

**160-4-9-.06 CHARTER AUTHORIZERS, FINANCING AND MANAGEMENT.**

**(1) RESPONSIBILITIES OF CHARTER AUTHORIZERS.**

(a) Local school boards shall control and manage local charter schools, pursuant to O.C.G.A. § 20-2-2065(b)(2). This control and management shall include the responsibilities outlined in the Charter Authorizers, Financing and Management Guidelines.

(b) The State Board of Education (SBOE) shall have supervisory duties pursuant to O.C.G.A. § 20-2-2063. These supervisory duties shall include the responsibilities outlined in the Charter Authorizers, Financing and Management Guidelines.

**(2) CHARTER SCHOOL FINANCING**

(a) Charter school funding calculations shall be as following:

1. Local charter schools and state chartered special schools shall be eligible for federal, state, and other funds pursuant to O.C.G.A. § 20-2-2068.1.

2. Charter schools shall receive all funding from the Georgia Department of Education (the Department) through the designated fiscal agent. For local charter schools the LEA in which the charter school is physically located, or the local board stipulated in the charter, shall serve as the fiscal agent pursuant to O.C.G.A. § 20-2-2068.1. For state-chartered special schools the school will serve as its own fiscal agent.

(b) In each year in which charter school facilities funds are appropriated by the General Assembly pursuant to O.C.G.A. § 20-2-2068.2. The SBOE shall allocate the funds among eligible charter schools as outlined in Charter Authorizers, Financing and Management Guidelines.

(c) In each year in which charter school capital financing funds are appropriated by the General Assembly pursuant to O.C.G.A. § 20-2-2095 *et. seq.*, the SBOE shall establish a grant program, in the form of matching funds, for qualified charter school contributions pursuant to Charter Authorizers, Financing and Management Guidelines.

(d) All charter school grants shall be administered according to the procedures outlined in the Charter Authorizers, Financing and Management Guidelines.

**(3) MANAGEMENT OF CHARTER CONTRACTS**

**(a) EXECUTION OF CHARTER CONTRACTS.**

1. Approved Petitioners, and where applicable, the local board(s) shall return a fully executed charter contract to GaDOE within sixty (60) days of receipt.

(b) CHARTER AMENDMENTS.

1. Pursuant to O.C.G.A. § 20-2-2067.1, the charter of a local charter school may be amended during the charter term upon the approval of the school governing board, the local board(s), and the SBOE. The charter of a state-chartered special school may be amended upon the approval of the school governing board and the SBOE. The charter of a charter system may be amended upon approval of the local board and the SBOE.

2. Amendment requests submitted to the SBOE must meet content and formatting requirements stipulated in the Charter Authorizers, Financing and Management Guidelines.

(c) TERMINATION OF A CHARTER.

1. Pursuant to O.C.G.A. § 20-2-2068, the termination of a charter for a local charter school may be requested by a majority of the parents or guardians of students enrolled at the charter school, by a majority of faculty and instructional staff employed at the charter school, or by the local board(s). The SBOE may terminate the charter for a local charter school for any reason provided in O.C.G.A. § 20-2-2068(a)(2), after providing reasonable notice and an opportunity for a hearing.

2. The SBOE may terminate the charter for a state-chartered special school for any reason provided in O.C.G.A. § 20-2-2068(a)(2), after providing reasonable notice and an opportunity for a hearing.

3. The governing council of a system charter school may request the termination of the system's charter. If a system charter school requests the termination of the system's charter, the SBOE will conduct a hearing to determine the necessity for the termination or amendment of the charter and negotiate any amendment or terminate the charter for good cause. Additionally, the SBOE may terminate the charter for a charter system for any reason provided in O.C.G.A. § 20-2-2068(a)(2), after providing reasonable notice and an opportunity for a hearing.

4. In cases where the health, safety, or welfare of students or staff of a charter school is in danger or where the charter school has experienced financial irregularities, any party to the charter or the SBOE may make an emergency termination request. The SBOE, through a regular or called meeting, may temporarily suspend the operations of the charter school until a termination hearing can be conducted. Depending on the nature of the danger or financial irregularity, the SBOE may request the local board(s) to assign the charter school students to another public school or overtake operations of the charter school.

5. Upon termination of the charter for a local charter school all assets and unencumbered funds of the terminated local charter school remaining after liabilities have been satisfied shall revert to the local board(s). Upon termination of the charter for a state chartered special school, all assets and unencumbered funds of the state-chartered special school shall revert to the Department.

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6. Upon termination or closing of a charter school, the local board(s) shall also notify affected charter school students and parents of the charter school closing and their other public school choice options no later than one week after the charter terminates.

Authority O.C.G.A §§ 14-3-101, 20-2-880, 20-2-910, 20-2-1185, 20-2-2061, 20-2-2062, 20-2-2063, 20-2-2063.1, 20-2-2063.2, 20-2-2064, 20-2-2064.1, 20-2-2065, 20-2-2066, 20-2-2067, 20-2-2067.1, 20-2-2068, 20-2-2068.1, 20-2-2068.2, 20-2-2069, 20-2-2070, 20-2-2071, 20-2-2095.1, 20-2-2095.2, 20-2-2095.3, 20-2-2095.4, 20-2-2095.5, 20-14-30 through 20-14-41, 20-2-204, 20-2-161, 20-2-164, 50-14-1, 50-13-13, 50-18-70.

**Adopted: September 8, 2011**

**Effective: September 28, 2011**