

## **Frequently Asked Questions for New Charter Petitioners**

### **Qualifications for Opening a Charter School**

*Who may start a charter school in Georgia?*

Existing local schools, private individuals, private organizations, and state and local public entities may organize a charter public school subject to a performance-based contract approved by both the state and local boards of education or by the Georgia Charter Schools Commission.

*Who cannot start a charter school in Georgia?*

The term "charter petitioner" does not include home study programs or schools, sectarian schools, religious schools, private for-profit schools, private educational institutions not established, operated, or governed by the State of Georgia, or existing private schools.

### **The Petition Process**

*How do I start a charter school?*

An application, commonly referred to as a petition, must be submitted to and approved by a local authorizer. After approval by a local authorizer, the petition must be submitted to the Charter Schools Division at the Georgia Department of Education. Petitions will then be subject to an evaluation process and will ultimately be approved or denied by the State Board of Education.

*What happens if my local authorizer does not approve my petition?*

Upon denial by a local authorizer, applicants may submit their petitions to the Georgia Charter Schools Commission or to the State Board of Education. The Commission acts as an alternate authorizer should a local board deny a petition. Petitions will be subject to an evaluation process. Petitions approved by the State Board of Education alone, known as state-chartered special schools, receive only state funding.

*What does the evaluation process by the State Board of Education entail?*

A petition will first be read by highly qualified reviewers at the Georgia Department of Education. These reviewers evaluate the overall capacity of the petitioner to develop, launch and sustain operation of a high-quality charter school. Once a petition is thoroughly reviewed, the Charter Schools Division will provide a list of recommendations and give the petitioner an opportunity to revise the petition. Additionally, petitioners are invited to participate in a formal interview. Finally, the Charter Schools Division will make a recommendation of either approval or denial to the State Board of Education.

*What happens if I decide to revise my petition?*

Petitioners who chose to revise their petition must have their local authorizer reapprove the revised petition. Revised petitions must undergo another review by the Charter Schools Division.

*What happens if my petition is approved?*

The State Board of Education does not approve petitions. The State Board of Education will approve a contract that the Charter Schools Division drafts that encompasses elements of the petition. The charter contract is a legally binding document between the following parties: the petitioner, the local authorizer and the State Board of Education. Until the Charter Schools Division receives an executed contract with all appropriate signatures, the petitioner may not legally open their charter school.

*What happens if my petition is denied?*

If the State Board of Education denies a petition, they have 60 days to provide the petitioner with the reasons for their denial. The Charter Schools Division encourages denied petitioners to think critically about the reasons for denial, revise their petition accordingly and resubmit the following year.

*Must I apply to the local board first, or may I apply directly to the Georgia Charter Schools Commission?*

Petitioners to the Commission are required to also submit a petition to the local board(s) of education, either prior to or concurrently with their commission petition. The commission may not act on the petition until the local board(s) of education has had the opportunity to approve or deny the petition. The one exception to this rule is if the proposed charter school plans to enroll students from five or more counties.

## **The Petition**

*Where can I get an application to start a charter school?*

There is no "charter application" in the sense of a fill-in-the-blank form. The charter petition itself is the application. Guidance, cover sheets for required signatures, and checklists are available on the Georgia Department of Education Charter Schools web site at [http://public.doe.k12.ga.us/pea\\_charter.aspx](http://public.doe.k12.ga.us/pea_charter.aspx).

*What are the additional requirements for conversion charter school petitions?*

A conversion charter school petition must be agreed to by a majority of the faculty and instructional staff members and a majority of parent or guardians of students enrolled in the petitioning local school before the petition is presented to the local board for approval.

*What must be included when I submit my completed petition?*

Three hard copies and one electronic copy of the petition must be submitted to the Georgia Department of Education. The petition must include properly completed cover sheets and checklists and the petition and appendices must be clearly marked by alphabetical or numerical tabbed dividers. The Georgia Department of Education reserves the right to not accept incomplete submissions.

## **Petition Deadlines**

*When is the Letter of Intent due?*

Start-ups: February 1  
Commission schools: February 1  
State-chartered special schools: February 1  
Conversions: May 1  
Renewals: N/A

Charter Systems: May 1

*When are petitions due to the State Department of Education office?*

Start-ups: August 1

Commission schools: August 1

State-chartered special schools: August 1

Conversions: November 1

Renewals: November 1

Charter Systems: November 1

*If a deadline falls on a weekend, when is my document due?*

The document is due on the business day prior to the deadline, or must be postmarked by the deadline.

## **Grants**

*Are grants available for planning and implementing a charter school?*

Planning Grants and Implementation Grants are available through the State Department of Education via the Federal Public Charter Schools Program. Charter petitioners are eligible to apply for a charter school planning grant prior to the time a charter is approved. The grants are competitive and limited to availability of state funds. Planning grants are \$8,000. Charter petitioners are eligible to apply for charter school implementation grants once a charter has been approved by the State Board of Education or the Georgia Charter Schools Commission. The grants are competitive and limited to availability of federal funds. Absent extraordinary circumstances, implementation grants are limited to the amounts outlined in the application.

*I don't see the Planning Grant budget form online, what should I do?*

First, consult our website under Charter School Grant Programs. If you still cannot find what you are looking for, contact the Charter Schools Division at [sgraham@doe.k12.ga.us](mailto:sgraham@doe.k12.ga.us).

*I applied for a state-funded Planning Grant and was denied. Am I eligible to apply again? If so, when?*

Applicants may reapply for the state funded planning grant as long as they have not been approved by an authorizer.

*Where can I find charter school grant applications?*

All charter school grant applications are posted on the Georgia Department of Education's website on the Charter Schools Divisions homepage.

## **Rules and Regulations Governing Charter Schools**

*Which state laws and State Board of Education rules MAY be waived by a charter school?*

A charter school may waive most state laws and SBOE rules, with the exception of those pertaining to health and safety, funding formulas, and accountability provisions.

*Which state and federal laws and State Board of Education rules MAY NOT be waived by a charter school?*

Charter schools may not wave state laws or SBOE rules pertaining to health and safety, funding formulas, or accountability provisions. In addition, charter schools may not waive any aspect of federal law. This includes the Elementary and Secondary Education Act (also known as No Child Left Behind), the Individuals with Disabilities Education Act (IDEA), and all applicable civil rights legislation.

*Are charter schools subject to “adequate yearly progress” (AYP) and other accountability requirements of No Child Left Behind?*

Yes.

*May a charter school focus on a special population of students?*

Provided that a school adheres to the laws regarding open admissions, a charter school may, through its educational focus, target a particular population of students with a specific need, such as students with disabilities, English language learners, or students at risk for dropping out of school. Petitioners considering such a model are advised take the necessary precautions and to work closely with their authorizer to ensure compliance with state and federal laws.

### **Non-Profit Status**

*Are start-up charter schools required to organize and operate as a non-profit organization?*

Yes.

*Are conversion charter schools required to organize and operate as a non-profit organization?*

No.

*Are LEA start-up charter schools required to organize and operate as a non-profit organization?*

No.

### **Teacher & Staff Qualifications, Certification, and Compensation**

*Must teachers in charter schools be certified?*

State certification requirements are one of the provisions that charter schools are permitted to waive if they so choose. A charter school must request either this specific waiver or have the full flexibility allowed under the Charter Schools Act to exercise this option. However, charter schools must comply with federal requirements for “highly qualified” teachers under Title IIA of No Child Left Behind. The certification levels of proposed teachers may be considered by the local and state authorizers when evaluating the petition.

*What qualifications do charter school paraprofessionals have to meet?*

At a minimum, paraprofessionals must pass a criminal background check and are subject to the requirements of the federal No Child Left Behind act.

*Are teachers employed by a charter school paid according to Georgia’s Salary Schedule?*

The charter petition defines the salary schedule for certified teachers. The salary schedule may or may not be the Georgia Annual/Monthly Teacher & Administrator Salary Schedule for teachers. Conversion charter schools often continue to name the local board of education as the employer with no change to benefits and the salary schedule.

*Do teachers participate in the Georgia Teacher Retirement System (TRS)?*

Teachers at charter schools are required to be members of the Teachers Retirement System.

### **Budget**

*How specific should the petition budget be?*

The budget included in the charter petition should be as specific as possible to ensure the maximum amount of transparency. Petitioners should include average teacher salaries and conservative revenue projections. Competitive grants should be purged from the petition budget.

The petitioner must also make sure that charitable contributions have been reasonably assured before adding them to the budget projections.

*Can the Charter Schools Division provide me with examples of good budgets?*

Past petitions are posted on the charter website for the public to view. This is a good opportunity to learn from former petitioners.

*Is there a contact for financial questions regarding the petition?*

Yes, Terence Washington, [twashington@doe.k12.ga.us](mailto:twashington@doe.k12.ga.us), (o) 404-651-0042

## **Educational Program and Academic Goals**

*How do I know if the academic and performance-based goals in my petition are rigorous?*

Petitioners should do their research in order to establish rigorous and appropriate academic goals and objectives. Petitioners should become familiar with the academic performance of other schools in their area, as well as the academic goals of successful schools, in order to determine that they are setting goals that will raise student achievement.

*What are SMART goals?*

Academic goals and objectives presented in the petition should be specific, measureable, attainable, realistic, and timely. Petition reviewers will be looking for goals and objectives that meet these criteria.

*Where can I find information about serving special populations of students, such as English language learners, students with disabilities, and gifted students?*

Charter schools, as public schools, must serve all students, including populations with unique needs, such as English language learners, students with disabilities, and gifted students. A successful petition demonstrates that the petitioners are capable of adequately and appropriately serving these populations. Petitioners should research state and federal requirements regarding the identification, service, and assessment of special student populations. Resources include the Georgia Department of Education's website, and the United State department of Education website. The Georgia Department of Education also provides training opportunities with regard to serving special student populations.

## **Charters**

*What is the duration of a charter?*

Pursuant to O.C.G.A. Sections 20-2-2067.1(b), the State Board of Education typically grants 5-year charters. At the request of the petitioner, this term may be shorter. Charter terms may not exceed 10 years.

*May a charter be amended?*

Yes, a charter contract may be amended pursuant to O.C.G.A. Section 20-2-2067.1. Amendments are subject to local and state board approval.

*May a charter be terminated?*

Yes, a charter contract may be terminated pursuant to O.C.G.A. Section 20-2-2068.

*Under what circumstances can a charter be terminated?*

A charter may be terminated under the following circumstances.

- 1) A majority of parents guardians of enrolled students OR a majority of faculty and instructional staff vote to request that the state board of education terminate the charter.

- 2) The state board finds that a school has failed to adhere to terms of its charter, has failed to comply with generally accepted standards of fiscal management, or has violated applicable laws, or finds evidence that the continued operation of the school would be contrary to the best interests of the students or the community.
  - 3) Upon the written request of a local board of education, provided that the local board provided reasonable notice to the school and an opportunity for a hearing.
- Please consult O.C.G.A Section 20-2-2068 for more details regarding the termination of a charter.

### **Additional Questions**

*Whom can I contact if I did not find the answer to my question here?*

Please contact the Charter Schools Division at (404) 657-0515 or [sgraham@doe.k12.ga.us](mailto:sgraham@doe.k12.ga.us).