



Dr. John D. Barge, State School Superintendent
“Making Education Work for All Georgians”

Guidelines for the Charter Schools Petition Process

Georgia Department of Education
Guidelines for the Charter Schools Petition Process

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Document Version History

Version Number	Date Approved by State Board of Education	Description
Version 1	TBD	Initial document release.

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Introduction

This Guideline document is incorporated by explicit reference in Georgia State Board of Education Rule 160-4-9-.05 CHARTER SCHOOLS PETITION PROCESS. The contents of this document are considered to have the same effect and requirement as any rule promulgated by the Georgia State Board of Education. Any future substantive revision to this document will require approval by the Georgia State Board of Education.

This document sets forth a list of criteria which charter school petitioners must follow when submitting petition applications to the Georgia State Board of Education.

Inquiries concerning this Guideline document should be directed to the Charter Schools Division at the Georgia Department of Education by email at jclarkedodd@doe.k12.ga.us or by telephone at 404-657-0515.

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Part 1: Charter Petition Process

- (A) **LETTERS OF INTENT.** All applicants, including renewal applicants, shall submit a letter of intent to either the Department and the appropriate local board(s) at least six (6) months prior to the date on which the petition will be submitted to the Department. Petitioners should consult the Charter Schools Division website for formatting requirements. Petitions not preceded by a timely and complete letter of intent will not be considered.
- (B) **CHARTER PETITIONS TO LOCAL BOARDS.**
- (1) Pursuant to O.C.G.A. § 20-2-2064(a) and (b), a local board must, by a majority vote, approve or deny a petition no later than sixty (60) days after its submission, unless the petitioner requests an extension.
 - (2) If the local board denies a petition, the local board must within sixty (60) days after the denial specifically state the reasons for the denial, list the deficiencies in the petition relevant to O.C.G.A. § 20-2-2063, and provide a written statement of denial to the petitioner and the SBOE.
 - (3) If a local board denies a petition, the petitioner shall not be precluded from submitting a revised petition to the local board that addresses the deficiencies cited in the denial. The local board may set a reasonable timeline for petitioners to resubmit their petitions.
 - (4) If a local board approves a petition, the local board must within thirty (30) days deliver the approved petition to the Department for review by the SBOE. The petition shall be in accordance with all Department requirements as described in parts 2, 3, or 4 of these Guidelines and formatting requirements contained on the Charter Schools Division website and application.
- (C) **CHARTER PETITIONS TO THE DEPARTMENT OF EDUCATION.**
- (1) Petitioners should consult the Charter Schools Division website for annual timelines and formatting requirements. Failure to comply with timelines or formatting requirements may delay or prohibit consideration of the petition.
 - (2) Department staff shall review petitions to ensure that the proposed charter school will comply with all applicable federal, state and local laws, including but not limited to, the Charter Schools Act [O.C.G.A. § 20-2-2060 *et seq.*].
 - (3) Petitioners shall attend an interview with Department staff as part of the petition review process. The goal of the interview is to gauge the petitioners' overall capacity to sustain operations of a high-quality charter school with regard to academics, operations, governance and finance.
 - (4) After initial review by Department staff, the Department shall, in writing, notify the Petitioners of any deficiencies associated with their petition. After this notification, Petitioners may elect to revise and resubmit the petition to

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the Department after securing necessary local board approval, withdraw the petition from consideration or have the original petition submitted to the SBOE for a vote. Should a revised petition fail to correct all material deficiencies, Department staff will submit the petition to the SBOE for a vote with a recommendation for denial.

- (5) The Department reserves the right to require petitioners to complete Department training prior to petition submission, if and when such training is developed and becomes readily available to any interested party.

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Part 2: Charter Petition Applications Requirements

ALL PETITIONS. All charter school petition applications, including applications for renewal, shall meet the following minimum requirements pursuant to O.C.G.A. § 20-2-2063. Part 2 shall not apply to Charter System or Merger applicants. Charter school petition applications shall meet all formatting requirements enumerated in the application.

- (A) STATEMENT OF INTENT. A description of how the proposed charter school promotes the legislative intent of the charter schools program to “increase student achievement through academic and organizational innovation,” in accordance with O.C.G.A. § 20-2-2061.
- (B) STATEMENT REGARDING WAIVERS. A statement that the school either shall or shall not utilize the broad flexibility from law, rule, and regulation permitted by O.C.G.A. § 20-2-2065(a).
- (1) Petitioners who will utilize the broad flexibility, shall state that the school agrees to comply with all requirements of Georgia’s Single Statewide Accountability System and shall meet or exceed the performance-based goals included in the charter, including but not limited to raising student achievement. The petition shall include a description of illustrative examples of how the charter school will implement the flexibility granted by the broad flexibility waiver to meet or exceed the performance-based goals and to increase student achievement. Petitions shall explicitly state what the flexibility granted will allow them to accomplish over the course of their charter term.
 - (2) Petitioners who will not utilize the broad flexibility shall enumerate specifically requested waivers in the petition. The petition shall state the rationale for each waiver, including how each waiver shall help the school meet or exceed the performance-based goals and increase student achievement.
- (C) STATEMENT OF GOALS AND OBJECTIVES. The petition must list and describe in detail the specific performance-based goals and measurable objectives, which at a minimum shall include goals and objectives that are related to the state and federal assessment standards, measurable on at least an annual basis, attainable, and reflect the mission set forth in the petition. The petition shall demonstrate that the performance-based goals and measurable objectives will result in continuous improvement in student achievement and will comply with the Single Statewide Accountability System. Failure to meet the specific performance-based goals and measurable objectives may result in

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charter termination. The petition shall also include specific and measurable organizational and financial goals.

- (D) **PARENTAL AND COMMUNITY INVOLVEMENT.** A description of how parents, members of the community, and other interested parties contributed to the development of the petition and how they will be involved in the school.
- (E) **DESCRIPTION OF THE EDUCATIONAL PROGRAM.** A description of the following components of the school's educational program, including an explanation of how these components shall contribute to the achievement of the performance-based goals and measurable objectives:
- (1) The school's mission;
 - (2) The ages and grades to be included;
 - (3) The focus of the curriculum;
 - (4) Instructional methods to be used, including any distinctive or unique instructional techniques or educational programs to be employed;
 - (5) For students with disabilities, a description of how the school shall provide state and federally-mandated services and comply with all special education laws, including Section 504 of the Rehabilitation Act of 1973, Title II of the Americans With Disabilities Act, and the IDEA;
 - (6) For English Language Learners, a description of how the school shall provide state and federally-mandated services;
 - (7) How the school will meet the needs of students identified as gifted and talented;
 - (8) How the school shall provide for supplemental educational services as required by federal law and pursuant to SBOE Rule 160-4-5-.03 Supplemental Educational Services in Title I Schools, and for remediation in required cases pursuant to SBOE Rule 160-4-5-.01 Remedial Education; and
 - (9) The school's proposed annual calendar and a draft daily school schedule.
- (F) **DESCRIPTION OF ASSESSMENT METHODS.** A description of the school's student assessment plan, including the following components:
- (1) A statement detailing how the school shall comply with the accountability provisions of O.C.G.A. § 20-14-30 through § 20-14-41 and federal accountability requirements, including the manner in which the school shall work with the authorizer(s) to participate in statewide assessments.
 - (2) A plan to obtain student performance data for each student, which shall include how the current baseline standard of achievement shall be determined in order to meet the petition's performance-based goals and measurable

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objectives. For the charter school's first year, baseline student achievement data shall be collected within three months from the first day of school. This data may include, but is not limited to, standardized assessment results from previous school years.

- (3) How assessments shall measure improvement and over what period of time.
- (4) The school's plan for using assessment data to monitor and improve achievement for all students.
- (5) For charter high schools, a description of the method for determining that a student has satisfied the requirements for high school graduation as defined in SBOE Rule 160-4-2-.48 High School Graduation Requirements for Students Enrolling in the Ninth Grade for the First Time in the 2008-09 School Year and Subsequent Years.

(G) DESCRIPTION OF SCHOOL OPERATIONS. A description of the school's operations and management plan, including the following components:

- (1) The proposed duration of the charter, pursuant to O.C.G.A. § 20-2-2067.1(b).
- (2) The proposed attendance zone for the school, pursuant to O.C.G.A. § 20-2-2062(1.1).
- (3) A description of all rules and procedures that shall govern the admission of students to the charter school, including:
 - (a) A statement as to whether the charter school shall utilize any enrollment priorities pursuant to O.C.G.A. § 20-2-2066(a) and (b); and
 - (b) If the school will use an application, a copy of the proposed application or a description of the application that demonstrates that the application conforms to the requirements of Rule and law, including the requirement that charter schools have open enrollment.
- (4) Rules and procedures concerning student discipline and dismissal, including the code of conduct and student due process procedures.
- (5) Rules and procedures concerning how the school will handle grievances and complaints from students, parents, and teachers.
- (6) The manner in which the school shall be insured, the terms and conditions thereof, and the amounts of coverage.
- (7) A description of the employment procedures and policies of the school. The description of employment procedures and policies shall include, at a minimum, the following:
 - (a) Whether certification by the Georgia Professional Standards Commission will be required. If certification is not required, please provide a description of the training and experience that will be required, including how the school will determine whether a teacher has demonstrated

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- competency in the subject area(s) in which he/she will teach as required under No Child Left Behind. If the teacher is required to be highly qualified under No Child Left Behind, please describe how the school will ensure that teachers meet the definition of highly qualified ;
- (b) The charter school's procedures to ensure compliance with the requirement that all staff members are subject to fingerprinting and background checks.
- (8) A description of the facilities to be used, their location(s), and any pending modifications necessary for utilization for educational purposes. The description must include the following components:
- (a) A Certificate of Occupancy must be obtained prior to student occupancy of the proposed facility. The latest possible date by which the Certificate of Occupancy shall be obtained must be included in the charter petition. This shall not apply to conversion charter schools.
- (b) The school's emergency safety plan, which may constitute a statement that the petitioner will prepare a safety plan in accordance with O.C.G.A. § 20-2-1185 and submit and obtain approval from the Georgia Emergency Management Agency by a specified date. This shall not apply to conversion charter schools.
- (c) A statement that any future facility used to house students will be subject to approval by the local board and the Department prior to occupancy.
- (d) Documentation of ownership or a copy of the lease of the facility. If the facility has not been obtained or the documentation is not available at the time the petition is submitted, the petitioner shall provide a timeline for obtaining such facilities or providing such documentation and shall provide such documentation to the Department as soon as it is available. This shall not apply to conversion charter schools.
- (e) A statement as to whether the building is new or existing. Building plans must be approved by the facilities department of the local board (in the case of a local charter school) and by the Department. In the case of a state-chartered special school only the Department must approve the building plans.
- (9) The manner in which the school's enrollment count will be determined for purposes of calculating charter school funding, pursuant to O.C.G.A. § 20-2-2068.1(c) or § 20-2-2090(d), as appropriate.
- (10) The manner in which the school shall be insured, the terms and conditions thereof, and the amounts of coverage.

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(H) DEMONSTRATION OF FISCAL FEASIBILITY AND CONTROLS. A description of the school's financial structure, including the following components:

- (1) Designation of a chief financial officer possessing the following credentials:
 - (a) A baccalaureate or higher degree in business, accounting, or finance from an accredited college or university and a minimum of four years experience in a field related to business or finance; or
 - (b) Documented experience of ten or more years in the field of business and financial management.
- (2) A statement that the school shall be subject to an annual financial audit conducted by an independent Georgia licensed Certified Public Accountant, in accordance with O.C.G.A. § 20-2-2065(b)(7). The financial reporting format shall be in conformity with generally accepted accounting principles.
- (3) If a local charter school, indicate whether the school shall utilize the local school board for fiscal management; and, if so, specify what autonomy the school shall have over budgets and expenditures.
- (4) A statement that the school shall comply with federal monitoring required for schools that receive federal funds.

(I) DESCRIPTION OF GOVERNANCE STRUCTURE. A description of the school's governance structure, including the following components:

- (1) A description of how the charter school shall be governed.
- (2) A statement that the governing board shall be subject to the provisions of O.C.G.A. § 50-14-1 *et seq.* (Open Meetings Act) and O.C.G.A. § 50-18-70 *et seq.* (Open Records Act)
- (3) If a local charter school, a statement that the governing board shall be subject to the control and management of the local board.
- (4) A statement regarding the governing board's function, duties, composition, how and when members shall be selected, trained, how long they shall serve, how members may be removed from office, and how members shall avoid conflicts of interests. Members of the local board and the superintendent of the local school system are prohibited from serving on the charter school's governing board, unless otherwise stipulated by the Department.
- (5) A description of how parents, members of the community, and other interested parties will be involved in the governing board of the school.
- (6) A list of proposed business arrangements or partnerships with existing schools, educational programs, businesses, or nonprofit organizations and a disclosure of any potential conflicts of interest. This includes a copy of any intended contracts for the provision of educational management services or the provision of supplemental educational services and remediation, and any

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agreements with other local schools for the charter school students' participation in extracurricular activities such as interscholastic sports and clubs.

- (7) If a local charter school, a description of the method that the local board and the charter school plan to utilize for resolving conflict.
- (8) Evidence that the charter school, except as noted herein, has been incorporated as a Georgia nonprofit corporation pursuant to the Georgia Nonprofit Corporation Code, O.C.G.A. § 14-3-101 *et seq.*, as required by O.C.G.A. § 20-2-2065(b)(4). This evidence shall include an official copy of the certificate of incorporation from the Georgia Secretary of State and a copy of the by-laws for the Georgia nonprofit corporation. By-laws must specify the duties of governing boards' members with particularity. This shall not apply to conversion charter schools.

(J) **STATEMENT ON ANNUAL REPORT.** A statement that the charter school shall provide an annual report to the Department, the local board (if a local charter school), and parents and guardians *of students* enrolled in the school by October 1 of each year, in accordance O.C.G.A. § 20-2-2067.1(c) and that such report shall conform to the template provided by the Department.

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Part 2a: Charter Petition Requirements for Conversion Applicants

CONVERSION CHARTER PETITIONS. In addition to the requirements of Part 2 of this guideline, all conversion charter school petitions shall include the following components:

- (A) A statement that the petitioner has held the appropriate votes, by secret ballot, required pursuant to O.C.G.A. § 20-2-2064(a)(1) and (2), and a description of the procedures and outcome of those votes.
 - (1) For purposes of the vote required pursuant to O.C.G.A. § 20-2-2064(a)(1), each faculty or instructional staff member shall have a single vote.
 - (2) For purposes of the vote required pursuant to O.C.G.A. § 20-2-2064(a)(2), a student's parent(s) or guardian(s) shall collectively have one vote for each student enrolled in the school.
- (B) A statement detailing the autonomy that the conversion school shall have from the local school system. This statement shall include a description of how financial resources will be managed; how human resources will be managed and personnel evaluated; the extent to which parents, community members, and other stakeholders will participate in the governance of the school; and any other innovative practices the school intends to implement. The petition shall describe all policies, procedures, and practices that will materially distinguish the conversion school from the school's pre-conversion model.

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Part 2b: Charter Petition Requirements for State-Chartered Special School Applicants

STATE-CHARTERED SPECIAL SCHOOL PETITIONS. In addition to the petition submitted in accordance with Part 2 of this guideline and identical to the petition submitted to the local board(s), all state-chartered special schools shall also submit to the Department:

- (A) A statement regarding whether the school intends to request from the Department a local referendum pursuant to O.C.G.A. § 20-2-2068.1(e) and, if so, the timeline for pursuing such a request.
- (B) A copy of the local board's written, specific reasons for denial of the charter petition and a written response to the local board's reasons for denial.
- (C) Revised budgets based on the revised revenue that State-chartered Special Schools receive.
- (D) Revised educational and operational plans based on the revised budget and operating as a LEA.
- (E) Any other documentation the Department may require for review and evaluation of the application.

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Part 2c: Charter Petition Requirements for Jointly Authorized Applicants

JOINTLY AUTHORIZED CHARTER PETITIONS. Two or more local boards may jointly authorize a local charter school pursuant to O.C.G.A. § 20-2-2063(c).

- (A) The local boards may authorize the charter school by one of the following methods:
 - (1) Each local board shall approve the charter petition before it is submitted to the SBOE; or
 - (2) One local board shall submit the petition and enter into an interagency agreement with the other local boards. Such interagency agreement must specify how local revenues shall be allocated to the charter school, and shall become an attachment to the jointly authorized charter petition.
- (B) The Department will calculate Adequate Yearly Progress (AYP) for jointly authorized charter schools and for the authorizing districts, in accordance with the Single Statewide Accountability System. .
- (C) Petitions involving two or more local boards shall follow the same requirements as other start-up charter petitions, as outlined in Part 2 above, and shall also include the following components:
 - (1) A statement specifying which entity shall be the fiscal agent for the jointly authorized charter school.
 - (2) A statement specifying how each local board shall contribute local revenue, in a manner consistent with law, to support the charter school.
 - (3) An agreement detailing the involvement and responsibilities of each local board regarding the jointly authorized charter school.

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Part 2d: Charter Petition Requirements for High School Cluster Applicants

HIGH SCHOOL CLUSTER PETITIONS. A high school and all the middle and elementary schools whose students matriculate to that high school may act as a single charter petitioner to convert to charter school status pursuant to O.C.G.A. § 20-2-2063(b). The high school cluster petition may include new and existing start-up charter schools, conversion charter schools, and renewals thereof. A high school cluster petition must address petition requirements for each school as described in Part 2, Part 2a and Part 2b above, as applicable. In addition, the petition must include the following components:

- (A) A statement describing the rationale for petitioning as a high school cluster, such as consistency of academic calendar or educational approach.
- (B) A description of how each school shall be held accountable for performance goals stated in the charter including Adequate Yearly Progress (AYP).
- (C) A description of how the high school cluster as a whole shall be held accountable for performance goals stated in the charter.

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Part 3: Charter Petition Requirements for Charter System Applicants

CHARTER SYSTEM PETITIONS: PART 3. Petitions shall include the following components with respect to the charter system.

- (A) STATEMENT OF INTENT. A description of how the proposed charter system promotes the legislative intent of the charter schools program to “increase student achievement through academic and organizational innovation,” in accordance with O.C.G.A. § 20-2-2061.
- (B) STATEMENT REGARDING WAIVERS. A statement that the system either shall or shall not utilize the broad flexibility from law, rule, and regulation permitted by O.C.G.A. § 20-2-2065(a).
 - (1) Petitioners who will utilize the broad flexibility, shall state that the system agrees to comply with all requirements of the Single Statewide Accountability System and shall meet or exceed the performance-based goals included in the charter, including but not limited to raising student achievement. The petition shall include illustrative examples of how the charter system will implement the flexibility to meet or exceed the performance-based goals and to increase student achievement.
 - (2) Petitioners who will not utilize the broad flexibility shall enumerate specifically requested waivers in the petition. The petition shall state the rationale for each waiver, including how each waiver shall help the system meet or exceed the performance-based goals and increase student achievement.
- (C) STATEMENT OF GOALS AND OBJECTIVES. The petition must list and describe in detail the specific performance-based goals and measurable objectives, which at a minimum shall include goals and objectives that are related to the state and federal assessment standards, measurable on at least on annual basis, attainable, and reflect the mission set forth in the petition. The petition shall demonstrate that the performance-based goals and measurable objectives will result in continuous improvement in student achievement and will comply with the Single Statewide Accountability System. These goals and objectives should be system-wide. Failure to meet the specific performance-based goals and measurable objectives may result in charter termination.
- (D) PARENTAL AND COMMUNITY INVOLVEMENT. A description of how parents, members of the community, and other interested parties contributed to the development of the petition and how they will be involved in the charter system and its schools, particularly with respect to personnel decisions, financial decisions, curriculum and instruction, resource allocation, establishing and monitoring the achievement of school improvement goals, and school operations.

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(E) DESCRIPTION OF ASSESSMENT METHODS. A description of the system's student assessment plan, including the following components:

- (1) A statement detailing how the system shall comply with the accountability provisions of O.C.G.A. § 20-14-30 through § 20-14-41 and federal accountability requirements, including the manner in which the system shall work with the authorizer to participate in statewide assessments.
- (2) A plan to obtain student performance data for each student, which shall include how the current baseline standard of achievement shall be determined in order to meet the petition's performance-based goals and measurable objectives. For the charter system's first year, baseline student achievement data shall be collected within three months of the first day of school. This data may include, but is not limited to, standardized assessment results from previous school years.
- (3) How assessments shall measure improvement and over what period of time.
- (4) The system's plan for using assessment data to monitor and improve achievement for all students.
- (5) For high schools in the system, a description of the method for determining that a student has satisfied the requirements for high school graduation as defined in SBOE Rule 160-4-2-.48.

(F) DESCRIPTION OF SCHOOL OPERATIONS. A description of the system's operations and management plan, including the following components:

- (1) The proposed duration of the charter, pursuant to O.C.G.A. § 20-2-2067.1(b).
- (2) Rules and procedures concerning how the system and its schools will handle grievances and complaints from students, parents, and teachers.
- (3) The manner in which the system and its schools shall be insured, the terms and conditions thereof, and the amounts of coverage.
- (4) The manner in which transportation will be provided, and if so, include a statement that the transportation program will comply with applicable law. If transportation will not be provided, explain how this will not discourage eligible students from attending school in the system.
- (5) The manner in which food service will be provided including participation in federal school meals programs and, if so, briefly describe the charter system's proposed food service program.
- (6) A description of the employment procedures and policies of the system. The description of employment procedures and policies shall include, at a minimum, the following:
 - (a) If certification by the Georgia Professional Standards Commission will be required. If certification is not required, describe the training and

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experience that will be required, including how the system and its schools will determine whether a teacher has demonstrated competency in the subject area(s) in which he/she will teach as required under No Child Left Behind. If the teacher is required to be highly qualified under No Child Left Behind, please describe how the school will ensure that teachers meet the definition of highly qualified;

- (b) If the charter system and its schools will use the state salary schedule, and if another schedule will be used, provide that schedule;
 - (c) The charter system's and its schools' procedures to ensure compliance with the requirement that all staff members are subject to fingerprinting and background checks; and
 - (d) If the the charter system and its schools will elect to participate in the State Health Benefit Plan as provided pursuant to O.C.G.A. § 20-2-880 and § 20-2-910.
 - (e) State if the charter system will use the Fair Dismissal Act.
- (7) The manner in which the system schools' enrollment count will be determined for purposes of calculating charter school funding, pursuant to O.C.G.A. § 20-2-2068.1(c) or § 20-2-2090(d), as appropriate.
- (8) A statement that any facility not currently being used to house students, in the future will be approved by the Department prior to occupation.

(G) DEMONSTRATION OF FISCAL FEASIBILITY AND CONTROLS. A description of the system's financial structure, including the following components:

- (1) A statement that the system and its schools shall comply with federal monitoring required for schools that receive federal funds.
- (2) A statement describing how federal, state, and local funds shall be distributed to each system charter school;
- (3) A statement describing what autonomy charter system schools shall have over budgets and expenditures
- (4) A statement describing the fiscal history of the system, including whether the system or any system school is currently operating, or has ever operated, under a fiscal deficit plan over the previous five (5) year period, and if so, state the system's plan to correct the fiscal deficit.

(H) STATEMENT ON ANNUAL REPORT. A statement that the charter system shall provide an annual report to the Department, and parents and guardians of students enrolled in the charter system by October 1 of each year, in accordance O.C.G.A. § 20-2-2067.1(c) and that such report shall conform to the template provided by the Department.

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- (I) **GOVERNANCE STRUCTURE AND SCHOOL LEVEL GOVERNANCE.** All charter system petitions must provide a detailed explanation of the system’s governance structure and school-level governance, which highlights the differences between the current structure of the system and the proposed charter system, addressing each of the following elements:
- (1) A description of the organizational structure of the charter system, including the general areas of responsibility for the principal of each charter system school, the governing council of each charter system school, and the local board of education. With respect to the governing councils, provide a statement for each of the following:
 - (a) The composition of governing councils, including how and when members will be selected, how long they will serve, how they can be removed from office, and how they will avoid conflicts of interest.
 - (b) Acknowledgement of compliance with the provisions of O.C.G.A. § 50-14-1 *et seq.* (Open Meetings Act) and O.C.G.A. § 50-18-70 *et seq.* (Open Records Act)
 - (2) A detailed description of the decision-making authority of the principal of a charter system school, the governing council of a charter system school, and the local board of education, including an explanation of the rights and responsibilities of each, and providing specific examples of how decisions will be made, in each of the following areas:
 - (a) Personnel decisions, including hiring school principals and teachers;
 - (b) Financial decisions;
 - (c) Curriculum and instruction;
 - (d) Resource allocation;
 - (e) Establishing and monitoring the achievement of school improvement goals; and
 - (f) School operations.
 - (3) Provide a plan for maximizing school-level governance throughout the duration of the charter.
 - (4) A detailed description of any other elements of the system charter that meet the objective of maximizing school-level governance and school choice, including but not limited to open enrollment policies within the charter system or any distinguishing features to be implemented through the use of waivers.
 - (5) Describe the training that will be provided for principals and for members of the governing councils that will allow them to implement the school-level decision-making, particularly with respect to personnel decisions, financial decisions, curriculum and instruction, resource allocation, establishing and

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monitoring the achievement of school improvement goals, and school operations. This description shall include training timelines and topics to be covered.

- (6) A list of any schools within the school system applying for a system charter that are currently in Needs Improvement status, and an explanation of how the school system will support such schools under the system charter.

(J) **ATTACHMENTS.** Charter system applicants shall also attach the following documents to their petition application:

- (1) A copy of the local board resolution approving the proposed charter system petition
- (2) A copy of the required notice to each principal within the proposed charter system regarding hearings on the charter system petition
- (3) If system is currently accredited, then the system should attach a copy of the most recent accreditation report.

CHARTER SYSTEM PETITIONS: PART B. Petitions shall include the following components with respect to each proposed charter system school.

(A) **STATEMENT OF GOALS AND OBJECTIVES.** The petition must list and describe in detail the specific performance-based goals and measurable objectives, which at a minimum shall include goals and objectives that are related to the state and federal assessment standards, measurable on at least an annual basis, attainable, and reflect the mission set forth in the petition. The petition shall demonstrate that the performance-based goals and measurable objectives will result in continuous improvement in student achievement and will comply with Georgia's Single Statewide Accountability System. These goals and objectives should be specific to each proposed charter system and charter school. Failure to meet the specific performance-based goals and measurable objectives may result in charter termination.

(B) **DESCRIPTION OF THE EDUCATIONAL PROGRAM.** A description of the following components of the school's educational program, including an explanation of how these components shall contribute to the achievement of the performance-based goals and measurable objectives:

- (1) The school's mission;
- (2) The ages and grades to be included;
- (3) The focus of the curriculum;
- (4) Instructional methods to be used, including any distinctive or unique instructional techniques or educational programs to be employed;
- (5) For students with disabilities, a description of how each school shall provide state and federally-mandated services and comply with all special education

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laws, including Section 504 of the Rehabilitation Act of 1973, Title II of the Americans With Disabilities Act, and the IDEA;

- (6) For English Language Learners, a description of how each school shall provide state and federally-mandated services;
- (7) The extracurricular or other auxiliary educational activities that may be offered at each school;
- (8) How each school will meet the needs of students identified as gifted and talented;
- (9) How each school shall provide for supplemental educational services as required by federal law and pursuant to SBOE Rule 160-4-5-.03 Supplemental Educational Services in Title I Schools, and for remediation in required cases pursuant to SBOE Rule 160-4-5-.01 Remedial Education; and
- (10) The system's proposed annual calendar and a draft of each school's daily schedule.

(C) DESCRIPTION OF SCHOOL OPERATIONS. A description of the system's operations and management plan, including the following components:

- (1) The system's proposed attendance zone if it differs from the current attendance zone, pursuant to O.C.G.A. § 20-2-2062(1.1).
- (2) A description of all rules and procedures that shall govern the admission of students to the charter school, including:
 - (a) A statement as to whether each system charter school shall utilize any enrollment priorities pursuant to O.C.G.A. § 20-2-2066(a) and (b); and
 - (b) If any system charter school will use an application, a copy of the proposed application or a description of the application that demonstrates that the application conforms to the requirements of Rule and law, including the requirement that charter schools have open enrollment.

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Part 4: Charter Petition Requirements for Charter School Merger Applicants

- (A) **STATEMENT OF INTENT.** A description of how the proposed charter school promotes the legislative intent of the charter schools program to “increase student achievement through academic and organizational innovation,” in accordance with O.C.G.A. § 20-2-2061.
- (B) **STATEMENT REGARDING WAIVERS.** A statement that the school either shall or shall not utilize the broad flexibility from law, rule, and regulation permitted by O.C.G.A. § 20-2-2065(a).
- (1) Petitioners who will utilize the broad flexibility, shall state that the school agrees to comply with all requirements of the Single Statewide Accountability System and shall meet or exceed the performance-based goals included in the charter, including but not limited to raising student achievement. The petition shall include illustrative examples of how the charter school will implement the flexibility to meet or exceed the performance-based goals and to increase student achievement.
- (2) Petitioners who will not utilize the broad flexibility, shall enumerate specifically requested waivers in the petition. The petition shall state the rationale for each waiver, including how each waiver shall help the school meet or exceed the performance-based goals and increase student achievement.
- (C) **STATEMENT OF GOALS AND OBJECTIVES.** The petition must list and describe in detail the specific performance-based goals and measurable objectives, which at a minimum shall include goals and objectives that are related to the state and federal assessment standards, measurable on at least on annual basis, attainable, and reflect the mission set forth in the petition. The petition shall demonstrate that the performance-based goals and measurable objectives will result in continuous improvement in student achievement and will comply with the Single Statewide Accountability System. Failure to meet the specific performance-based goals and measurable objectives may result in charter termination.
- (D) **PARENTAL AND COMMUNITY INVOLVEMENT.** A description of how parents, members of the community, and other interested parties contributed to the development of the petition and how they will be involved in the school.
- (E) **DESCRIPTION OF THE EDUCATIONAL PROGRAM.** A description of the following components of the school’s educational program, including an explanation of how these

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components shall contribute to the achievement of the performance-based goals and measurable objectives:

- (1) The school's mission;
- (2) The ages and grades to be included;
- (3) The focus of the curriculum;
- (4) Instructional methods to be used, including any distinctive or unique instructional techniques or educational programs to be employed;
- (5) For students with disabilities, a description of how the school shall provide state and federally-mandated services and comply with all special education laws, including Section 504 of the Rehabilitation Act of 1973, Title II of the Americans With Disabilities Act, and the IDEA;
- (6) For English Language Learners, a description of how the school shall provide state and federally-mandated services;
- (7) The extracurricular or other auxiliary educational activities that may be offered at the school, including any partnerships with the local board or other community agencies regarding charter school students utilizing extracurricular activities at the local school that the student would otherwise attend;
- (8) How the school will meet the needs of students identified as gifted and talented;
- (9) How the school shall provide for supplemental educational services as required by federal law and pursuant to SBOE Rule 160-4-5-.03, and for remediation in required cases pursuant to SBOE Rule 160-4-5-.01; and
- (10) The school's proposed annual calendar and a draft daily school schedule.

(F) DESCRIPTION OF ASSESSMENT METHODS. A description of the school's student assessment plan, including the following components:

- (1) A statement detailing how the school shall comply with the accountability provisions of O.C.G.A. § 20-14-30 through § 20-14-41 and federal accountability requirements, including the manner in which the school shall work with the authorizer(s) to participate in statewide assessments.
- (2) A plan to obtain student performance data for each student, which shall include how the current baseline standard of achievement shall be determined in order to meet the petition's performance-based goals and measurable objectives. For the charter school's first year, baseline student achievement data shall be collected within three months of the first day of school. This data may include, but is not limited to, standardized assessment results from previous school years.
- (3) How assessments shall measure improvement and over what period of time.
- (4) The school's plan for using assessment data to monitor and improve achievement for all students.

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- (5) For charter high schools, a description of the method for determining that a student has satisfied the requirements for high school graduation as defined in SBOE Rule 160-4-2-.47.

(G) DESCRIPTION OF SCHOOL OPERATIONS. A description of the school's operations and management plan, including the following components:

- (1) The proposed duration of the charter, pursuant to O.C.G.A. § 20-2-2067.1(b).
- (2) The proposed attendance zone for the school, pursuant to O.C.G.A. § 20-2-2062(1.1). For attendance zone purposes, mergers will be treated as conversions.
- (3) A description of all rules and procedures that shall govern the admission of students to the charter school, including:
 - (a) A statement as to whether the charter school shall utilize any of the following enrollment priorities:
 1. A sibling of a student already enrolled in one of the merging schools;
 2. A student whose parent or guardian is a member of the governing board of the charter schools or is a full-time teacher, professional, or other employee at the charter school; and
 3. Students who were enrolled in the merging schools prior to the merger.
 - (b) If the school will use an application, a copy of the proposed application or a description of the application that demonstrates that the application conforms to the requirements of Rule and law, including the requirement that charter schools have open enrollment.
- (4) Rules and procedures concerning student discipline and dismissal, including the code of conduct and student due process procedures.
- (5) Rules and procedures concerning how the school will handle grievances and complaints from students, parents, and teachers.
- (6) The manner in which the school shall be insured, the terms and conditions thereof, and the amounts of coverage.
- (7) A statement regarding if transportation will be provided, and if so, include a statement that the transportation program will comply with applicable law. If transportation will not be provided, explain how this will not discourage eligible students from attending the school.
- (8) A statement regarding if food service will be provided including participation in federal school meals programs and, if so, briefly describe the charter school's proposed food service program.

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- (9) Describe the employment procedures and policies of the school. The description of employment procedures and policies shall include, at a minimum, the following:
- (a) Whether certification by the Georgia Professional Standards Commission will be required. If certification is not required, describe the training and experience that will be required, including how the school will determine whether a teacher has demonstrated competency in the subject area(s) in which he/she will teach as required under No Child Left Behind. If the teacher is required to be highly qualified under No Child Left Behind, please describe how the school will ensure that teachers meet the definition of highly qualified;
 - (b) Whether the charter school will use the state salary schedule, and if another schedule will be used, provide that schedule;
 - (c) The charter school's procedures to ensure compliance with the requirement that all staff members are subject to fingerprinting and background checks; and
 - (d) State whether the charter school will elect to participate in the State Health Benefit Plan as provided pursuant to O.C.G.A. § 20-2-880 and § 20-2-910.
- (10) A description of the steps that shall be taken to reach students representative of the racial and socioeconomic diversity in the school system.
- (11) Describe the facilities to be used, their location(s), and any pending modifications necessary for utilization for educational purposes. The description must include the following components:
- (a) A statement as to whether the building is new or existing. Building plans must be approved by the facilities department of the local board and the Department in the case of a local charter school or only by the Department in the case of a state charter special school.
 - (b) Documentation of ownership or a copy of the lease of the facility. If the facility has not been obtained or the documentation is not available at the time the petition is submitted, the petitioner shall provide a timeline for obtaining such facilities or providing such documentation and shall provide such documentation to the Department as soon as it is available.
 - (c) A Certificate of Occupancy must be obtained prior to student occupancy of the proposed facility. The latest possible date by which the Certificate of Occupancy shall be obtained must be included in the charter petition.

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- (d) The school's emergency safety plan, which may constitute a statement that the petitioner will prepare a safety plan in accordance with O.C.G.A. § 20-2-1185 and submit and obtain approval from the Georgia Emergency Management Agency by a specified date.
 - (12) The manner in which the school's enrollment count will be determined for purposes of calculating charter school funding, pursuant to O.C.G.A. § 20-2-2068.1(c) or § 20-2-2090(d), as appropriate.
- (H) DEMONSTRATION OF FISCAL FEASIBILITY AND CONTROLS. A description of the school's financial structure, including the following components:
- (1) If a local charter school, indicate whether the school shall utilize the local school board for fiscal management; and, if so, specify what autonomy the school shall have over budgets and expenditures.
 - (2) A statement that the school shall comply with federal monitoring required for schools that receive federal funds.
 - (3) A statement that the school shall adhere to the requirements set forth in the LUA manual.
 - (4) A statement that the school shall be subject to an annual financial audit conducted by an independent Georgia licensed Certified Public Accountant, in accordance with O.C.G.A. § 20-2-2065(b)(7). The financial reporting format shall be in conformity with generally accepted accounting principles.
 - (5) Designation of a chief financial officer possessing the following credentials:
 - a. A baccalaureate or higher degree in business, accounting, or finance from an accredited college or university and a minimum of four years experience in a field related to business or finance; or
 - b. Documented experience of ten or more years in the field of business and financial management.
 - (6) A statement that the school shall be subject to an annual financial audit conducted by an independent Georgia licensed Certified Public Accountant, in accordance with O.C.G.A. § 20-2-2065(b)(7). The financial reporting format shall be in conformity with generally accepted accounting principles.
 - (7) If a local charter school, indicate whether the school shall utilize the local school board for fiscal management; and, if so, specify what autonomy the school shall have over budgets and expenditures.
 - (8) A statement that the school shall comply with federal monitoring required for schools that receive federal funds.
 - (9) Spreadsheets that have been developed in accordance with the accompanying Guidance, which list detailed budget information projecting revenues and expenditures for the first five years of the proposed charter term. If any

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sources of revenue appearing in the spreadsheets are anticipated to come from private sources, documentation of such revenues must be included along with the petition.

- (10) A description of the method used to recruit the number of anticipated students at the school and a statement setting forth the school's plan for maintaining and/or increasing attendance.
- (11) A timeline as to when the school expects to receive state and local funding, as applicable, in order to begin operations.

(I) **STATEMENT ON ANNUAL REPORT.** A statement that the charter school shall provide an annual report to the Department, the local board (if a local charter school), and parents and guardians of students enrolled in the school by October 1 of each year, in accordance O.C.G.A. § 20-2-2067.1(c) and that such report shall conform to the template provided by the Department.

(J) **DESCRIPTION OF GOVERNANCE STRUCTURE.** A description of the school's governance structure, including the following components:

- (1) A description of how the charter school shall be governed.
- (2) A statement that the governing board shall be subject to the provisions of O.C.G.A. § 5014-1 *et seq.* and O.C.G.A. § 50-18-70 *et seq.*
- (3) If a local charter school, a statement that the governing board shall be subject to the control and management of the local board.
- (4) A statement regarding the governing board's function, duties, composition, how and when members shall be selected, trained, how long they shall serve, how members may be removed from office, and how members shall avoid conflicts of interests, as outlined in Guidance accompanying this Rule. Members of the local board and the superintendent of the local school system are prohibited from serving on the charter school's governing board, unless otherwise stipulated by the Department.
- (5) A description of how parents, members of the community, and other interested parties will be involved in the governing board of the school.
- (6) A list of proposed business arrangements or partnerships with existing schools, educational programs, businesses, or nonprofit organizations and a disclosure of any potential conflicts of interest. This includes a copy of any intended contracts for the provision of educational management services or the provision of supplemental educational services and remediation, and any agreements with other local schools for the charter school students' participation in extracurricular activities such as interscholastic sports and clubs.

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- (7) If a local charter school, a description of the method that the local board and the charter school plan to utilize for resolving conflict.
- (8) Evidence that the charter school, except as noted herein, has been incorporated as a Georgia nonprofit corporation pursuant to the Georgia Nonprofit Corporation Code, O.C.G.A. § 14-3-101 *et seq.*, as required by O.C.G.A. § 20-2-2065(b)(4). This evidence shall include an official copy of the certificate of incorporation from the Georgia Secretary of State and a copy of the by-laws for the Georgia nonprofit corporation. By-laws must specify the duties of governing board members as outlined in the Guidance accompanying this Rule.