

**MINUTES
STATE BOARD OF EDUCATION
SEPTEMBER 22, 2014**

The State Board of Education met for a special called meeting the Tennessee School Board Association conference room in Nashville, Tennessee, at 12:00 p.m., on September 22, 2014.

Present..... 8 Absent..... 2

Mr. Fielding Rolston, Chairman
Ms. Allison Chancey
Mr. Mike Edwards
Ms. Lillian Hartgrove
Mr. Cato Johnson
Ms. Carolyn Pearre
Ms. Teresa Sloyan
Ms. Wendy Tucker

Mr. Lonnie Roberts
Dr. Rich Rhoda

Chairman Rolston called the meeting to order and thanked members of the Board for making time in their schedules for this special called meeting.

I. Consent Items

A. *Adoption of Agenda*

ACTION: **Mr. Edwards** moved acceptance. **Vice Chair Pearre** seconded. The motion passed unanimously.

Dr. Gary Nixon, Executive Director of the State Board of Education, explained the charter application process for Board members. He stated that applicants submitted their applications to the local school districts by April 1st and then the local districts went through an application review process outlined in statute. If an application is denied twice at the district level, the applicant can appeal the decision to the State Board of Education. **Dr. Nixon** explained the importance of maintaining high quality authorizing standards, per the National Association of Charter School Authorizers, and reminded the Board that a vote to approve an application from a district that has a priority school either from the current or preceding list would be a vote to authorize that school.

II. Action Items (First Reading)

A. *Charter School Performance Framework*

Ms. Tess Stovall, State Board of Education, explained that the adoption of a performance framework is part of national authorizing best practices and should be included in any contract signed with a charter school. As

an appellate authorizer, the State Board of Education would use the performance framework to evaluate annually any charter schools authorized by the State Board in the areas of academic performance, financial performance, and organizational performance.

Chairman Rolston asked for clarification if a school falls into the category of “Falls Far Below Standard” in any measure if there would be a recommendation of revocation for a charter school. **Ms. Stovall** explained that a rating in “Falls Far Below Standard” would trigger an opportunity to intervene with a plan of action for the school.

Mr. Edwards asked if the State Board of Education had enough staff to accomplish this level of monitoring. **Dr. Nixon** explained that the Tennessee Department of Education will have to provide assistance in the monitoring in some areas.

Ms. Tucker asked for a clarification around the measure of “percent of progress toward goal” on page 8. **Ms. Stovall** explained that this was based on the Annual Measurable Objectives developed by the Tennessee Department of Education.

Ms. Tucker asked if the range for “Meets Standard” on the ACT measure on page 8 will get more rigorous overtime. **Ms. Stovall** explained that currently only 19% of students taking the ACT in Tennessee achieve a 21 so this is currently setting the bar higher than the average in Tennessee. Additionally, any changes to the performance framework would open contract negotiations with the charter school.

Chairman Rolston stated that an addition should be made to page 10 under “Falls Far Below Standard” to include a provision for schools in their first or second year of operation.

ACTION: **Mr. Edwards** moved acceptance on first reading. **Mr. Johnson** seconded. The motion passed unanimously.

III. Action Items (Final Reading)

A. *Emerge Collegiate STEM Charter School*

Dr. Nixon presented the findings and recommendation report for Emerge Collegiate STEM Charter School. **Dr. Nixon** explained that it was rated by the Shelby County Schools charter review committee as “Does Not Meet” in all areas. Emerge resubmitted their application to Shelby County Schools, and it was rated as “Partially Meets” in all areas by the Shelby County Schools review committee. The Shelby County Board of Education voted to deny the amended application. Emerge then appealed the decision to the State Board of Education.

Ms. Tucker asked for clarification of the charter review process for the State Board of Education. **Ms. Stovall** explained that the Review Committee evaluated sections of the application based on their areas of expertise and then submitted their initial scoring rubrics prior to the capacity interviews. After the completion of the capacity interviews, the Committee held a consensus conversation, and then submitted final scoring rubrics.

Ms. Tucker asked if the Review Committee had differing opinions on the scoring of the application. **Ms. Stovall** stated that it is common for there to be some difference between the scoring of the application, but that is where the capacity interview and the consensus conversation comes in to ensure everyone is on the same page.

Ms. Tucker asked if the school had identified a school leader. **Ms. Stovall** stated that the school had identified an executive director but not a school leader.

Ms. Sloyan asked if the Review Committee’s recommendation was unanimous, and **Ms. Stovall** confirmed that it was.

Chairman Rolston asked if the Shelby County Schools review committee was made up of all Shelby County Schools employees. **Ms. Stovall** stated that she thought there was one parent involved on the committee.

Ms. Sloyan asked for the organizational affiliations of the local district’s committee members to be included in all future recommendations.

Ms. Chancey asked if the applicant could reapply if denied, and **Ms. Stovall** confirmed that they could reapply for next year.

Mr. Johnson asked when the applicant could submit an application for next year, and **Ms. Stovall** replied that the applicant would have to submit their application by April 1st.

ACTION: **Mr. Edwards** moved approval. **Mr. Johnson** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Allison Chancey	X		
Mike Edwards	X		
Lillian Hartgrove	X		
Cato Johnson	X		
Carolyn Pearre	X		
Lonnie Roberts			X
Fielding Rolston	X		
Teresa Sloyan	X		
Wendy Tucker	X		

The motion passed unanimously.

B. Military Academy of Culture and Technology Charter School

Dr. Nixon presented the findings and recommendation report for the Military Academy of Culture and Technology. **Dr. Nixon** explained that it was rated by the Shelby County Schools charter review committee as “Does Not Meet” in all areas except the Financial Plan where it was rated as “Partially Meets”. Military Academy of Culture and Technology resubmitted their application to Shelby County Schools, and it was rated as “Meets or Exceeds” in all areas by the Shelby County Schools review committee with the exception of Operations Plan where it was rated “Partially Meets”. The Shelby County Board of Education voted to deny the amended application. Military Academy of Culture and Technology then appealed the decision to the State Board of Education.

Ms. Tucker asked if school’s plans not to provide transportation were discussed in the capacity interview. **Ms. Stovall** explained that the Review Committee did bring this issue up in the capacity interview, and the applicant planned to have students rely on Memphis public transportation.

Ms. Tucker stated that she felt like this school was the most unwelcoming of all of the applications to students with disabilities.

Chairman Rolston noted that all of the applications seem to be deficient in the area of special education.

ACTION: **Ms. Chancey** moved approval. **Mr. Johnson** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Allison Chancey	X		
Mike Edwards	X		
Lillian Hartgrove	X		
Cato Johnson	X		
Carolyn Pearre	X		
Lonnie Roberts			X
Fielding Rolston	X		
Teresa Sloyan	X		
Wendy Tucker	X		

The motion passed unanimously.

C. Scholastic Academy of Logistics and Transportation Charter School

Dr. Nixon presented the findings and recommendation report for the Scholastic Academy of Logistics and Transportation. **Dr. Nixon**

explained that it was rated by the Shelby County Schools charter review committee as “Does Not Meet” in all areas except the Financial Plan where it was rated as “Partially Meets”. Scholastic Academy of Logistics and Transportation resubmitted their application to Shelby County Schools, and it was rated as “Does Not Meet” in Academic Plan and Operations Plan and “Partially Meets” in Financial Plan and Additional Attachments by the Shelby County Schools review committee. The Shelby County Board of Education voted to deny the amended application. Scholastic Academy of Logistics and Technology then appealed the decision to the State Board of Education.

Ms. Tucker asked for a clarification around the Review Committee’s concern about the lack of operational experience on the governing board. She stated that she could not see a huge difference between this board and the other applicants’ boards. **Ms. Stovall** stated that the Committee saw engagement from the application’s sponsors but not from the actual governing board which is the entity that would receive the charter.

Ms. Tucker stated that she felt like the application could be successful in serving students with disabilities if they fix some deficiencies.

Ms. Chancey asked if the State Board of Education Review Committee was looking at the same data as the local district’s review committee because the ratings were different. **Ms. Stovall** stated that the State Board has adopted high quality authorizing standards through our association with the National Association of Charter School Authorizers.

Chairman Rolston stated that the Review Committee for the State Board of Education is more rigorous than the local district’s committee.

ACTION: **Mr. Edwards** moved approval. **Ms. Sloyan** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Allison Chancey	X		
Mike Edwards	X		
Lillian Hartgrove	X		
Cato Johnson	X		
Carolyn Pearre	X		
Lonnie Roberts			X
Fielding Rolston	X		
Teresa Sloyan	X		
Wendy Tucker	X		

The motion passed unanimously.

D. Cumberland Academy Charter School

Dr. Nixon presented the findings and recommendation report for Cumberland Academy. **Dr. Nixon** explained that it was rated by the Cheatham County Schools charter review committee as “Does Not Meet” in all areas except the Organizational Plan where it was rated as “Partially Meets”. Cumberland Academy resubmitted their application to Cheatham County Schools, and it was rated as “Partially Meets” in all area. The Cheatham County Board of Education voted to deny the amended application. Cumberland Academy then appealed the decision to the State Board of Education. **Dr. Nixon** stated that the applicant and Cheatham County Schools had differing views of the charter application as evidenced at the public hearing.

Ms. Tucker stated that she disagreed with the State Board of Education staff and Review Committee’s assessment of the special education program. She stated that she looked at two high quality charter schools’ applications, Nashville Prep and Liberty Collegiate Academy, as comparisons, and she found that this application’s plan met the standard of the rubric. She also noted that the plans for Nashville Prep and Liberty Collegiate were not as extensive as the plan in Cumberland Academy. **Ms. Stovall** stated that the Committee felt that capacity was an issue for the special education director because they would be handling both the special education responsibilities and the English Language Learner curriculum.

Ms. Tucker asked for clarification around the Committee’s concern with the application only offering Advanced Placement classes for the 12th grade year which was 8 years away. **Ms. Stovall** stated that this issue was discussed in the capacity interview with the applicant, and that the Review Committee felt that the applicant did not have a sufficient alternative in place for students who might not be ready to take Algebra I in 8th grade all the way up to Advanced Placement classes in 12th grade.

Ms. Tucker also asked for clarification around the Committee’s concern with the experience of the principal. She stated that the principal of Nashville Prep did not have leadership experience before taking on the role of principal. Additionally, the application contained a number of letters of support of the principal from prominent members of the education field. **Ms. Stovall** stated that the Committee found that the lack of managerial or administrative experience of the proposed school leader gave them concern on the implementation of the school plan on day one.

Chairman Rolston stated that he was more concerned with the application’s business plan. **Ms. Stovall** explained that the Review Committee was also concerned with the high fundraising goal of the application, but the capacity interview gave the committee additional information to be able to rate the section as “Meeting or Exceeds Standard”.

Vice Chair Pearre asked if Cheatham County had ever approved any charter schools. **Ms. Stovall** stated that they had not approved any schools before.

Vice Chair Pearre stated that she took comfort in the addition of the Review Committee’s evaluation of the application

Mr. Johnson asked for clarification on the main concerns of the Review Committee. **Ms. Stovall** stated that the main concerns were the special education plan, the curriculum progression through 12th grade, and the operations capacity of the leadership.

Ms. Chancey asked if the State Board of Education had to vote today on the recommendation. **Ms. Stovall** stated that the State Board has 60 days from the notice of appeal to vote on the appeal. That date would fall prior to the October 31st Board meeting.

Ms. Hartgrove asked what would change between this meeting and another meeting. She asked what the Board would be committing to do before another Board meeting to change their decision.

Ms. Sloyan asked if the Committee’s recommendation was unanimous, and **Ms. Stovall** confirmed that it was.

ACTION: **Vice Chair Pearre** moved approval. **Mr. Edwards** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Allison Chancey	X		
Mike Edwards	X		
Lillian Hartgrove	X		
Cato Johnson	X		
Carolyn Pearre	X		
Lonnie Roberts			X
Fielding Rolston	X		
Teresa Sloyan	X		
Wendy Tucker		X	

The motion passed by majority vote.

VI. Adjournment

Chairman Rolston then thanked the Board members for their thoughtful deliberations and announced that the Board will meet next on October 31, 2014.

Approved by: _____ Date: _____