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Policy and External Affairs Charter Schools

Empowering minds to achieve through public schools operating under board-approved charters.

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Frequently Asked Questions About Charter Schools

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What is a charter school in Georgia?

A charter school is a public school that operates according to the terms of a charter, or contract, that has been approved by a local board of education and the State Board of Education. The charter school may request waivers from provisions of Title 20 of Georgia state law and any state or local rule, regulation, policy, or procedure relating to schools in the school district. In exchange for this flexibility, the charter school is bound by contract to be held accountable for meeting the performance-based objectives specified in the charter.

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What is a conversion charter school?

A conversion charter school is a school that existed as a public school prior to becoming a charter school and operates under the terms of a charter between the public school, local board of education, and the State Board of Education.

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What is a start-up charter school?

A start-up charter school is a school started by private individuals, private organizations, or state and local public entities that operate the school according to the terms of a charter contract between the charter petitioner, local board of education, and the State Board of Education. The school did not exist prior to the petition.

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What is an LEA start-up charter school?

An LEA start-up charter school is a new school started by the LEA as a charter school. The new school operates under the terms of a charter between the charter petitioner, local board of education, and the State Board of Education.

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What is a State Chartered Special School?

A State Chartered Special School is a public school that operates according to the terms of a charter, or contract, that has been approved by the State Board of Education. The State Board of Education may approve a State Chartered Special School if a charter has been denied by a local board of education, mediation has not been successful, and the charter petition meets the requirements of a State Chartered Special School described in the Charter Schools Act of 1998 and the State Board of Education Charter Schools Rule 160-4-9-.04.

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What is a Charter System?

A Charter System is a local school system that is operating under the terms of a charter. The Charter Systems Act allows local boards of education to contract with the State Board of Education to become a Charter System. A Charter System provides the opportunity for teachers, administrators, parents, and school boards to have greater flexibility to determine the educational needs of students within their district and requires some level of school level governance in the system. To become a charter system, the local school system must submit a charter school petition to the DOE, after such petition has been approved by the local board.

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How many charter schools are there in GA?

Currently, Georgia has 71 operational charter schools (2007-2008 school year). In addition, the State Board of Education has approved several new charter schools that are scheduled to open in Fall 2008, with dozens of locally approved charter school petitions currently being reviewed.

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How do I enroll my child in a charter school?

A charter school is a public school that must as a condition of its charter have an open enrollment policy. Please contact your local charter school for details. A complete list of charter schools can be found on our website under *Most Requested Information*.

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What is the CAC?

The Charter Advisory Committee is a state-level body that reviews charter petitions for compliance with established standards of the state board, makes recommendations to the state board on charter policy, and provides recommendations to the state board regarding charter petitions.

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Do charter schools serve students with special needs?

Yes, charter schools, like all public schools, are required by law to serve students with special needs in accordance with their Individualized Educational Plan. For additional information please read the *Special Education Primary for Petitioners, Authorizers and Districts* found in the Technical Assistance section of our website.

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May a conversion charter school apply to the State Board for a charter if the local board denies their petition?

No

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What is the difference between a charter school and a traditional public school?

A traditional public school is organized according to federal laws, state school laws, State Board of Education rules, and local board of education policies. A charter school is organized according to federal laws, applicable state school laws and SBOE rules that cannot be waived, and the terms of the charter contract.

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What is the difference between a charter school and a magnet or theme school?

The charter school concept is an organization model. The focus is on how the school is organized, governed, and managed. Instructional strategies will vary from one charter school to the next. A charter school cannot have admission criteria.

The magnet or theme school is an instructional model. The focus is on the instructional strategy implemented at the school, for example, a focus on technology or performing arts. Some magnet schools have admission criteria.

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What is the difference between a charter school and a private school?

A charter school is a public school that is organized and operated according to the terms of the charter, or contract. A charter school cannot have admissions criteria or charge tuition.

A private school is not subject to state school laws, local board of education policies, or State Board of Education rules. Private schools may have admissions criteria and charge tuition.

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Who may start a charter school in Georgia?

The Charter Schools Act of 1998 provides that 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.

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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.

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What is the approval process for granting a charter?

After a charter petition has been approved by a local board of education, the petition may be submitted for approval to the State Board of Education. The State Board of Education grants the charter. The local board of education sponsors the charter.

A conversion school petition must be agreed to by a majority of the faculty and instructional staff members of the petitioning local school and agreed to by 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.

If a local board of education denies a charter petition, the State Board of Education may grant a charter for a state chartered special school.

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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 which describes the proposed school according to the elements identified in the Charter Schools Act of 1998 and the State Board of Education Charter Schools Rule 160-4-9-.04. Guidance, cover sheets for required signatures, and checklists are available on the Georgia Department of Education Charter Schools web site at http://www.gadoe.org/pea_charter.aspx. All petitions submitted to the Georgia Department of Education must be accompanied by properly completed cover sheets and checklists.

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Who can attend a charter school?

Any student who resides in the school district in which the charter school is located and who submits a timely application may attend a charter school. If the number of applications exceeds the capacity of the school, all applicants will have an equal chance of being admitted through a random selection process or lottery. Enrollment preference may be given to students who reside in the school's attendance zone, which is defined in the charter contract. A sibling of a resident student currently enrolled in the charter school may also be given enrollment preference. A charter school cannot have admission criteria.

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How can a student enroll in a Georgia charter school?

If the charter school is located in the school district where the student resides, call the charter school or the local school system to inquire about registration

procedures. If the charter school is located in a school district where the student does not live, call the charter school or the local school system to inquire about registration procedures for accepting students out of district.

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How are charter schools funded?

Charter schools are public schools. The Georgia Charter Schools Act of 1998 states that a charter school shall be included in the allotment of funds to the local school system in which the charter school is located. The local board and state board shall treat the charter school no less favorably than other local schools in the school district with respect to the provision of funds for instructional and school administration and, where feasible, transportation, food services, and building programs. The amount of money the charter school will receive from the local board will be determined according to the provisions of the Charter Schools Act of 1998. In addition, the charter school will receive federal funds for special education services and for other categorical program services to the extent to which any pupil is in the charter school is eligible to participate. If additional revenues are needed, the charter school must depend on independent means.

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How are charter school facilities funded?

The State Board of Education has created a facilities fund for local charter schools and state chartered special schools to establish a per pupil, need based facilities aid program. The moneys from the fund can be used to purchase real property, construct school facilities, purchase or lease school facilities, purchase vehicles to transport students to and from the charter school, and renovate, repair, and maintain the school facilities. The Department of Education has specified procedures for submitting and approving requests for funding. Local boards are required to renovate, repair, and maintain the school facilities of charter schools in the district to the same extent as other public schools in the district if the local board owns the charter school facility.

Prior to releasing moneys from the facilities fund, the DOE shall ensure that the governing board of the local charter school and the local board shall enter into a written agreement that includes a provision for the reversion of any unencumbered funds and all equipment and property purchased with public education funds to the ownership of the local board in the event the local charter school terminates operations.

Charter schools may access property designated surplus by a local board of education on the same basis as it makes such available to other public schools under the control and management of the local board of education.

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Are grants available for planning and implementing a charter school?

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 \$5,000. Charter petitioners are eligible to apply for charter school implementation grants once a charter has been approved by the State Board of Education. The grants are competitive and limited to availability of federal funds. Absent extraordinary circumstances, implementation grants are limited to \$200,000 for conversions, \$400,000 for start-ups, and \$600,000 for state chartered special schools.

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What is the duration of a charter?

The initial term of a charter shall be for a minimum of five years and shall not exceed ten years. A petitioner may consent to a charter term fewer than five years.

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May a charter be amended?

Yes, upon approval of all parties to the charter.

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May a charter be terminated?

Yes, the State Board may terminate a charter if called for by a majority of parents at the school, a majority of faculty and instructional staff employed by the school, or the written request of the school system. The State Board may also terminate upon its own findings. Reasons for termination are defined in the Charter Schools Act of 1998.

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What is the difference between a school improvement plan and a charter petition?

A school improvement plan includes:

- Identification of strategies that will strengthen core academics
- Development of a timeline to implement the strategies
- Identification of professional development resources needed to implement the strategies and associated costs
- Identification of methods to evaluate the success of the plan

A charter petition includes:

- An education plan or school improvement plan
- A governance plan
- A business plan
- School organization plan
- Waivers needed to implement proposed plans

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Who is the employer of the faculty and staff of a charter school?

The charter petition defines who will be the employer of the faculty and staff at a charter school. Conversion charter schools often continue to name the local board of education as the employer with no change to benefits and the salary schedule. Start-up charter schools may designate the governing board of the school, the non-profit governing board, or an education management organization (EMO) as the employer. In the case of the latter, the salary schedule may or may not be the same as the Georgia Annual/Monthly Teacher & Administrator Salary Schedule. Various arrangements are made to provide benefits packages to employees. For example, the charter school's governing board may contract with a private company to provide benefits to employees of the charter school.

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

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

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Must teachers in charter schools be certified?

Georgia law does not require teachers at charter schools to be certified. The certification levels of proposed teachers may be considered by the local and state board when voting on the petition.

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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.

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Why would a conversion or new school (LEA start-up) want to open as a charter school?

Once the education plan and the organization of a school is identified, flexibility from state school laws, local board of education policies, and/or State Board of Education rules may be needed to implement the plan.

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If a student decides to leave a charter school, may that student re-enroll in a traditional public school?

Yes

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

No

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

Yes

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

No

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Which state and federal laws and SBOE rules MAY NOT be exempted by a charter school?

Charter schools **may not** waive, and are not exempt from, federal law. Charter schools **may** waive state and local laws, rules, regulations, policies, and procedures relating to schools, with the exception of the following:

- Charter Schools Act of 1998
O.C.G.A. 20-2-2061 through O.C.G.A. 20-2-2071
- State Board of Education Charter Schools Rule
IEB 160-4-9-.04
- School Accountability Provisions
Part 3 of Article 2 of Chapter 14 of Title 20
O.C.G.A. 20-14-30 through O.C.G.A. 20-14-41
- Shall Not Charge Tuition
O.C.G.A. 20-2-133

- Unlawful Conduct in or near a Public School
O.C.G.A. 20-2-1180 through O.C.G.A. 20-2-1182
- Reporting Requirements – Student Data Collection
O.C.G.A. 20-2-320
- Brief Period of Quiet Reflection
O.C.G.A. 20-2-1050, 20-2-1051
- Open and Public Meetings
O.C.G.A. 20-2-85
- Inspection of Public Records
O.C.G.A. 50-18-70
- Fingerprinting and Criminal Record Check of All Personnel Employed by the Charter School
O.C.G.A. 20-2-211

All federal, state, and local rules, regulations, court orders, and statutes relating to civil rights; insurance; the protection of the physical health and safety of school students, employees, and visitors; conflicting interest transactions; and the prevention of unlawful conduct.

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