

# CHEATHAM COUNTY BOARD OF EDUCATION WORK SESSION AGENDA

## Cheatham County Board of Education

March 27, 2024

Place: Educational Annex/Board Room

Time: 6:00 PM

1. Budget
  - A. Budget Summary
  - B. Restrooms/Concession Stands
  - C. CCCHS Stadium/Bleachers
  - D. Pegram's Sewer Issue Project
  - E. Ed Debt Proposal for County Commission
  - F. Three High School Marquee's - additional electrical costs
  - G. Grant Writer Position
2. Social Medial Lawsuit
3. Policy Revisions
  - A. Policy 5.803 Director of School Evaluation - second reading
  - B. Policy 5.403 Drug and Alcohol Testing for Employees - first reading
  - C. Policy 1.900 Charter School Authorizing Principles - first reading
  - D. Policy 1.901 Charter School Applications - first reading
  - E. Policy 1.902 Charter School Agreements - first reading
  - F. Policy 1.903 Charter School Oversight - first reading
  - G. Policy 1.904 Charter School Intervention - first reading
  - H. Policy 1.905 Charter School Renewal - first reading
  - I. Policy 1.906 Charter School Renovation - first reading
4. Review April 11th Board Meeting Agenda
5. Comments from Board Members
6. Comments from Director



## NEWS RELEASE

FOR IMMEDIATE RELEASE  
March 19, 2024

For more information:  
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### **Tennessee school systems join lawsuit against social media companies seeking protections for students**

Amid a growing mental health crisis among students, 33 Tennessee school systems have filed similar lawsuits against social media companies for protection for children across multiple popular platforms.

The lawsuits seek actionable accountability, tools and resources to address the lack of protections, monitors, controls and cooperation to protect children. Companies included in the lawsuit include Meta, Facebook, Instagram, TikTok, Snapchat, Google, WhatsApp and YouTube (Meta Platforms, Inc; Facebook Holdings, LLC; Facebook Operations, LLC; Meta Platforms Technologies, LLC; Meta Payments, Inc.; Instagram, LLC; Siculus, Inc.; Snap, Inc.; TikTok, Inc.; ByteDance, Inc.; Alphabet, Inc.; Google, LLC; XXVI Holdings, Inc.; WhatsApp, Inc.; and YouTube, LLC).

The suits, with the Clarksville-Montgomery County School System filing as the first Tennessee district, now include multiple systems, including Shelby County Schools, the largest public school system in the state. Frantz Law Group in California, working with Lewis Thomason in Tennessee, is managing the lawsuit.

“The concern about the lack of proper protections and the negative impacts on children who use social media is clearly an important issue for school systems across the state,” Lewis Thomason attorney Chris McCarty said. “Hundreds of thousands of students are represented by these school systems, which amplifies the demands to social media giants.”

Chuck Carter, director of Sullivan County Schools, said, “With the ever-increasing use of social media among students, we’ve seen negative effects in the classroom, including disruptions, mental health issues and safety concerns. We’re charged with educating, preparing and protecting students and consider the requests in the lawsuit to be common sense solutions that could make a positive impact to combat these issues.”

The boards of all school systems in the social media litigation voted to join the lawsuit, and include:

Anderson County Schools	Knox County Schools
Bedford County Schools	Lenoir City Schools
Bledsoe County Schools	Lincoln County Schools
Blount County Schools	Loudon County Schools
Cannon County Schools	Maryville City Schools
Claiborne County Schools	Metro Nashville Public Schools
Clarksville-Montgomery County Schools	Oak Ridge City Schools
Collierville Schools	Oneida Special School District
Cumberland County Schools	Putnam County Schools
Fentress County Schools	Sevier County Schools
Grainger County Schools	Shelby County Schools
Greene County Schools	Stewart County Schools
Greeneville City Schools	Sullivan County Schools
Hamblen County Schools	Van Buren County Schools
Humphreys County Schools	Warren County Schools
Johnson City Schools	Wilson County Schools
Johnson County Schools	

“Controls for student access to these platforms combined with helpful resources have the potential to help parents, teachers and students as they navigate social media,” said William Shinoff, an attorney with the Frantz Law Group. “These media giants have an opportunity – and a responsibility – to protect children.”

Other Tennessee school districts interested in joining the lawsuit may contact:

Chris McCarty  
Attorney at Law  
Lewis Thomason  
cmccarty@lewisthomason.com  
865-541-5256

**About Lewis Thomason**

Lewis Thomason is a statewide Tennessee law firm with offices in Knoxville, Nashville, and Memphis. Chris McCarty focuses most of his practice on education and employment law, representing numerous Tennessee school systems.

**About Frantz Law Group**

Frantz Law Group is a full-service law firm with offices across California. William Shinoff practices in several areas of the law including mass tort/class action cases and has represented school boards and public entities.

# Cheatham County Board of Education

Monitoring: <b>Review: Annually, in March</b>	Descriptor Term: <b>Evaluation of the Director of Schools</b>	Descriptor Code: <b>5.803</b>	Issued Date: <b>10/07/21</b>
	<b>First Reading 3/7/2024</b>	Rescinds: <b>5.803</b>	Issued: <b>07/11/16</b>

1 Through an annual evaluation of the director of schools,<sup>1</sup> the Board will strive to accomplish the  
2 following:

- 3 1. Clarify the role of the director according to a job description as agreed upon by the Board and  
4 the director;
- 5 2. Develop harmonious working relationships between the Board and the director; and
- 6 3. Develop improvements in the administrative leadership of the school system.

7 The Board will develop, with the director, a set of performance objectives based on the needs of the  
8 system. The performance of the director will be reviewed in accordance with these specified goals. The  
9 performance objectives will be memorialized in an evaluation plan that includes, at a minimum, sections  
10 regarding job performance, student achievement, relationships with staff and personnel, relationships  
11 with board members, and relationships with the community.<sup>1</sup>

12 At a time agreed to by the Board and the director, the Board will meet as a body to evaluate the director's  
13 performance.

14 The following guidelines will be used in the evaluation process:

- 15 1. The director will know the standards upon which they will be evaluated and will be involved in  
16 the development of those standards.
- 17 2. A part of the evaluation may be a composite of the evaluation by individual board members, but  
18 the Board, as a whole, will meet with the director to discuss the composite evaluation.
- 19 3. The evaluation shall include a discussion of strengths as well as weaknesses.
- 20 4. Both the Board and director will prepare for the evaluation; the director will conduct a self-  
21 evaluation and board members will document the evidence used in rating the director's  
22 performance.
- 23 5. All documentation will be supported by objective evidence. Each individual Board Member must  
24 meet with the Director of Schools at least ten (10) days prior to the board meeting, **as-a-whole- if**  
25 **any score is less than satisfactory**, discussing the **composite** evaluation.

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Legal References

1. TCA 49-2-203(a)(15)

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Cross References

Board-Director Relations 1.205  
Qualifications and Duties of the Director of Schools 5.802

# Cheatham County Board of Education

Monitoring: <b>Review: Annually, in March</b>	Descriptor Term: <b>Drug &amp; Alcohol Testing for Employees</b>	Descriptor Code: <b>5.403</b>	Issued Date: <b>07/11/19</b>
	<b>First Reading 4/11/2024</b>	Rescinds: <b>5.403</b>	Issued: <b>07/11/16</b>

1 **REASONABLE SUSPICION DRUG TESTING**

2 Trained supervisors have the responsibility to observe and document the cause for reasonable suspicion  
3 and when appropriate, refer the matter to the director of schools/designee. It is not the supervisor's  
4 responsibility to attempt diagnosis. All information, facts and circumstances leading to and supporting  
5 this suspicion, should be included in a written report detailing the basis for the suspicion. After the report  
6 is filed, the employee should be notified.

7 Any employee may be required to submit to substance screening if the following conditions exist: (list  
8 is not inclusive)

- 9 1. Observed use, possession or sale of illegal drugs and/or use, possession, sale, or abuse of  
10 alcohol, prescription drugs, **and/or any cannabinoid or sativa plant derivative that is not**  
11 **legally available for sale in Tennessee to persons under the age of twenty-one (21).**  
12
- 13 2. Apparent physical state of impairment of motor functions.
- 14
- 15 3. Marked changes in personal behavior not attributed to other factors.
- 16
- 17 4. Employee involvement in/or contribution to an accident where the use of alcohol or drugs is  
18 reasonably suspected or employee involvement in a pattern of repetitive accidents whether  
19 or not they involve actual or potential injury.
- 20
- 21 5. Violation of criminal statutes involving the use of illegal drugs, alcohol or prescription drugs  
22 and/or violations of drug statutes.

23 Substance screening shall be conducted by a third party selected by the director of schools/designee. If  
24 the screening results in a negative result, then no additional action shall be taken. If the screening results  
25 in a positive result for illegal, illicit, or controlled substances, or if the employee refuses to submit to the  
26 substance screening, then the director of schools shall notify the employee in writing within five (5) days  
27 following the director's receipt of the screening results, or within five (5) days following the employee's  
28 refusal to submit to the screening, setting forth the results of the screening and/or the discipline the  
29 director of schools is taking against the employee. The discipline shall be a formal warning, suspension,  
30 or dismissal.

31 If the employee disputes the result of the screening or the discipline enacted by the director of schools,  
32 the employee shall notify the director in writing within five (5) days after receiving the written notice  
33 from the director regarding the results of the screening and/or the discipline to be implemented. After  
34 receiving written notice from the employee that he disputes the results of the screening and/or the

1 discipline enacted by the director, an appeal hearing will be set before the Board at the next regularly  
2 scheduled meeting of the Board. At least five (5) days prior to such hearing, both the director and the  
3 employee shall submit all evidence and written materials they want the Board to consider at the appeal  
4 hearing. Copies of all such documents will be provided to each Board member at the hearing.

5 At the hearing, the employee or the employee's duly licensed legal counsel will be given up to ten (10)  
6 minutes to present and summarize its argument why the screening results were inaccurate and/or why  
7 the discipline was inappropriate under the circumstances. The director will be represented by the school  
8 system's legal counsel who will then have up to ten (10) minutes to respond to the employee's arguments  
9 and present why the screening results were accurate and/or why the discipline was appropriate. The  
10 board shall then take one of the following actions by majority vote:

- 11 1. Sustain the decision of the director; or
- 12
- 13 2. Revise the penalty or reverse the decision.

#### 14 **TESTING FOR CDL EMPLOYEES**

15 All drivers and applicants for driver positions who are required to hold a Commercial Driver's License  
16 (CDL) to perform their job function must adhere to the requirements of this policy and all procedures  
17 relating to this policy.<sup>1</sup>

18 The use, possession, sale, purchase or transfer of any controlled substances except medically prescribed  
19 drugs on school property, while on school business or while operating school vehicles and equipment is  
20 prohibited. Drinking alcoholic beverages during working hours, four (4) hours before reporting to work  
21 or having any measurable amount of alcohol in their system during working hours is prohibited, whether  
22 on or off school property. Working hours include all breaks. Off-duty use of drugs and alcohol is  
23 prohibited to the extent that it affects driver's attendance or performance and their ability to pass required  
24 DOT alcohol and controlled substance tests. Any violation of this policy is grounds for termination as  
25 an employee of the Board and possible legal prosecution.

26 The use of any prescription drug that could affect the central nervous system or one that would impair  
27 reaction time shall be reported to the director of schools/director of transportation. Notice shall be given  
28 of non-prescription (over-the-counter) drugs being taken on a regular basis. The notice shall include the  
29 duration of ingestion and the possible side effects.

#### 30 **Procedures**

31 The execution and enforcement of this policy will follow set procedures to screen bodily fluids, conduct  
32 breath testing, and/or search all employee/applicants for alcohol and drug use, and those employees  
33 suspected of violating this policy who are involved in a reportable accident or who are periodically or  
34 randomly selected. The procedures are designed not only to detect violations of this policy, but also to  
35 ensure fairness to each employee. Disciplinary action will be taken as necessary.

#### 36 **Implementation**

37 The director of schools/director of transportation is authorized to implement this policy and procedures  
38 for the drug testing program, including a periodic review of the program to address any problems,

1 changes and/or revisions of it, maintenance of all records required by the federal regulations, and  
2 determination upon Board approval of how the program will be accomplished, whether in-house,  
3 contracted or by consortium.

#### 4 **Dissemination**

5 The director of schools/director of transportation shall be responsible for communicating this policy  
6 and the procedures to all employees affected by this policy and shall be accountable for its consistent  
7 enforcement.<sup>2</sup> The director of schools/director of transportation is designated to answer questions  
8 about this policy, procedures and all other matters involved in alcohol and controlled substance testing  
9 of CDL drivers and the reasonable suspicion testing of all other employees.

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#### Legal References

1. 49 USCS § 5331; Alcohol and Controlled Substances Testing (Omnibus Transportation Employee Testing Act of 1991)
2. 49 CFR 382.601

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#### Cross Reference

Employee Drug Screening 5.403.2  
Drug Testing of CDL Employees 5.403.3  
CDL Employee Registration 5.403.4

# Cheatham County Board of Education

Monitoring: <b>Review: Annually, in August</b>	Descriptor Term: <h2 style="text-align: center;">Charter School Authorizing Principles</h2>	Descriptor Code: <b>1.900</b>	Issued Date: <b>10/01/18</b>
	First Reading 4/11/2024	Rescinds:	Issued:

1 The Cheatham County Board of Education shall ensure that only high-quality charter schools are  
 2 authorized to operate within the district, and adhere to the State Board of Education’s quality charter  
 3 authorizing standards.<sup>1</sup> To accomplish this, the Board shall adopt the following authorizing principles  
 4 that require charter schools to maintain high standards, while upholding school autonomy and  
 5 protecting student and public interests.<sup>1</sup>

6 **MAINTAINING HIGH STANDARDS**

7 Charter schools shall be held accountable for meeting the performance standards and targets set forth  
 8 in their charter agreement. The Board shall **maintain high standards for the charter school(s) it oversees**  
 9 **and** close any charter school that fails to meet the standards and targets established in the charter  
 10 agreement or set by state law.<sup>2</sup>

11 **UPHOLDING SCHOOL AUTONOMY**

12 Charter school governing boards shall be independent of the Board and have the authority to make  
 13 instructional programming, financial, personnel, school culture, and scheduling decisions. **The Board**  
 14 **shall assume responsibility not for the success or failure of individual schools but for holding schools**  
 15 **accountable for their performance.**

16 The Board shall only impose requirements on charter schools in its portfolio when there is a legal basis  
 17 or compelling reason to do so.

18 **PROTECTING STUDENT AND PUBLIC INTERESTS**

19 The Board shall ensure clarity, consistency, and public transparency in authorizing policies, practices,  
 20 and decisions of any charter school. The Board shall hold charter school governing boards accountable  
 21 for being fiscally responsible and transparent.

22 Charter schools are part of the public education program<sup>3</sup> and shall adhere to non-selective,  
 23 nondiscriminatory practices and ensure the fair treatment of all students. They shall provide  
 24 appropriate services to all enrolled students in accordance with state and federal laws.<sup>4</sup> <sup>3</sup>Charter school  
 25 governing boards shall ensure fiscal responsibility and transparency.

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Legal References

1. TCA 49-13-108(f); State Board of Education Policy 6.111; TRR/MS 0520-14-01-.01
2. TCA 49-13-111, TCA 49-13-120, TCA 49-13-122
- ~~3. TCA 49-13-105(a)~~  
TCA 49-13-111

<b>Cheatham County Board of Education</b>			
Monitoring: <b>Review: Annually, in September</b>	Descriptor Term: <b>Charter School Applications</b>	Descriptor Code: <b>1.901</b>	Issued Date: <b>03/04/21</b>
	<b>First Reading 4/11/2024</b>	Rescinds: <b>1.901</b>	Issued: <b>10/03/19</b>

1 *General*

2 This policy shall apply to sponsors and potential sponsors of charter schools. It shall not apply to  
 3 charter schools converting from existing public schools. Proposals from existing charter school  
 4 operators or replicators and applicants proposing to contract with educational service providers ~~shall~~  
 5 ~~include the additional information required by~~ shall be in accordance with state law.<sup>1</sup>

6 **APPLICATION PROCESS<sup>2</sup>**

7 A prospective charter school sponsor shall send the Director of Schools notice of its intent sixty (60)  
 8 days prior to February 1<sup>st</sup> of the year preceding the year in which the proposed charter school plans to  
 9 begin operation as a charter school. ~~The Director of Schools/designee shall determine whether the~~  
 10 ~~sponsor has selected the correct application category within ten (10) business days of receiving the~~  
 11 ~~letter of intent and notify the sponsor within five (5) business days of a determination that the incorrect~~  
 12 ~~application category has been selected.~~<sup>2</sup>

13 A sponsor seeking board approval of an initial charter school application shall complete the forms  
 14 provided by the Tennessee Department of Education. The application shall provide all the information  
 15 required by law. The sponsor shall demonstrate that the proposed charter school meets the purpose  
 16 prescribed by law for the formation of a charter school, and the proposed charter school will be able to  
 17 implement a viable program of quality education for its students.<sup>3</sup>

18 ~~Electronic copies of~~ applications shall be submitted to the Board and ~~Tennessee~~ Department of  
 19 Education on or before ~~4:30 p.m. 11:59 p.m. Central Time~~ on February 1<sup>st</sup> of the year preceding the  
 20 year in which the proposed charter school plans to begin operation as a charter school. If the 1<sup>st</sup> of  
 21 February falls on a Saturday, Sunday, or holiday on which the school district offices are closed,  
 22 applications will be accepted on the next business day on or before ~~4:30 p.m. 11:59 p.m.~~ Late  
 23 applications will not be accepted, without exception. The sponsor shall pay an application fee of  
 24 \$2,500.00.<sup>2</sup>

25 ~~The Board shall determine whether an application is complete within ten (10) business days of~~  
 26 ~~receiving the application and shall notify the sponsor within five (5) business days of the determination~~  
 27 ~~if the application is determined to be incomplete.~~<sup>3</sup>

28 **REVIEW TEAM<sup>1</sup>**

29 If necessary, the ~~Board~~ Director of Schools/designee shall appoint a review team to assist in reviewing  
 30 and evaluating charter school applications. The team shall be composed of members of the

1 administrative staff for the district, community members, and a member of the Board with relevant  
2 educational, organizational, financial, and legal experience. At the board meeting in December of each  
3 year, the Director of Schools shall make a recommendation to the Board on which members of his/her  
4 administrative staff should be appointed to the team. The Board shall name the members of the team at  
5 its meeting in ~~December~~ January of each year. The Board shall designate a Chair of the review team as  
6 the contact person for answering questions about the application process and receiving applications.  
7 The Director of Schools/~~designee~~ shall develop an orientation for the team to ensure consistent  
8 evaluation standards and the elimination of real or perceived conflicts of interest.

9 The Board shall require the Director of Schools to develop a procedure for receiving, reviewing, and  
10 ruling on applications for the establishment of charter schools by the review team. The procedure shall  
11 include a timeline for the application and review process. A copy of the procedure, including the  
12 review criteria, shall be available ~~to any interested party upon request on the district's website.~~

13 The review team shall:

- 14 1) Evaluate all charter school applications based on the review criteria ~~adopted by the Board~~  
15 ~~established by state law; and~~
- 16 2) Recommend one of the following options to the Board for each application: approve, reject, or  
17 reject with stipulations for reconsideration; ~~and~~<sup>4</sup>
- 18 3) ~~Make recommendations for revocation, renewal, or non-renewal of charter contracts.~~

## 21 APPROVAL/DENIAL OF APPLICATION<sup>4</sup>

22 The Board shall rule by resolution on the approval or denial of a charter application within ninety (90)  
23 days of receipt of the completed application, or the application shall be deemed approved by law. The  
24 Director of Schools shall report the action taken by the Board to the Department of Education.

### 25 *Approval*

26 The sponsor of a charter school that is approved by the Board shall enter into a written agreement with  
27 the Board, which shall be binding on the charter school's governing body. This agreement, known as  
28 the charter agreement, shall be in writing and signed by the sponsor and the Board.

29 The Board will receive an annual authorizer fee of three percent (3%) of the annual per student state  
30 and local allocations or thirty-five thousand dollars (\$35,000), whichever is less.<sup>5-6</sup>

31 Charter schools approved by the Board are expected to implement the application as submitted and  
32 approved. Material variations in operations from the approved application require amendment pursuant  
33 to statute and the charter school agreement.<sup>6-7</sup>

34 The Board shall not provide services to charter schools that are not requested during the application  
35 process except for those services that are required under state or federal laws. Services agreed to be  
36 provided to the charter school by the Board shall be provided at board actual cost. The Board and  
37 charter school shall execute a service contract for any additional services.

1 New charter school agreements are approved for a ten (10) year period.<sup>7,8</sup> The Board may revoke or  
2 deny renewal of a charter school agreement for any of the reasons enumerated in state law.<sup>8,9</sup>

### 3 *Denial*

4 **If the initial charter school application is denied, the Board shall notify the sponsor in writing within**  
5 **ten (10) calendar days, specifying the objective reasons for the denial and the deadline by which the**  
6 **sponsor may submit an amended application.** Upon receipt of the grounds for denial, the sponsor shall  
7 have thirty (30) days within which to submit an amended application to correct the deficiencies. The  
8 Board shall have sixty (60) **calendar** days either to deny or to approve the amended application, or the  
9 application shall be deemed approved by law.<sup>4 5</sup>

10 **If the amended charter school application is denied, the Board shall notify the sponsor in writing**  
11 **within five (5) calendar days, specifying the objective reasons for denial and the sponsor's right to an**  
12 **appeal.** Within ten (10) days of final denial, an appeal may be filed with the Tennessee Charter School  
13 Commission.<sup>9 10</sup>

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#### Legal References

1. ~~TCA 49-13-106; State Board of Education Policy 6.111~~
2. ~~TCA 49-13-107; TCA 1-3-102; TCA 49-13-108; TRR/MS 0520-14-01~~
3. ~~TCA 49-13-110~~
4. ~~TCA 49-13-108; TRR/MSS 0520-14-01~~
5. ~~TCA 49-13-128~~
6. ~~TRR/MS 0520-14-01-06; TCA 49-13-110~~
7. ~~TCA 49-13-110~~
8. ~~TCA 49-13-122~~
9. ~~TCA 49-13-108(b)(5)~~

1. TCA 49-13-106; State Board of Education Policy 6.111
2. TCA 49-13-107; TCA 1-3-102; TCA 49-13-108; TRR/MS 0520-14-01(1)(b),(e)
3. TRR/MS 0520-14-01(1)(i)
4. TRR/MS 0520-14-01
5. TCA 49-13-108; TRR/MSS 0520-14-01
6. TCA 49-13-128
7. TCA 49-13-110(d)-(e); TRR/MSS 0520-14-01
8. TCA 49-13-110(c)
9. TCA 49-13-122
10. TCA 49-13-108(b)(5)

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#### Cross References

Review Team for Charter School Applications 1.901.1  
Charter School Applications 1.901.2

# Cheatham County Board of Education

Monitoring: <b>Review: Annually, in August</b>	Descriptor Term: <h2 style="text-align: center;">Charter School Agreements</h2>	Descriptor Code: <b>1.902</b>	Issued Date: <b>10/01/18</b>
	First Reading 4/11/2024	Rescinds:	Issued:

1 Charter agreements shall articulate the rights and responsibilities of each party regarding school  
 2 autonomy, funding, administration and oversight, outcomes, measures for evaluating success or failure,  
 3 performance consequences, and other material terms. These agreements shall be separate from the  
 4 application and contain terms and performance standards under which the school shall operate.<sup>1</sup>

5 All charter agreements shall:<sup>1</sup>

- 6 1. Clearly state the rights and responsibilities of the school and the authorizer;
- 7
- 8 2. **Define the material terms of the agreement as being those relevant to renewal;**
- 9
- 10 3. **Allow amendment subject to the approval of both parties;**
- 11
- 12
- 13 4. State and respect the autonomies to which schools are entitled (e.g. programming, staffing,
- 14 budgeting, and scheduling);
- 15
- 16 5. Define performance standards, criteria, and conditions for renewal, intervention, revocation,
- 17 and non-renewal;
- 18
- 19 6. State when the authorizer fee will be collected;
- 20
- 21 7. Establish the consequences for meeting or not meeting standards;
- 22
- 23 8. State the statutory, regulatory, and procedural terms and conditions for the school’s operation;
- 24
- 25 9. State reasonable pre-opening requirements or conditions for new schools to ensure that they
- 26 meet all health, safety, and other legal requirements prior to opening;
- 27
- 28 10. State the responsibility and commitment of the school to adhere to essential public education
- 29 obligations, including admitting and serving all eligible students so long as space is available,
- 30 and not expelling or counseling out students except pursuant to a legal discipline policy
- 31 approved by the Board; and
- 32
- 33 11. State the responsibilities of the school and the authorizer in the event of school closures.
- 34

35 **PERFORMANCE STANDARDS**

1 Charter agreements shall include clear academic, financial, and organizational performance standards.  
2 Sources for obtaining this information shall be outlined in the agreement. At a minimum, these  
3 agreements shall include the following:

- 4 1. Academic performance standards that set expectations for student achievement and growth,  
5 incorporate state and federal accountability systems, and set expectations for postsecondary  
6 readiness (for high schools);  
7
- 8 2. Financial performance standards that enable the Board to evaluate the charter's financial  
9 stability; and  
10
- 11 3. Organizational performance standards that define the vital components of the educational  
12 program, the financial management standards, state and federal legal requirements, and school  
13 environment expectations for which the Board shall hold the charter accountable.

14 The performance standards included in the charter agreement shall establish specific expectations  
15 using objective measures of student achievement. This shall be the primary measure of school quality.

## 16 **FEE-BASED SERVICES**

17 Any fee-based services shall be outlined in a separate agreement. The provision of any such fee-based  
18 services shall not be a condition of charter approval, continuation, or renewal.<sup>2</sup>

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### Legal References

1. TCA 49-13-110; State Board of Education Policy 6.111
2. State Board of Education Policy 6.111

# Cheatham County Board of Education

Monitoring: <b>Review: Annually, in August</b>	Descriptor Term: <b>Charter School Oversight</b>	Descriptor Code: <b>1.903</b>	Issued Date: <b>10/03/19</b>
		Rescinds: <b>1.903</b>	Issued: <b>10/01/18</b>

**First Reading  
4/11/2024**

1 *General*

2 The Board shall oversee and annually evaluate charter schools to ensure they meet the performance  
3 standards and targets set forth in the charter agreement.<sup>1</sup> The Board shall create a comprehensive  
4 performance, accountability, and compliance monitoring system based on the charter agreement and  
5 communicate the results to each charter school. At a minimum, the monitoring system shall address  
6 academic, financial, and organizational performance standards as outlined in the charter agreement and  
7 required by the State Board of Education.<sup>1</sup> The Board shall utilize the results when making renewal,  
8 revocation, and intervention decisions. **Reports on charter school oversight shall be compiled by**  
9 **Director of Schools/designee and published on the district’s webpage at least annually.**

10

11 The Board shall communicate with the charter schools in its portfolio as needed, including both the  
12 school leader and governing board, and provide timely notice of any material charter agreement  
13 violations and performance deficiencies.

14 The Board shall articulate and enforce stated consequences for failing to meet performance  
15 expectations or compliance requirements.

16 **MONITORING SYSTEM**

17 **The Director of Schools/designee shall implement a performance and compliance monitoring system**  
18 **per the terms of the charter agreement. This information will be provided to the Board on an ongoing**  
19 **basis through reports that will form the basis of renewal, revocation, and intervention decisions. To aid**  
20 **in this, the Director of Schools/designee shall develop a reporting calendar that outlines when**  
21 **information required by state law shall be provided by the charter school.**

22 **SITE VISITS**

23 A site visit to each charter school shall be conducted annually. The purpose shall be to collect data and  
24 other qualitative information that cannot be obtained otherwise. The Director of Schools shall develop  
25 a site visit procedure that outlines the expectations of charter schools prior to, during, and after the site  
26 visit, including review of the documents and data, classroom observations, and interviews. These visits  
27 shall minimize **administrative burdens and avoid** operational interference.

1 The Board shall provide the charter school with a report that summarizes the **school's performance**  
 2 **outcome of the visit**. The report shall provide an analysis of relevant data and include general  
 3 recommendations, if applicable.<sup>2</sup>

#### 4 **CHARTER SCHOOL REPORTING**

5 Charter schools shall provide the information required by the charter agreement and state law to the  
 6 Board. The Director of Schools shall develop a reporting calendar that defines and communicates the  
 7 process, methods, and timing of gathering and reporting data to the Board.<sup>2</sup>

8 By September 1, the governing body of an approved charter school shall make a written report to the  
 9 Board.<sup>3</sup> The annual report shall include:

- 10 1. A report on the progress of the school in achieving the goals outlined in the charter school  
 11 agreement;
- 12 2. A financial statement disclosing the financial health of the charter school, including the costs  
 13 of the administration, instruction, and other spending categories of the school and
- 14 3. A detailed accounting, including the amounts and sources, of all funds received by the  
 15 charter school, other than the funds received per state law.<sup>4</sup>

16 This reporting requirement shall begin in the year after the year in which the charter school begins  
 17 operation.

18 Multiple charter schools overseen by a single governing board shall report their performance as  
 19 separate, individual charter schools. Each school shall be independently accountable for its  
 20 performance.

21 Each charter school governing body shall submit an annual audit of all accounts and records, to include  
 22 internal school activity and cafeteria funds, to the Board as soon as practical after June 30.<sup>5</sup>

#### 23 **AUTHORIZER REPORTING AND REVIEW**

24 By December 1, the Board shall report to the Department of Education detailing the authorizer fees  
 25 collected in the previous school year and the authorizing obligations fulfilled using the fee.<sup>6</sup> By  
 26 January 1, the Board shall submit an annual authorizer report to the Department of Education and the  
 27 State Board of Education.<sup>7</sup> The Director of Schools/**designee** shall prepare the reports and provide the  
 28 information to the Board prior to submission.

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##### Legal References

1. TCA 49-13-111(d); State Board of Education Policy 6.111
2. ~~State Board of Education Policy 6.500~~
3. TCA 49-13-120
4. TCA 49-13-120(a), (b)
5. TCA 49-13-112(a), (f) ~~Public Acts of 2019, Chapter No. 219~~

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##### Cross References

Charter School Site Visits 1.903.1

6. TCA 49-13-127
7. TCA 49-13-128(e) (f)
8. TCA 49-13-120(d) ©

# Cheatham County Board of Education

Monitoring: <b>Review: Annually, in August</b>	Descriptor Term:  <b>Charter School Intervention</b>	Descriptor Code: <b>1.904</b>	Issued Date: <b>10/01/18</b>
	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <b>First Reading 4/11/2024</b> </div>	Rescinds:	Issued:

1 *General*<sup>1</sup>

2 The Board shall develop a clear plan for monitoring charter schools that shall be set forth in the charter  
 3 agreement. If the Board identifies a deficiency in **academics, finances or ~~charter school~~ operations of**  
 4 **the charter school**, the Director of Schools/designee shall communicate the problem to the charter  
 5 school. Any intervention shall be proportionate to the identified problem and adhere to the provisions  
 6 of the charter agreement, **and intervention strategies shall preserve the school autonomy and**  
 7 **responsibility while clearly stating consequences for non-compliance.**<sup>1</sup> .

8 **INTERVENTION**<sup>1</sup>

9 The Director of Schools/designee shall give the charter school timely notice of any charter agreement  
 10 violations or performance deficiencies requiring intervention. Notices shall state the:

- 11 1. Deficiency;
- 12
- 13 2. Applicable regulatory, performance, or contractual provision(s) not achieved;
- 14
- 15 3. Expected remedy; and
- 16
- 17 4. Timeframe by which the Board expects the deficiency to be remedied or a corrective action
- 18 plan to be submitted.

19 The Director of Schools shall provide charter schools with reasonable time and opportunity to remedy  
 20 the deficiency or to submit a corrective action plan.

21 **PROGRESSIVE INTERVENTIONS**<sup>2</sup>

22 **The Board shall assign a level of intervention for the charter school as defined by the charter**  
 23 **agreement if deficiencies are identified. Depending on the severity of the deficiency, the Board**  
 24 **reserves the right to revoke the charter agreement in accordance with state law.**

25 *Tier I – Notice of Deficiency*

26 **The Board shall provide the charter school with notice of the specific deficiency with supporting**  
 27 **documentation as well as information on possible consequences.**

28 **Possible Deficiency: failure to comply with the terms of the charter agreement and/or violation of state**  
 29 **law**

1 Possible Consequence: sending a letter to the charter’s governing board that includes sending terms of  
2 a corrective action plan

3 *Tier II – Notice of Probationary Status*

4 Tier II shall be implemented if the interventions in Tier I are unsuccessful. These interventions shall  
5 consist of letter to the charter’s governing board as notice of probationary status, outlining the terms of  
6 the probation and the timeline for correction.

7 *Tier III – Review of Status*

8 Tier III shall be implemented if the interventions in Tier II are unsuccessful. These intervention shall  
9 consist of a recommendation to revoke the charter contract or other sanctions.

10

11 **REMEDIES<sup>1</sup>**

12 Charter schools shall be responsible for notifying the Board:

- 13 1. When a deficiency has been remedied;  
14  
15 2. If the charter school requires an extension of time to remedy a deficiency; or  
16  
17 3. If the charter school requests a modification to its corrective action plan.

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Legal References

1. State Board of Education Policy 6.111
2. TCA 49-13-122; Public Acts of 2023, Chapter No. 206

# Cheatham County Board of Education

Monitoring: <b>Review: Annually, in September</b>	Descriptor Term:  <b>Charter School Renewal</b>  First Reading 4/11/2024	Descriptor Code: <b>1.905</b>	Issued Date: <b>10/03/19</b>
		Rescinds: <b>1.905</b>	Issued: <b>10/01/18</b>

1 **INTERIM REVIEW**

2 The Director of Schools/designee shall conduct an interim review of a charter school in the fifth year  
3 of a charter term in accordance with guidelines developed by the Department of Education. As part of  
4 this process, the charter school shall submit a report on the progress of the school in achieving the  
5 goals and objectives set forth in the charter agreement.<sup>1</sup>

6 **CUMULATIVE PERFORMANCE REPORT**

7 Three (3) months prior to the date on which a charter school is required to submit a renewal  
8 application, the Director of Schools/designee shall submit a performance report to the charter school<sup>1</sup>  
9 that summarizes the school's performance record over the charter term and states the summative  
10 findings concerning the school's performance and prospects for renewal.<sup>2</sup>

11 **APPLICATION AND EVALUATION**

12 No later than April 1 of the year prior to the year in which the charter school agreement expires, the  
13 governing body of a charter school shall submit a renewal application to the Board.<sup>1</sup>

14 The Director of Schools/designee shall conduct a renewal evaluation site visit to each charter school  
15 that submits a charter renewal application.

16 The Board will make renewal decisions by February 1<sup>st</sup> in the year the charter school agreement  
17 expires.

18 **RENEWAL CRITERIA**

19 The Board shall define and communicate with schools the criteria for renewal that is consistent with  
20 the charter agreement. The Board shall make its renewal decision based on the renewal application,  
21 annual progress reports, and renewal performance report.

22 Within ten (10) days of the Board voting by resolution on a renewal application, the Director of  
23 Schools/designee shall promptly notify a school of its renewal recommendation and decision,  
24 including the reasons for the decision and any rights to an appeal. The Director of Schools/designee  
25 shall promptly communicate renewal decisions to the school community and public.

26

Legal References

1. ~~TCA 49-13-120; State Board of Education Policy 6.111; TCA 49-13-121; Public Acts of 2019, Chapter No. 219~~
2. TCA 49-13-121(k)
3. State Board of Education Policy 6.111
4. TCA 49-13-121(a)  
TCA 49-13-121; State Board of Education Policy 6.111

# Cheatham County Board of Education

Monitoring: <b>Review: Annually, in August</b>	Descriptor Term: <b>Charter School Revocation</b>	Descriptor Code: <b>1.906</b>	Issued Date: <b>10/03/19</b>
		Rescinds: <b>1.906</b>	Issued: <b>10/01/18</b>

**First Reading  
4/11/2024**

1 *General*

2 The Board shall also revoke a charter agreement if the charter school:<sup>1</sup>

- 3 1. Failed to meet the minimum performance requirements set forth in the charter agreement;
- 4
- 5 2. Committed a material violation of any of the conditions, standards, or procedures set forth in
- 6 the charter agreement;
- 7
- 8 3. Failed to meet generally accepted standards of fiscal management; or
- 9
- 10 4. Performed any of the acts that are conditions for non-approval of charter schools under state
- 11 law.

## 12 **NOTICE**

13 The Director of Schools/designee shall notify the charter school of the Board’s intent to revoke the  
14 charter agreement in writing at least thirty (30) days prior to the revocation.<sup>2</sup>

15 Within ten (10) days of the Board voting to renew, not renew, or revoke a charter agreement, the  
16 Director of Schools/designee shall report the Board’s decision to the Department of Education. The  
17 Director of Schools/designee shall also provide a copy of the Board’s resolution setting forth the  
18 decision and the reasons for the decisions, **and an explanation of the right to appeal.**<sup>3</sup>

## 19 **REVOCAION DUE TO PRIORITY STATUS**

20 The Board may revoke a charter school agreement if the charter school is identified as a priority school  
21 under state law. Revocation shall take effect immediately following the close of the school year in  
22 which the charter school is identified as a priority school.<sup>4</sup>

23 The Board shall revoke a charter school agreement if the charter school is identified as a priority  
24 school for two consecutive cycles (beginning in 2017). Revocation shall occur immediately after the  
25 close of the school year in which the charter school is identified as a priority school for the second  
26 consecutive cycle.

## 27 **PROCEDURES FOR CLOSURE**

28 The Director of Schools shall develop administrative procedures regarding charter school closures  
29 prior to the Board denying renewal or revoking a charter agreement.<sup>5</sup> **These procedures shall outline a**

- 1 detailed protocol that will ensure timely notification to parents, orderly transition of students and
- 2 student records, and disposition of school funds, property, and assets in accordance with state law.

3

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Legal References

1. TCA 49-13-122(a)(b); State Board of Education Policy 6.111
2. ~~TCA 49-13-122(e)~~
3. TCA 49-13-122(e)
4. State Board of Education Policy 6.111
5. TCA 49-13-122(a) ~~Public Acts of 2019, Chapter No. 205; State Board of Education Policy 6.110~~
6. TCA 49-13-130

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Cross References

Charter School Closures 1.906.1