

HOUSE BILL 702

By White M

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to charter school authorization.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-13-108(a), is amended by deleting subdivision (3) in its entirety and by substituting instead the following:

(3) A denial by the local board of education of an application to establish a public charter school may be appealed by the sponsor, within twenty (20) days of the final decision to deny, to the state board of education. The appeal and review process shall be in accordance with this subdivision (a)(3). Within sixty (60) days after receipt of the notice of appeal or the making of a motion to review by the state board and after reasonable public notice, the state board, at a public hearing attended by the board or its designated representative and held in the school district in which the proposed charter school has applied for a charter, shall review the decision of the local board of education and make its findings. If the state board finds that the local board's decision was contrary to the best interests of the pupils, school district, or community, the state board shall remand the decision to the local board of education with written instructions for approval of the charter. The grounds upon which the state board of education based a decision to remand the application shall be stated in writing, specifying objective reasons for the decision. The decision of the state board shall be final and not subject to appeal. The LEA, however, shall be the chartering authority.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.