improvement when necessary.

The Charter Commission's charter application review process is outlined in T.C.A. § 49-13-108, Charter Commission Policy 2.000 – Charter School Appeals, and Charter Commission Policy 2.100 – Application Review. The Charter Commission assembled a charter application review committee comprised of highly qualified internal and external evaluators with relevant and diverse expertise to evaluate each application. The Charter Commission provided training to all review committee members to ensure consistent standards and fair treatment of all applications.

Overview of the Evaluation Process

The Tennessee Public Charter School Commission's charter application review committee developed this recommendation report based on three key stages of review:

1. Evaluation of the Proposal: The review committee independently reviewed the amended charter application, attachments, and budget submitted by the sponsor. After an independent review, the review committee collectively identified the main strengths, concerns, and weaknesses as well as developed specific questions for the applicant in the three sections of the application: Academic Plan Design and Capacity, Operations Plan and Capacity, and Financial Plan.
2. Capacity Interview: Based on the independent and collective review of the application, the review committee conducted a 90-minute interview with the sponsor, members of the governing board, and identified school leader (if applicable) to address the concerns, weaknesses, and questions identified in the application, and to assess the capacity to execute the application's overall plan.
3. Consensus Judgment: At the conclusion of the review of the application and the capacity interview, the committee submitted a final rubric and developed a consensus regarding a rating for each section of the application.



This recommendation report includes the following information:

1. Summary of the application: A brief description of the applicant's proposed academic, operations, and financial plans.
2. Summary of the recommendation: A brief summary of the overall recommendation for the application.
3. Analysis of each section of the application: An analysis of the three sections of the application and the capacity of the team to execute the plan as described in the application.
 - a. Academic Plan Design and Capacity: school mission and goals; enrollment summary; school development; academic focus and plan; academic performance standards; high school graduation standards; assessments; school schedule; special populations and at-risk students; school culture and discipline; marketing, recruitment, and enrollment; community involvement and parent engagement; and the capacity to implement the proposed plan.
 - b. Operations Plan and Capacity: governance; start-up plan; facilities; personnel/human capital; professional development; insurance; transportation; food service; additional operations; waivers; and the capacity to implement the proposed plan.
 - c. Financial Plan and Capacity: budget narrative; budgets; cash flow projections; related assumptions; financial policies and procedures; and the capacity to implement the proposed plan.

The Charter Commission's charter application review committee utilized the Tennessee Department of Education's Charter School Application Evaluation Ratings and Sample Scoring Criteria (the rubric), which is used by all local boards of education when evaluating an application. The rubric states:

An application that merits a recommendation for approval should present a clear, realistic picture of how the school expects to operate; be detailed in how this school will raise student achievement; and inspire confidence in the applicant's capacity to successfully implement the proposed academic and operational plans. In addition to meeting the criteria that are specific to that section, each part of the proposal should align with the overall mission, budget, and goals of the application.

The evaluators used the following criteria and guidance from the scoring rubric to rate applications:

Rating	Characteristics
Meets or Exceeds Standard	The response reflects a thorough understanding of key issues. It clearly aligns with the mission and goals of the school. The response includes specific and accurate information that shows thorough preparation.
Partially Meets Standard	The response meets the criteria in some aspects, but lacks sufficient detail and/or requires additional information in one or more areas.



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Does Not Meet Standard	The response is significantly incomplete; demonstrates lack of preparation; is unsuited to the mission and vision of the district; or otherwise raises significant concerns about the viability of the plan or the applicant's ability to carry it out.
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Summary of the Application

School Name: Founders Classical Academy Brentwood

Sponsor: Del Rey Education, Inc.

Proposed Location of School: Williamson County Schools

Mission:¹ The mission of Del Rey Education and its schools is to develop the minds and improve the hearts of students through a classical education in the liberal arts and sciences, with instruction in the principles of moral character and virtue.

Number of Schools Currently in Operation by Sponsor: There are no schools currently in operation by the sponsor. The sponsor, Del Rey Education, Inc. is partnering with Responsive Education Solutions, a non-profit charter school operator, to operate Founders Classical Academy Brentwood. Del Rey Education, Inc. has one (1) additional charter school application currently under consideration by the Tennessee Public Charter School Commission: Founders Classical Academy Hendersonville.

Proposed Enrollment:²

Grade Level	Year 1: 2023-2024	Year 2: 2024-2025	Year 3: 2025-2026	Year 4: 2026-2027	Year 5: 2027-28	At Capacity:
K	72	72	72	72	72	72
1	60	60	60	60	60	60
2	60	60	60	60	60	60
3	66	66	66	66	66	66
4	72	72	72	72	72	72
5	72	72	72	72	72	72
6	72	72	72	72	72	72
7	72	72	72	72	72	72
8	72	72	72	72	72	72
9	0	72	72	72	72	72
10	0	0	72	72	72	72
11	0	0	0	72	72	72
12	0	0	0	0	72	72
Totals	618	690	762	834	906	906

Brief Description of the Application:

The sponsor, Del Rey Education, Inc., is proposing to open a charter school in Williamson County, Tennessee and serve students in kindergarten through 12th grades when fully built out. The school, Founders

¹ Founders Classical Academy Amended Application, pg. 13

² Ibid, pg. 25



Classical Academy Brentwood, is a new-start school and would be the first school for the sponsor. The proposed school will be organized under a Board of Directors and contract directly with Responsive Education Solutions as its charter management organization (CMO). The school intends to operate in “a high-growth area of Williamson County” to make the option of a classical education “more readily available to all parents who believe a classical liberal arts education will offer their children an advantage in an increasingly competitive global environment.”³ The school proposes to offer high quality classical education accessible to all families who desire it and provide an opportunity for students in Williamson County additional school options.

In Year 0, Founders Classical Academy Brentwood has budgeted \$1,300,000, composed of local philanthropy and anticipated bridge loan support, and projects \$1,166,038 in expenses for the school.⁴ Founders Classical Academy Brentwood projects the school will have \$5,907,462 in revenue and \$5,185,770 in expenses in Year 1, resulting in a balance of \$855,654.⁵ By Year 5, the school projects to have \$8,016,426 in revenue and \$7,309,957 in expenses, resulting in a positive ending fund balance of \$4,096,993.⁶

The school anticipates that 11% of the student population will qualify as economically disadvantaged, 2% of the student population will be students with disabilities, and 1% of the student population will be English Learners.⁷

³ Ibid, pg. 11

⁴ Charter School Application Budget, Pre-Opening budget

⁵ Charter School Application Budget, Year 1 Budget

⁶ Charter School Application Budget, Summary

⁷ Ibid, pg. 25



Summary of the Evaluation

The review committee recommends denial of the application for Founders Classical of Brentwood because the applicant failed to provide sufficient evidence in the academic, operational, and financial sections to demonstrate the application meets the required criteria of the rubric.

The academic plan presented by the applicant partially meets the standard because while the application contains a clear mission and vision for a classical school, the plan to serve special populations, particularly students with disabilities, has significant deficiencies. This is a result of the applicant not providing a clear plan for identifying, monitoring, and serving special populations in alignment with state and federal requirements. Additionally, while the applicant has demonstrated community demand, the recruitment strategy lacked evidence to support the enrollment of diverse demographics and notably did not reflect the demographics of the community, particularly students with disabilities. While the school has contracted with ResponsiveEd to support the school in the execution of its academic program, and the CMO has experience and success opening schools in Texas and Arkansas, the application reflected a lack of familiarity and alignment with Tennessee state academic standards.

The applicant's operations plan partially meets the standard because of the board's lack of direct experience in oversight and operations of a K-12 school, a lack of clarity between the responsibilities of the board and ResponsiveEd, and deficiencies with the staffing plan. While the governing board was created with great intention and reflects diverse experience, the board does not include any individuals with direct K-12 academic or school leadership experience. The application also lacks details on the distribution of responsibilities between ResponsiveEd and the Headmaster, and how these two parties will report to the board such that the board is equipped to hold both parties accountable. Moreover, the staffing plan also was found to be insufficient to meet standard, as the staffing handbook was not provided, and the application lacked a clear plan for recruiting teachers.

Lastly, the financial plan partially meets standard because the cost assumptions were found to be incomplete and understated. This is a result of the budget not including or underestimating foundational and required expenses, such as retirement contributions, social security, and adequate instructional supplies for 618 students in year one. There were also concerns over staffing plans for positions serving special populations. The financial viability of the school in the early years is reliant on fundraising, philanthropy, and debt, however the applicant was unable to provide evidence of access to funds sufficient to begin operations. Further, the applicant was unable to articulate a contingency plan should startup funds not materialize.

Summary of Section Ratings

In accordance with the Tennessee Department of Education's charter application scoring rubric, applications that do not meet or exceed the standard in all sections will be deemed not ready for approval⁸ and strengths in one area of the application do not negate weaknesses in other areas. Opening and maintaining a successful, high-performing charter school depends on having a complete, coherent plan and identifying highly capable individuals to execute that plan. The review committee's consensus ratings for each section of the application are as follows:

⁸ Tennessee Charter School Application Rubric-Evaluation Ratings and Sample Scoring Criteria, pg. 1.



TENNESSEE
PUBLIC CHARTER SCHOOL COMMISSION

Sections	Rating
Academic Plan Design and Capacity	Partially Meets Standards
Operations Plan and Capacity	Partially Meets Standards
Financial Plan and Capacity	Partially Meets Standards

Analysis of the Academic Plan Design and Capacity

Rating: Partially Meets Standard

Weaknesses Identified by the Committee:

The applicant's Academic Plan Design and Capacity partially meets the standard because while the application contains a clear mission and vision for a classical school, significant gaps remain within the proposed plan. Specifically, the application had deficiencies in its plan to serve special populations, particularly students with disabilities. The review committee found that the applicant did not provide a clear plan for identifying, monitoring, and serving special populations, including students with disabilities, English Learners (EL), and at-risk students, in alignment with state and federal requirements and the state's scoring rubric.

While the application notes that the school will have a process for identifying students with disabilities, EL students, and at-risk students, the application lacks detail as to the actual identification processes for these subgroups, apart from the Response to Instruction and Intervention (RTI²) process and multi-tier system of support (MTSS). When the applicant referred to RTI² and MTSS, both in the application and in the capacity interview, the discussion was vague and did not demonstrate a clear plan for integrating these processes into the school day and academic plan. For example, the applicant did not explain which staff members at the school would be responsible for the academic success of students with disabilities, ELs, and at-risk students. This is particularly concerning given that the leadership team does not demonstrate experience with serving special populations as classroom teachers or school leaders. Additionally, the applicant, in both the application and the capacity interview, did not share plans to provide professional development focused on the needs of students with disabilities or English Learners, or how the classical curriculum would be adapted to serve these specific populations.

While the applicant demonstrated community support and engagement within Williamson County, the applicant shared that they would use primarily person-to-person recruitment strategies but did not provide clear details about what these strategies would be beyond posting flyers about the school in local churches. This strategy did not align with the characteristics of a strong response within the Tennessee Department of Education rubric. As required in the rubric, the marketing strategy did not address how it would provide equal access to all interested students and families, including those in poverty, academically low-achieving students, students with disabilities, and ELs. In addition to the lack of detailed recruitment strategies, there was a lack of evidence or rationale as to how the applicant determined its projected population of students with disabilities (2%). This percentage is materially different than the demographics of Williamson County, and it does not demonstrate evidence of an understanding of the community the school intends to serve. Although the applicant demonstrated clear parent support within Williamson County for this type of school, there was a lack of evidence that the school will market to and will be prepared to serve all learners within the community.

ResponsiveEd, the proposed CMO, has opened and operated schools in both Texas and Arkansas but has never opened or operated a school in Tennessee. The review committee found that the applicant demonstrated a general lack of understanding or familiarity with the Tennessee state academic standards, which are the foundation of all public education in Tennessee. For example, the application does not include the economics strands of the Tennessee social studies standards and does not include many of the government and civics standards. Although the applicant stated that they would engage in a process of aligning their classical



curriculum with Tennessee state standards, this alignment has not yet begun. Within the application, the applicant stated it took two years from authorization for the CMO to align their curriculum with Arkansas standards when the CMO expanded from Texas to Arkansas. It is unclear if the process of aligning the school curriculum with Tennessee state standards would be completed before the proposed school opening in fall 2023, or who would be responsible for this work. Also, the applicant demonstrated insufficient knowledge of and familiarity with both state regulations and state assessments in both the application and the capacity interview.

Strengths Identified by the Committee:

While the Academic Plan Design and Capacity partially meets standard due to deficiencies with the school's plan to serve special populations and lack of alignment with Tennessee state academic standards, the applicant identified compelling evidence of community support including 23 letters of support from parents within the community who expressed their intent to enroll their child(ren). Additionally, the school provided sign-in sheets with signatures from 28 individuals who attended a Williamson County Founders Parent Informational Meeting, of which 93% were parents of school aged children, with the majority residing within Williamson County. The review committee found this evidence of community demand compelling, however this did not negate the aforementioned concerns over equitable recruiting practices, particularly for students with disabilities. The proposed school design also meets the purposes for charter schools outlined in statute, including providing additional educational options for parents, by using different teaching methods, ensuring students have the opportunity to reach academic proficiency, and affording parents meaningful opportunities to participate in their child's education.

Analysis of the Operations Plan and Capacity

Rating: Partially Meets Standard

Weaknesses Identified by the Committee:

The applicant's Operations Plan and Capacity partially meets the standards because there is a lack of clarity around the board's experience with and ability to open a high-performing public charter school, a lack of clarity between the board and ResponsiveEd, the proposed CMO, and deficiencies with the staffing plan.

While the initial five board members have a range of backgrounds and experiences that will be helpful in founding a charter school, there are currently no board members who have direct experience in oversight and operations of a K-12 school. This lack of direct school leadership experience among the board members is likely to impede the board's ability to sufficiently monitor the academic effectiveness of a school and the effectiveness of the CMO, which is one of a governing board's primary function. Further, the review committee could not determine how ResponsiveEd and the Headmaster will report to the board. This resulted in a lack of clarity in how the governing board would ensure effective governance and meaningful oversight of the school's academic performance, operations, and finance. There were not clear delineations of who is responsible for each of these critical areas or how the corresponding metrics will be communicated to the board.

Moreover, there is also a lack of clarity in the division of responsibilities between the proposed governing board and ResponsiveEd, the CMO based in Texas. Since ResponsiveEd has experience with opening charter schools, and the list of responsibilities that ResponsiveEd would manage for the proposed school include academic support, back-office support, and recruitment, the board would be heavily reliant on the CMO for starting, supporting, and operating the proposed school. However, it is not clear in the application how the board would hold ResponsiveEd accountable for all the services provided to this proposed school in Tennessee. The applicant also shared that all the school staff, including the principal and teachers, would report directly to ResponsiveEd rather than the school's board. This reporting structure could pose significant challenges for both the board, as they would not directly oversee school leadership, and the CMO, as they would be managing a school leadership team in another state. When a charter school is managed by an external entity, it is critical that there are clear delineations of accountability and responsibility between the school board and CMO, and the review committee did not find these delineations within the application or from responses to questions posed during the capacity interview.

Finally, the review committee identified several weaknesses within the staffing plan. First, there was no staffing handbook included in the application, which is a requirement for a charter application under the department of education's standard application. There is also a lack of clarity in the application about the plans for staffing the school, particularly around methods of recruitment. The applicant, for example, did not cite any plans for recruiting teachers through local colleges, universities, or career fairs. The applicant did state that ResponsiveEd will support the recruitment of teaching candidates, but ResponsiveEd has never recruited educators to teach in Tennessee. Additionally, there were no clear Tennessee-specific plans for teacher recruitment or how ResponsiveEd would support teachers in overcoming challenges in obtaining and/or transferring educator licenses to Tennessee. Moreover, the applicant's proposed budget does not provide for competitive teacher salaries, particularly for individuals who require additional endorsements, such as special education and EL. In totality, there was a significant lack of evidence of a robust recruitment and staffing plan



to support opening the school with over 600 students in year one.

Strengths Identified by the Committee:

While the Operations Plan and Capacity partially meets the standard because of the weaknesses described above, the review committee did find that the applicant has made commendable progress on identifying three potential locations for a school facility and has a back-up facility identified in Cool Springs. Additionally, even though there is a lack of clarity around the proposed governance roles of ResponsiveEd and the charter school board, and the CMO's ability to open and operate in Tennessee, ResponsiveEd does have a track record of academic success in the schools it oversees outside of Tennessee. Additionally, in accordance with the TDOE scoring rubric, the proposed board should reflect community experts, and the board is comprised of individuals with significant roots and connections within Williamson County.

Analysis of the Financial Plan and Capacity

Rating: Partially Meets Standard

Weaknesses Identified by the Committee:

The applicant’s Financial Plan and Capacity partially meets standard because of understated cost assumptions, budgeted staffing for special populations, and the lack of evidence demonstrating access to funds required to begin operations. Further, the applicant did not articulate a contingency plan should startup funds not materialize

During the review of the application, the review committee found that expenses were underestimated, caused by inaccurate base assumptions. Examples of inaccurate budget assumptions include the lack of TCRS contributions, which should be budgeted at approximately 10% of instructional salaries, social security at the statutory rate of 6.2%, and debt service payments, which would be required based on the school's plan to secure loans in its first year of operations. Additionally, the review committee found the assumptions within the budget for textbooks and instructional supplies were insufficient based on the projected enrollment, and therefore not in alignment with the characteristics of a strong response within state’s scoring rubric, which requires budgets to reflect amounts that are complete, realistic, and viable. While the review committee sought to gain clarification on how budget projections were prepared and why certain amounts such as retirement were not accounted for, the applicant failed to address the question in the capacity interview and simply stated that there are a lot of moving parts. Overall, throughout the application there was a lack of evidence of the accuracy of cost assumptions and the school’s ability to absorb the material costs.

Another cost assumption that the review committee expressed concern over was the staffing levels for special populations. In the academic plan, the applicant states that the school will typically employ a collection of professionals to meet the needs of students with IEPs and 504s; however, due to the misaligned projected percentage of students with disabilities, the review committee is unable to determine whether the budgeted staffing levels are appropriate. For example, the school projects to increase staffing from two special education teachers in year one to three by year five, while only proposing to hire one special education aide. This staffing amount is likely insufficient should the school enroll more than 2% students with disabilities. Further, it is unclear if the budget could support service provisions for one or more high-needs students. Additionally, the budget does not include any staffing of EL professionals.

The budget includes \$1.3 million in fundraising and philanthropy in year one, but there is a lack of evidence of these sources in the application nor is it clear whether the source of startup funding will come in the form of philanthropy or a bridge loan. The review committee sought clarification during the capacity interview, and the school was able to provide details related to a line of credit that has been secured but did not specify the amount of the loan. ResponsiveEd also confirmed their financial commitment to the school, and a board member spoke to their experience raising funds. However, the review committee was unable to confirm the amounts that would be realized from these sources such that the school would have funding adequate to cover essential startup costs, such as tenant improvements, instructional supplies, and preliminary staffing.

The review committee also cited concerns over the budget being dependent on ambitious enrollment assumptions, with the lack of clear contingency planning should enrollment targets not be met, or startup funds not materialize. The applicant expects to lean toward philanthropy, fundraising, and loans to cover cash



shortfalls, but it is unclear the amount of funds the board and school leadership can generate. Given applicant's reliance on these uncertain funding sources, the review committee found that the applicant's contingency plan was not in alignment with the state's scoring rubric, which requires an applicant to articulate a sound contingency plan to meet its financial needs should anticipated revenues not materialize at the estimated amounts. Due to the totality of the evidence presented, the review committee determined that the Financial Plan and Capacity section of the application partially meets standard.

Strengths Identified by the Committee:

While the Financial Plan and Capacity partially meets standard due to the weaknesses stated above, the review committee identified strengths with the operator contracting with ResponsiveEd who will be responsible for the on-going management of the budget, bookkeeping, and payroll. ResponsiveEd is experienced at providing back-office support. The financial plan also describes that oversight of ResponsiveEd's fiscal management will be accomplished through review of monthly reporting by the Executive Director and Board Treasurer.



Evaluation Team

Adam Aberman Adam is the CEO and Founder of The Learning Collective. Adam has a 25+ year track record in numerous educational venues from traditional public schools to school district administration trainings. Since establishing The Learning Collective in 2003, Adam has assessed over 250 current, and 100 proposed, charter schools nationally (California, Colorado, Illinois, Indiana, Michigan, Minnesota, Nevada, New Jersey, New York and Washington), including lead writer for charter renewal inspection visits, charged with evaluating the school and writing the report that is submitted to authorizers. This represents over 2,500 classroom observations, including over 200 observations of remote learning classrooms. Adam has led teams of reviewers of charter school applications, submitting the finalized application reviews to boards of education. Recently, Adam worked with the Tennessee State Board of Education to lead its strategic planning and goal-setting process and is currently leading the New Orleans Public Schools charter application evaluation process. In 2022 Adam co-authored a report of findings and recommendations, supported by Central Michigan University, to inform 57 charter schools across Michigan how to effectively and strategically plan for the 2022-23 school year. Adam has also worked with the National Association of Charter School Authorizers (NACSA) and other organizations on evaluation and strategic planning projects regarding Florida, Idaho, Minnesota, New York, Oklahoma and Ohio authorizers. Other TLC clients have included Alliance College-Ready Public Schools, Chicago Public Schools, College Board, Inglewood Unified School District, KIPP, Tiger Woods Foundation and UCLA. Adam is also the founder, former acting board member and current board member emeritus of www.icouldbe.org, the non-profit Internet-based career mentoring program that has served over 25,000 students, and hundreds of schools, nationally since 2000. Adam began his career in education as a Spanish bilingual public school teacher in Los Angeles. Adam earned a B.A. from Vassar College and a Masters in Public Policy, with an emphasis on Education, from Harvard University's Kennedy School of Government

Halli Faulkner started her career as a middle school English teacher in East Los Angeles, where she earned her Masters in Secondary Education from Loyola Marymount University. After working as a teacher, Halli went on to earn her law degree from The George Washington University Law School and then work for over a decade in education policy at the state and federal levels. She is passionate about providing high-quality school options for all families.

Beth Figueroa is the Director of Authorizing for the Tennessee Public Charter School Commission. She is a Certified Public Accountant and has spent the last 15 years specializing in school finance and charter school oversight. Before working at the Commission, Beth worked as an administrator and charter school authorizer for the Riverside County Board of Education. She has also had the opportunity to serve as the Chief Business Officer of a charter school, an Executive Director of Fiscal Services for a school district with an annual budget of over \$500 Million, and an auditor of charter schools and non-profit organizations. She earned her Master of Business Administration degree from California Baptist University, where she also received her B.S. in Business Administration and serves as an adjunct professor teaching Government and Non-Profit Accounting.

Chase Ingle is from Seymour, Tennessee. He attended the University of Tennessee, graduating summa cum laude in 2017. After graduation Chase went to work in the Tennessee General Assembly for three years. He spent one year working for the House of Representatives, and the next two working for the Senate Education Committee Chairman. He is currently the Director of External Affairs for the Tennessee Public Charter School Commission. This state agency was created in 2019 to authorize and oversee select charter schools across the



state of Tennessee.

Whitney O'Connell started her career as an elementary educator and received her Masters of Education in Curriculum and Instruction, with an ELL endorsement, from the University of Washington. In her years of teaching, she taught nationally and internationally, across a variety of school settings - including in Metro Nashville Public Schools. Aside from being a classroom teacher, Whitney has experience in curriculum writing, professional development, and education-related research. Whitney is now a Curricular Solution Architect at Newsela - partnering with districts in developing custom curriculum and digital resource implementation.

Clare Vickland has over a decade of experience in the charter school sector, focusing on special populations. She is currently working as an independent education consultant and her clients include state and local charter school authorizers, independent charter schools, and school districts. Clare specializes in high impact leadership and instructional coaching, systems evaluation and development, charter school authorization, project management, and advocacy for students with disabilities. Previously, Clare worked at the Colorado Charter School Institute as the Director of Student Services and Professional Learning for 6 years after serving as a classroom teacher, special education teacher, instructional coach, and school leader in Denver-area charter schools. Clare holds a B.S. in Special Education from Vanderbilt University and her M.Ed. in Risk and Prevention from the Harvard Graduate School of Education.