

**U.S. Department of Education - EDCAPS
G5-Technical Review Form (New)**

Status: Submitted

Last Updated: 06/27/2016 05:07 PM

Technical Review Coversheet

Applicant: Tennessee Department of Education (U282A160021)

Reader #1: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
Educationally Disadvantaged Students		
1. Ed. Dis. Students	15	15
Vision for Growth and Accountability		
1. Growth and Accountability	10	10
Past Performance		
1. Past Performance	15	13
Project Design		
1. Project Design	20	17
Dissemination of Information and Best Practices		
1. Dissemination	10	8
Oversight of Authorized Public Chartering Agencies		
1. Oversight of Authorizers	25	22
Policy Context for Charter Schools		
1. Policy Context	5	3
Priority Questions		
Competitive Preference Priority		
High-Quality Authorizing and Monitoring Processes		
1. CPP 1a	5	5
2. CPP 1b	5	5
3. CPP 1c	5	3
Authorizer other than LEA or Appeals Process		
1. CPP 2	5	5
Total	120	106

Technical Review Form

Panel #11 - State Educational Agencies - 11: 84.282A

Reader #1: *****

Applicant: Tennessee Department of Education (U282A160021)

Questions

Selection Criteria - Educationally Disadvantaged Students

- 1. The Secretary considers the contribution that the charter schools grant program will make to assisting educationally disadvantaged and other students in meeting State academic content standards and State student academic achievement standards.**

Strengths:

The applicant clearly addresses the criterion. Specifically, the applicant provides a detailed description of the new statewide strategic plan which identifies five education priority areas including the All Means All priority which is focused on providing individualized support and opportunities for all students with a focus on those who are further behind (p. e29). The applicant also provides clear evidence that the amended charter law allows students in the largest districts to qualify to attend charter schools based on the low income status of the students' families (p. e 30). In addition, the TN charter school laws incentivize charter applicants that have a mission focused on educationally disadvantaged students by requiring authorizers to give preference to applications that seek to serve these students (p. e31). A review of the charter application provides further evidence that charter applicants must outline how the proposed academic plan will drive academic improvement for all students and help close achievement gaps as well as meet the needs of students with disabilities, and English Learners (p. e131). In addition, the Achievement School District (ASD) was created specifically to turnaround the state's priority schools by recruiting high performance charter management organizations (CMOs) to TN to operate within a portfolio model run by the district (p. 33). This is a strong indication of a commitment to serve educationally disadvantaged students. The applicant also indicates that conversion charter schools have supported educationally disadvantaged students as the state law provides districts with the authority to initiate the conversion of a traditional public school to a public charter school (p. e34). The applicant indicates that the subgrant competition will be structured to provide awards based on preference points, awarded to applicants that will serve educationally disadvantaged students and those focused on converting schools that are currently failing their students (p. e34).

Weaknesses:

No weaknesses were found for this criterion

Reader's Score: 15

Selection Criteria - Vision for Growth and Accountability

- 1. The Secretary determines the quality of the statewide vision, including the role of the SEA, for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary considers the following factors:**

- 1) The ambitiousness, quality of vision, and feasibility of the SEA's plan (including key actions) to support the creation of high-quality charter schools during the project period, including a reasonable estimate of the number of high-quality charter schools in the State at both the beginning and the end of the project period; and**

- 2) The ambitiousness, quality of vision, and feasibility of the SEA's plan (including key actions) to support the closure of academically poor-performing charter schools in the State (i.e., through revocation, non-renewal, or voluntary termination of a charter) during the project period.**

Strengths:

The applicant demonstrates a clear understanding of the criterion. The applicant identified three strong and appropriate objectives to support the overall goals of the charter school program – (1) increase the number of high-quality charter schools, (2) decrease the number of academically poor performing charter schools and (3) support improvement in all schools with an emphasis on educationally disadvantaged students (p. e35). The applicant provided a detailed logic model that includes the inputs, activities, output, short- medium- and long- term outcomes, performance measures and goals for each objective (p.35). A review of the logic model indicates that the applicant has created an ambitious, high-quality and feasible plan. The detailed application indicates that the grant program will provide startup funds to at least five charter schools annually (p. e38). The applicant indicates that the CSP funds will be used for charter school outreach and training in partnership with the TN Charter School Center (TCSC) to improve recruitment efforts to attract high-quality CMOs and charter operators with a track record of success to encourage replication through the use of CSP funds (p. e38). The applicant also identified appropriate TCSC offers of training, resources and fee-based consulting services (p. e38). The application also describes a promising program to support approved charter schools through the TCSC Launch School program - a year-long pre-opening incubation program designed to reinforce the knowledge and skills of schools with learning modules consistent of operational, financial and governance trainings to help new school leaders and governing boards (p. e38). The applicant provided a detailed enhanced grant application and scoring rubric will be created to evaluate planning and implementation grant applications (p. e39). The applicant also indicates a sufficient plan to monitor post-award practices including regular desk monitoring and at least one on-site visit conducted by department staff during each year of the grant award (p. e39).

The application describes a well-established automatic closure law which requires the closure of charter schools identified as priority schools according to the state's accountability system (p. e39-40). In addition, the application indicates an appropriate process that authorizers may use to close schools through regular oversight, renewal and revocation procedures, and the department will also be used to support authorizers' decisions to close academically poor-performing charter schools (p. e40). The applicant also indicates a strong state law that requires specific closure procedures be in place (p. e40). The applicant provides a detailed description of the closure process. Specifically, the department requires authorizers to assemble a transition team that will oversee the plan implementation transfer of funds and communication with families, school staff and other stakeholders (p. e41).

Weaknesses:

No weaknesses were found for this criterion.

Reader's Score: 10

Selection Criteria - Past Performance

1. The Secretary considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, the Secretary considers the following factors:

1) The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools (as defined in this notice) in the State; and

2) The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing charter schools (as defined in this notice) in the State.

Strengths:

The applicant demonstrates a clear understanding of the criterion. The applicant demonstrates an increase in the number and percentage of high-quality charter schools in the state over the past five years with a review of the following data points including the extent to which educationally disadvantaged students scores above the state average in specified subgroups in reading and math; the extent to which 'all students' proficient/advanced percentages were higher than the

local district and the schools TVAAS (value added) composite score of 4 or; gap size and the extent to which the school demonstrated gap closure and AYP status or reward/priority status and other areas of increased achievement and attainment including graduation and dropout rates; ACT composites; attendance rates; and college going rates (p. e 41-42). Though the applicant indicates that there was a slight drop in 2012-2013 due to the student performance data for the first cohort of charter schools authorized by the ASD, the remaining performance is consistently increasing (p. e42). The applicant indicates that 26 charter schools were determined to be of high quality based on the definition in the federal register (p. e42). The applicant provides compelling evidence that TN charter schools are among the highest performing public schools in the state in both academic achievement and growth measures (p. e43). The applicant also references a valid and reliable study by the CREDO study at Stanford University which concluded that TN was one of the top states in the nation for charter school reading and math gains in 2013 (p.e43). The study also clearly demonstrates that over the course of a year that TN charter school students, in comparison to traditional public school peers, gained the equivalent of 86 additional days of learning in reading and 72 additional days of learning in math (p. e43). The applicant also demonstrates that there has been an increase in the number of charter schools identified as Reward Schools in the state from 7 to 13 charter schools (p. e44).

The applicant demonstrates a significant decrease in the number and percentage of academically poor-performing charter schools. The applicant indicates that in 2010-11 26% of charter schools were rated as poor performing while in 2014-15 7% of charter schools were rated as poor performing (p. e44). The applicant indicates that with the exception of a slight increase in 2012-13 (due to the ASD authorized charter schools which are turnaround schools), the percentage of academically poor-performing charter schools decreased over five years (p. e45). The applicant provides compelling evidence of their capacity to close poor-performing schools. Specifically, of the four charter schools designated priority schools in 2015, three were recommended for closure by the authorizer while the other was exited out of priority status (p. e45).

Weaknesses:

The applicant fails to demonstrate a consistent annual increase in high quality charter schools. Specifically, the number of high quality charter schools decreased in 2012-2013 (p. e41).

Reader's Score: 13

Selection Criteria - Project Design

The Secretary considers the quality of the design of the SEA's charter school subgrant program, including the extent to which the project design furthers the SEA's overall strategy for increasing the number of high-quality charter schools in the State and improving student academic achievement. In determining the quality of the project design, the Secretary considers the following factors:

Reader's Score: 17

Sub Question

- 1. 1) The quality of the SEA's process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including --**
 - i. The subgrant application and peer review process, timelines for these processes, and how the SEA intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and**
 - ii. A reasonable year-by-year estimate, with supporting evidence, of**
 - a) the number of subgrants the SEA expects to award during the project period and the**

Sub Question

average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and

b) if the SEA has previously received a CSP grant, the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool.

Strengths:

The applicant demonstrates a clear understanding of the criterion. The applicant sufficiently describes how the department will provide extensive public notice of the subgrant competition through the department and TACSA websites, emails to new and existing charter school operators, and notices to the TCSC, district charter offices, and CMOs (p. e46). The applicant provides three detailed application components for the subgrant application; application narrative, budget and timeline (p. e46). The applicant indicates that the application narrative will provide adequate subgrant requirements for applicants to provide a school overview, address continued operations and plan for meeting project objectives and performance measures while the proposed use of grant funds must align to the mission, vision and philosophy of the school (p. e46). The applicant also indicates that the detailed application will include competitive priorities with preference points awarded to applicants who demonstrate a clear plan for the following: (1) improving learning for educationally disadvantaged students; (2) closing achievement gaps, (3) replication of high-quality schools, (4) conversion of the state's lowest performing schools and (5) demonstration of a proven track record of student academic success (p. e47). The applicant will also identify a quality peer reviewer process with relevant expertise as well as department and LEA staff review (p. e47). The applicant indicates that an appropriate peer reviewer training will be provided onsite and remotely which will include the completion of practice scoring templates and post scoring discussion to ensure understanding of inter-rater reliability (p. e47). The applicant indicates that a score of 80% must be obtained to secure a CSP subgrant award (p. e48). The applicant provides a detailed timeline with identified activities. The applicant noted that dissemination grant applications require success with educationally disadvantaged students and closing achievement gaps as absolute priorities (p. e48). The applicant also indicates a clear process for dissemination grants that will be awarded to charter schools that have been in operation for at least three consecutive years, have demonstrated success in improving student academic achievement and have demonstrated strong operational and financial capacity (p. e49).

Weaknesses:

Though the applicant provides the number of subgrantees, there is a lack of consistency in these numbers. Specifically, in page e37, the applicant states that 15 more high-quality charter schools will be created through the grant period while the table on page e49 states the number of grants at 10 annually. In addition, the amount of funds is inconsistent. Specifically, the applicant states that the grant funds will be awarded in differentiated amounts commensurate with the applicant's overall score (p. e33) while page e49 states that "the department and the TCSC have determined that approximately \$600,000 is needed in funding by startup schools during the planning and first two years of operations.

Though the applicant provided the cut score (80%) to be an eligible subgrantee, the applicant did not address how this percentage related to the overall quality of the applicant pool. In addition, a cut score of 80% is rather low when considering the creation and replication of quality charter schools (p. e48).

Reader's Score: 7

2. 2) The process for monitoring CSP subgrantees.

Strengths:

The applicant clearly addresses the criterion. The applicant provides a detailed description of how that 10 planning implementation subgrants will be awarded annually, two of which the department anticipates will be replication of high-quality charter schools (p. e49). The applicant also proposes to award at least two dissemination grants

Sub Question

annually during the grant period (p. e49). The applicant indicates that the department and the TCSC have determined that approximately \$600,000 is needed in funding by startup schools during the planning and first two years of operation to support administrative staff and teachers, facilities, technology infrastructure, equipment and textbooks (p. e49). The applicant indicates that two dissemination grants of \$100,000 each will be awarded annually to impact educationally disadvantaged and other students in meeting state academic content and achievement standards and/or to promote best practices in student discipline and school climate (p. e50). The department will monitor CSP subgrantees on a regular basis and will also provide post-award training on federal regulations, uniform guidance, allowable costs, cash management and asset tagging (p. e50). In addition, grantees will be monitored during each year of the grant utilizing both desk monitoring and onsite school monitoring (p. e50). The applicant indicates that onsite monitoring of subgrantees will occur at least once per year including a self-assessment of organizational compliance (p. e51). The applicant sufficiently describes how the department will use a new grant management software that includes an interactive interface to input yearly budgets, submit requests for initial disbursements, submit reimbursement invoices and make budget amendments (p. e51). The applicant also indicates that the department will create publically available annual reports of all charter schools receiving funds to analyze the extent to which grant objectives are being met and to identify effective uses of funds and correlations to student achievement (p. e52).

Weaknesses:

No weaknesses were found for this criterion

Reader's Score: 10

Selection Criteria - Dissemination of Information and Best Practices

- 1. The Secretary considers the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools to each LEA in the State as well as to charter schools, other public schools, and charter school developers (20 U.S.C. 7221b(b)(2)(C) and 7221(c)(f)(6)). If an SEA proposes to use a portion of its grant funds for dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221c(f)(6)(B)), the SEA should incorporate these subgrants into the overall plan for dissemination. In determining the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools, the Secretary considers the following factors:**

Reader's Score: 8

Sub Question

- 1. 1) The extent to which the SEA will serve as a leader in the State for identifying and disseminating information and research (which may include, but is not limited to, providing technical assistance) about best or promising practices in successful charter schools, including how the SEA will use measures of efficacy and data in identifying such practices and assessing the impact of its dissemination activities.**

Strengths:

The applicant sufficiently addresses the criterion. The TN charter law clearly describes how the department of education, in collaboration and cooperation with charter schools, will identify charter schools with the most promising practices and implement a system for dissemination of such practices (p. e52). During the previous CSP grant, the department commissioned two detailed reports on best practices within charters schools – (1) focused on high-performing charter schools and traditional public schools and surveyed the school leadership to determine common themes on the conditions and practices necessary to see high student achievement and (2) focused on the best practices in how previous subgrantees used funding from the CSP grant (p. e52). This clearly demonstrates the departments' capacity to identify promising practices.

Sub Question

In addition, the applicant has identified four appropriate dissemination strategies: (1) formation of the TN Charter School Task Force, (2) commissioning a report on best practices of high-quality charter schools, (3) facilitation of local school district and charter school collaboration session and (4) the granting of CSP dissemination subgrants (p. e53). The task force will meet annually to discuss research related to challenging areas of school operation and will publish an annual report with the findings (p. e53). The department will also work closely with the TCSC and the TN Association of Charter School Authorizers (TACSA) to facilitate district-charter collaboration sessions (p. e53). In addition, the applicant indicates that the department's Center of Regional Excellence (CORE) offices will serve as a repository of best practices amongst charter schools in their regions and help disseminate the best practices statewide (p. e54). The applicant provided a sufficient plan to measure the success of the dissemination practices. Specifically, the department will measure and review the frequency of access to the department's webpages and opened email rates in addition to qualitative information obtained through the CORE offices (p. e55).

Weaknesses:

Though the applicant addresses the identification of state specific best practices, the applicant fails to address how best practices outside the state will be identified or incorporated.

Reader's Score: 6

2. 2) The quality of the SEA's plan for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate.**Strengths:**

The applicant adequately addresses the criterion. Specifically, the applicant indicates that the department will partner with NACSA to increase the reliability, transparency and availability of data related to student discipline in charters (p. e55). The department will also partner with NACSA to build the capacity of authorizers in TN to monitor and evaluate charter school discipline policies and practices appropriately and effectively (p. e 56). In addition, the applicant will publish resources and conduct in person and virtual dissemination workshops with authorizers and charter schools across the state (p. e56). The department has also been awarded a discretionary grant from the US DOE to support district and school measurement of, and targeted programmatic interventions to improve, conditions for learning (p. e56). The discretionary grant has been used to develop a survey to determine conditions for learning with a goal to connect academic data to the conditions for learning data (p. e56). The TN School Climate Survey results will appropriately be used to identify charter schools with the best conditions for learning aligned with high achievement data (p. e56). The department will work with the identified charter schools to assess best practices and encourage these schools to apply for dissemination grants (p. e57).

Weaknesses:

Though the applicant adequately addresses how authorizers will be engaged and supported, the applicant does not address how charter schools, other public schools and the charter school developers will be engaged on an on-going basis to ensure the information and research is implemented.

Reader's Score: 2

Selection Criteria - Oversight of Authorized Public Chartering Agencies

Sub Question

1. **1) The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are ?**

a. Approving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law;

b. Establishing measurable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of high-quality charter school as defined in this notice;

c. Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school's charter or performance contract; and

d. Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts.

Strengths:

The applicant clearly addresses the criterion. The applicant indicates that the state's charter law maintains statutory provisions to help foster racially and ethnically diverse student bodies in public charter schools (p. e57). The applicant outlines three critical provisions in its charter law to help encourage racial and ethnic diversity in charter schools: (1) open enrollment, (2) transportation services and (3) state standard charter school application (p. e58). The application also requires signed assurances that the school will follow all federal and state laws and constitutional provisions prohibiting discrimination as evidence (p. e59). The application indicates that subgrant applicants must explain how the school climate will embrace students with special needs (p. e59). Additionally, subgrant applicants must attach their school enrollment policy (p. e59).

The applicant indicates that each authorizer in TN has an established set of processes for measuring and reporting the performance of its portfolio of charter schools including the performance frameworks. The performance framework clearly describes how to evaluate school performance, detailed charter school report cards and published annual reports (p. e60-61). The applicant indicates that the department will use NACSA's Principles and Standards as a guide to recognize and share best practices (p. e61).

The department plans to extend the scope of its work with NACSA to develop state specific model performance frameworks with CSP grant funds (p. e61). The funding will be used to create model performance framework, model annual authorizer report, model ready to open checklist and process, model site visiting monitoring tools and training on maintaining the autonomy and accountability bargain (p. e62). The applicant also contracted with NACSA to train SBE staff and board members (p. e62).

The department provided a detailed annual report on charter schools which provides cumulative statewide charter school results in addition to authorizer and individual charter school data (p. e62 and p. e66). In addition, the TCSC sufficiently publishes its annual State of the Sector report to offer a progress report on the statewide charter school movement including enrollment, demographic, achievement, and growth data for each authorizer/portfolio (p. e63). The applicant will use CSP funds to develop a common annual authorizer reporting template (p. e63).

The applicant indicates that the department will use TACSA Principles and Standards for Quality Authorizing to provide guidance to authorizer on upholding autonomy (p. 63). In addition, TN statute requires a charter school contract with clear objectives for student performance, and charter school progress reporting (p. e 64). With the support of the TACSA, the department will develop and provide training for the staff of authorizing districts on the

Sub Question

key challenges to maintaining autonomy, strategies for holding schools accountability that do not overstep the bounds of autonomy and methods to maintain high expectations for charter school achievement (p. e64).

Weaknesses:

Though the applicant clearly addresses the measureable academic performance expectations for charter schools, the applicant does not address how alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten will be addressed differently. In addition, the applicant does not address how they will measure the operational performance expectations.

Reader's Score: 18

2. **2) The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are --**

a. Seeking and approving charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools;

b. Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the terms of their charter or performance contracts and complying with applicable State and Federal laws;

c. Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by academically poor-performing charter schools;

d. Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.

Strengths:

The applicant clearly addresses the criterion. The applicant indicates that the department will use a detailed set of multiple approaches to ensure approval of high-quality operators including streamlining application process for existing high-quality school operators in TN and adding an appeals process through the SBE (p. e65).

The department has developed state guidance for periodic reviews and mandatory annual reports (p. e66). The annual reports must include financial and operational performance data and the process of a school towards achieving the academic goals outlined in its charter (p. e66). The TN law requires a five year review and the submission of an annual report (p. e67).

The TN law establishes a framework for an in depth and consistent flow of data to help authorizers make key renewal and revocation decisions (p. e67). The renewal application criteria specifies that the renewal application include student academic performance and progress towards closing the achievement gap over the entire life of the charter (p. e68).

The applicant indicates that charter schools are included in the state's accountability system and are measured in the same way as all other public schools (p. e69). The applicant indicates that any measure or metrics change based on new standards or accountability systems will require charter schools adaption in accordance with state statute (p. e69).

Sub Question

Weaknesses:

Though the applicant addresses the approval process for experienced developers, the applicant does not address how the SEA will seek charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools.

Reader's Score: 4

Selection Criteria - Policy Context for Charter Schools

1. The Secretary considers the policy context for charter schools under the proposed project. In determining the policy context for charter schools under the proposed project, the Secretary considers the following factors:

1) The degree of flexibility afforded to charter schools under the State's charter school law, including:

i. The extent to which charter schools in the State are exempt from State or local rules that inhibit the flexible operation and management of public schools; and

ii. The extent to which charter schools in the State have a high degree of autonomy, including autonomy over the charter school's budget, expenditures, staffing, procurement, and curriculum; and

2) The quality of the SEA's plan to ensure that charter schools that are considered to be LEA's under State law and LEA's in which charter schools are located will comply with sections 613(a)(5) and 613(e)(1)(B) of IDEA (20 U.S.C. 1400, et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

Strengths:

The applicant sufficiently addressed the criterion. The applicant indicates that the state charter law provides a explicit latitude to charter schools through a waiver process for any state board rule or statute that inhibits or hinders the proposed charter school's ability to meet its goals or comply with its mission statement (p. e70). In addition, waivers are granted to charter schools on a case by case basis by either the authorizer or the commissioner of education (p. e70).

The applicant indicates that state charter law empowers governing body of a charter school with decisions including budgeting, curriculum and other operating procedures (p. e71).

The applicant indicates that all charter applicants include a signed assurance that ensure fidelity to federal laws (p. e72). Adherence by LEAs to laws are monitored through verification of data sources and annual monitoring visits (p. e. 72).

Weaknesses:

The application does not explicitly state that there is equitable state and local funding for charter schools. Failure to provide equitable funding does inhibit the academic and operational performance of the school. It is not clear from the application if charter schools receive equitable funding. Though the applicant clearly addresses state laws, the applicant does not address local laws.

The applicant fails to specifically address the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.) and title IX of the Education Amendments of 1972.

Reader's Score: 3

Priority Questions

Competitive Preference Priority - High-Quality Authorizing and Monitoring Processes

1. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

a) Authorizing processes that establish clear criteria for evaluating charter applications and include a multi-tiered clearance or review of a charter school, including a final review immediately before the school opens for its first operational year.

Strengths:

The applicant demonstrates a clear understanding for the evaluation of charter applications. State law requires the Tennessee Department of Education (TNDOE) provide a standard application format and sample scoring criteria addressing the elements of the charter school application (p. e153). A review of the Tennessee Application for a Public Charter School indicates that the applicant has addressed the critical components of a high quality charter school including the academics, operations, finance, and past performance (p. e123-151). The applicant also included the Tennessee Charter School Application Evaluation Rating and Sample Scoring Criteria which outlines specific criteria defining the expectations for a well thought out response: "Meeting the Standard (p. e153-182). In addition to the required state application materials, authorizers may create supplemental elements of an application which require proposed charters to clarify critical information specific to the LEA (p. e23). LEAs also have developed request for proposals that act as a targeted call for specific types of operators (p. e23). For example, the applicant included the criteria for the Achievement School District (ASD) which provides detailed RFPs based on specific community and neighborhood needs and an experienced understanding of what school operators need to do to succeed in school turnaround (p. e23). To assist authorizers, the Tennessee Charter School Center (TCSC) has conducted an in-depth seat analysis for the past three years in partnership with the MNPS Charter School Authorizer which provides geographic distribution of quality seats within a school district (p. e23). The applicant indicates that recommendations for approval or denial are based on the written application, independent due diligence including review by exerts both internal and external to the LEA and applicant interviews (p. e24). Any denial of a charter school application must be stated in writing and must specify the objective reasons for denial (p. e24). The applicant indicates that if a charter school application is denied, the charter applicant has 30 days to submit an amended application for reconsideration (p. e24). Each member of the State Board of Education has been trained by the National Association of Charter School Authorizers (NACSA) and statute requires the board to follow NACSA standards in authorizing (p. e24). Authorizers provide ongoing monitoring and support of new charter applicants post-approval through a multi-tiered approach (p. e25). In addition, authorizers have a pre-opening checklist, ongoing formal review and an onsite visit as a final review immediately before the school opens for its first operational year (p. e25).

Weaknesses:

No weaknesses were found for this criterion.

Reader's Score: 5

2. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

b) Authorizing processes that include differentiated review of charter petitions to assess whether, and the extent to which, the charter school developer has been successful (as determined by the authorized public chartering agency) in establishing and operating one or more high-quality charter schools.

Strengths:

The applicant demonstrates a clear understanding for the evaluation of charter applications. The applicants indicates that the department has worked to allow authorizers to conduct differentiated reviews of charter petitions if the applicant is (1) a startup charter school, (2) an existing TN operator proposing to replicate or (3) an existing charter school operator that is

not yet established in TN (p. e25). The applicant provides a replication application and requires replicators to have provide two years of student performance data from state assessments (p. e25). The applicant also provided the TN Charter Renewal application which includes an academic performance, operations and governance, budget and finance, parent and community involvement and evaluation criteria (p. e178-184).

Weaknesses:

No weaknesses were found for this criterion.

Reader's Score: 5

3. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

c) Clear and specific standards and formalized processes that measure and benchmark the performance of the authorized public chartering agency or agencies, including the performance of its portfolio of charter schools, and provide for the annual dissemination of information on such performance.

Strengths:

The applicant demonstrates an adequate understanding of the standards and formalized processes that measure and benchmark performance of the authorized public chartering agency. The applicant indicates that each authorizer in TN has established a set of processes for measuring and reporting the performance of its portfolio of charter schools, including performance frameworks it uses to evaluate school performance, detailed charter school report cards, and published annual reports (p. e26-27). A review of the MNPS Office of Charter Schools 2015 Annual Report confirms that it includes student performance data on the TN Comprehensive Assessment Program along with enrollment data, demographic data, and report cards for each charter school in their portfolio (p. e197-226).

Weaknesses:

Although the applicant indicates that each authorizer in TN has established a set of processes for measuring and reporting the performance of its portfolio of charter schools, there is no statewide authorizer performance framework. The applicant also indicates that there is no requirement for all authorizers in the state to report on charter school accountability annually (p. e27).

Reader's Score: 3

Competitive Preference Priority - Authorizer other than LEA or Appeals Process

1. To meet this priority, the applicant must demonstrate that the State--

a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

b) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

Strengths:

The applicant demonstrates a clear understanding of the criterion. In addition to LEAs, TN provides two authorizers that are not local LEAs – the Achievement School District (ASD) and the State Board of Education (SBE). The ASD was created specifically to significantly improve student achievement in schools in the bottom five percent in overall performance and the SBE was expanded to allow it to serve as an authorizer in cases where the board rules in favor of a charter school applicant's appeal (p. e28).

Weaknesses:

No weaknesses were found for this criterion.

Reader's Score: 5

Status: Submitted

Last Updated: 06/27/2016 05:07 PM

Status: Submitted

Last Updated: 06/27/2016 05:07 PM

Technical Review Coversheet

Applicant: Tennessee Department of Education (U282A160021)

Reader #2: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
Educationally Disadvantaged Students		
1. Ed. Dis. Students	15	15
Vision for Growth and Accountability		
1. Growth and Accountability	10	10
Past Performance		
1. Past Performance	15	14
Project Design		
1. Project Design	20	17
Dissemination of Information and Best Practices		
1. Dissemination	10	8
Oversight of Authorized Public Chartering Agencies		
1. Oversight of Authorizers	25	23
Policy Context for Charter Schools		
1. Policy Context	5	4
Priority Questions		
Competitive Preference Priority		
High-Quality Authorizing and Monitoring Processes		
1. CPP 1a	5	5
2. CPP 1b	5	5
3. CPP 1c	5	3
Authorizer other than LEA or Appeals Process		
1. CPP 2	5	5
Total	120	109

Technical Review Form

Panel #11 - State Educational Agencies - 11: 84.282A

Reader #2: *****

Applicant: Tennessee Department of Education (U282A160021)

Questions

Selection Criteria - Educationally Disadvantaged Students

- 1. The Secretary considers the contribution that the charter schools grant program will make to assisting educationally disadvantaged and other students in meeting State academic content standards and State student academic achievement standards.**

Strengths:

The applicant will serve educationally disadvantaged students in a number of ways. Currently, charter schools serve an average of 10% more educationally disadvantaged students than district schools. The ASD recruits high-performing charter management organizations to convert the lowest performing schools statewide. The pressure created by this process has forced school districts to place a priority on improving low-performing schools (p.18).

The application process for the sub-grants will place a priority on schools serving educationally disadvantaged students through preference points for both conversion schools and new schools (p.19).

The rigorous application process with a focus on academic performance and the number of schools serving economically disadvantaged students that have reached Reward School status presents convincing evidence that the applicant will reward sub-grants in a manner that will make progress in assisting educationally disadvantaged and other students in meeting state academic content standards and state student academic achievement standards.

Weaknesses:

No weaknesses noted.

Reader's Score: 15

Selection Criteria - Vision for Growth and Accountability

- 1. The Secretary determines the quality of the statewide vision, including the role of the SEA, for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary considers the following factors:**

1) The ambitiousness, quality of vision, and feasibility of the SEA's plan (including key actions) to support the creation of high-quality charter schools during the project period, including a reasonable estimate of the number of high-quality charter schools in the State at both the beginning and the end of the project period; and

2) The ambitiousness, quality of vision, and feasibility of the SEA's plan (including key actions) to support the closure of academically poor-performing charter schools in the State (i.e., through revocation, non-renewal, or voluntary termination of a charter) during the project period.

Strengths:

The applicant articulated a statewide vision of success for all students upon graduating from high school and documented how high-quality charter schools play an integral role in recognizing this vision with three objectives and a logic model with a clear strategy to increase charter quality (p.20).

The applicant proposes to increase the number of high-quality charter schools by five each year of the grant program with a statewide goal of 41 high quality charter schools by the end of the grant period. Schools will be created through new start up, conversion, and replication of successful models. This plan is ambitious, sound, and feasible based on the level of detail in the plan, supporting documents, and state history with charter school development (p. 22).

A plan is in place to recruit high-quality charter operators and to encourage replication. TCSC will partner to provide training, resources, and consulting to support a launch program that will support schools using a pre-opening incubation program to support leaders prepared to open charter schools (p.22-23).

Factor 2

Tennessee has an automatic closure law in place and through this grant will strengthen charter school accountability (p. 24). Priority designated charter schools will be closed the year after they are identified.

Tennessee will partner with NACSA to develop a specific framework for authorizers to support stronger practices and to strengthen how they how they identify and support poor-performing schools (p.25).

The applicant has an ambitious goal of closing all academically poor-performing charter schools and a feasible process planned that is supported by legislation. The process includes a team approach to execute the closure process, notifications to students with schools identified for transition, and sound plans for transfer of records and assets (p.24).

Weaknesses:

No weaknesses noted.

Reader's Score: 10

Selection Criteria - Past Performance

- 1. The Secretary considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, the Secretary considers the following factors:**
 - 1) The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools (as defined in this notice) in the State; and**
 - 2) The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing charter schools (as defined in this notice) in the State.**

Strengths:

Factor 1

The applicant's definition of a high-quality school is clearly defined to demonstrate the high expectations of the SEA (p. 26).

Each year for the past five years, the number and percent of high-quality charter schools in Tennessee has increased. The number and percent of high-quality charter schools has significantly increased in the past five years demonstrating a commitment to high-quality schools for educationally disadvantaged students. The schools were designated as high-quality based on academic data points that included the extent to which educationally disadvantaged student scores exceeded state average scores in math and reading (p.26).

Factor 2

The number of poor-performing schools has decreased from 7 to 4 schools and the percent has declined significantly over the past five years. The process to identify poor-performing schools was defined and the criteria to document failure to demonstrate academic growth were detailed (p.29).

The slight increase in the percent and number of poor-performing charter schools in the 2012-2013 school year was reasonable considering the opening of the ASD and the subsequent successful turnaround of these schools (p.30).

The most recent priority list for closing schools was approved in August 2014. One of the schools demonstrated significant progress and three were closed. At this time, Tennessee has no academically poor-performing charter schools based on the federal definition. The effort to eliminate all academically poor-performing charter schools demonstrates a focused commitment over the past five years to strengthen charter school authorizer accountability (p. 31).

Weaknesses:

Factor 1

The applicant did not document a demonstrated increase in the percent of high-quality charter schools consistently over the past five years. A slight decrease in the percent of high-quality schools took place in the 2012-2013 school year.

Factor 2

The applicant did not document a demonstrated decrease in the number of poor-performing charter schools consistently. The number of poor-performing charter schools increased in the 2012-2013 school year and did not decrease until the 2014-2015 school year (p.29).

Reader's Score: 14

Selection Criteria - Project Design

The Secretary considers the quality of the design of the SEA's charter school subgrant program, including the extent to which the project design furthers the SEA's overall strategy for increasing the number of high-quality charter schools in the State and improving student academic achievement. In determining the quality of the project design, the Secretary considers the following factors:

Sub Question

1. 1) **The quality of the SEA's process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including --**

i. The subgrant application and peer review process, timelines for these processes, and how the SEA intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and

ii. A reasonable year-by-year estimate, with supporting evidence, of

a) the number of subgrants the SEA expects to award during the project period and the average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and

b) if the SEA has previously received a CSP grant, the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool.

Strengths:

The applicant provides a comprehensive description of how their process to award sub-grants will further their strategy to increase the number of high-quality charter schools serving the needs of educationally disadvantaged students to improve academic achievement (p. 31).

The application and peer review process described by the SEA presents a thorough plan to demonstrate how sub-grants will be awarded only to eligible applicants. Extensive evidence is offered to confirm that only applicants receiving a score of at least 80% awarded by qualified and trained peer reviewers will be awarded sub-grants. Preference points will target schools with clear plans to assist in the state vision of increasing the number of high-quality charter schools for disadvantaged students (p.31-33).

A reasonable year-by-year estimate of the number of sub-grants that the applicant expects to award during the project period and the average size of the award were detailed. A comprehensive chart on page 34 documents the year-by-year estimate. The estimates were developed based on evidence and explanation of previous grant cycles rather than assumptions (p.34) making them reliable and justified.

The applicant justified the high quality of the grant pool. Eighty-four percent of the applicants from the previous CSP grant received awards and in previous sections of the grant, the applicant indicted increases in the number of high-quality charter schools and the elimination of all poor-quality charter schools. The process has been further improved to target applicants with the capacity for high-quality schools offering strong confidence that sub-grants will increase the number of high-quality schools designed to meet the needs of educationally disadvantaged students (p.35).

The dissemination grant process is thorough and includes dissemination of innovative practices to both charter schools and traditional LEA that will be identified as potentially benefiting from promising practices. The state has demonstrated dissemination of best practices through a previous CSP grant and extensive data and partnerships are identified to guide the capacity to award and monitor the sub-grants in a manner that will disseminate the information and research about best and promising practices appropriate for the needs of the schools and students (p. 38-40).

The SEA provides a reasonable estimate of the number and average size of dissemination sub-grants on page 34 that was developed based on data from a previous CPS competition rather than assumptions.

Sub Question

Weaknesses:

Eighty-four percent of the applicants from the previous CSP grant received awards, however the degree to which these charters achieved high-performing status is unclear.

The Department will award sub-grants to applicants whose applications achieve a score of at least 80%. This does not appear to be an ambitious cut score that demonstrates confidence that all sub grants will be awarded to only operators with the potential to open or replicate high-quality charter schools.

Reader's Score: 7

2. 2) The process for monitoring CSP subgrantees.

Strengths:

The applicant described a comprehensive and multi-level monitoring process. The process is strong and contains the detail to determine a sound and complete process is in place to monitor subgrants.

The applicant will offer post award monitoring guidance and training as well as several types of monitoring including on-site monitoring and desk level review of documents to determine the schools financial health and progress toward student achievement as part of the comprehensive monitoring plan (p. 35-36). Annual reports of all schools receiving sub-grants will be made publically available. (p.37).

The applicant described a comprehensive and multi-level monitoring process. The process is strong and contains the detail to determine a sound and complete process is in place to monitor subgrants.

The applicant will offer post award monitoring guidance and training as well as several types of monitoring including on-site monitoring and desk level review of documents to determine the schools' financial health and progress toward student achievement as part of the comprehensive monitoring plan (p. 35-36). Annual reports of all schools receiving sub-grants will be made publicly available. (p.37).

Weaknesses:

No weaknesses noted.

Reader's Score: 10

Selection Criteria - Dissemination of Information and Best Practices

- 1. The Secretary considers the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools to each LEA in the State as well as to charter schools, other public schools, and charter school developers (20 U.S.C. 7221b(b)(2)(C) and 7221(c)(f)(6)). If an SEA proposes to use a portion of its grant funds for dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221c(f)(6)(B)), the SEA should incorporate these subgrants into the overall plan for dissemination. In determining the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools, the Secretary considers the following factors:**

Reader's Score: 8

Sub Question

- 1. 1) The extent to which the SEA will serve as a leader in the State for identifying and disseminating**

Sub Question

information and research (which may include, but is not limited to, providing technical assistance) about best or promising practices in successful charter schools, including how the SEA will use measures of efficacy and data in identifying such practices and assessing the impact of its dissemination activities.

Strengths:

The applicant provides a clear plan to continue to serve as a leader in identifying and disseminating information about best or promising practices with charter schools. The comprehensive plan will build off practices from the previous CSP Grant and include four approaches to sharing practices that include the development of Tennessee Charter School Task Force, a report on best practices of high quality charter schools, district and charter school collaboration sessions to share best practices, and the granting of CSP dissemination grants to high quality charter schools who have demonstrated best practices.

The department will assess the impact of dissemination activities using a sound plan through a variety of methods including frequency of access data and qualitative analysis of information shared by CORE offices and post session surveys to participants who have participated in collaborative activities (p.40). Dissemination grantees will also be required to provide impact reports of their dissemination activities as part of the applicant's comprehensive plan (p. 40).

Two previous reports were developed to determine best practices.

Weaknesses:

The applicant failed to provide a clear plan to use measures of efficacy and data to identify best practices. The criteria to determine a best practice were unclear although the department will work with authorizers to establish Bi-Annual collaboration sessions where the department will assemble data-informed best practices (p.39).

Reader's Score: 6

2. 2) The quality of the SEA's plan for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate.

Strengths:

The extent to which the applicant will disseminate information and research on best or promising practices in charter schools related to student discipline and school climate is demonstrated through 1) a plan to increase transparency and access to data, 2) meetings with stake-holder working groups to collect feedback and communicate priorities for best practices in student discipline, 3) a partnership with NACSA to build the capacity of authorizers in Tennessee to monitor and evaluate charter school discipline policies and practices, and 4) student discipline and climate data included as a competitive priorities in awarding disseminating grants.

Weaknesses:

It is unclear how the dissemination activities will reach school leaders and governing boards in each LEA in the State as well as to charter schools, other public schools, and charter school developers.

Reader's Score: 2

Selection Criteria - Oversight of Authorized Public Chartering Agencies

Reader's Score: 23

Sub Question

1. 1) The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are ?

a. Approving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law;

b. Establishing measurable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of high-quality charter school as defined in this notice;

c. Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school's charter or performance contract; and

d. Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts.

Strengths:

The applicant describes the key provisions of the charter law in Tennessee that support design elements that incorporate evidence based models and practices that encourage racial and ethnic diversity. In addition, the applicant describes additional steps that the department has taken to incorporate evidence-based models and practices to recruit, enroll, and serve students including racially and ethnically diverse and disadvantaged students. This comprehensive plan includes requirements that authorizers require charter schools to articulate diversity during the charter process and explain how the school culture will embrace various populations of educationally disadvantaged students (p. 43-44).

The SEA provides strong evidence of a plan to ensure authorizers are establishing operational and academic performance expectations consistent with the definition through the TASCAs efforts across the state to improve authorizer practices, TASCAs established authorizer principals and standards and the core principals of this standards, and efforts to create a consistent performance framework for all authorizers with clear and measurable expectations, timely feedback, and maximum transparency.

The application provides evidence and a description of a well-designed process for all authorizers to report annual performance of each of the charter schools in their portfolios (p.47-48). The applicant further proposes to improve this process under this grant to develop a uniform template for annual reporting for all authorizers to disseminate information from the performance frameworks and maintain both transparency and accountability (p.48).

The department prioritizes their support for authorizers who have a high level of accountability leveraged with sufficient autonomy (p.48). Evidence is provided to demonstrate the level of support the SEA demonstrates through requirements that all authorizers adopt TASCAs principals and state statute requirements for performance contracts that have clear objectives for student performance and annual progress reports (p.49).

Sub Question

Annual reports include the progress a school is making toward achieving the academic goals outlined in its charter (p.51).

Weaknesses:

There is a clear plan to develop a framework for charter schools; however, it is unclear if all charter schools will be required to use the framework.

Reader's Score: 19

2. 2) The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are --

a. Seeking and approving charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools;

b. Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the terms of their charter or performance contracts and complying with applicable State and Federal laws;

c. Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by academically poor-performing charter schools;

d. Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.

Strengths:

The applicant details a strong plan to ensure authorizers approve charter applications from developers who have demonstrated academic, operational, finance success, and viability. In addition an appeals process is in place to authorize schools that LEAs have denied when the state board finds the schools to be high quality. In addition, the process is highly selective. This evidence is convincing to support that the SEA seeks and approves high-quality charter schools (p.50-51).

The applicant shares compelling evidence of a plan to ensure authorizers are monitoring schools on an annual bases and the contents of this monitoring review to demonstrate that progress on the academic goals of he charter contract is included (p.51) annually, at the fifth year review, and during the reauthorization process (p.52).

The applicant is very clear regarding student academic achievement as the most important factor in the renewal process (p.52). Both statute and a performance contract were offered as effective evidence of criteria to ensure accountability for authorizers regarding revocations and renewals (p.53).

Charter schools are included in the states accountability system to ensure continued accountability and the plan includes the SEA holding them to their charter contracts and the department communicating changes as part of an adequate plan.

Sub Question

Weaknesses:

Equitable funding is not clearly defined and the flexibility of autonomy from local law was not adequately defined.

Reader's Score: 4

Selection Criteria - Policy Context for Charter Schools

1. The Secretary considers the policy context for charter schools under the proposed project. In determining the policy context for charter schools under the proposed project, the Secretary considers the following factors:

1) The degree of flexibility afforded to charter schools under the State's charter school law, including:

i. The extent to which charter schools in the State are exempt from State or local rules that inhibit the flexible operation and management of public schools; and

ii. The extent to which charter schools in the State have a high degree of autonomy, including autonomy over the charter school's budget, expenditures, staffing, procurement, and curriculum; and

2) The quality of the SEA's plan to ensure that charter schools that are considered to be LEA's under State law and LEA's in which charter schools are located will comply with sections 613(a)(5) and 613(e)(1)(B) of IDEA (20 U.S.C. 1400, et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

Strengths:

The applicant provides compelling evidence that charter schools may receive waivers from state and local rules when those rules inhibit or hinder the proposed charter schools' ability to meet goals or comply with their mission. Two sources are available for these waivers and they may be requested at any time so long as the applicant states how the waiver of a rule will improve student achievement (p.55).

The applicant details the strong level autonomy authorizers offer to charter schools including budgeting, curriculum, and operating procedures. TCA statute supports this level of autonomy to allow schools to budget dollars "micro-locally" to deliver educational services with a high level of autonomy (p.56).

Weaknesses:

The applicant did not provide an assurance that the SEA will be in compliance with the Age Discrimination Act of 1975 and Title IX.

Reader's Score: 4

Priority Questions

Competitive Preference Priority - High-Quality Authorizing and Monitoring Processes

1. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

a) Authorizing processes that establish clear criteria for evaluating charter applications and include a multi-tiered clearance or review of a charter school, including a final review immediately before the school opens for its first operational year.

Strengths:

Clear criteria are described for evaluating charter school applications and a rubric aligned to NACSA best practices is attached to the application (p.2).

The charter application process is multi- tiered (p.6) and includes a process that includes a final review visit to ensure all critical elements are in place prior to the schools' first operational year (p.10). The process includes a letter of intent, a written application, a comprehensive review process, and an interview process.

Weaknesses:

No weaknesses noted.

Reader's Score: 5

2. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

b) Authorizing processes that include differentiated review of charter petitions to assess whether, and the extent to which, the charter school developer has been successful (as determined by the authorized public chartering agency) in establishing and operating one or more high-quality charter schools.

Strengths:

A differentiated review of charter petitions for developers who operate high-quality charter schools both in state and out of state is described. A streamlined replication process includes a review of existing academic data to determine the quality and performance of the schools currently operating and to assess past progress both academically and fiscally. The applicant provides a detailed flow chart to clarify the documents expected from a developer seeking to replicate an existing school (p.11).

Weaknesses:

No weaknesses noted.

Reader's Score: 5

3. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

c) Clear and specific standards and formalized processes that measure and benchmark the performance of the authorized public chartering agency or agencies, including the performance of its portfolio of charter schools, and provide for the annual dissemination of information on such performance.

Strengths:

A process is in place requiring yearly charter school progress reporting (p.11) and each authorizer has established a set of processes for measuring and reporting the performance of their portfolio of schools. An example is provided in Appendix E-6.

The Tennessee Department of Education has committed to supporting legislation that would require authorizers in the state to report charter school accountability annually. Accountability measures will include student discipline, attrition

rates, and academic achievement scores.

Weaknesses:

It is unclear if or how the annual reports are disseminated publicly or what the requirements are for the performance frameworks developed by each individual authorizer (p. 10).

The benchmark targets that will be required lack detail on timelines.

Reader's Score: 3

Competitive Preference Priority - Authorizer other than LEA or Appeals Process

1. To meet this priority, the applicant must demonstrate that the State--

a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

b) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

Strengths:

Tennessee has two additional charter school authorizers in addition to LEAs. The Achievement School District (ASD) and the State Board of Education may authorize schools. The ASD was created to specifically improve student achievement and operators may apply to turn around some of the state's lowest performing schools (p.13).

The SBE was expanded in 2014 to act as an authorizer when the board favored the appeal of the district denied charter applicant (p.13).

Weaknesses:

No weaknesses noted.

Reader's Score: 5

Status: Submitted
Last Updated: 06/27/2016 05:07 PM

Status: Submitted

Last Updated: 06/27/2016 05:07 PM

Technical Review Coversheet

Applicant: Tennessee Department of Education (U282A160021)

Reader #3: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
Educationally Disadvantaged Students		
1. Ed. Dis. Students	15	15
Vision for Growth and Accountability		
1. Growth and Accountability	10	9
Past Performance		
1. Past Performance	15	14
Project Design		
1. Project Design	20	14
Dissemination of Information and Best Practices		
1. Dissemination	10	8
Oversight of Authorized Public Chartering Agencies		
1. Oversight of Authorizers	25	20
Policy Context for Charter Schools		
1. Policy Context	5	3
Priority Questions		
Competitive Preference Priority		
High-Quality Authorizing and Monitoring Processes		
1. CPP 1a	5	4
2. CPP 1b	5	5
3. CPP 1c	5	3
Authorizer other than LEA or Appeals Process		
1. CPP 2	5	5
Total	120	100

Technical Review Form

Panel #11 - State Educational Agencies - 11: 84.282A

Reader #3: *****

Applicant: Tennessee Department of Education (U282A160021)

Questions

Selection Criteria - Educationally Disadvantaged Students

- 1. The Secretary considers the contribution that the charter schools grant program will make to assisting educationally disadvantaged and other students in meeting State academic content standards and State student academic achievement standards.**

Strengths:

The applicant describes a very strong plan for how the charter school grant program will assist educationally disadvantaged and other students in meeting State academic content and student achievement standards. The applicant notes that over two-thirds of public school students are educationally disadvantaged (p. e30). State law incentivizes charter applications that focus on serving educationally disadvantaged students by requiring authorizers to preference schools with this focus in their charter application process (p. e31). Currently, charter schools serve on average ten percent more economically disadvantaged students than traditional district schools in the state (p. e31).

The application also describes a strong charter school selection process to ensure that all new charter schools, including those serving educationally disadvantaged students, have the capacity to become high quality, as evidenced by the comprehensive set of criteria in the selection rubric for new charters (p. e153-e176). Applications for new charters must include a description of the school's instructional model and how it is suited to the target population, how the school intends to align instruction with state academic standards, and how the school will meet the needs of educationally disadvantaged students (p. e20). Furthermore, charter applicants must include annual and long-term measurable student achievement goals and interim assessments used to benchmark progress toward those goals (p. e20).

Furthermore, the state has built in a clear plan to ensure that academically poor-performing schools are not renewed. Charters seeking renewal must demonstrate how they have helped and continue to help educationally disadvantaged students meet the performance goals of the contract (p. e21). Furthermore, state law mandates that a school's charter contract will be revoked if the school performs in the bottom 5% of schools statewide, with no possibility to appeal the results (p. e20).

Some Tennessee charter schools have demonstrated strong success with educationally disadvantaged students, as evidenced by 13 charter schools - which serve seventy percent of educationally disadvantaged students or more - being named Reward Schools in 2015 for being in the top five percent of schools statewide for performance or year-to-year progress (p. e32-e33).

Furthermore, the ASD focuses on chartering schools in the bottom five percent of the state for performance, and 97% of students in its current charter school portfolio are economically disadvantaged (p. e33). This focus helps increase the number of high-quality school options for educationally disadvantaged students.

The applicant also addresses this criterion through its proposal to also award preference points in the subgrant competition to conversion charter schools that serve educationally disadvantaged students (p. e34). Furthermore, the applicant proposes dissemination activities to share best practices from high-quality charter schools serving educationally disadvantaged students (p. e34). Overall, the applicant provides a clear picture of the contribution that its proposed program will contribute to assisting educationally disadvantaged and other students in meeting state academic content and achievement standards.

Weaknesses:

No weaknesses found.

Reader's Score: 15

Selection Criteria - Vision for Growth and Accountability

1. **The Secretary determines the quality of the statewide vision, including the role of the SEA, for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary considers the following factors:**

1) **The ambitiousness, quality of vision, and feasibility of the SEA's plan (including key actions) to support the creation of high-quality charter schools during the project period, including a reasonable estimate of the number of high-quality charter schools in the State at both the beginning and the end of the project period; and**

2) **The ambitiousness, quality of vision, and feasibility of the SEA's plan (including key actions) to support the closure of academically poor-performing charter schools in the State (i.e., through revocation, non-renewal, or voluntary termination of a charter) during the project period.**

Strengths:

STRENGTHS: The SEA presents a clear vision for charter school growth and accountability that is aligned with the three objectives of their proposed plan:

- 1) increase the number of high-quality charter schools;
- 2) decrease the number of poor-performing charter schools; and
- 3) support school improvement with a focus on educationally disadvantaged students (p. e35).

The applicant includes a detailed plan for how it intends to meet the first objective of increasing the number of high-quality charter schools through the three key activities of administering the CSP subgrant program, recruiting high-quality CMOs, and encouraging local high-quality charter schools to replicate (p. e35-e36).

The application gives a reasonable estimate for the number of high-quality charter schools in the state currently and at the end of the grant period. There are currently 26 high-quality charter schools in the state; anticipating there will be five additional high-quality schools annually, the applicant projects there will be at least 41 high-quality charter schools at the end of the project period (p. e37).

Regarding the second factor, the applicant has a feasible plan to support the closure of academically poor-performing charter schools in Tennessee by strengthening charter school accountability, improving oversight of authorizers and the authorization process, and facilitating a high-quality process for closing a school (p. e39). Currently, state law mandates the closure of any charter school performing in the bottom five percent of the state (p. e39). State statute also requires specific procedures in place for charter school closure, and the SEA oversees the closure process of all academically poor-performing charter schools.

The applicant plans to strengthen its current authorizer accountability by developing a performance framework with the National Association of Charter School Authorizers (NACSA) to help authorizers plan stronger practices, including how to identify areas where low-performing charter schools may need additional support (p. e40).

Weaknesses:

It is unclear what the bar is for authorizers to close academically poor-performing charter schools beyond the closure of any charter school in the bottom five percent for performance, which is mandated by state law (p. e39).

Selection Criteria - Past Performance

1. The Secretary considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, the Secretary considers the following factors:

1) The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools (as defined in this notice) in the State; and

2) The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing charter schools (as defined in this notice) in the State.

Strengths:

Overall, the applicant provides evidence of strong past performance of charter schools in Tennessee. The applicant provides clear evidence that there has been a demonstrated increase, in all but one year over the past five years, in the number and percentage of high-quality Tennessee charter schools as defined in the notice.

Although the percent of charter schools that were high-quality dropped in 2012-2013 due to the addition of ASD charter school data, the applicant explains that this is attributed to ASD schools focusing on turning around the bottom 5% of schools statewide (p. e42). Furthermore, the applicant makes a compelling case that in subsequent years, the number and percentage of high-quality charter schools increased, which reflects the turnaround efforts in the ASD (p. e42).

In addition to the definition of high-quality provided in the notice, the applicant also includes additional strong evidence for the performance of the Tennessee charter sector. The state is one of the top three in the nation for charter school reading and math gains in a 2013 study of charter schools by Stanford's Center for Research on Education Outcomes (CREDO) (p. e43). Results from the CREDO study indicate that charter school students in Tennessee gained the equivalent of 86 additional days of learning in reading and 72 days in math compared to their peers in traditional public schools (p. e43). This is compelling evidence for past performance based on a rigorous, national study of charter school effectiveness.

The applicant shows that in an absolute measure, the number of poor-performing charter schools decreased in the last five years from 7 in 2010-2011 to 4 in 2014-2015, while the percentage of poor-performing charter schools dropped from 26% to 7% in the same time period (p. e44).

The applicant also notes that there are currently no poor-performing charter schools in Tennessee; of the four schools identified as poor-performing in 2014-2015, three are closed and one is no longer poor-performing (p. e45-e46).

Weaknesses:

The number and percentage of high-quality charter schools decreased in 2012-2013; while the number and percentage of poor-performing charter schools increased during the same year (p. e41; p. e44). The number of poor-performing charter schools remained flat at 8 in 2013-2014 (p. e44), but the applicant does not explain why.

Selection Criteria - Project Design

The Secretary considers the quality of the design of the SEA's charter school subgrant program, including the extent to which the project design furthers the SEA's overall strategy for increasing the number of high-quality charter schools in the State and improving student academic achievement. In

determining the quality of the project design, the Secretary considers the following factors:

Reader's Score: 14

Sub Question

1. 1) The quality of the SEA's process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including --

i. The subgrant application and peer review process, timelines for these processes, and how the SEA intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and

ii. A reasonable year-by-year estimate, with supporting evidence, of

a) the number of subgrants the SEA expects to award during the project period and the average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and

b) if the SEA has previously received a CSP grant, the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool.

Strengths:

The applicant describes a clear process for the application and peer review for subgrants, which includes (1) providing public notice about the opportunity, (2) having eligible applicants submit a comprehensive application, including a narrative, budget, and timeline, (3) a peer review process with experts that provides training for reviewers and ensures they understand inter-rater reliability in scoring, (4) review teams scoring applications on a SEA-created rubric, and (5) final review by SEA staff to ensure activities are allowable, budgets are coded accurately, and preference points are assigned (p. e47-e48). Only applications scoring 80% or higher will receive a CSP subgrant (p. e48), and no prior CSP subgrantees are eligible (p. e46). In this way, the applicant will ensure that subgrants will be awarded only to eligible applicants that demonstrate the capacity to create high-quality charter schools.

The applicant also describes a clear and reasonable timeline for the CSP subgrant and dissemination subgrant application and peer review processes, with the competition going live in September and awards announced in November (p. e48).

For the dissemination subgrants, the applicant has a strong plan to ensure that they are awarded to eligible applicants by requiring that the charter school has been running three years and has demonstrated success in (1) raising student achievement and (2) its operational and financial capacity (p. e49). Furthermore, the dissemination subgrant process will include competitive priorities for best practices in student discipline and school climate (p. e48).

The applicant provides a reasonable year-by-year estimate of the number of subgrants it expects to award and the average size of awards. The SEA intends to award 10 planning and implementation subgrants annually, including two for replicating high-quality charter schools (p. e49). The applicant estimates this amount based on the number of applications received in the previous award cycle (p. e49).

The SEA and TCSC provide a reasonable award amount estimate of \$600,000, which the applicant indicates is needed for one planning and two implementation years; this amount is driven by costs for personnel, facilities, technology infrastructure, and equipment (p. e49).

Sub Question

Weaknesses:

The applicant has several gaps in addressing this sub-criterion. First, it is unclear whether the applicant will use information gathered through the new charter school application process to inform how it selects subgrantees for planning and implementation.

Second, the applicant indicates that any charter school scoring above 80% through its peer review process will be awarded the CSP subgrant, but there is no explanation for why this cut-off score was chosen.

Third, the applicant indicates that the total average award size of \$600,000 is what the SEA and TCSC have determined is needed by a new charter school for one year of planning and two years of implementation (p. e49). However, the application notes that grant funds will be awarded at different amounts commensurate with subgrantee scores in the peer review process (p. e48). It is unclear why the applicant plans to distribute funds in this manner; furthermore, it is not evident what the different award amounts might be and whether they will be sufficient to meet the need of \$600,000 per subgrantee outlined by the applicant.

Fourth, the applicant did not provide a rationale for why the two annual dissemination grants will have average award amounts of \$100,000 each (p. e49).

Finally, although the applicant indicates that 84% of eligible applicants were awarded CSP subgrants in the SEA's previously CSP grant cycle (p. e50), the applicant does not explain how the percentage of eligible applicants are related to the overall quality of the applicant pool.

Reader's Score: 6

2. 2) The process for monitoring CSP subgrantees.

Strengths:

The applicant describes a clear process for monitoring subgrantees, which will be given guidance on grant requirements and a timeline for monitoring with their award notification letter (p. e50). Grantees will also receive training on federal regulations, uniform guidance, allowable costs, cash management, and asset tagging (p. e50). The SEA will utilize both regular desk monitoring and annual site visits of all subgrantees; site visits include having the subgrantee complete a monitoring instrument form to guide the visit (p. e50-e51). Finally, the SEA will also issue an annual public report on all charter schools receiving CSP funds and the extent to which they are meeting grant objectives (p. e52).

Weaknesses:

The applicant does not describe who will oversee subgrantee monitoring and what requisite skills are necessary for this role. Furthermore, the applicant does not explain how the site visit process may look different for dissemination subgrantees.

Reader's Score: 8

Selection Criteria - Dissemination of Information and Best Practices

The Secretary considers the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools to each LEA in the State as well as to charter schools, other public schools, and charter school developers (20 U.S.C. 7221b(b)(2)(C) and 7221(c)(f)(6)). If an SEA proposes to use a portion of its grant funds for dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221c(f)(6)(B)), the SEA should incorporate these subgrants into the overall plan for dissemination. In determining the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools, the Secretary considers the following factors:

Reader's Score: 8

Sub Question

- 1) **The extent to which the SEA will serve as a leader in the State for identifying and disseminating information and research (which may include, but is not limited to, providing technical assistance) about best or promising practices in successful charter schools, including how the SEA will use measures of efficacy and data in identifying such practices and assessing the impact of its dissemination activities.**

Strengths:

The description of dissemination activities provided in the application, in addition to state law requiring the SEA to identify and share best charter school practices, make clear that the SEA would be a leader in the state in these efforts. In addition to the dissemination subgrants, the SEA proposes three strategies for dissemination:

1. An annual meeting of a statewide task force of high-quality charter school staff members and other stakeholders, who will discuss practices related to challenging areas of school operations and publish an annual report on best practices (p. e53);
2. A commissioned data-driven research study of the high-quality charter schools in Tennessee, with the goal of developing a bank of common strategies that charters can use to increase student achievement (p. e53); and
3. District-charter collaborative sessions for charter schools to share best practices (p. e53-e54).

State law codifies the SEA's role as a leader in the State for identifying and disseminating information and research about best practices in charter schools; statute requires the SEA to identify the most promising practices among charter schools and implement a system for dissemination (p. e52). Furthermore, state law requires the SEA to share practices with charter schools and other public schools, including those that would most benefit from learning about these practices (p. e52).

The SEA will disseminate results through its website and through the SEA's eight Centers of Regional Excellence offices, which focus on supporting schools in their region through differentiated PD and sharing best practices (p. e54).

The SEA will assess the impact of dissemination by the frequency of access to resources on its website and email open rate; it will also measure quality of collaboration activities through exit tickets to participants (p. e55). Additionally, the dissemination subgrant application will require applicants to demonstrate how they will evaluate the impact of their activities.

Weaknesses:

Although the data-driven research study of effective charter schools and selection of schools for dissemination grants will utilize data to identify best practices, it is unclear how the SEA will use measures of efficacy and data in identifying best practices in the task force or district-charter collaborative sessions.

Although the applicant states a variety of ways it will measure impact of dissemination activities, none of the strategies included will allow the SEA to know the extent to which this information has changed or improved practice at schools.

Reader's Score: 6

- 2) **The quality of the SEA's plan for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate.**

Sub Question

Strengths:

The applicant will use results from its statewide survey on the conditions for learning to identify charter schools that score high in this and also have high student achievement results (p. e56). The SEA will partner with charter schools that meet these criteria to uncover best practices and encourage them to apply for dissemination grants, which include competitive priorities for a focus on school discipline and school climate data (p. e57).

Weaknesses:

The applicant described how it would build the capacity of authorizers to monitor and evaluate school discipline policies, but there are no details about how the applicant will share best practices with charter schools, other public schools, and charter school developers through their board members or school leaders (p. e56).

Reader's Score: 2

Selection Criteria - Oversight of Authorized Public Chartering Agencies

Reader's Score: 20

Sub Question

1. **1) The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are ?**

a. Approving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law;

b. Establishing measurable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of high-quality charter school as defined in this notice;

c. Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school's charter or performance contract; and

d. Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts.

Strengths:

The applicant presents a well-developed response to this sub-criterion. Regarding the first factor, the SEA has a strong plan for ensuring authorizers are approving charter school applications with design elements that incorporate evidence-based school models and practices, including those focusing on diversity in student bodies. The application requires developers to describe their plan to use evidence-based models and practices to recruit, enroll, and serve all students, including educationally disadvantaged and racially and ethnically diverse students (p. e59). New charter applicants must also describe research that supports the proposed academic plan, as well as how the plan will contribute to academic improvement for all students and help close achievement gaps (p. e131).

Sub Question

Regarding the second factor, state law requires authorizers to monitor all charter schools it authorizes on an annual basis through an annual progress report that includes the progress of the school toward meeting its goals outlined in its charter, as well as school financial records (p. e16). Currently, authorizers have their own processes for measuring and reporting the performance of its charter school portfolio (p. e61). The applicant proposes to use grant funds to contract with NACSA to develop model performance frameworks that outline measures of academic achievement and expectations for financial and operational performance (p. e61-e62). Furthermore, the applicant will work with NACSA to develop a model annual authorizer report, model pre-opening checklist and process, model site visit tools, and training on balancing charter accountability and autonomy (p. e61-e62).

Regarding the third factor, the SEA publishes an annual public report on the performance of all individual charter schools in the state, as well as authorizer data (p. e62). TCSC also publishes an annual report with data on authorizers and charter schools (p. e62-e63). The applicant proposes using CSP funds to create a rigorous template for all authorizers to use for annual reporting (p. e63).

Regarding the fourth factor, state law requires that charter schools be held accountable for meeting the terms of their charters; in any year of the 10-year charter contract, an authorizer may revoke a charter or close the school if it fails to maintain the performance goals outlined in its charter (p. e18). Charter contracts are legally binding and include the application and supporting materials included in the charter application (p. e18-e19). Furthermore, the SEA has issued guidance to authorizers on how to uphold school accountability.

Additionally, authorizers support autonomy by granting requests from charter schools for waivers to any state board rule (p. e70). One of the three core authorizing principles of TACSA is to uphold school autonomy, which is a principle all current authorizers have adopted (p. e63). This principle means that the authorizer will respect and preserve autonomies that are essential to the school's success (p. e63-e64).

Weaknesses:

There are some gaps in the application around factor 6(1)(b). Although all authorizers are required to have a performance framework, each authorizer develops their own (p. e61). It is unclear from the evidence provided whether each authorizer's performance framework establishes measurable and operational performance expectations that are consistent with the definition of a high-quality charter school as defined in this notice. Furthermore, although the applicant describes a very clear plan for working with NACSA to develop a model performance framework and other tools, it is unclear whether authorizers will be mandated to use these tools or whether they will be optional. The applicant does not describe whether authorizers' performance expectations apply to all charter schools, including alternative and virtual, if they exist in Tennessee.

Regarding the fourth factor, although an authorizer may revoke a charter for failing to maintain its performance goals in the contract (p. e18), it is unclear whether authorizers hold charters to consistently high standards given that every authorizer currently has its own performance framework.

Reader's Score: 16

- 2. 2) The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are --**

a. Seeking and approving charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools;

b. Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the terms of their charter or performance contracts and complying with applicable State

Sub Question

and Federal laws;

c. Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by academically poor-performing charter schools;

d. Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.

Strengths:

The SEA presents a high-quality and feasible plan to ensure authorizers meet each of the factors described in this sub-criterion. Regarding the first factor, all authorizers use the same application for new charters, which sufficiently evaluates a charter school's capacity to become high-quality. This is evidenced by the comprehensive rubric criteria used to evaluate charter applications in the areas of a school's 1) academic plan design and capacity, 2) operations plan and capacity, and 3) financial plan and capacity (p. e153-e176). The SEA designed the rubric based on best practices from NACSA to ensure the rubric aligns with application requirements (p. e22). Developers that already operate high-quality charter schools in the state submit a replication application that relies heavily on the past performance of the developer (p. e65). Furthermore, the process for new charters to be approved is selective, with 36% of new applicants being approved historically by LEAs, and SBE approving 32% of the 72 appeals it has received (p. e65).

Regarding the second factor, state law requires authorizers to monitor all charter schools it authorizes on an annual basis (p. e16; p. e66). Furthermore, state law requires authorizers to conduct a comprehensive review of charter schools in the fifth year of a charter school's initial ten-year contract and in the fifth year of any subsequent charter renewal (p. e16-e17). During this review process, charter schools submit a report on their progress toward the goals and objectives in its charter contract; authorizing agencies then conduct site visits to interview key stakeholders and review financial documents and school-level data, including discipline data (p. e17). Authorizers also conduct an in-depth review of the school's assessment results through analyzing the prior five years of achievement and growth data (p. e17). Based on the information collected through this five-year review, authorizers are required to notify charter schools whether or not they are on track to have their charter renewed, as mandated by state law (p. e17).

Regarding the third factor, state law mandates that charter renewal applications must include a report detailing student academic performance and progress toward closing the achievement gap since the school opened (p. e68). Charters seeking renewal must demonstrate how they have helped and continue to help educationally disadvantaged students meet the performance goals of the contract (p. e21). State law requires that a school's charter contract will be revoked if the school performs in the bottom 5% of schools statewide, with no possibility to appeal the results (p. e20). Furthermore, an authorizer may revoke or non-renew a charter agreement for not meeting the minimum performance requirements in their contract (p. e68).

Regarding the fourth factor, charter schools currently must participate in the same accountability systems and use the same state assessments as traditional public schools; state statute mandates that charter schools are not exempt from any federal or state student assessment and accountability requirements, including during any future transitions (p. e69).

Weaknesses:

The applicant did not describe a clear plan for seeking out applications from developers that have the capacity to create high-quality charter schools.

Reader's Score: 4

Selection Criteria - Policy Context for Charter Schools

1. The Secretary considers the policy context for charter schools under the proposed project. In determining the policy context for charter schools under the proposed project, the Secretary considers the following factors:

1) The degree of flexibility afforded to charter schools under the State's charter school law, including:

i. The extent to which charter schools in the State are exempt from State or local rules that inhibit the flexible operation and management of public schools; and

ii. The extent to which charter schools in the State have a high degree of autonomy, including autonomy over the charter school's budget, expenditures, staffing, procurement, and curriculum; and

2) The quality of the SEA's plan to ensure that charter schools that are considered to be LEA's under State law and LEA's in which charter schools are located will comply with sections 613(a)(5) and 613(e)(1)(B) of IDEA (20 U.S.C. 1400, et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

Strengths:

The applicant's response to this criterion is adequately developed. Regarding the first factor, state law allows for charter schools to apply for waivers for any state board rule or statute that inhibit the flexible operation and management of schools (p. e70). State law also gives charter schools flexibility in how they operate their schools, including autonomy over budgeting, expenditures, procurement, and curriculum (p. e71).

Regarding the second factor, charter schools in Tennessee are not considered their own LEA, and authorizers monitor compliance (p. e72). The SEA monitors LEA compliance with federal law through regular reporting and annual monitoring visits (p. e72). All charter applicants must include signed assurances that they will provide special education services as provided in Part B of IDEA and Section 504 and that they will adhere to Title VI of the Civil Rights Act of 1964 (p. e72).

Weaknesses:

There were a few gaps in the applicant's response to this criterion. Regarding the first factor, the applicant does not describe the extent to which charters are exempt from local rules and whether they are also able to request waivers for those. Also, there is no evidence about whether charter schools have autonomy over staffing in state law.

Regarding the second factor, the application describes charter compliance with Section A and B of IDEA, Section 504, and Title VI, but there is no mention of the plan to ensure compliance with the Age Discrimination Act of 1975 of Title IX of the Education Amendments of 1972 (p. e72; p. e73).

Reader's Score: 3

Priority Questions

Competitive Preference Priority - High-Quality Authorizing and Monitoring Processes

1. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

a) Authorizing processes that establish clear criteria for evaluating charter applications and include a multi-tiered clearance or review of a charter school, including a final review immediately before the school opens for its first operational year.

Strengths:

The applicant provides evidence for a comprehensive authorizing process that includes clear criteria for evaluating charter applications. State law requires the SEA to provide a standard application format for new charter schools (p. e153). The applicant indicates that the SEA's new charter application is required, and authorizers may add in requests for supplemental information (p. e23). Furthermore, the SEA's new charter application notes that all new charter schools in the state must use the SEA's application for new charter requests (p. e125).

The SEA's charter application is comprehensive and evaluates developers' readiness to operate a successful charter school by assessing its plans for academics, operations, and finance (p. e21; p. e125). Evaluators use very clear and comprehensive criteria to evaluate charter applications, as evidenced by the multiple domains of the rubric on a school's 1) academic plan design and capacity, 2) operations plan and capacity, and 3) financial plan and capacity (p. e153-e176). The SEA designed the rubric based on best practices from the National Association of Public Charter Schools (NACSA) to ensure the rubric aligns with application requirements (p. e22). Not only are the criteria clear for evaluators, but the SEA also posts the scoring rubric publicly on its website so developers are also clear on how their applications will be assessed. The applicant's new charter review process is multi-tiered and includes a letter of intent, a written application, due diligence including a review by experts within the LEA and external to it, and interviews with prospective applicants (p. e21-e22; e24). Applications that do not meet or exceed the standard in each section of the rubric are not approved (p. e24). The multi-tiered review process also includes a final review immediately before the school opens to assess readiness. After a charter applicant is approved, school leaders meet with authorizers to review a pre-opening checklist that outlines what needs to be in place for the school to open (p. e25). Authorizers meet formally with school leaders each month during the planning year to review progress, and they also conduct a final review immediately before the school opens to ensure essential elements are ready (p. e25).

Weaknesses:

It is unclear what criteria authorizers use to discern the school's ultimate readiness to open in the final review.

Reader's Score: 4

2. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

b) Authorizing processes that include differentiated review of charter petitions to assess whether, and the extent to which, the charter school developer has been successful (as determined by the authorized public chartering agency) in establishing and operating one or more high-quality charter schools.

Strengths:

The applicant's response to this sub-criterion is fully developed. The applicant's authorizing process includes a differentiated review of charter petitions for developers that currently operate charter schools to determine their success. The SEA's required application for all new charter schools includes a separate process for developers that already run a charter school in TN and a separate process for developers that run a charter school in another state (p. e25-e26; p. e125). In both processes, applicants must submit a Portfolio Review and Performance Record as part of their application request; this includes detailed student achievement and growth results for each school in the developer's network and the most recent evaluation or renewal report produced by its authorizer (p. e148). The information collected from existing developers in the differentiated review process provides authorizers with a comprehensive picture of whether the developer has successfully operated high-quality charter schools.

Weaknesses:

No weaknesses found.

Reader's Score: 5

3. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

c) Clear and specific standards and formalized processes that measure and benchmark the performance of the authorized public chartering agency or agencies, including the performance of its portfolio of charter schools, and provide for the annual dissemination of information on such performance.

Strengths:

The applicant met most components of this sub-criterion. The SEA currently provides annual authorizer reporting, including authorizer portfolio and individual charter school performance, and this report is available to the public (p. e62-e63).

Weaknesses:

There is not a common template that authorizers use for annual reporting (p. e63), so there are not clear and specific standards used to benchmark the performance of authorizers.

Reader's Score: 3

Competitive Preference Priority - Authorizer other than LEA or Appeals Process

1. To meet this priority, the applicant must demonstrate that the State--

a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

b) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

Strengths:

The applicant meets this competitive preference priority. The applicant indicates that Tennessee has two public chartering agencies that are not LEAs. The Achievement School District (ASD) can authorize charters to improve student achievement in schools that are in the bottom five percent of performance in the state, while the State Board of Education (SBE) may, according to state statute, overturn the denial of an application in an LEA where there is at least one priority school (p. e28).

Although there are options and the applicant meets the requirements, there is still potential for an authorizer to which any individual or entity seeking to operate a charter school can apply, since the ASD can only charter schools that are in the bottom five percent of schools and the SBE can only authorize charters through an appeals process in which the charter school applicant was denied by a LEA with at least one priority school (p. e28).

Weaknesses:

No weaknesses noted.

Reader's Score: 5

Status: Submitted
Last Updated: 06/27/2016 05:07 PM