

August 19, 2016

Tennessee State Board of Education
c/o Elizabeth Taylor, General Counsel
1st Floor, Andrew Johnson Tower
710 James Robertson Parkway
Nashville, TN 37243

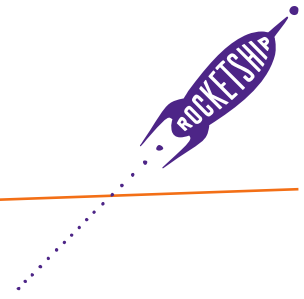
Dear Ms. Taylor:

On behalf of Rocketship Education, Inc., (“Rocketship Education”) we write to note a procedural defect regarding Rocketship Education’s application status for a fresh start charter school and a charter school conversion.

As we have previously noted to the Metro Nashville Public Schools (“MNPS”) Office of Charter Schools Interim Director and Director, on June 14, 2016, the MNPS School Board (the “School Board”) voted to deny Rocketship Education’s applications for a Fresh Start School and for a Conversion School. Pursuant to Tenn. Code Ann. § 49-13-108, Rocketship Education had thirty (30) days to resubmit amended applications. On July 7, 2016, within the thirty (30) day amendment period, Rocketship Education submitted amended applications for both the Fresh Start Charter School and the Conversion School.

The plain language of Tenn. Code Ann. § 49-13-108 provides that the School Board shall have thirty (30) days in which to approve or deny the amended application. The statute further provides that any failure to either approve or deny the application within thirty (30) days shall result in the amended application being deemed approved. Specifically, section 49-13-108(a)(3), reads as follows: “The grounds upon which the local board of education based a decision to deny a public charter school application must be stated in writing, specifying objective reasons for the denial. Upon receipt of the grounds for denial, the sponsor shall have thirty (30) days within which to submit an amended application to correct the deficiencies. The local board of education shall have thirty (30) days either to deny or to approve the amended application. *Should the local board of education fail to either approve or deny the amended application within thirty (30) days, the amended application shall be deemed approved.*” (emphasis added).

Since Rocketship Education submitted its amended applications on July 7, 2016, the School Board had until August 8, 2016 to “deny or approve the amended application.” Since



the School Board did not approve or deny the amended application by August 8, 2016, under the plain language of the statute, both Rocketship applications are deemed approved.

Therefore, while Rocketship Education is submitting an appeal to the SBE for its fresh start school, we reserve all rights to assert any and all legal and/or equitable remedies as a result of this procedural defect.

Sincerely,

Maya L. Sethi

Maya L. Sethi
General Counsel

Shaka Mitchell
TN Regional Director