



## **American Classical Academy Madison - Commission Appeal Statement**

Pursuant to Tenn. Code Ann. § 49-13-105 and 49-13-108, we, the board members of American Classical Education (ACE), ask the Tennessee Public Charter School Commission (Commission) to overturn the decision by the Jackson-Madison County Board of Education (Board) to deny the application of American Classical Academy Madison (ACAJM) and approve the charter.

ACAJM's application includes detailed plans and demonstrates the capacity needed to meet the standards required in each area for approval: academic, operational, and financial. And approving the application is in the best interests of the students, district, *and* the community.

### The Educational Crisis in Jackson/Madison County's East Jackson Community

ACE seeks to establish a K-12 classical charter school in the East Jackson area of Jackson/Madison County because of the urgent need expressed by parents for better schooling options in the area. ACE's intent also aligns with a vision shared with ACAJM representatives by JMCSS Superintendent Dr. Marlon King to see a charter school open in the East Jackson Community, specifically the JCT campus area. As noted in our amended application, Madison County's graduation (85.7%) and Ready Graduate indicator (28.7%) rates are well below the state averages of 88.7% and 39.7% respectively. The average ACT score for the county's students is 16.5, trailing the state average of 19.1. JMCSS students collectively had a chronic absenteeism rate of 29.8, higher than the state average of 20.3. And in the recently released 3rd Grade TCAP scores for ELA, 80.4% of students did not meet the proficiency standard in the Jackson-Madison County School System. Considering academic performance of students within the East Jackson school zone makes the need for ACAJM even more clear. (For example, at Jackson Career Technology Magnet Elementary, only 9.2% of students reached proficiency in Math and ELA. This number is almost three times lower than the district-wide proficiency rate).

### ACAJM can deliver a quality academic program that serves all students.

ACAJM's proposed academic plan is robust and supports the growth of all students. It is built on research-based curricular materials. The academic plan relies on an instructional model that has been used by and is constantly being updated based on learnings from many schools across the country. Its fundamental curricular materials, such as Singapore Math, have been used by public schools in Tennessee to teach Tennessee math standards. This includes [Valor Collegiate Academy](#) in Nashville ([approved charter application](#)) and [Ivy Academy](#) in Chattanooga.

ACAJM has an effective governance structure and an operational plan to effectively recruit students and staff. ACAJM's revenue projections are reasonable and bolstered by strong contingency plans.

Many of the Board's reasons for denial are not based on application requirements.

The recommendation report and scoring rubric suggest that reviewers misunderstood the applicable standards and used concerns not based in the law and application standards to lower ratings throughout the application. A few examples are provided below:

- The review committee determined the application did not meet the standard in each section of the application based in part on a single criterion--one that is not an actual requirement. In the academic, operations, and financial sections of the recommendation report, the review committee identifies as a weakness ACAJM's failure to identify a specific facility for the school. Identifying a facility location is not a requirement for applicants. And, even if it were, using it as a weakness in each section is unfair to applicants. ACAJM's application meets the facility requirements by, as stated in the application, "describ[ing] the process for identifying and securing a facility" and "present[ing] a timeline with reasonable assumptions for facility selection, requisition, renovation, . . . inspections, and occupation."
- The review committee deemed the application as not meeting the standard based on requirements that do not apply to Tennessee public charter schools. The review committee said that the applicant failed to provide "detailed plans for . . . summer learning." Charter schools are not required to offer summer school.  
The application form only asks applicants, "if . . . summer school will be offered, [to] describe the program." Recent laws regarding retention of students after 3rd grade do not require charter schools to offer summer school. Instead, the law makes attendance at summer programs one of four or five grounds to make a student who failed to test proficient in ELA eligible for promotion. So, one justification for a public school (district or charter) to promote students despite the students testing below proficient in the prior year in ELA is to have them attend a program during the summer. But, charter schools are not required to offer such programs. Instead, as noted in [TDOE's November 2022 Report on the Learning Loss and Student Remediation Act](#), "Public charter schools had the option to offer summer learning camps directly or offer enrollment to their students in the summer learning camps offered by a school district in their geographic area."
- The recommendation report states that ACAJM's application is deficient because the district doesn't want to sell special education services, food, or transportation to ACAJM students. In the application, ACAJM proposes contracting with the district for special education and other services as one possibility for meeting the needs of its students but clarifies that if the district is not interested in contracting with ACAJM, ACAJM will contract with third party service providers for those services and provides MOUs to support these services. Whether or not the district wants to sell those services to the school is not the same as whether ACAJM's plans for such services are reasonable and feasible based on the academic plan and the school's proposed budget.
- The report suggests that review committee members believe that because the district is struggling to recruit and retain teachers, all other public schools, including public charter schools, will inevitably struggle to do the same. ACAJM is not required to show how it will help the district solve the district's personnel challenges. Instead, the application asks ACAJM to describe *ACAJM's plans* for recruiting and training its staff to deliver the proposed academic model to the number of students it plans to recruit. ACAJM's application does just that and ACAJM provided detailed and quantitative evidence of how it has already been successful in attracting interest from teachers.

The Board's reasons for denial are undermined by the lack of integrity in the review process.

ACAJM has concerns about the integrity of the review process conducted by the JMCSS review team. ACAJM is aware that JMCSS created two review committees, one official and the other ad hoc. JMCSS distributed official copies of the application provided by ACAJM to members of the ad hoc committee while simultaneously denying members of the official review team's requests to receive a copy of the application. And, it appears that the capacity interview was held and scoring finalized on March 24th before the application had even been distributed to the entire official review committee. ACAJM was asked by a review committee member after the capacity interview if ACAJM could provide a copy of the application for them to review as "they had not seen the application yet." This issue was raised internally by JMCSS superintendent Dr. Marlon King in an email dated April 4 at 9:11 pm, entitled "Charter Review Process - Integrity." Dr. King wrote, "From what I have been told and have observed, based on the timeline, the integrity of the process has been compromised. I would like to meet in the morning at 8:30 a.m. to review and reset." On the morning of April 5th, the district revised the published timeline for its actions and attempted to schedule a second capacity interview with ACAJM to cover its tracks. ACAJM was unable to participate in a second interview. Instead, ACAJM offered three times to answer any questions the district had by email. But the review committee did not ask a single additional question after the compromised capacity interview. Lastly, ACAJM is aware that a number of the official reasons outlined by JMCSS's resolution to deny ACAJM's charter application were never discussed by the official review committee as presented publicly, but instead were generated by the "ad hoc" committee. This includes deficiencies the "ad hoc" committee took from reviews conducted by other Tennessee districts, which were added at the last minute--within 48 hours of the JMCSS vote on ACAJM's application.

Given recent history, it is not surprising that some members of the board or the review committees were determined to deny ACAJM's application regardless of the merits. But, short circuiting the district's own policy and process undermines the weight that the Commission should give to any materials provided by the district.

Conclusion

There is a clear need for increasing and enhancing educational opportunities for families and school-aged children in the East Jackson-area of Jackson/Madison County, Tennessee. The establishment of a classical charter school accessible to all – regardless of wealth, status, or other advantages – would benefit all members of the East Jackson community and all of Madison County's families. Our model of education is tried and true. It has produced encouraging results wherever it has been applied. It is supported by a growing network of schools, administrators, faculties, and communities. And most importantly, its establishment in East Jackson aligns with the worthy purpose of the Commission's championing of human equality and dignity through the expansion of educational opportunity. Thank you for considering our appeal. We look forward to working with you in the coming months.

Sincerely,

Dolores Gresham, Chair