



March 12, 2025

Micah Bess  
Chattanooga Preparatory School  
1849 Union Avenue  
Chattanooga, TN 37404

Re: Notice of Revocation of Charter

Dear Ms. Bess:

Pursuant to Tenn. Code Ann. § 49-13-122(e), Hamilton County Board Pol. No. 4.2122, and Section 6.1 of your Charter Agreement, this letter is 30-days' notice that I will recommend that the Hamilton County Board of Education, as your Charter Authorizer, revoke the charter for Chattanooga Preparatory School (Chattanooga Prep) on April 17, 2025. The revocation will become effective at the end of this school year.

### **Hamilton County Schools Investigation**

The Administration has learned that 21 of Chattanooga Prep's 45 teachers are unlicensed and have neither waivers nor permits for the classes they teach. Most of these teachers teach high school courses, meaning that their students are not accumulating valid credits toward graduation. Likely, Chattanooga Prep's entire senior class is impacted by this licensure issue.

As you are aware, each local board of education and each public charter school must upload its licensure compliance information to the Tennessee Department of Education (TDOE). This licensure compliance process verifies that everyone teaching a class in a public school or a public charter school has the appropriate education, training, and/or certification to teach the class in question. If the local board of education or the public charter school identifies someone teaching a class who lacks the appropriate licensure, TDOE alerts the teacher's employer of the discrepancy and requires immediate action.

As you are also aware, Chattanooga Prep, like every other public charter school, is solely responsible for uploading its own licensure compliance information to TDOE. If Chattanooga Prep had uploaded the correct information to TDOE, i.e., that 22 of its 50 teachers lacked appropriate licensure, TDOE would have alerted the school's management to these discrepancies. If Chattanooga Prep had left these discrepancies uncorrected, TDOE would have alerted HCS to the ongoing issue.

Until recently, however, HCS was unaware that almost half of Chattanooga Prep's teachers have been teaching without a license, waiver, or permit. Presumably,

Chattanooga Prep has been misrepresenting that appropriately licensed teachers were the teachers of record for classes they were not actually teaching, allowing the unlicensed teachers to remain invisible to TDOE.

HCS continues to investigate the extent to which Chattanooga Prep's licensure issues may impact its senior class. HCS expects Chattanooga Prep to cooperate in this investigation and to support any plan developed to hold students harmless.

### **Chattanooga Prep's Legal and Contractual Obligations**

As a public charter school operating under the Tennessee Public Charter School Act, Tenn. Code Ann. § 49-13-101, et seq., Chattanooga Prep has had broad autonomy to operate without the day-to-day oversight of its Charter Authorizer, the Hamilton County Board of Education. Per Tenn. Code Ann. § 49-13-104(10), Chattanooga Prep's governing body, not HCS, oversees the management and administration of the school.

Chattanooga Prep's autonomy, however, has always been constrained by Tennessee law and the terms of its charter. Tenn. Code Ann. § 49-13-111, in material part, provides as follows:

- (i) A public charter school shall follow the state board of education's rules and regulations for licensure and endorsement of employees.
- (j) All teachers in a public charter school must hold a valid Tennessee educator license.

The Charter Agreement itself provides in Section 3.3 that:

By signing this Charter Agreement, the Governing Body warrants that it has made a detailed review of the [Tennessee Public Charter School Act], and that it has specific knowledge of its rights and responsibilities under the Act. Further, Governing Body warrants that the Charter School shall comply with all federal and state laws and regulations applicable to the provision of public education. The Governing Body understands and agrees that the Chartering Authority will hold the Governing Body and the Charter School accountable for adhering to these laws and regulations.

Chattanooga Prep's broad operational autonomy under Tennessee law, Tenn. Code Ann. § 49-13-104(10) has never permitted its governing body or its management to ignore the very laws that underpin the system of public education in Tennessee, nor does this autonomy justify the apparent misrepresentations the governing body and management made to avoid licensure compliance.

### **Findings and Conclusions**

Based upon the HCS investigation, I find that the governing body and the management of



Chattanooga Prep have willfully violated Tennessee laws governing the licensure of teachers. I also believe that the governing body and management have deliberately misrepresented who were the teachers of record in classes actually taught by these unlicensed personnel in order to avoid scrutiny from TDOE. These actions violate the Tennessee Teachers Code of Ethics, Tenn. Code Ann. § 49-5-1004(a) and (b)(2-5).

Pursuant to Tenn. Code Ann. § 49-13-122(b)(1), I conclude that these violations constitute material violations of Chattanooga Prep's Charter Agreement. Under Tenn. Code Ann. § 49-13-122(d) and Hamilton County Board Pol. No. 4.2122, I also conclude that these violations are so flagrant that the only appropriate sanction is revocation.

If you wish to submit a formal written response to this notice of revocation and to have it considered by the Board of Education prior to the meeting, you must submit it to my office no later than April 2, 2025.

Respectfully,

A handwritten signature in blue ink that reads "Justin Robertson".

Dr. Justin Robertson  
Superintendent, Hamilton County Schools

Cc: Governing Board, Chattanooga Preparatory School