

U.S. Department of Education

Washington, D.C. 20202-5335



APPLICATION FOR GRANTS UNDER THE

**CHARTER SCHOOLS PROGRAM STATE EDUCATIONAL AGENCY
CFDA # 84.282A
PR/Award # U282A100007**

OMB No. 1894-0006, Expiration Date:
Closing Date: MAY 07, 2010

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This application was generated using the PDF functionality. The PDF functionality automatically numbers the pages in this application. Some pages/sections of this application may contain 2 sets of page numbers, one set created by the applicant and the other set created by e-Application's PDF functionality. Page numbers created by the e-Application PDF functionality will be preceded by the letter e (for example, e1, e2, e3, etc.).

Application for Federal Assistance SF-424		Version 02
* 1. Type of Submission <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application:* If Revision, select appropriate letter(s): <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation * Other (Specify) <input type="checkbox"/> Revision	
* 3. Date Received: 5/6/2010	4. Applicant Identifier:	
5a. Federal Entity Identifier:	* 5b. Federal Award Identifier: N/A	
State Use Only:		
6. Date Received by State:	7. State Application Identifier:	
8. APPLICANT INFORMATION:		
* a. Legal Name: Georgia Department of Education		
* b. Employer/Taxpayer Identification Number (EIN/TIN): 123456789	* c. Organizational DUNS: 806743159	
d. Address:		
* Street1:	2053 Twin Towers East	
Street2:	205 Jesse Hill Jr. Drive, SE	
* City:	Atlanta	
County:		
State:	GA	
Province:		
* Country:	USA	
* Zip / Postal Code:	30334	
e. Organizational Unit:		
Department Name: Georgia Department of Education	Division Name: Charter Schools Division	
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: Middle Name:	Mr.	* First Name: Louis

* Last Name: Erste

Suffix:

Title: Charter School Director

Organizational Affiliation:

Georgia Department of Education

* Telephone Number: (404)651-8734

Fax Number:

* Email: LERSTE@DOE.K12.GA.US

Application for Federal Assistance SF-424

Version 02

9. Type of Applicant 1: Select Applicant Type:

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

10. Name of Federal Agency:

U.S. Department of Education

11. Catalog of Federal Domestic Assistance Number:

84.282A

CFDA Title:

Charter Schools Program State Educational Agency

*** 12. Funding Opportunity Number:**

84.282A

Title:

Charter Schools Program State Educational Agency

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

*** 15. Descriptive Title of Applicant's Project:**

Increasing the Number of High-Quality Charter Schools in Georgia

Attach supporting documents as specified in agency instructions.

Attachment:

Title :

File :

Attachment:

Title :

File :

Attachment:

Title :

File :

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

* a. Applicant: Ga-004

* b. Program/Project: GA-all

Attach an additional list of Program/Project Congressional Districts if needed.

Attachment:

Title :

File :

17. Proposed Project:

* a. Start Date: 7/1/2010

* b. End Date: 7/1/2013

18. Estimated Funding (\$):

a. Federal	\$ 35000000
b. Applicant	\$
c. State	\$ 9238500
d. Local	\$
e. Other	\$
f. Program Income	\$
g. TOTAL	\$ 44238500

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

a. This application was made available to the State under the Executive Order 12372 Process for review on .

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

Yes No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

IXI ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name: Scott

Middle Name:

* Last Name: Austensen

Suffix:

Title: Deputy Superintendent Finance Business Operations

* Telephone Number: (404)656-2492 Fax Number:

* Email: SAUSTENS@DOE.K12.GA.US

* Signature of Authorized Representative: * Date Signed:

Application for Federal Assistance SF-424

Version 02

*** Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.



U.S. DEPARTMENT OF EDUCATION
BUDGET INFORMATION
NON-CONSTRUCTION PROGRAMS

OMB Control Number: 1894-0008

Expiration Date: 02/28/2011

Name of Institution/Organization:
Georgia Department of Education

Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

SECTION A - BUDGET SUMMARY
U.S. DEPARTMENT OF EDUCATION FUNDS

Budget Categories	Project Year 1(a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel	\$ 276,800	\$ 405,500	\$ 405,500	\$ 0	\$ 0	\$ 1,087,800
2. Fringe Benefits	\$ 42,450	\$ 53,700	\$ 53,700	\$ 0	\$ 0	\$ 149,850
3. Travel	\$ 11,000	\$ 15,000	\$ 15,000	\$ 0	\$ 0	\$ 41,000
4. Equipment	\$ 9,500	\$ 9,700	\$ 9,700	\$ 0	\$ 0	\$ 28,900
5. Supplies	\$ 5,000	\$ 5,000	\$ 5,000	\$ 0	\$ 0	\$ 15,000
6. Contractual	\$ 11,225,784	\$ 11,225,833	\$ 11,225,833	\$ 0	\$ 0	\$ 33,677,450
7. Construction	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
8. Other	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
9. Total Direct Costs (lines 1-8)	\$ 11,570,534	\$ 11,714,733	\$ 11,714,733	\$ 0	\$ 0	\$ 35,000,000
10. Indirect Costs*	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
11. Training Stipends	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
12. Total Costs (lines 9-11)	\$ 11,570,534	\$ 11,714,733	\$ 11,714,733	\$ 0	\$ 0	\$ 35,000,000

***Indirect Cost Information (To Be Completed by Your Business Office):**

If you are requesting reimbursement for indirect costs on line 10, please answer the following questions:

(1) Do you have an Indirect Cost Rate Agreement approved by the Federal government? Yes No

(2) If yes, please provide the following information:

Period Covered by the Indirect Cost Rate Agreement: From: ___/___/___ To: ___/___/___ (mm/dd/yyyy)

Approving Federal agency: ED Other (please specify): _____ The Indirect Cost Rate is 0%

(3) For Restricted Rate Programs (check one) -- Are you using a restricted indirect cost rate that:

Is included in your approved Indirect Cost Rate Agreement? or, Complies with 34 CFR 76.564(c)(2)? The Restricted Indirect Cost Rate is 0%

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Standard Form 424B (Rev.7-97)

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. "4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. "1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. '794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. "276a to 276a-7), the Copeland Act (40 U.S.C. '276c and 18 U.S.C. "874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. " 327-333), regarding labor standards for federally assisted construction sub-agreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. "1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. "7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. "1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance

of 1975, as amended (42 U.S.C. " 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) " 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. " 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. ' 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. "1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. '470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. "469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. "2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. "4801 et seq.) which prohibits the use of lead- based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signature of Authorized Certifying Representative:

Name of Authorized Certifying Representative: Scott Austensen

Title: Deputy Superintendent Finance Business

Date Submitted: 05/05/2010

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

1. Type of Federal Action: <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input type="checkbox"/> Loan <input type="checkbox"/> Loan Guarantee <input type="checkbox"/> Loan Insurance	2. Status of Federal Action: <input type="checkbox"/> Bid/Offer/Application <input type="checkbox"/> Initial Award <input type="checkbox"/> Post-Award	3. Report Type: <input type="checkbox"/> Initial Filing <input type="checkbox"/> Material Change For Material Change only: Year: 0 Quarter: 0 Date of Last Report:
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier, if known: 0 Name: Georgia Department of Education Address: 2053 Twin Towers East City: Atlanta State: GA Zip Code + 4: 30334- Congressional District, if known:	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Name: Address: City: State: Zip Code + 4: - Congressional District, if known:	
6. Federal Department/Agency: U.S. Department of Education	7. Federal Program Name/Description: CFDA Number, if applicable: 84.282A	
8. Federal Action Number, if known:	9. Award Amount, if known: \$0	
10. a. Name of Lobbying Registrant (if individual, last name, first name, MI): Address: City: State: Zip Code + 4: -	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): Address: City: State: Zip Code + 4: -	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Name: Scott Austensen Title: Deputy Superintendent of Finance Applicant: Georgia Department of Education Date: 05/05/2010	
Federal Use Only:	Authorized for Local Reproduction Standard Form LLL (Rev. 7- 97)	

Section 427 of GEPA

NOTICE TO ALL APPLICANTS

The purpose of this enclosure is to inform you about a new provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Public Law (P. L.) 103-382).

To Whom Does This Provision Apply?

Section 427 of GEPA affects applicants for new grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.**

(If this program is a State-formula grant program, a State needs to provide this description only for projects or activities that it carries out with funds reserved for State-level uses. In addition, local school districts or other eligible applicants that apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)

What Does This Provision Require?

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct

description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

What are Examples of How an Applicant Might Satisfy the Requirement of This Provision?

The following examples may help illustrate how an applicant may comply with Section 427.

- (1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.
- (2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.
- (3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

Estimated Burden Statement for GEPA Requirements

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is **1894-0005**. The time required to complete this information collection is estimated to average 1.5 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-4537.

Applicants should use this section to address the GEPA provision.

Attachment:

Title : GEP 427 Statement

File : S:\Charter - AWB Files\Grants\2007 Federal Charter School Application\Submitted Documents\GEPA 427 statement.doc

GEPA 427 statement

The Georgia Department of Education intends to make its grant program under the Charter School Program grant fully available and accessible to all qualified participants. The grant program will be publicized widely through the Charter School Division's quarterly newsletter, the monthly Charter School Committee meetings held at the State Board of Education, and through access to the Charter School Division's website. In addition, the Division will work with LEAs across the State to ensure that they are aware of funding opportunities made available through the grant program.

The Georgia Department of Education is committed to administering this grant program in such a way that removes any barriers that might impede equitable access or participation among various groups, including groups based on gender, race, national origin, color, disability, or age. The Department will conduct targeted outreach programs to diverse communities across the State of Georgia to ensure that parents, community members, and other stakeholders understand the requirements for qualifying for CSP subgrants and, where applicable, be given the opportunity to apply.

Project Narrative

Abstract Attachment Form

Attachment 1:

Title: **Georgia Abstract Pages: 0** Uploaded File: **C:\Documents and Settings\Tabitha Press\My Documents\2010 Federal Application\georgia.abstract.doc**

Ms. Kathy Cox, State Superintendent of Education and Mr. Louis Erste, Charter Schools Director, phone number, lerste@doe.k12.ga.us, 2053 Twin Towers East, 205 Jesse Hill Jr. Drive, Atlanta, GA 30334, submit this competitive grant application under the "2010 Invitation for Applications", USDE Public Charter School Program (CSP).

Abstract Narrative

The Georgia Department of Education ("GaDOE") requests a Charter School Program grant of \$35,000,000 to achieve the purposes of the Charter School Program by increasing the number of high-quality charter schools in the state. These grant funds will enable the GaDOE to support the program design and implementation of newly approved charter schools throughout Georgia and to support the dissemination of chartering best practices to parents, community leaders and Local Education Agencies (LEAs). Grant funds will also be used to cover limited administrative costs for monitoring and managing the progress towards accomplishing the grant objectives.

Over the past three years, Georgia's chartering sector rapidly grew as a result of strong state leadership and legislative support. Georgia received the fourth highest score from the National Alliance for Public Charter Schools in a national study evaluating the strength of all 50 states' charter school laws. The strength of Georgia's chartering law has led to an increase in the number of high quality charter schools and an increase in the ability of the GaDOE to provide technical assistance and oversight. Georgia will use the funds to support the 60 new charter schools expected to be approved over the next three years.

Georgia has identified five objectives for the next three years: (1) to increase the number of high quality charter schools, especially among underserved students in Georgia rural and urban settings; (2) to use Charter School Program grant funding to improve student outcomes; (3) to use chartering and the Charter School Program Grant funding to improve secondary school student performance and graduation rates throughout the state; (4) to monitor charter schools' fiscal health and to provide support to ensure their long term fiscal health and (5) to promote awareness of high quality chartering best practices to teachers, parents, communities and other public schools. Georgia will provide competitive preference and grant incentives for charter school developers to establish charter schools in "high-need communities" throughout Georgia. Georgia will also monitor and evaluate all charter schools' progress towards meeting their annual academic and organizational performance goals.

Project Narrative

Application Narrative Attachment Form

Attachment 1:

Title: **Georgia Project Narrative Pages: 50** Uploaded File: **C:\Documents and Settings\Tabitha Press\My Documents\2010 Federal Application\georgia.project.narrative.doc**

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Kathy Cox, State Superintendent of Schools

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Preference Priority #1

The State provides for periodic review and evaluation by the authorized public chartering agency of each charter school at least once every five years, unless required more frequently by State law, to determine whether the charter school is meeting the terms of the school's charter, and is meeting or exceeding the student academic achievement requirements and goals for charter schools as set forth under State law or the school's charter

Georgia statute requires that all charter schools submit an annual report containing information on the progress the charter school made toward the goals indicated in the charter (O.C.G.A. § 20-2-2067.1). Each year, charter schools must submit an annual report to parents, their sponsoring agency, and the Georgia Department of Education. (*See* O.C.G.A. § 20-2-2070). This report must *“indicate the progress made in the previous year in meeting the performance-based goals identified in the charter and include all state-mandated assessment scores and state-mandated accountability indicators.”* (Georgia State Board of Education Rule 160-4-9-.04(18).) Using these reports, the Charter School Division (CSD) compiles and submits a comprehensive Annual Report to the Georgia General Assembly. To further the GaDOE's values of transparency and accountability, the Annual Report contains school reports for each charter school. These school reports examine progress toward the goals specified in the charter, student achievement outcomes, levels of parental involvement, measures of financial management, and a host of other data.

In connection with this Annual Report, Georgia law requires each charter school to conduct an annual financial audit and submit it to the GaDOE (*See* O.C.G.A. § 20-2-2065(7)). The CSD collects the audits and reviews them for any critical findings. The CSD also forwards

Kathy Cox, State Superintendent of Schools

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all audits to the GaDOE's financial review team for their comprehensive review. Charter schools with audit findings are contacted individually and offered technical assistance and support.

Georgia statute mandates that each charter will initially be valid for a five-year period unless otherwise agreed upon. Our statute provides that the chartering authority will conduct annual monitoring and review processes to validate compliance with the charter. In addition, charter schools are reviewed near the end of their charter term. The year before a school's charter term expires, the charter school must submit a renewal petition that complies with SBOE Rule (*See* SBOE Rule 160-4-9-.04 Charter Schools), addresses each of the goals set forth in their initial charter, and includes a self-evaluation. (*See* O.C.G.A. § 20-2-2067.1(b).) Therefore, in addition to the annual reporting requirement, all charter schools must come before the LEA and/or the GaDOE for comprehensive review at least once during their charter term.¹

Georgia's rigorous reporting and monitoring processes outlined above fulfill Competitive Preference Priority 1 by providing for periodic review and evaluation by the authorized public chartering authority of each charter school at least once every 5 years. Additionally, the GaDOE anticipates working with the South Eastern Regional Education Lab on a comprehensive performance evaluation of all of Georgia's charter schools over the next three years. The performance evaluation will assess student achievement, parental satisfaction and fiscal viability. With these multiple reviews occurring, Georgia will continue to insure compliance and quality within its charter schools. The proposed evaluation is discussed in greater detail in Selection Criteria vi.

¹ Note that State Chartered Special Schools, which are approved directly by the SBOE without LEA approval, will come before the SBOE only for renewal. All other charter schools in the State, both Start-Up Charter Schools and Conversion Charter Schools, will come before the LEA and the SBOE.

Kathy Cox, State Superintendent of Schools

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Preference Priority #2

Priority 2--Number of High-Quality Charter Schools (10 points). The State has demonstrated progress in increasing the number of high-quality charter schools that are held accountable in the terms of the schools' charter for meeting clear and measurable objectives for the educational progress of the students attending the schools, in the period prior to the period for which an SEA applies for a grant under this competition.

Georgia has demonstrated progress in increasing the number of high-quality charter schools that are held accountable to the terms of the schools' charter for meeting clear and measurable objectives for the educational progress of the students attending the schools. First, Georgia has experience significant growth in the number of high quality charters over the past three years. Second, an independent chartering authorizer, the Georgia Charter Schools Commission ,was established by State law in 2008. Finally, Georgia has increased the rigor of the charter renewal process.

Since Georgia passed the Georgia Charter Schools Act ("Act") authorizing existing traditional public charter schools to become charter schools in 1993, chartering has continued to gain momentum. The first three conversion charter schools opened in 1995. Since 1995, the State Board of Education has approved 32 conversion charter schools. In 1998, the Act was amended to allow for start-up charter schools. The next significant charter school milestone occurred in 2008, when the Act was amended once again to allow for the creation of an independent charter authorizer the Georgia Charter Schools Commission ("Commission"). Since 1998, the State Board of Education and the Georgia Charter Schools Commission have approved

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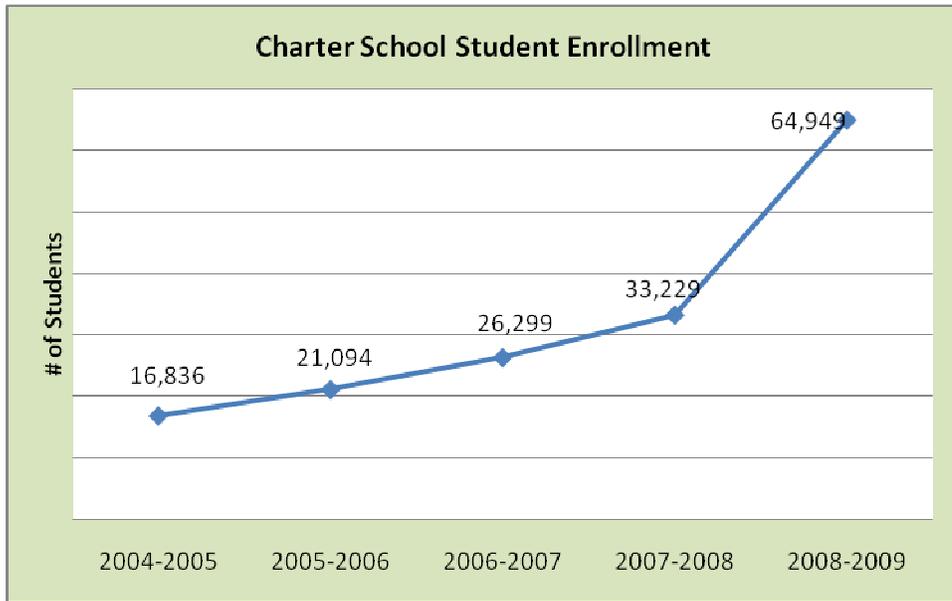
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60 start-up charter schools. In addition to the 60 start-up charter schools, the State Board of Education has granted charters to 17 career academies and to five charter systems. Georgia has 139 charter schools currently authorized.

Prior to the creation of the Commission, charter petitioners had to be approved by their local district and the State Board of Education to receive their commensurate share of local funding. Charter schools that were not approved by their local district, but were approved by the State Board of Education (State Special Chartered Schools) received only state funding and their proportionate share of federal funds. While Georgia had six successful State Special Chartered Schools since 2000, these charter schools experienced exceptional financial difficulties that placed a strain on the school's ability to fully operate. Therefore, many charter school developers did not chose to petition directly to the State Board of Education after being denied by the local district, because of the limited operating funds their schools would have received. With the creation of the Commission, charter schools are being approved in districts that were resistant to chartering in the past increasing the number of rural and urban district that have charter schools.

Over the past five years, Georgia charter school enrollment has increased by 285 percent. Note that the dramatic increase from 33,229 students in 2007-2008 to 64, 949 students in the 2008-2009 school year is partially a result of four districts choosing to become charter systems. In addition to growth, data from the 2008-2009 Annual Report showed 37 start-up charter schools reporting that they had a waitlist. Approximately 4 percent of Georgia's public school students are currently enrolled in a charter school.

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The increased rigor of Georgia’s renewal application process demonstrates that Georgia is dedicated to not only increasing the number of high-quality charter schools, but also to only renewing existing charter schools that met their charter goals. All charter renewal petitions submitted to the SBOE are required to submit an overview of the school’s progress towards meeting the terms of the charter. Additionally, all petitioners are required to submit information that ‘demonstrates the success of the charter school(s) or system during the previous charter term(s).’ The CSD staff reviews the materials provided by the charter school and reviews the state-generated performance reports.

During the 2008-2009 authorizing cycle, the State Board of Education had 12 charter schools submit petitions for renewal. The GaDOE carefully evaluated each charter school’s academic performance history as part of their renewal process. As a result, the SBOE voted to non-renew two low performing charter schools. One other charter school volunteered to end its charter early as a result of low student enrollment. In addition to those closings, the CSD

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identified a chronically low performing charter school that was close to the end of its term. The CSD staff had numerous conversations with the charter school on steps and actions the school could take to improve the school's academic performance. The charter school opted to let their charter expire because it had not met the academic performance standards set forth in their charter.

Georgia's alternate authorizer and rigorous authorizing and renewal process clearly demonstrates Georgia's commitment to increasing the number of high quality charter schools and fulfills Competitive Preference Priority 2. The GaDOE's rigorous and standardized renewal process holds charter schools to clear and measurable objectives set forth in their charters and increases the overall number of high-quality charters.

PREFERENCE PRIORITY #3

Priority 3--One Authorized Public Chartering Agency Other than a Local Educational Agency (LEA), or an Appeals Process (10 points). The State--(a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or(b) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

As mentioned in Competitive Preference #2, Georgia provides for an independent authorizer that is not an LEA. In 2008, the Georgia General Assembly passed a bill that allowed the creation of an independent public chartering agency. In 2009, the Georgia Charter Schools Commission (Commission) was established as a seven-person public chartering board. If a petitioner is denied by their local district, then the petitioner can seek a charter from the Commission. If a petitioner proposes to enroll students from five or more counties, then the petitioners may apply directly to the Commission without applying to a local district first.

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Schools authorized by the Commission operate as their own Local Education Agency. Since 2008, the Commission has authorized 9 charter schools.

The State Board of Education has the authority to overrule the Commission's decision to approve or renew a charter school. This authority allows the State Board to have input into the authorization of all charter schools in Georgia. The State Board has not overturned any of the Commission's decisions thus far.

Additionally, Georgia law allows petitioners to apply to the State Board of Education (SBOE) for a State Chartered Special School if a local board denies their application. The "State board shall approve the charter of a start-up charter petitioner for a state chartered special school if the state board finds that such petition meets the requirements set forth in Code . . . and the provisions of this title, and is in the public interest." (O.C.G.A. § 20-2-2064.1(b).) This effectively provides a third avenue for charter schools in Georgia besides the LEA and the Commission; petitioners that are denied by their local district also can seek authorization directly from the SBOE. If the SBOE approves the petition, then the charter school is a State Chartered Special School and operates as its own LEA. Since 1998, the SBOE has directly authorized six State Chartered Special Schools. Two of the six State Chartered Special schools are not authorized by the Commission and another did not renew its charter. In addition, Georgia law empowers the SBOE to mediate disputes between charter petitioners and LEA authorizers. With the creation of the Commission, petitioners are opting to petition the Commission instead of going through the mediation process . (See O.C.G.A. § 20-2-2064(d).)

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Since Georgia has an alternate authorizer and allows for petitioners to directly appeal local authorizer's decisions, Georgia fully meets the criteria of preference priority 3.

PREFERENCE PRIORITY #4

Priority 4--High Degree of Autonomy (10 points). The State ensures that each charter school has a high degree of autonomy over the charter school's budgets and expenditures.

Georgia ensures that each charter school has a high degree of autonomy over the charter school's budgets and expenditures. All charter petitioners must clearly explain the flexibility the school requests in exchange for the increased performance-based accountability. Petitioners have the option of requesting specific waivers from State law or the 'maximum flexibility' from all applicable state and local rules and regulations. Both options assure a high degree of autonomy. All petitioners must justify their request by providing illustrative examples of how they will use their flexibility and autonomy. Once a school receives their charter, the new charter school accepts the increased freedom from traditional rules that public schools must follow in exchange for increased performance-based accountability.

Georgia law empowers charter school petitioners to request maximum flexibility from state and local rules and regulations:

“[A] charter school shall not be subject to the provisions of this title or any state or local rule, regulation, policy, or procedure relating to schools within an applicable school system regardless of whether such rule, regulation, policy, or procedure is established by the local board, the state board, or the Department of Education.” O.C.G.A. § 20-2-2065(a).

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This maximum flexibility gives charter schools tremendous procedural flexibility and Georgia charter schools have used this flexibility to establish budgetary and financial guidelines that are directly responsive to the needs of their schools. Currently, 124 out of 139 charter schools operate under the maximum flexibility permitted by law.

Charter petitions must demonstrate fiscal feasibility and controls by including information detailing the school's financial structure. Additionally, all charter petitions must include 'detailed budget information projecting revenues and expenditures for the first five years of a charter term five year +budget' (Charter School Rule). While charter schools have a high level of autonomy over their budgets, all charter schools are required to be subjected to an annual financial audit conducted by an independent Georgia licensed Certified Public Accountant. Any charter school that acts as its own LEA is also required to adhere to the financial requirements of the Charter Schools chapter of the Department's Financial Management for Georgia Local Units of Administration Manual. The Charter Schools chapter was written by the CSD staff with assistance from the Facilities and Budget Office of the GaDOE. The Charter School chapter provides a comprehensive overview of a charter school's fiscal responsibilities and best practices. The chapter can be used as a resource by all charter schools not just charter schools that act as their own LEA.

Since Georgia allows and encourages charter schools to request the maximum flexibility permitted by law, charter schools have a high degree of autonomy over their budgets, personnel decisions and daily operations. Georgia meets the criteria of preference priority 4.

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High-Quality Charter Schools in Urban or Rural Areas.

The Secretary is particularly interested in projects designed to enhance and expand a State's capacity to support high-quality charter schools in one or more geographic areas, particularly urban and rural areas, in which a large proportion or number of public schools have been identified for improvement, corrective action, or restructuring under Title I, Part A of the ESEA. The proposed project should be based on research evidence and demonstrate effective practices in building charter school capacity through one or more of the following types of activities: (1) the dissemination of information on the implementation of the school turnaround and restart models (as described in the Notice of Final Requirements for the School Improvement Grants published in the Federal Register on December 10, 2009 (74 FR 65618)) in charter schools and information on best practices for turning around the public schools identified as the persistently-lowest achieving schools under Title I, Part A of the ESEA; (2) the creation of new charter schools in the vicinity of public schools closed as a consequence of a LEA implementing a restructuring plan under section 1116(b)(8) of the ESEA, provided that this is done in coordination with the LEA; or (3) the identification and replication of high-performing charter schools in "high-need communities", as this term is defined in section 2151(e)(9)(B) of the (ESEA), 20 U.S.C. 6651(e)(9)(B)

APPLICATION REQUIREMENTS

Application Component (1)

Describe the objectives of the SEA's charter school grant program and how these objectives will be fulfilled, including steps taken by the SEA to inform teachers, parents, and communities of the SEA's charter school grant program;

Please see Selection Criteria 1

Application Component 2

(ii) Describe how the SEA will inform each charter school in the State about Federal funds the charter school is eligible to receive and Federal programs in which the charter school may participate

Please see Selection Criteria 2

Application Component 3

(iii) Describe how the SEA will ensure that each charter school in the State receives the school's commensurate share of Federal education funds that are allocated by formula each year,

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including during the first year of operation of the school and a year in which the school's enrollment expands significantly;

Please see Selection Criteria 3

Application Component 4

(iv) Describe how the SEA will disseminate best or promising practices of charter schools to each LEA in the State;

Please See Selection Criteria 1 and 6.

Application Component 5

(v) If an SEA elects to reserve part of its grant funds (no more than 10 percent) for the establishment of a revolving loan fund, describe how the revolving loan fund would operate;

The Georgia Department of Education does not wish to reserve part of its grant funds for the establishment of a revolving loan fund.

Application Component 6

(vi) If an SEA desires the Secretary to consider waivers under the authority of the CSP, include a request and justification for any waiver of statutory or regulatory provisions that the SEA believes is necessary for the successful operation of charter schools in the State; and

The DOE respectfully requests that the Secretary provide a waiver for the circumstances described below, from the limitation that a charter school may not receive more than one grant for dissemination activities described in Section 5204(f)(69)(B). The waiver is necessary for the State to spread charter school best practices throughout the State. Georgia has 10 highly successful charter schools that received dissemination grants in previous years and that continue to meet and exceed their academic accountability contracts. These charter schools have proven models of success and their successes should be disseminated throughout the state.

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If this waiver is granted, charter schools that have received dissemination grants during a previous grant cycle would be eligible to apply for another dissemination grant for a different dissemination project.

Application Component 7

(vii) Describe how charter schools that are considered to be LEAs under State law and LEAs in which charter schools are located will comply with sections 613(a)(5) and 613(e)(1)(B) of the Individuals with Disabilities Education Act.

The Department hosts annually a New Charter School Training for newly approved charter schools. In addition to general training sessions, the workshop provides a session on complying with the Individuals with Disabilities Education Act. While the workshop is hosted by the Charter Schools Division, Georgia Department of Education IDEA staff presents the training materials. In addition to providing an overview of a charter school's legal obligation to complying with IDEA, the workshop also provides resources that a charter school can use in the future. This workshop has become a crucial component of ensuring that new charter schools are ready to provide all required services for special education students from their first day of operation.

Additionally, CSP subgrant recipients are allowed to use a portion of their grant to design and refine their special education programs.

Selection Criteria 1

The contribution the charter schools grant program will make in assisting educationally disadvantaged and other students to achieve State academic content standards and State student academic achievement standards (30 points).

Note: The Secretary encourages the applicant to provide a description of the objectives for the SEA's charter school grant program and to explain how these objectives will be fulfilled,

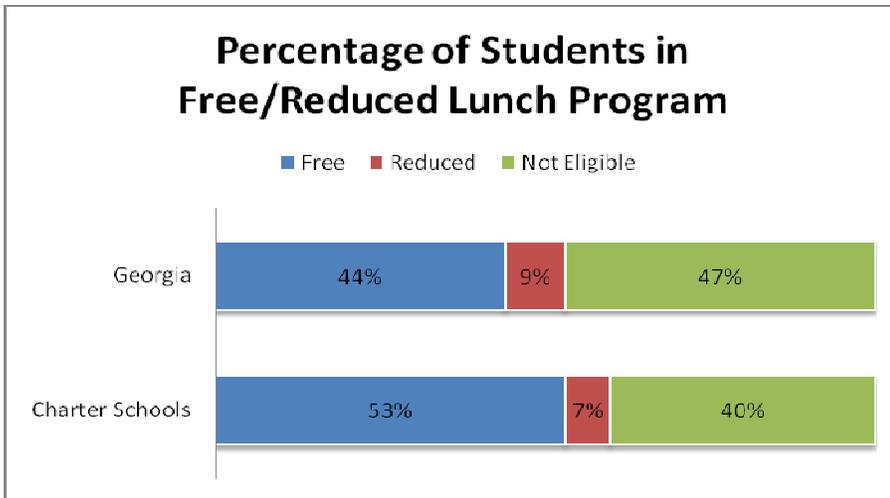
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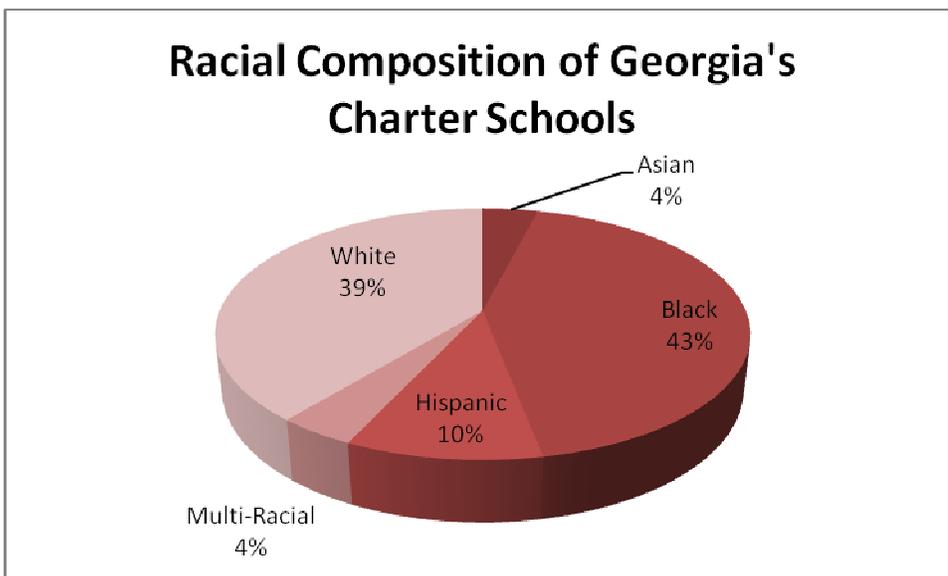
including steps taken by the SEA to inform teachers, parents, and communities of the SEA's charter school grant program and how the SEA will disseminate best or promising practices of charter schools to each LEA in the State.

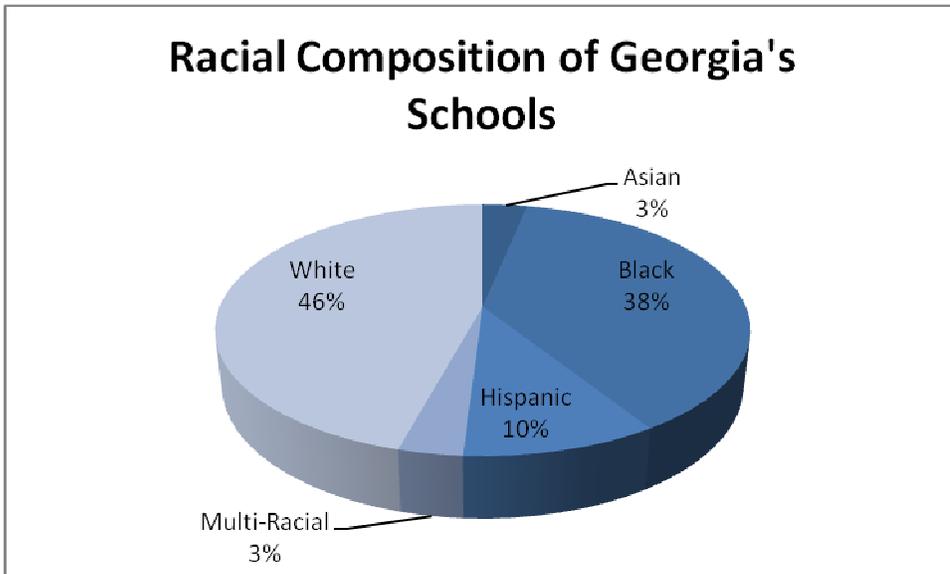
Georgia's charter schools currently enroll a higher percentage of economically disadvantaged students than their traditional counterparts. Georgia's CSP grant application provides preference points for charter schools that will be located in high-need districts or near a traditional public school that is in Needs Improvement Status. Additionally, the CSD is working closely with traditional public schools that are exploring converting to chartering as part of their school improvement plan. Traditional public schools with a school improvement plan that decide to use chartering as a school transformation process will be given additional technical assistance and funding to help with the implementation of their charter.

Students who qualify for free and reduced lunch ("FRL") are overrepresented in charter schools. During the 2008-2009 school year, 60% of students enrolled in charter schools were FRL qualified compared to 53% for students statewide. These figures are particularly significant in light of the claim that charter schools tend to "skim" more affluent students from traditional public schools. The data from Georgia, which is consistent with nationwide trends, show that charter schools, on average, enroll a population that is *less* affluent than that of traditional public schools.



Georgia charter schools also enroll a higher percentage of minority students than Georgia’s traditional public schools.



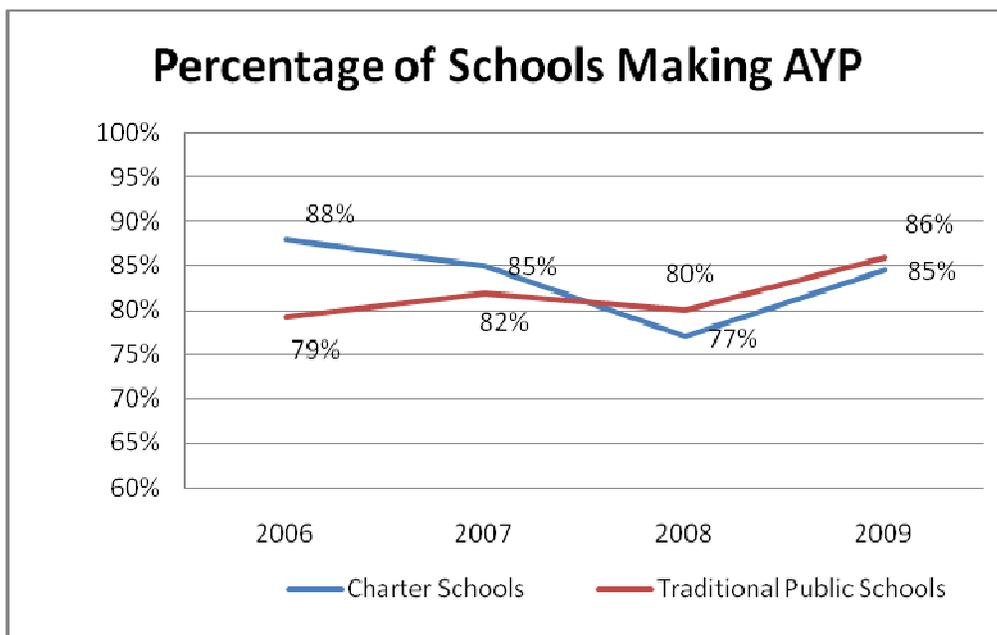


All charter schools must include in their petition a plan to align their proposed curriculum to the Georgia Performance Standards. Their curriculum plans are evaluated by Department staff to verify that the proposed curriculum meets the State Standards. Charter curricula must address and include Georgia's content standards for English/Language Arts, Mathematics, Social Science, Science and the Arts. Additionally, charter schools must include academic performance objectives for all grades and all subjects.

Georgia's charter schools are encouraged to utilize the flexibility afforded to them by Georgia's charter school statute to design innovative programs that will teach state content standards effectively. Georgia charter schools can tailor their educational programs and instructional methods to their targeted student populations and offer a range of supplemental educational services.

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In 2009, Georgia charter schools made adequate yearly progress (“AYP”) at a rate slightly lower (85%) than traditional public schools (86%). This is the second year in a row in which charter schools had a slightly lower rate of achieving AYP than traditional public high schools, due largely to an increased number of struggling traditional schools that have decided to use chartering as a school improvement strategy.



Objectives:

The Georgia Department of Education has five program objectives for the Federal CSP grant.

1. To increase the number of high quality charter schools, in Georgia, especially among underserved students in rural and urban settings.
2. To use Charter School Program grant funding to improve student outcomes.
3. To use chartering and the Charter School Program Grant funding to improve secondary school student performance and graduation rates throughout the state.
4. To monitor charter schools’ fiscal health and to provide support to ensure long term fiscal health.
5. To promote awareness of high quality chartering best practices to teachers, parents, communities and other public schools.

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Objective 1: To increase the number of high quality charter schools, in Georgia, especially among underserved students in rural and urban settings.

The Project Objective Relates to the Purpose of the CSP Grant: Objective 1 directly aligns with the performance measure to expand the number of high quality charter schools established.

Inputs	Outputs		Outcomes -- Impact		
	Activities	Participation	Short	Medium	Long
<ul style="list-style-type: none"> GaDOE Staff Time Money Financial Reports Annual Audits Project Evaluator 	<ul style="list-style-type: none"> Expand the GaDOE Charter School Division Inform public and partners about CSP grant and eligibility criteria Provide technical assistance to charter school developers Maintain and expand charter school database and website Determine AYP and school grades Collect Program data 	<ul style="list-style-type: none"> Charter School Office Staff Charter Schools Georgia Charter Schools Association All school districts. Georgia Charter Schools Commission Parents and students seeking to public school choice. GaDOE staff that have charter school related assignments. 	<ul style="list-style-type: none"> Improve grant award and monitoring process Open 20 new charter schools Better informed districts about charter schools Increase school choice options for families 	<ul style="list-style-type: none"> Improved quality of charter school petitions Open 20 new charter schools Increased charter school enrollments Improve efficiency and effectiveness in use of CSP funds Improve AYP and school performance 	<ul style="list-style-type: none"> Increase student achievement at all educational levels through quality charter schools

Objective 1: To increase the number of high quality charter schools, in Georgia, especially among underserved students in rural and urban settings.

<p>Process Measure</p> <ol style="list-style-type: none"> 1. During each year of the grant cycle, GaDOE staff will conduct at least once site visit for each charter school receiving CSP implementation subgrants during each year of their grant. 2. During each year of the grant cycle, GaDOE staff will conduct at least one new charter school applicant training activity. 3. During each year of the grant cycle, all awarded subgrantees will gain access to their funds within 60 days. 	<p>Performance Measure</p> <ol style="list-style-type: none"> a. 85% of charter schools will make AYP for first year of the performance period. b. 88% of charter schools will make AYP in the second year of the performance period. c. 90% of charter schools will make AYP in the third year of the performance period. d. 60 new charter schools will be created during the course of the next 3 years. <ol style="list-style-type: none"> i. Of the 60 new charter schools, at least 15 charter schools will serve grades 9-12. e. The percentage of charter school students who qualify for free and reduced lunch will exceed the comparable statewide percentage for each year of the grant period by at least 1%.
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Objective 2: To use Charter School Program grant funding to improve charter school student outcomes.

The Project Objective Relates to the Purpose of the CSP Grant: Objective 2 directly aligns with the performance measure to expand the number of high quality charter schools established.

Inputs	Outputs		Outcomes -- Impact		
	Activities	Participation	Short	Medium	Long
<ul style="list-style-type: none"> GaDOE Staff Time Money Project Materials Trainings Project Evaluator 	<ul style="list-style-type: none"> Provide technical assistance to charter schools struggling academically Analyze charter AYP performance Analyze charter school accountability data Complete Annual Report each year Maintain and expand charter school database and website 	<ul style="list-style-type: none"> Charter School Office Staff Charter Schools Georgia Charter Schools Association All school districts Georgia Charter Schools Commission Parents and students seeking to public school choice GaDOE staff that have charter school related assignments 	<ul style="list-style-type: none"> Make academic performance data easily available to the public and other interested parties Increased communication with struggling charter schools Increased communication with authorizers 	<ul style="list-style-type: none"> Improved quality of charter schools Increased academic performance of charter schools Increased levels of accountability 	<ul style="list-style-type: none"> Increase student achievement at all educational levels through quality charter schools

Objective 2: To use Charter School Program grant funding to improve charter school student outcomes.

<p>Process Measure</p>	<p>Performance Measure</p>
<p>a. The CSD will provide at least three technical assistance opportunities for charter schools that are identified as academically struggling.</p>	<p>a. In year one (2010-2011) of the grant period, 80% of charter school students will meet or exceed state academic standards on the CRCT-Math.</p> <p>b. In year one (2010-2011) of the grant period, 82% of charter school students will meet or exceed state academic standards on the CRCT-ELA.</p> <p>c. In year two (2011-2012) of the grant period, 85% of charter school students will meet or exceed state academic standards on the CRCT-Math.</p> <p>d. In year two (2011-2012) of the grant period, 88% of charter school students will meet or exceed state academic standards on the CRCT-ELA.</p> <p>e. In year three (2012-2013) of the grant period, 92% of charter school students will meet or exceed state academic standards on the CRCT-Math.</p> <p>f. In year three (2012-2013) of the grant period, 94% of charter school students will meet or exceed state academic standards on the CRCT-ELA.</p> <p>g. The percentage of charter schools that meet AYP will exceed that of traditional public schools that meet AYP in years 2 and 3 of the grant period</p>

Objective 3: To use chartering and the Charter School Program grant funding to improve secondary school student performance and graduation rates throughout the state.

The Project Objective Relates to the Purpose of the CSP Grant: Objective 3 directly aligns with the performance measure to expand the number of high quality charter schools established.

Inputs	Outputs		Outcomes -- Impact		
	Activities	Participation	Short	Medium	Long
<ul style="list-style-type: none"> GaDOE Staff Time Money Project Materials Trainings Project Evaluator 	<ul style="list-style-type: none"> Provide technical assistance to charter schools struggling academically Analyze charter AYP performance Analyze charter school accountability data Analyze GHSGT data for charter schools and traditional public schools Analyze SAT and ACT data for charter schools and traditional public schools Complete Annual Report each year Maintain and expand charter school database and website 	<ul style="list-style-type: none"> Charter School Office Staff Charter Schools Georgia Charter Schools Association All school districts Georgia Charter Schools Commission Parents and students seeking to public school choice GaDOE staff that have charter school related assignments 	<ul style="list-style-type: none"> Make academic performance data easily available to the public and other interested parties Increased communication with struggling charter schools Increased communication with authorizers 	<ul style="list-style-type: none"> Improved quality of charter schools Increased academic performance of charter schools Increased levels of accountability 	<ul style="list-style-type: none"> Increase student achievement at all educational levels through quality charter schools

Objective 3: To use chartering and the Charter School Program grant funding to improve secondary school student performance and graduation rates throughout the state.

<p>Process Measure</p> <p>a. The CSD will provide at least three technical assistance opportunities for charter schools that are identified as academically struggling.</p>	<p>Performance Measure</p> <p>a. In year one (2010-2011) of the grant cycle, the SAT average of charter school secondary students will exceed statewide averages by at least 10 points.</p> <p>b. In year two (2011-2012) of the grant cycle, the SAT average of charter school secondary students will exceed statewide averages by at least 20 points.</p> <p>c. In year three (2012-2013) of the grant cycle, the SAT average of charter school secondary students will exceed statewide averages by at least 30 points.</p> <p>d. In all three years of the grant cycle, charter school secondary students will have a higher graduation rate than the state average.</p> <p>e. In year one (2010-2011) of the grant period, 85% of charter school students will meet or exceed state academic standards on the GHS GT-Math.</p> <p>f. In year one (2010-2011) of the grant period, 91% of charter school students will meet or exceed state academic standards on the GHS GT-ELA.</p> <p>g. In year two (2011-2012) of the grant period, 90% of charter school students will meet or exceed state academic standards on the GHS GT-Math.</p> <p>h. In year two (2011-2012) of the grant period, 95% of charter school students will meet or exceed state academic standards on the GHS GT-ELA.</p> <p>i. In year three (2012-2013) of the grant period, 95% of charter school students will meet or exceed state academic standards on the GHS GT-Math.</p> <p>j. In year three (2012-2013) of the grant period, 98% of charter school students will meet or exceed state academic standards on the GHS GT-ELA.</p>
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Objective 4: To monitor charter schools' fiscal health and to provide support to ensure long term fiscal viability.

The Project Objective Relates to the Purpose of the CSP Grant: Objective 4 directly aligns with the performance measure to expand the number of high-quality charter schools established in accordance with the Government Performance and Results Act of 1993.

Inputs	Outputs		Outcomes -- Impact		
	Activities	Participation	Short	Medium	Long
<ul style="list-style-type: none"> GaDOE Staff Time Money Financial Reports Annual Audits Project Evaluator 	<ul style="list-style-type: none"> Inform all charter schools about audit requirements Inform charter schools about federal and state grant opportunities Monitor all subgrantees at least twice over the grant period Hold annual financial health workshops for new and existing charter schools Review financial audit statements Identify 'high-risk' charter schools yearly Provide technical assistance to all high-risk charter schools 	<ul style="list-style-type: none"> Charter School Office Staff Facilities and Budget Office Financial Review Team Charter Schools Georgia Charter Schools Association Fiscal Health consultants 	<ul style="list-style-type: none"> Increased fiscal oversight process for new subgrantees More knowledgeable governing boards More knowledgeable administrators Increase fiscal training opportunities 	<ul style="list-style-type: none"> Increase number of charter schools that are fiscally sound Increase communication between charter schools Fewer charter school closures due to poor fiscal health 	<ul style="list-style-type: none"> Increase student achievement through financially stable and sustainable charter schools

Objective 4: To monitor charter schools' fiscal health and to provide support to ensure long term fiscal viability.

Process Measure	Performance Measure
<ul style="list-style-type: none"> a. In each year of the grant cycle, 100% of charter schools will submit audited financial statements to the Georgia Department of Education by the appropriate deadlines. b. By the end of year one, the Georgia Department of Education's Charter School Division will create a set of financial indicators to measure financial health of all charter schools. c. In each year of the grant cycle, the Georgia Department of Education will review all proposed charter school petitions for fiscal soundness. 	<ul style="list-style-type: none"> a. In each year of the grant cycle, the Georgia Department of Education will require all newly approved charter schools to attend a training workshop on Charter School Financial Health. b. By the end of the first year of grant funding, fewer than 30% of operating charter school will be in a state of financial emergency as determined by the state's indicators.

Objective 5: To promote awareness of high quality chartering best practices to teachers, parents, communities and other public schools.
The Project Objective Relates to the Purpose of the CSP Grant: Objective 5 directly aligns with the performance measure to expand the number of high quality charter schools established.

Inputs	Outputs		Outcomes -- Impact		
	Activities	Participation	Short	Medium	Long
<ul style="list-style-type: none"> GaDOE Staff Time Money Project Materials Trainings State Partners and advocates Project Evaluator 	<ul style="list-style-type: none"> Provide technical assistance to charter schools struggling academically Analyze charter AYP performance Identify high performing charter schools in operation for three or more years Create a pocket guide of charter school best practices Maintain accurate and current charter schools website Analyze charter school accountability data 	<ul style="list-style-type: none"> Charter School Office Staff Charter Schools Georgia Charter Schools Association Georgia Charter Schools Commission Charter Schools 	<ul style="list-style-type: none"> Make academic performance data easily available to the public and other interested parties Increased communication between charter schools Increased training opportunities for charter schools Increased awareness of best practices among charter schools, public schools, charter petitioners and local districts Increase public awareness of successful charter schools 	<ul style="list-style-type: none"> Improved quality of charter schools Increased academic performance of charter schools Increased parental satisfaction with charter schools Increase in charter school enrollment Increase replication of best practices 	<ul style="list-style-type: none"> Increase student achievement at all educational levels through the use of best practices

Objective 5: To promote awareness of high quality chartering best practices to teachers, parents, communities and other public schools.

Process Measure	Performance Measure
<ul style="list-style-type: none"> a. The Georgia Department of Education will create a ‘pocket guide’ for dissemination to teachers, parents and the community that includes Frequently Asked Questions (FAQs), websites and core information about charter schools including grant opportunities and best practices. b. For each year of the three year grant, the Department will operate a competitive application and award cycle that will allow charter schools to receive dissemination funding with 60 days of meeting all subgrant criteria. 	<ul style="list-style-type: none"> a. For each year of the three-year grant, the GaDOE will conduct at least one monitoring visit to all charter schools receiving CSP dissemination funds. b. During each year of the three-year grant, all dissemination grant subgrantees will present their projects to the SBOE. c. During each year of the three-year grant, all dissemination grant subgrantees will participate in a yearly mini-conference open to the public

The Georgia Department of Education disseminates chartering best practices throughout the state to local educational agencies, other charter schools and local communities in a variety of ways. Most notably, the GaDOE publishes a Charter School Annual Report. The report collects academic and programmatic data for all charter schools operating in the previous school year. The report also includes a detailed executive summary that provides an analysis of the current charter school landscape. Additionally, the report looks at aggregate academic data for the past five years. The report is made available on the Charter School Division's website and is sent to the Georgia Legislature. The report is also shared with LEA district liaisons, so that the liaisons can report back to their own LEAs. The report was redesigned in 2009 to focus on the progress made towards academic goals by each charter school. There are plans to expand the next report to include a "spotlight" on identified highly successful charter schools located in high-need communities.

Additionally, the CSD will provide authorizer training to all LEAs and the Commission that receive charter school petitions in the first year of the grant cycle. The training will cover authorizer best practices and review federal and state laws. The training will also review local authorizers responsibilities towards ensuring charter schools receive their share of federal funds allocated by formula each year. Authorizers will also be informed about high performing Georgia charter schools and national trends.

As noted in the above objective tables, the CSD will provide workshops for a variety of stakeholders in rural and urban areas. The CSD currently holds a 'Charter School Building

Blocks' workshop with the Georgia Charter Schools Association twice yearly. The workshop is open to the public and is advertised via Charter School Listserves and local community organizations. The workshop provides information about charter school laws, best practices and fiscal viability. The last workshop had 20 participants from 10 districts. The CSD will expand the 'Building Blocks' workshop to an electronic webinar during in the next grant cycle.

Selection Criteria 2

The degree of flexibility afforded by the SEA to charter schools under the State's charter school law (30 points).

Note: The Secretary encourages the applicant to include a description of how the State's law establishes an administrative relationship between the charter school and the authorized public chartering agency and exempts charter schools from significant State or local rules that inhibit the flexible operation and management of public schools.

The Secretary also encourages the applicant to include a description of the degree of autonomy charter schools have achieved over such matters as the charter school's budget, expenditures, daily operation, and personnel in accordance with their State's law.

Georgia law empowers charter school petitioners to request the maximum flexibility from state and local rules and regulations:

“[A] charter school shall not be subject to the provisions of this title or any state or local rule, regulation, policy, or procedure relating to schools within an applicable school system regardless of whether such rule, regulation, policy, or procedure is established by the local board, the state board, or the Department of Education.” O.C.G.A. § 20-2-2065(a).

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This maximum flexibility gives charter schools tremendous procedural flexibility and Georgia charter schools have used this flexibility to establish budgetary and financial guidelines that are directly responsive to the needs of their schools. Currently, 125 out of 139 charter schools operate under maximum flexibility. Charter schools may also request specific waivers from administrative or organizational rules in their petition. All charter schools must provide substantial justification for their requested waivers prior to being authorized. Additionally, when a charter petitioner requests specific waivers, the petitioner must request enough waivers to allow the charter to operate with autonomy from the local district.

Georgia law provides that in exchange for any type of waiver, charter schools agree to an administrative relationship between the petitioner and its authorizer. The primary oversight is a charter school's academic performance: "In exchange for such a waiver, the charter school agrees to meet or exceed the performance based goals included in the charter and approved by the local board or, for the charter system, the system agrees to meet or exceed the system wide performance based goals included in the charter and approved by the state board, including but not limited to raising student achievement" (O.C.G.A. § 20-2-2065(a)).

Georgia ensures that each charter school has a high degree of autonomy over the charter school's budgets and expenditures. Charter petitions must demonstrate fiscal feasibility and controls by including information detailing the school's financial structure. Additionally, all charter petitions must include 'detailed budget information projecting revenues and expenditures for the first five years of a charter term five year budget' (Charter School Rule). While charter schools have a high level of autonomy over their budgets, all charter schools are required to be subjected to an annual financial audit conducted by an independent Georgia licensed Certified

Public Accountant. Any charter school that acts as its own LEA is also required to adhere to the financial requirements of the Charter Schools section of the Department's Financial Management for Georgia Local Units of Administration manual.

In the past year, Georgia has increased the rigor in which it reviews and evaluates petitions that do not request the maximum flexibility permitted by Georgia Statute. Petitioners that do not request the maximum flexibility are normally located in districts that discourage charter schools from requesting the maximum flexibility. The CSD is working on providing targeted training to those districts. This training will review the advantages of granting maximum flexibility to new charter schools. The training will also focus on ways potential charter schools can take advantage of the maximum flexibility permitted and the increased autonomy associated with it. The CSD is in correspondence with all petitioners that did not request the maximum flexibility this previous year. The correspondence requires petitioners to provide additional justification for their charter request and to submit illustrative examples of how they will use the flexibility they requested. In some cases, the correspondence recommends that the petitioner seek out other ways to accomplish their proposed objectives because the petitioner does not request enough flexibility to fully meet the Federal definition of a charter school (Appendix C).

Selection Criteria 3

The number of high-quality charter schools to be created in the State (30 points).

Note: The Secretary considers the SEA's reasonable estimate of the number of new charter schools to be authorized and opened in the State during the three-year period of this grant.

The Secretary also considers how the SEA will inform each charter school in the State about Federal funds the charter school is eligible to receive and ensure that each charter

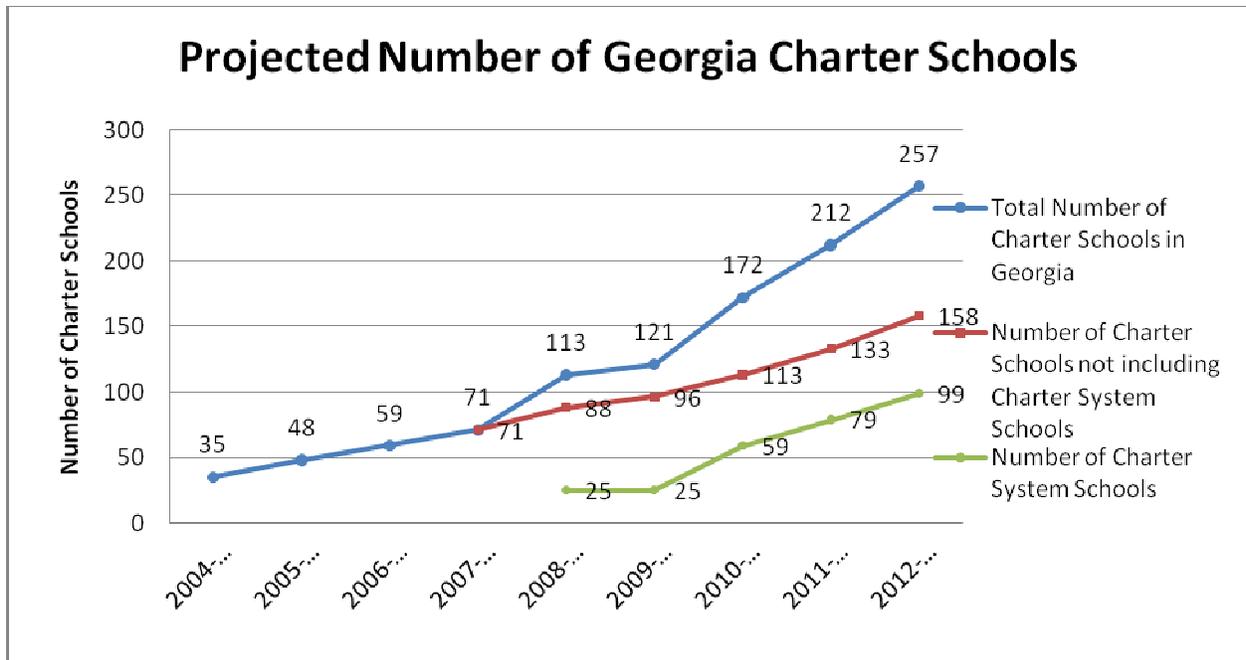
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school in the State receives the school's commensurate share of Federal education funds that are allocated by formula each year, including during the first year of operation of the school and during a year in which the school's enrollment expands significantly.

Unlike many states, Georgia does not have a cap on the number of charter schools that may operate in the state. Georgia estimates that at least 60 new charter schools will open during the next three years. During the 2009-2010 school year, 14 new charter schools were authorized by the State Board of Education and the Commission: 7 Commission approved start-ups, 7 State Board of Education approved Start-ups. The State Board of Education has not yet voted on any of the six conversion petitions for this authorizing cycle. During the previous year, the State Board of Education approved 12 charter schools. With the increased technical assistance and outreach the Department of Education plans on providing LEAs and charter petitioners about high quality chartering and authorizing, the Department of Education is confident that the increased interest in chartering will continue.

The chart below shows Georgia's projected charter school growth for the grant period. While Georgia statute allows entire districts to convert to charter schools with a single petition, the GaDOE has not include any charter system schools in the grant expenditure projections. Currently, there are no charter system schools eligible to receive implementation grants because charter system schools do not yet have individual performance contracts with the State Board of Education. If a charter school within a charter system develops an individual performance contract with the state and meets all other parts of the Federal definition of a charter school, the charter school may be eligible to receive a implementation grant.



The table below shows the projected grant fund expenditures by type of school and authorizer. The projection used an average of \$300,000 per conversion charter school, \$500,000 per SBOE approved start-ups and Commission approved start-ups.

Projected Grant Fund Expenditures by Type of School 2010-2013					
	# Conversions	# SBOE approved start-ups	# Commission approved start-up	Total Schools	New
# of schools	21	21	24	66	
Grant Funds	\$6,300,000	\$10,500,000	\$16,800,000	\$33,600,000	

The two tables below show the revised funding plan for implementation grant applicants. The proposed funding levels align with Georgia’s objectives by providing financial incentives for charter schools to develop in districts that are not currently making AYP and for charter schools to offer a comprehensive secondary program. Additionally, an additional \$25,000 is available per year for charter schools that will locate in a district that currently does not have a

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charter school to encourage growth of charter schools in rural districts. The minimum implementation grant award is \$200,000 and the maximum award amount will be \$650,000 for the 24 month period. The GaDOE has discretion over the recommend grant awards to each school as long as the maximum award does not exceed \$650,000 for the 24 month period.

Charter School Program Funding Amounts fo 2010-2013 Grant Application							
	Year 1	Year 2	If Existing Public Charter School that is in Needs Improvement Status 2 or higher, applicant is eligible for an extra \$75,000	If secondary students will make up at least 50% of the school's enrollment, applicant is eligible to receive an extra \$25,000.	School is located in a district that currently does not have any FTE charter schools.	Minimum Award Amount	Maximum Award Amount
Conversion Charter Schools							
School with Enrollment of 500 students or more	\$150,000	\$150,000	\$75,000	\$25,000	\$50,000	\$300,000	\$450,000
School with an enrollment of less than 500 students	\$125,000	\$75,000	\$75,000	\$25,000	\$50,000	\$200,000	\$350,000
Start-up Charter Schools			If proposed charter school will be located in a DISTRICT that that is in Needs Improvement Status 2 or higher, applicant is eligible for an extra \$75,000 over two years	If secondary students will make up at least 50% of the school's enrollment, applicant is eligible to receive an extra \$25,000.	School is located in a district that currently does not have any FTE charter schools.	Minimum Award Amount	Maximum Award Amount
School with Enrollment of 250 students or more (by end of Year 1)	\$250,000	\$250,000	\$75,000	\$25,000	\$50,000	\$500,000	\$650,000
School with an enrollment of less than 250 students (by end of Year 1)	\$250,000	\$150,000	\$75,000	\$25,000	\$50,000	\$400,000	\$550,000

The Georgia State Board of Education and the Georgia Charter Schools Commission are committed to authorizing high quality charters schools. Applicants must submit a detailed application that demonstrates increased accountability, flexibility and innovation (See Appendix C). Both authorizers will continue to maintain very high standards of accountability for all new applications and renewal applications. The Commission received extensive training on authorizing best practices from the National Association of Charter School Authorizers before authorizing any charter school. The Commission also received extensive technical assistance from the CSD staff during their first round of authorizing. The Georgia Department of Education will continue to provide technical assistance to the Commission when requested.

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Since 2000, the SEA has denied charter renewals of charter schools due to a number of factors including failure to achieve academic goals, poor fiscal management and low student enrollment. The SEA conducts a two-part renewal process of all charter renewal applications. The first review is a programmatic and compliance review of the charter school's petition. The second review is a thorough review of the charter school's past academic performance data over the course of the charter term.

To ensure that charter schools are awarded their proportionate share of federal funds, the DOE informs all charter schools of federal funds that they are entitled to receive, including funding through the Elementary and Secondary Education Act, Individuals with Disabilities Act, Carl D Perkins and other federal programs. The DOE holds monthly charter school committee meetings, posts guidelines on the Charter Schools Division website, and conducts workshops across the State to ensure that all charter schools are aware of the federal funds that they are entitled to receive. In addition, the Georgia Department of Education's Office of Education Support Improvement has a staff member assigned to charter schools to ensure charter school issues are addressed. The Georgia Department of Education Charter Schools Division will forward to each charter school all notices they receive announcing federal funding opportunities and federally-sponsored activities and programs that are made available to public schools. Additionally, the Charter Schools Division ensures that all charter schools are included in the GaDOE's databases that list educational entities that are eligible for federal funding.

The GaDOE works collaboratively to ensure that charter schools receives the school's commensurate share of Federal education funds that are allocated by formula each year,

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including during the first year of operation of the school and a year in which the school's enrollment expands significantly. The GaDOE's Charter Schools Division (CSD) is the primary contact point for charter schools and actively works towards notifying charter schools about their eligibility to receive Federal funds. The CSD coordinates annual consolidated application training for all charter schools that operate as their own LEA. During the training, the CSD reviews the consolidated application's components and the importance of completing in a timely fashion. Charter schools that do not operate as their own LEA are invited to attend but are not required to participate. Additionally, the CSD serves as the primary contact for charter schools regarding budgeting procedures and fiscal guidelines associated with assessing Federal funds.

The DOE works closely with LEAs to ensure that, when the LEA Consolidated Application which lists schools, poverty data, per pupil amount, and total allocations is received, the list includes all charter schools in the LEA's attendance area. The LEA must rank all of its school attendance areas (the geographic area from which a public school draws its children), including charter schools, according to their percent of poverty. The GaDOE monitors LEAs to ensure that they have consulted with the charter school to determine the number of eligible children attending the charter school. Once the number of eligible children is determined, the LEA ranks all schools, including charter schools, based on the percentage of low-income children counted. Charter schools must receive their proportionate amount of the LEA's federal allocation based on the number of children eligible to be served.

The GaDOE also conducts an annual compliance review of all LEAs in the State. The annual review is necessary to ensure that as charter school enrollment expands their funding

level reflects this growth. This is particularly relevant for charter schools, many of which experience expanding enrollment during the course of the school year and therefore “earn” more categorical funding as the school year progresses. Any LEA Consolidated Application not in accord with the actual charter school enrollment is returned to the LEA and must be revised to reflect actual enrollment of charter school students. In order for charter schools to be successful in educating all children, they must receive their commensurate share of federal education funds allocated by formula each year, including during the first year of operation of the school.

The CSD plans to continue offering annual new charter training for new charter schools, authorized by both the SBOE and the Commission. The new charter training is a full day training by staff of the CSD and other GaDOE offices. The training provides a comprehensive overview of sources of Federal formula funds and the appropriate way to access the funds. Staff is available to provide technical assistance to individual charter schools in completing their consolidated applications.

The GaDOE’s creation of a dedicated Charter Schools Title I program specialist within the Title I office is one indication of the increased importance the GaDOE has placed on working closely with charter schools to ensure that they receive their commensurate share of Federal Funds. The Charter Schools Division has worked closely with the Title I program specialist to develop a *Charter Schools and Title I* protocol.

In Georgia, participation in the School Nutrition Program based on free and reduced lunch (FRL) program is most often used to determine a school’s relative poverty. The GaDOE has developed a process to verify and validate poverty levels for charter schools that do not

participate in the School Nutrition Program. Once the school's poverty county has been verified, the charter school will be eligible for the appropriate Federal funds. Charter schools that are approved by an LEA must submit a plan to the LEA by an appropriate deadline on how they will use their Federal funds. The Charter School Expansion Act requires the LEA to provide notice to the charter schools regarding the federal funds for which they might be eligible.

The purpose of Public Law 107-110, Section 5206, Federal Formula Allocation during First Year and for Successive Enrollment Expansions, and its accompanying regulation (34 CFR Part 76, Subpart H), is to ensure that charter and/or commissioned charter schools that are new or significantly expanding their enrollment receive the full amount of federal funds to which they are entitled within five months of the opening or significant expansion. Under the requirements of Public Law 107-110, Section 5206 and the accompanying regulations, in order for charter schools to trigger the protections of Public Law 107-110, Section 5206 they must:

- Provide 120 day notice. A charter school that is newly opening or significantly expanding its enrollment must provide, in writing to the State educational agency (SEA) or local educational agency (LEA)*, at least 120 day notice of the date the charter school plans to open or significantly expand. If the charter school does not provide this 120 day notice, the SEA or LEA is relieved of most of its obligation to provide the federal funds within the five month period.

*In general, State charter and State commissioned charter schools will give notice to the SEA, and charter schools that are part of an LEA will give notice to the LEA.

- The charter school must just demonstrate that it is eligible to participate in the federal formula program like other schools; the difference is that new or significantly expanding charter schools may not be denied funds simply because they do not have accurate data from a prior year, even if the allocations to traditional public schools are based on prior year data. This is an important provision to ensure that newly opening and significantly expanding charter schools receive the amount of federal formula funds to which they are entitled. States have great flexibility in the information they can request from a charter school to prove that the charter school is eligible to receive the funds.
- Upon request, the charter school must provide the SEA or LEA with data or information that is reasonably needed to estimate the amount of funds the charter school will be eligible to receive. This information would typically include estimated enrollment numbers and poverty data.
- Once the charter school opens or significantly expands, the school must provide actual enrollment data to the SEA or LEA. This allows the SEA or LEA to adjust the federal formula allocations based on actual numbers, rather than the estimate.

Finally, the GaDOE is in the process of expanding its internal fiscal review capacity. The CSD has determined that adding a fiscal analyst to the division would increase fiscal oversight and monitoring of all charter schools and LEAs. The fiscal analyst would be responsible in for reviewing charter school's budgets, advising charter schools of available funding opportunities that a school might be eligible for and monitoring LEAs' compliance with providing appropriate federal funding amounts to their charter schools. The fiscal analyst would collaborate with

current GaDOE staff in other divisions to ensure that charter schools are reviewed in a timely manner.

Selection Criteria 4

The quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers the adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks (30 points).

The Georgia Charter Schools Division is staffed by 4.0 full time equivalent professional staff members: 1.0 FTE Charter School Director, 1.0 FTE Grants Coordinator, 1.0 FTE Research and Education Evaluation Specialist and 1.0 Legal Specialist. The CSD also employs a 1.0 FTE paralegal and .5 FTE Secretary. The Grants Coordinator oversees the daily administration of the CSP grant program. Both the Grants Coordinator and the Paralegal are federally funded.

Louis Erste is the Charter School Director and supervises all charter school program staff and has ultimate management responsibility for the budget, organization and overall functioning of the program. He serves as the SEA representative to national or federal conferences. **Tabitha Press** is the Grants Coordinator. She organizes all grant writing workshops and grant reviewing, including the recruitment and training of the peer reviewer panels and scoring. In addition, she conducts the annual monitoring visits for all CSP subgrantees. She also revises the CSP application for subgrants and oversees the two state funded charter grant programs. She will also serve as the SEA representative to national or federal conferences and meetings. **Sarina Russotto** is the Legal Specialist and reviews all charter school petitions received by the Department. Ms. Russotto drafts all charter contracts for the SEA. **Jason**

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Martin is the Research and Education Evaluation Specialist and serves as the liaison between the SEA and other organizations associated with chartering (See Appendix A for resumes for all staff members).

Grant funds will be used to hire additional charter school staff members to increase the fiscal oversight and monitoring of all charter schools. The additional staff will be responsible for providing technical assistance to school districts, charter schools and other stakeholders on increasing student performance, charter school accountability and fiscal management strategies. Additionally, staff will assist in planning training programs for new charter school operators and professional development for existing charter schools. Fiscal and programmatic staff will participate in grant monitoring visits to increase the scope of the current monitoring process. (See proposed job descriptions in Appendix B).

During the first year of the grant, the GaDOE will contract for an external evaluator to conduct the evaluation of the CSP grant program. The GaDOE proposes to contract with the South Eastern Regional Educational Laboratory. The GaDOE already has a contract with the South Eastern Regional Educational Laboratory that provides technical and research assistance. See Selection Criteria (vii) for specific details on the evaluation plan.

Georgia Charter School Project Implementation Timeline and Management Plan

Georgia awarded 25 subgrants to eligible applicants during the 2007-2010 grant cycle. The SBOE and the Commission recently approved 14 new charter schools. An additional 4 charter schools are expected to be approved by June 2010 by the SBOE. These new 18 charter

schools mark the largest number of new charter schools in Georgia during this grant cycle. The CSD anticipates awarding \$5.2 million dollars in subgrants to these new charter schools by June 2010 bringing the number of awards to 40. Georgia will have a balance of \$2.7 million dollars in unobligated funds that it expects to award early in the FY2011 cycle to new charter schools approved by the Commission and SBOE. The CSD has also revised its dissemination grant application and anticipates awarding no more than \$300,000 total to three proposals.

The CSD now requires that all subgrantees attend a Managing Your Federal Funds workshop that covers the reimbursement process. This workshop’s purpose is to increase the efficiency in which schools gain access to their CSP funds. The workshop also informs all subgrantees about the monitoring and evaluation process of the grant. Subgrantees have time to work on their revised budgets and to get additional technical assistance from other GaDOE divisions.

Fiscal Year	2011	2012	2013
Number of Implementation Grants	20	22	24
Number of Dissemination Grants	3	4	5

Management of the CSP Program and Grant Review Process

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The Georgia Department of Education's Charter School Division oversees the CSP grant program. The Georgia Department of Education will use CSP subgrants to help support charter schools, so that they can open successfully. GaDOE proposes to change the funding levels for charter schools. Implementation grant funding for charter schools will range from \$250,000 to \$750,000. Charter schools will receive a base amount of funding and then be eligible to receive additional funding if the proposed school meets additional criteria. CSP funds help charter schools implement professional development programs, extensive technology plans and innovative curricula. CSP implementation grant funds may only be used in the first 24 months of a charter school opening its doors. Charter schools may not receive any implementation grant funds after its initial 24-month operating period.

The CSD works closely with the Department of Education's grants accounting division to manage Georgia's CSP grant. The CSD releases an RFP annually that details all requirements for applicants including deadlines, technical assistance opportunities and workshops.

All implementation and dissemination grant applications are reviewed by three external raters. Each rater participates in a training session each grant cycle. All raters are required to submit copies of their resumes to the GaDOE and to complete conflict of interest forms. All raters are required to participate in yearly rater training. All raters are expected to understand the federal and state definitions of a high quality charter school. All raters are expected to be able to evaluate the applicants' plan to increase student achievement and decrease the achievement gap. Once the CSD receives a grant application, the CSD's paralegal checks that the submitted application is complete and includes all required components. If an application is submitted

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without all required components, such as signed assurances, the paralegal alerts the applicant that their application cannot be reviewed until the missing components are submitted. Once an application is complete, the paralegal assigns three raters who have no known conflicts with the application. The paralegal then emails each rater an electronic copy of the grant application, rubric and application instructions. A hard copy of each of these items is also mailed to each rater. Raters have three weeks to read and review each assigned application. Raters are required to give both a numeric score and evaluative comments. The CSD records each score submitted and forwards on comments and scores to the applicants. All scores are sent to applicants anonymously to protect the identity of the individual raters.

An application must receive two scores of at least 70 from the three independent raters to be recommended to receive funding. Applications are not eligible to receive preference points until the application receives a score of 70. If an application fails to receive two passing scores, the CSD alerts the applicant that they have thirty days to revise their application. The CSD staff provides the raters' comments to the applicants and provides a one hour training workshop for all unsuccessful applicants. The one-hour training workshop provides supplemental technical assistance on writing SMART (Specific, Measurable, Attainable, Realistic and Timely) goals and linking budget expenditures to performance objectives.

Recommendations are made to the State Board of Education, which has final approval of the grant awards. Successful applicants must submit a revised budget and budget narrative before grant funds are released. All subgrantees are monitored within four months of receiving their award. During the monitoring visit, CSD program staff reviews the subgrantee's bookkeeping

and financial records, programmatic goals and general status. If a subgrantee receives any negative findings or a recommendation for corrective action, the subgrantee must address all issues before the subgrantee can be access any additional grant funds or receive reimbursement. Additionally, if a subgrantee fails to meet their program objectives in the first year, the subgrantee is required to submit a corrective action plan to the CSD before funds for the second year of the program are released.

Selection Criteria 5

v) *The SEA's plan to monitor and hold accountable authorized public chartering agencies through such activities as providing technical assistance or establishing a professional development program, which may include providing authorized public chartering agency staff with training and assistance on planning and systems development, so as to improve the capacity of those agencies to authorize, monitor, and hold accountable charter schools (30 points).*

Until the creation of the Georgia Charter Schools Commission, all charter schools were authorized by the SEA. Georgia statute allows for the State Board of Education to overturn the Commission's approvals and renewals of charter schools. This will allow the State Board of Education to monitor the Commission's authorizing process to ensure that the Commission uses the same high quality and extensive review process that the GaDOE uses. Additionally, the CSD staff will continue to provide technical assistance to the Commission as the Commission establishes itself. During the Commission's first authorizing cycle, the Commission relied heavily on the CSD's staff for training and technical assistance. The CSD will invite the Commission to all technical assistance and training workshops that it hosts for LEAs.

With the creation of the Georgia Charter Schools Commission as an independent authorizer, the SEA has created a monitoring plan for Commission approved charter schools.

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Approved CSP subgrantees that are authorized by the Commission will be monitored by the Georgia Department of Education's staff in the same manner as SEA authorized subgrantees. In addition, all Commission approved charter schools are required to attend additional training on completing their LEA consolidated application and complying with federal requirements as they relate to receiving federal formula funds.

Selection Criteria 6

(vi) *In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204(f)(6) of the ESEA, the quality of the dissemination activities (15 points) and the likelihood that those activities will improve student academic achievement (15 points).*

The Georgia Department of Education plans to reserve 5% of its total award to fund dissemination activities under section 5204(f)(6) of the ESEA. Approximately 30 Georgia Charter schools would be eligible for dissemination grant funds by 2014. In order to support Georgia's fourth CSP objective, GaDOE will implement a dissemination grant award process annually and award a minimum of 4 dissemination grants each year. CSD will work with the Georgia Charter Schools Association to identify 'high quality' charter schools that meet the eligibility requirements to apply for a dissemination grant. The availability of dissemination grant funds is announced on the CSD's website and periodically announced during the monthly meetings of the State Board of Education. The CSD will provide a dissemination grant workshop and offer specific one on one technical assistance to identified charter schools. Additionally, all charter schools that receive dissemination grants will be invited to present their projects at the State Board's Charter Committee Meeting at the end of the project. The CSD will publicize the meetings using their listserve and also the Georgia Charter Schools Association listserve.

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All funded dissemination grant projects must propose to accomplish one of the four allowable activities set forth in the dissemination grant application: assisting other individuals with the planning and startup of new public schools; developing partnerships with other public schools to improve student performance; developing curriculum materials, assessments and other materials that lead to increased student achievement; and conducting evaluations and developing materials that document the successful practices of charter schools. In addition, projects should cover one of the following topic areas: traditional under-served student populations; secondary education programs; strong fiscal management or parent and community involvement. Applicants are required to submit a detailed management plan and an evaluation plan. (See Appendix D for complete application).

Dissemination grant applicants that target replication of successful practices or promote or support the start up of new charter schools that increase student achievement at the secondary level or in identified high-need areas will receive funding priority. Applicants must provide evidence of student progress or academic achievement, high levels of parental satisfaction and financial viability. Applicants are also required to submit assurances that they will participate in any state and federal reporting, evaluation or onsite monitoring as required. Subgrantees are required to attend a mandatory grant management session annually and report the CSD on their project.

All dissemination grant applications will go through an external peer review process identical to the peer review process described previously for the implementation grant. All raters will be trained and will be required to sign conflict of interest letters. An applicant must receive

at least two scores of 70 out of a 100 point scale by their independent raters to be recommended for funding. In addition to the external peer review process, all dissemination grant applications will go through an internal review process for compliance with state and federal requirements. Recommendations must go before the State Board of Education which makes all final decisions on the awarding of the grants. Applicants will receive notification of the status of their application, along with reviewers' comments and guidance documents. Successful applicants must make any necessary revisions and provide necessary documentation prior to the release of grant funds.

Selection Criteria 7

The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining the quality of the evaluation, the Secretary considers the extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data (30 points).

The GaDOE is currently in discussions with the South Eastern Regional Education Lab (SERVE) to be the evaluator for this project. SERVE's evaluation team is led by Dr. Wendy McColskey, program director. Dr. McColskey has led Research and Development projects through the Regional Educational Laboratory serving the southeast since 1990. The projects have ranged from developing teacher evaluation systems, to developing services and publications designed to support the improvement of assessment practices at the classroom, district, and state level, to forming district consortia to work on educational problems, to conducting over ten research and evaluation studies in a variety of areas emerging from the field. She has been responsible for directing and/or writing over 20 SERVE publications that have been widely

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disseminated. She has managed contracted grants and evaluations in a variety of areas including curriculum evaluation, school improvement, assessment reform, and teacher quality. She has a Ph.D. in Educational Research and Evaluation from the Ohio State University.

Dr. Karla Lewis has a Ph.D. in Educational Policy Studies (Sociology of Education) from the University of Illinois at Urbana-Champaign. Prior to coming to the SERVE Center, she was a Spencer Foundation Post-doctoral Fellow at the Johns Hopkins University Center for the Social Organization of Schools. Dr. Lewis is a Project Director for the SERVE Center and directs the policy program. As such, she monitors and reports on southeastern state policies. She has experience in conducting research syntheses and developing policy summaries. She also has research project management experience.

The evaluation will align with the five program objectives and consist of three parts. The first part will be a parental and community satisfaction survey. The GaDOE will work with SERVE to design a survey that will be sent to charter school parents to assess their levels of satisfaction.

Both quantitative and qualitative data will be collected. The GaDOE has several methods for collecting quantitative data in charter schools and will provide SERVE access to student level academic achievement data. The academic data includes student and school level data from Georgia's statewide assessments. SERVE will work with the GaDOE to identify comparable traditional public schools.

The CSD will also conduct a yearly internal review of the progress made towards meeting its program objectives. The evaluation, at minimum, will answer such questions:

1. Is the project doing what it said it would do and in the way that it said it would?
2. Are our outreach efforts reaching the intended target populations?
3. Are workshops implemented as planned? How do participants evaluate the workshops? How can the workshops be changed to be more effective?
4. Are our charter schools receiving adequate technical assistance?

The internal evaluation will help the CSD assess if the program is making progress towards meeting its objectives and also revise its projects as needed.

Project Narrative

Other Attachment Form

Attachment 1:

Title: **Georgia Appendices Pages: 168** Uploaded File: **C:\Documents and Settings\Tabitha Press\My Documents\2010 Federal Application\Appendices\Appendix A\georgia.appendices.pdf**

Appendix A

Charter School Resumes

1. Charter School Director-Louis Erste
2. Grants Coordinator-Tabitha Press
3. Charter School Legal Specialist-Sarina Russotto
4. Education Research and Evaluation Specialist-Jason Martin

Appendix B

Proposed Job Descriptions

1. Fiscal Analyst
2. Grants Program Consultant
3. Charter School Petition Evaluation Specialist
4. Education Research Specialist

Georgia Department of Education
Job Announcement

Posting Date: May, 2010		Apply by: Until Filled	
Announcement: 09-			
Position Title: Fiscal Analyst/Auditor (Charter Schools)	Location: 2053 Twin Towers East Atlanta, Georgia	Program/Unit: Charter Schools Division/Office of Policy and External Affairs	
Position: New (Federally Funded)			
Description of Duties: Under general to limited supervision of the Charter School Director, performs professional, advanced-level fiscal analysis and performance related reviews of federal Charter Schools Program grants and associated budgets. Duties include, but are not limited to, developing, reviewing and editing financial reports; developing and maintaining a system to track federal Charter School Program grants and budgets; conducting paper and on-site audits and monitoring for compliance with federal regulations; providing financial and technical assistance to charter schools, districts and petitioners; conducting financial and record-keeping training for local school system grantees as needed; and working collaboratively with the Charter School Division team to ensure effective coordination of fiscal reviews and program reviews. Some statewide travel is required.			
Minimum Qualifications: Bachelors degree in business administration or a related field AND Two years of related experience OR One year of experience as a Staff Auditor, Accounting Supervisor, Tax Specialist, Auditor 1 or Financial Examiner 1 or equivalent position or Five years of experience in a related area or Masters Degree in business administration or related field and One year of related experience.			
Preferred Qualifications: Preference will be given to applicants who, in addition to meeting the minimum qualifications, possess one or more of the following: <ul style="list-style-type: none"> • Bachelor's degree in accounting • Experience in governmental accounting and auditing • Experience in local school system or charter school financial review • Experience monitoring federal grant compliance • Experience in reviewing grant budgets • Knowledge and experience in financial management • Excellent oral and written communication skills 			
Salary/Benefits: Pay grade 15 – Annual salary range \$35,569.36 (minimum) to \$62,301.82 (maximum) commensurate with current employment and relevant education/training and work experience, and available funding. Benefit options include life, disability, dental and health insurance, annual/sick leave, and Employees' Retirement or Teachers' Retirement.			
Submit a letter of application and a resume or State of Georgia Application to: <p style="text-align: center;"> Georgia Department of Education Human Resources Office 2052 Twin Towers East Atlanta, Georgia 30334 Telephone: 404-656-2510; Fax: 404-657-7840 E-mail address: recruiter@doe.k12.ga.us Internet address: http://www.gadoe.org </p>			
Interviews will be held as qualified candidates are identified. Applications/resumes will be evaluated and only those meeting the qualifications will be considered. Only top candidates will be contacted for interviews. No notification will be sent to applicants except those who are selected for interviews. Due to the large volume of applications received by this office, we are unable to provide information on your application status. Resume/application should include daytime telephone number and prior salary and employment history with addresses and telephone numbers. If a resume is submitted, it must be accompanied by a cover letter.			
An Equal Opportunity Employer			

Georgia Department of Education
Job Announcement

Posting Date: September, 2010		Apply by: Until Filled	
Announcement: 10-			
Position Title: Grants Program Consultant (Charter Schools)	Location: 2053 Twin Towers East Atlanta, Georgia	Program/Unit: Charter Schools Division/Office of Policy and External Affairs	
Position: 00055081			
Description of Duties: Under general to limited supervision, responsible for all aspects of administering state and federal grant funding for charter petitioners. Duties include, but are not limited to, coordinating the division's efforts in reviewing grant proposals, rating grants, distributing grant monies, and tracking the use of grant funds; connecting grant funding to achievement goals set forth in charters; collecting, summarizing, and analyzing grant information for use in state board presentations and annual reports; designing training programs for charter petitioners and authorizers; providing ongoing grant advice to charter petitioners and local school systems; coordinating efforts of various Department divisions to respond to petitioner and school district questions about grants; developing and delivering presentations concerning grant funding to a wide variety of stakeholders; working with the Department to prepare legislative presentations concerning the need for charter school facilities funding; conducting needs assessments for distribution of funding. Some travel is required.			
Minimum Qualifications: Master's or comparable advanced degree in education, public policy, law, or a related field and a minimum of three years of experience in a professional capacity which provided a working knowledge of grant administration and budget management. Must have advanced skills in using Microsoft Word, Excel, and Access.			
Preferred Qualifications: Preference will be given to applicants who, in addition to meeting the minimum qualifications, possess one or more of the following: <ul style="list-style-type: none"> • Experience developing program evaluation instruments and evaluating results • Experience in reviewing grant proposals • Knowledge and experience in financial management • Excellent oral and written communication skills 			
Salary/Benefits: Pay grade 17 – Annual salary range \$41,808.96 (minimum) to \$73,323.60 (maximum) commensurate with current employment and relevant education/training and work experience, and available funding. Benefit options include life, disability, dental and health insurance, annual/sick leave, and Employees' Retirement or Teachers' Retirement.			
Submit a letter of application and a resume or State of Georgia Application to: <p style="text-align: center;"> Georgia Department of Education Human Resources Office 2052 Twin Towers East Atlanta, Georgia 30334 Telephone: 404-656-2510; Fax: 404-657-7840 E-mail address: recruiter@doe.k12.ga.us Internet address: http://www.gadoe.org </p> <p>Interviews will be held as qualified candidates are identified. Applications/resumes will be evaluated and only those meeting the qualifications will be considered. Only top candidates will be contacted for interviews. No notification will be sent to applicants except those who are selected for interviews. Due to the large volume of applications received by this office, we are unable to provide information on your application status. If a resume is submitted, it must be accompanied by a cover letter.</p>			
An Equal Opportunity Employer			

Georgia Department of Education
Job Announcement

Posting Date: September #, 2010		Apply by: Until Filled	
Announcement: 10-##			
Position Title: <p style="text-align: center;">Charter School Petition Evaluation Specialist</p>	Location: 2053 Twin Towers East Atlanta, Georgia	Program/Unit: Charter Schools Division/Office of Policy and External Affairs	
Position: New, Federally funded position			
Description of Duties: Under general to limited supervision, coordinate the Department of Education's efforts in reviewing charter school petitions, suggesting revisions to such petitions, and improving charter school student performance by monitoring charter school governance and related issues. Duties include, but are not limited to, working with charter school petitioners and districts; conducting legal review of charter petitions for compliance with law; coordinating the division's efforts in collecting, summarizing, and analyzing charter school data; working with the General Assembly on charter and policy legislation; producing charter school performance reports detailing progress on school's individual charter goals; making recommendations to the State Board of Education for policy consideration; proposing and refining legislative items for consideration; coordinating efforts of various Georgia Department of Education (GaDOE) divisions to respond to charter school and school district concerns; developing and delivering presentations to a wide variety of stakeholders; and evaluating the effectiveness of recipient charter schools in meeting student achievement goals. Some travel is required.			
Minimum Qualifications: Master's or comparable advanced degree in education, public policy, law, or a related field, a minimum of three years of experience in a professional capacity, and excellent oral and written communication skills. Should be knowledgeable of current federal laws related to the Elementary and Secondary Education Act (authorized as the No Child Left Behind Act of 2001).			
Preferred Qualifications: Preference will be given to applicants who, in addition to meeting the minimum qualifications, possess one or more of the following: <ul style="list-style-type: none"> • Experience with Special Education compliance • Experience developing program evaluation instruments and evaluating results • Knowledge and experience in educational policy • Advanced skills in using Microsoft Word, Excel, Powerpoint and Access • Experience in charter school administration 			
Salary/Benefits: Pay grade 18 – Annual salary range \$58,808.96 (minimum) to \$91,123.60 (maximum) commensurate with current employment and relevant education/training and work experience, and available funding. Benefit options include life, disability, dental and health insurance, annual/sick leave, and Employees' Retirement or Teachers' Retirement.			
Submit a letter of application and a resume or State of Georgia Application to: <p style="text-align: center;"> Georgia Department of Education Human Resources Office 2052 Twin Towers East Atlanta, Georgia 30334 Telephone: 404-656-2510; Fax: 404-657-7840 E-mail address: human.resources@doe.k12.ga.us Internet address: http://www.gadoe.org </p> <p>Interviews will be held as qualified candidates are identified. Applications/resumes will be evaluated and only those meeting the qualifications will be considered. Only top candidates will be contacted for interviews. No notification will be sent to applicants except those who are selected for interviews. Due to the large volume of applications received by this office, we are unable to provide information on your application status.</p> <p>Resume/application should include daytime telephone number and prior salary and employment history with addresses and telephone numbers. If a resume is submitted, it must be accompanied by a cover letter.</p>			
An Equal Opportunity Employer			

Georgia Department of Education
Job Announcement

Posting Date: September, 2010		Apply by: Until Filled	
Announcement: 10-			
Position Title: Education Research Evaluation Specialist (Charter Schools)	Location: 2053 Twin Towers East Atlanta, Georgia	Program/Unit: Charter Schools Division/Office of Policy and External Affairs	
Position: New, Federally Funded			
Description of Duties: Under general to limited supervision, provide technical assistance to the new charter petitioners. Duties include, but are not limited to, providing workshops for the CAC; coordinating the division's efforts in collecting, summarizing, and analyzing charter school data from grant recipients; proposing legislative items for consideration; providing ongoing advice to charter schools and local school systems; coordinating efforts of various Georgia Department of Education (GaDOE) divisions to respond to charter school and school district concerns; developing and delivering presentations to a wide variety of stakeholders about the charter program; evaluating the effectiveness of recipient charter schools in meeting student achievement goals; conducting thorough investigations and preparing detailed reports summarizing the findings of those investigations. Some travel is required.			
Minimum Qualifications: Master's degree in education, education administration, or a related field and a minimum of three years of experience in a professional capacity at a federal or state agency or local education agency, or college/university which involved investigating complaints, conducting program evaluations/audits, or conducting comprehensive research and preparing reports. Must be knowledgeable of current federal laws related to the Elementary and Secondary Education Act (authorized as the No Child Left Behind Act of 2001).			
Preferred Qualifications: Preference will be given to applicants who, in addition to meeting the minimum qualifications, possess one or more of the following: <ul style="list-style-type: none"> • Experience in educational program planning, implementation and evaluation • Experience developing program evaluation instruments and evaluating results • Experience working in a legal setting • Experience with Public education law and/or finance • Excellent oral and written communication skills 			
Salary/Benefits: Pay grade 17 -- Annual salary range \$41,808.96 (minimum) to \$73,323.60 (maximum) commensurate with current employment and relevant education/training and work experience, and available funding. Benefit options include life, disability, dental and health insurance, annual/sick leave, and Employees' Retirement or Teachers' Retirement..			
Submit a letter of application and a resume or State of Georgia Application to: <p style="text-align: center;"> Georgia Department of Education Human Resources Office 2052 Twin Towers East Atlanta, Georgia 30334 Telephone: 404-656-2510; Fax: 404-657-7840 E-mail address: recruiter@doe.k12.ga.us Internet address: http://www.gadoe.org </p>			
Interviews will be held as qualified candidates are identified. Applications/resumes will be evaluated and only those meeting the qualifications will be considered. Only top candidates will be contacted for interviews. No notification will be sent to applicants except those who are selected for interviews. Due to the large volume of applications received by this office, we are unable to provide information on your application status. Resume/application should include daytime telephone number and prior salary and employment history with addresses and telephone numbers. If a resume is submitted, it must be accompanied by a cover letter.			
An Equal Opportunity Employer			

Appendix C

Charter School Statute and State Board of Education Rule

1. Georgia Charter Schools Act of 1998
2. Georgia Charter School Commission Act
3. Georgia State Board of Education Charter School Rule
4. Georgia State Board of Education Charter School Guidance

TITLE 20. EDUCATION
CHAPTER 2. ELEMENTARY AND SECONDARY EDUCATION
ARTICLE 31. CHARTER SCHOOLS ACT OF 1998

§ 20-2-2060. Short title

This article shall be known and may be cited as the "Charter Schools Act of 1998."

HISTORY: Code 1981, § 20-2-2060, enacted by Ga. L. 1998, p. 1080, § 3.

§ 20-2-2061. Legislative intent

It is the intent of the General Assembly to increase student achievement through academic and organizational innovation by encouraging local school systems to utilize the flexibility of a performance based contract called a charter.

HISTORY: Code 1981, § 20-2-2061, enacted by Ga. L. 1998, p. 1080, § 3; Ga. L. 2002, p. 388, § 1; Ga. L. 2004, p. 107, § 19; Ga. L. 2005, p. 798, § 6/SB 35.

§ 20-2-2062. Definitions

As used in this article, the term:

(1) "Charter" means a performance based contract between a local board and a charter petitioner, the terms of which are approved by the local board and by the state board in the case of a local charter school, between the state board and a charter petitioner, the terms of which are approved by the state board in the case of a state chartered special school, or between a local board and the state board, the terms of which are approved by the state board in the case of a charter system. By entering into a charter, a charter petitioner and local board shall be deemed to have agreed to be bound to all the provisions of this article as if such terms were set forth in the charter.

(1.1) "Charter attendance zone" means all or any portion of the local school system in which the charter school is located and may include all or any portion of other local school systems if the charter school is jointly authorized pursuant to subsection (c) of Code Section 20-2-2063.

(2) "Charter petitioner" means a local school, local board of education, private individual, private organization, or state or local public entity that submits a petition for a charter. 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.

(3) "Charter school" means a public school that is operating under the terms of a charter.

(3.1) "Charter system" means a local school system that is operating under the terms of a charter pursuant to Code Section 20-2-2063.1.

(4) "Conversion charter school" means a charter school that existed as a local school prior to becoming a charter school.

(5) "Faculty and instructional staff members" means all certificated personnel assigned to the school on a full-time basis and all paraprofessionals assigned to the school on a full-time basis. The term "paraprofessional" shall have the same meaning as set out in Code Section 20-2-204.

(5.1) "Governing council" means a school level council of parents, teachers, administrators, and others who are involved in school level governance within a charter system.

(5.2) "High school cluster" means a high school and all of the middle and elementary schools which contain students who matriculate to such high school. The schools in a high school cluster may include charter schools, local schools, or a combination of both.

(6) "Local board" means a county or independent board of education exercising control and management of a local school system pursuant to Article VIII, Section V, Paragraph II of the Constitution.

(7) "Local charter school" means a conversion charter school or start-up charter school that is operating under the terms of a charter between the charter petitioner and the local board.

(8) "Local revenue" means local taxes budgeted for school purposes in excess of the local five mill share, combined with any applicable equalization grant and budgeted revenues from any of the following: investment earnings, unrestricted donations, and the sale of surplus property; but exclusive of revenue from bonds issued for capital projects, revenue to pay debt service on such bonds and local option sales tax for capital projects. Nothing in this paragraph shall be construed to prevent a local board from including a local charter school in projects specified in the ballot language of a local option sales tax or bond referendum.

(9) "Local school" means a public school in Georgia that is under the management and control of a local board.

(10) "Local school system" means the system of public schools established and maintained by a local board within its limits pursuant to Article VIII, Section V, Paragraph I of the Constitution.

(11) "Petition" means a proposal to establish a charter school or a charter system.

(12) "QBE formula earnings" means funds earned for the Quality Basic Education Formula pursuant to Code Section 20-2-161, including the portion of such funds that are calculated as the local five mill share in accordance with Code Section 20-2-164.

(12.1) "School level governance" means decision-making authority in personnel decisions, financial decisions, curriculum and instruction, resource allocation, establishing and monitoring the achievement of school improvement goals, and school operations.

(13) "Special school" means a school whose creation is authorized pursuant to Article VIII, Section V, Paragraph VII of the Constitution.

(14) "Start-up charter school" means a charter school that did not exist as a local school prior to becoming a charter school.

(15) "State board" means the State Board of Education.

(16) "State chartered special school" means a charter school created as a special school that is operating under the terms of a charter between the charter petitioner and the state board.

(17) "System charter school" means a school within a charter system.

HISTORY: Code 1981, § 20-2-2062, enacted by Ga. L. 1998, p. 1080, § 3; Ga. L. 2001, p. 148, § 22; Ga. L. 2002, p. 388, § 1; Ga. L. 2005, p. 798, §§ 7, 8/SB 35; Ga. L. 2007, p. 185, § 3/SB 39.

§ 20-2-2063. Charter petitions

(a) The State Board of Education shall promulgate rules, regulations, policies, and procedures to govern the contents of a charter petition.

(b) The State Board of Education shall establish rules, regulations, policies, and procedures to provide for the receipt of charter petitions from a group of two or more local schools as a single charter petitioner to convert to conversion charter school status. An existing conversion charter school may join as part of a group charter petition, and if such group charter petition is approved, the new charter shall supersede the conversion charter school's previous charter. A group charter petition may be comprised of all the schools in a high school cluster as such term is defined in Code Section 20-2-2062.

(c) The State Board of Education shall establish rules, regulations, policies, and procedures to provide for charter petitions from two or more local school systems to

jointly authorize a local charter school.

(d) The State Board of Education shall establish rules, regulations, policies, and procedures to provide for a charter petition from a local school system to establish a charter system. Such rules, regulations, policies, and procedures shall require that a charter petition and the charter contain an explanation of the structure, rights, and responsibilities of the principal, governing council, and local board of education of the system charter school, with an objective of maximizing school level governance and the involvement of parents, teachers, and community members in such governance.

HISTORY: Code 1981, § 20-2-2063, enacted by Ga. L. 1998, p. 1080, § 3; Ga. L. 2002, p. 388, § 1; Ga. L. 2005, p. 798, § 9/SB 35; Ga. L. 2007, p. 185, § 4/SB 39.

§ 20-2-2063.1. Charter Advisory Committee established; members; duties

(a) The state board shall establish a Charter Advisory Committee to review charter petitions for compliance with established standards of the state board, to make recommendations to the state board on charter policy, and to provide recommendations to the state board regarding charter petitions. The committee shall be composed of nine members as follows:

- (1) Three members appointed by the chairperson of the state board;
- (2) Three members appointed by the Lieutenant Governor; and
- (3) Three members appointed by the Speaker of the House of Representatives.

All members shall serve at the pleasure of their respective appointing officials. The committee shall elect a chairperson from among its membership.

(b) The committee shall conduct itself in accordance with any rules and guidelines established by the state board with regard to timeframes, procedures, and protocol.

(c) The committee shall be authorized to request clarifying information from a charter petitioner and to receive input from interested parties on a charter petition.

(d) The committee shall:

- (1) Make recommendations to the state board of approval or denial on each charter petition and shall specify the reasons for such recommendations;
- (2) Periodically make recommendations to the state board regarding charter policy; and
- (3) Make recommendations to the state board on the disbursement of planning grants for charter systems, if funds are made available.

(e) The committee shall be authorized to enter into contracts, subject to available funding, with one or more consultants to assist the committee in its duties and if directed to do so by the committee, to do the following:

(1) Assist charter petitioners in the drafting of their petitions;

(2) Assist charter petitioners in the design and implementation of innovative education programs and school level governance based on research, model programs, or other credible information;

(3) Monitor and assist charter schools and charter systems; and

(4) Perform any other functions related to the support of the committee.

(f) The committee shall work in cooperation with the Office of Charter School Compliance, as established pursuant to Code Section 20-2-2069.

(g) The members of the committee shall receive no compensation for their services but shall be reimbursed for actual and necessary expenses incurred by them in carrying out their duties.

(h) The committee shall be assigned to the Department of Education for administrative purposes only, as prescribed in Code Section 50-4-3.

HISTORY: Code 1981, § 20-2-2063.1, enacted by Ga. L. 2007, p. 185, § 5/SB 39.

§ 20-2-2063.2. Charter systems

(a) The state board shall be authorized to enter into a charter with a local board to establish a local school system as a charter system.

(b) A local board seeking to create a charter system must submit a petition to the state board. Prior to submitting such petition, the local board shall:

(1) Adopt a resolution approving the proposed charter system petition;

(2) Conduct at least two public hearings and provide notice of the hearings in the same manner as other legal notices of the local board; and

(3) Send a notice to each principal within the local school system of the hearings with instructions that each school shall distribute the notice to faculty and instructional staff members and to the parent or guardian of each student enrolled in the school.

The local board may revise its proposed charter system petition, upon resolution, as a

result of testimony at the public hearings or for other purposes.

(c) Prior to approval or denial of a charter petition for a charter system, the state board shall receive and give all due consideration to the recommendation and input from the Charter Advisory Committee established in Code Section 20-2-2063.1. The state board shall approve the charter if the state board finds, after receiving input from the Charter Advisory Committee, that the petition complies with the rules, regulations, policies, and procedures promulgated pursuant to Code Section 20-2-2063 and the provisions of this title, is in the public interest, and promotes school level governance.

(d) All schools within an approved charter system shall be system charter schools except as otherwise provided in subsections (f) and (g) of this Code section.

(e) (1) Subject to appropriations by the General Assembly or other available funding, the state board, after receiving input and recommendations from the Charter Advisory Committee, shall disburse planning grants to local school systems which desire to become charter systems. Such grants will be disbursed in accordance with any applicable guidelines, policies, and requirements established by the state board.

(2) Subject to specific appropriations by the General Assembly for this purpose, the state board shall disburse implementation grants in the amount of \$125,000.00 or such other amount as determined by the state board to each charter system. The state board shall be authorized to approve up to five petitions for charter systems during fiscal year 2008, and may approve up to a maximum number of petitions in following years as may be established pursuant to board rules and as subject to availability of funding for implementation grants.

(f) A system charter school shall not be precluded from petitioning to become a conversion charter school, in accordance with Code Section 20-2-2064, not subject to the terms of the system charter. In the event a system charter school becomes a conversion charter school, the system charter shall be amended to reflect that such school is no longer bound by the system charter.

(g) An existing conversion or start-up charter school within a local school system which is petitioning to become a charter system shall have the option of continuing under its own existing charter, not subject to the terms of the system charter, or of terminating its existing charter, upon agreement by the local board and state board, and becoming subject to the system charter as a charter system school.

HISTORY: Code 1981, § 20-2-2063.2, enacted by Ga. L. 2007, p. 185, § 5/SB 39.

§ 20-2-2064. Approval or denial of petition

(a) A charter petitioner seeking to create a conversion charter school must submit a petition to the local board of the local school system in which the proposed charter school

will be located. The local board must by a majority vote approve or deny a petition no later than 60 days after its submission unless the petitioner requests an extension; provided, however, that a denial of a petition by a local board shall not preclude the submission to the local board of a revised petition that addresses deficiencies cited in the denial; and provided, further, that the local board shall not act upon a petition for a conversion charter school until such petition:

(1) Has been freely agreed to, by secret ballot, by a majority of the faculty and instructional staff members of the petitioning local school at a public meeting called with two weeks' advance notice for the purpose of deciding whether to submit the petition to the local board for its approval; and

(2) Has been freely agreed to, by secret ballot, by a majority of parents or guardians of students enrolled in the petitioning local school present at a public meeting called with two weeks' advance notice for the purpose of deciding whether to submit the petition to the local board for its approval.

This subsection shall not apply to a system charter school petitioning to be a conversion charter school.

(b) A charter petitioner seeking to create a start-up charter school must submit a petition to the local board of the local school system in which the proposed charter school will be located. The local board must by a majority vote approve or deny a petition no later than 60 days after its submission unless the petitioner requests an extension. A denial of a petition by a local board shall not preclude the submission to the local board of a revised petition that addresses deficiencies cited in the denial.

(c) A system charter school's school council or governing council, as applicable, may petition to become a conversion charter school. The petition shall be submitted to the local board of the charter system in which the school is located. The local board must by a majority vote approve or deny a petition no later than 60 days after its submission unless the petitioner requests an extension; provided, however, that a denial of a petition by a local board shall not preclude the submission to the local board of a revised petition that addresses deficiencies cited in the denial.

(d) A local board shall approve a petition that complies with the rules, regulations, policies, and procedures promulgated in accordance with Code Section 20-2-2063 and the provisions of this title and is in the public interest. If a local board denies a petition, it must within 60 days specifically state the reasons for the denial, list all deficiencies with respect to Code Section 20-2-2063, and provide a written statement of the denial to the charter petitioner and the state board.

(e) The state board or the Charter Advisory Committee, if directed by the state board to do so, may mediate between the local board and a charter petitioner whose petition was denied to assist in resolving issues which led to denial of the petition by the local board.

HISTORY: Code 1981, § 20-2-2064, enacted by Ga. L. 1998, p. 1080, § 3; Ga. L. 2000, p. 618, § 74; Ga. L. 2002, p. 388, § 1; Ga. L. 2004, p. 107, § 19B; Ga. L. 2007, p. 185, § 6/SB 39.

§ 20-2-2064.1. Review of charter by state board; charters for state chartered special schools

(a) Prior to approval or denial of a charter petition under this Code section, the state board shall receive and give all due consideration to the recommendation and input from the Charter Advisory Committee established in Code Section 20-2-2063.1.

(b) The state board shall approve the charter of a charter petitioner if the petition has been approved by the local board of the local school system in which the proposed charter school will be located and the state board finds, after receiving input from the Charter Advisory Committee, that the petition complies with the rules, regulations, policies, and procedures promulgated in accordance with Code Section 20-2-2063 and the provisions of this title and is in the public interest. If the state board denies a petition, it must within 60 days specifically state the reasons for the denial, list all deficiencies with regard to Code Section 20-2-2063, and provide a written statement of the denial to the charter petitioner and to the local board.

(c) No application for a state chartered special school may be made to the state board by a petitioner for a conversion charter school that has been denied by a local board. Upon denial of a petition for a start-up charter school by a local board and upon application to the state board by the petitioner, the state board shall approve the charter of a start-up charter petitioner for a state chartered special school if the state board finds, after receiving input from the Charter Advisory Committee, that such petition meets the requirements set forth in Code Section 20-2-2063 and the provisions of this title, and is in the public interest.

HISTORY: Code 1981, § 20-2-2064.1, enacted by Ga. L. 2002, p. 388, § 1; Ga. L. 2005, p. 798, § 11/SB 35; Ga. L. 2007, p. 185, § 7/SB 39.

OPINIONS OF THE ATTORNEY GENERAL

A STATE CHARTER GRANTED UNDER SUBSECTION (D)(1) (NOW SUBSECTION (B)) OF O.C.G.A. § 20-2-2064.1 must meet the same requirements and definitions as other charter schools in the Charter Schools Act, O.C.G.A. § 20-2-2-6- et seq. 2001 Op. Att'y Gen. No. 2001-9.

§ 20-2-2065. Waiver of provisions of this title; requirements for operating; control and management

(a) Except as provided in this article or in a charter, a charter school, or for charter systems, each school within the system, shall not be subject to the provisions of this title or any state or local rule, regulation, policy, or procedure relating to schools within an applicable school system regardless of whether such rule, regulation, policy, or procedure is established by the local board, the state board, or the Department of Education; provided, however, that the state board may establish rules, regulations, policies, or procedures consistent with this article relating to charter schools. A waiver granted pursuant to this Code section for a charter system shall apply to each system charter school within the system. In exchange for such a waiver, the charter school agrees to meet or exceed the performance based goals included in the charter and approved by the local board or, for the charter system, the system agrees to meet or exceed the system-wide performance based goals included in the charter and approved by the state board, including but not limited to raising student achievement. For a charter system, the charter shall delineate the performance based goals that the system and each school will be expected to meet as well as the criteria by which a system charter may be revoked in addition to those contained in Code Section 20-2-2068.

(b) In determining whether to approve a charter petition or renew an existing charter, the local board and state board shall ensure that a charter school, or for charter systems, each school within the system, shall be:

(1) A public, nonsectarian, nonreligious, nonprofit school that is not home based, provided that a charter school's nonprofit status shall not prevent the school from contracting for the services of a for profit entity and that nothing in this Code section shall preclude the use of computer and Internet based instruction for students in a virtual or remote setting;

(2) Subject to the control and management of the local board of the local school system in which the charter school is located, as provided in the charter and in a manner consistent with the Constitution, if a local charter school;

(3) Subject to the supervision of the state board, as provided in the charter and in a manner consistent with the Constitution, if a state chartered special school;

(4) Organized and operated as a nonprofit corporation under the laws of this state; provided, however, that this paragraph shall not apply to any charter petitioner that is a local school, local school system, or state or local public entity;

(5) Subject to 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;

(6) Subject to all laws relating to unlawful conduct in or near a public school;

(7) Subject to an annual financial audit conducted by the state auditor or, if specified in the charter, by an independent certified public accountant licensed in this state;

(8) Subject to the provisions of Part 3 of Article 2 of Chapter 14 of this title, and such provisions shall apply with respect to charter schools whose charters are granted or renewed on or after July 1, 2000;

(9) Subject to all reporting requirements of Code Section 20-2-160, subsection (e) of Code Section 20-2-161, Code Section 20-2-320, and Code Section 20-2-740;

(10) Subject to the requirement that it shall not charge tuition or fees to its students except as may be authorized for local boards by Code Section 20-2-133; and

(11) Subject to the provisions of Code Section 20-2-1050 requiring a brief period of quiet reflection.

HISTORY: Code 1981, § 20-2-2065, enacted by Ga. L. 1998, p. 1080, § 3; Ga. L. 2000, p. 618, § 75; Ga. L. 2002, p. 388, § 1; Ga. L. 2005, p. 798, § 12/SB 35; Ga. L. 2006, p. 488, § 1/SB 610; Ga. L. 2007, p. 185, § 8/SB 39.

OPINIONS OF THE ATTORNEY GENERAL

STATE CHARTER SCHOOLS ARE SUBJECT to the control and management of the local board of education. 2001 Op. Att'y Gen. No. 2001-9.

TEACHERS AT CHARTER SCHOOLS shall be members of the Teachers Retirement System. 1999 Op. Att'y Gen. No. U99-4.

§ 20-2-2066. Admission, enrollment, and withdrawal of students

(a) A local charter school shall enroll students in the following manner:

(1)(A) A start-up charter school shall enroll any student who resides in the charter attendance zone as specified in the charter and who submits a timely application as specified in the charter unless the number of applications exceeds the capacity of a program, class, grade level, or building. In such case, all such applicants shall have an equal chance of being admitted through a random selection process unless otherwise prohibited by law; provided, however, that a start-up charter school may give enrollment preference to applicants in any one or more of the following categories in the order of priority specified in the charter:

(i) A sibling of a student enrolled in the start-up charter school;

(ii) A sibling of a student enrolled in another local school designated in the charter;

(iii) A student whose parent or guardian is a member of the governing board of the charter school or is a full-time teacher, professional, or other employee at the charter school; and

(iv) Students matriculating from a local school designated in the charter;

(B) A conversion charter school shall enroll any student who resides in the attendance zone specified in the charter and who submits a timely application as specified in the charter. If the number of applying students who reside in the attendance zone does not exceed the capacity as specified in the charter, additional students shall be enrolled based on a random selection process; provided, however, that enrollment preferences may be given to applicants in any one or more of the following categories in the order of priority specified in the charter:

(i) A sibling of a student enrolled in the charter school or in any school in the high school cluster;

(ii) Students whose parent or guardian is a member of the governing board of the charter school or is a full-time teacher, professional, or other employee at the charter school;

(iii) Students who were enrolled in the local school prior to its becoming a charter school; and

(iv) Students who reside in the charter attendance zone specified in the charter; and

(2) A student who resides outside the school system in which the local charter school is located may not enroll in that local charter school except pursuant to a contractual agreement between the local boards of the school system in which the student resides and the school system in which the local charter school is located. Unless otherwise provided in such contractual agreement, a local charter school may give enrollment preference to a sibling of a nonresident student currently enrolled in the local charter school.

(b) A state chartered special school shall enroll any student who resides in the attendance zone specified in the charter and who submits a timely application as specified in the charter unless the number of applications exceeds the capacity of a program, class, grade level, or building. The period of time during which an application for enrollment may be submitted shall be specified in the charter. In such case, all such applicants shall have an equal chance of being admitted through a random selection process unless otherwise prohibited by law; provided, however, that a state chartered special school may give enrollment preference to a child of a full-time teacher, professional, or other employee of the state chartered special school as provided for in subsection (b) of Code Section 20-2-293 or to a sibling of a student currently enrolled in the state chartered special school.

(b.1) A charter system shall enroll students in its system charter schools per the terms of the charter and in accordance with state board rules.

(c) A charter school shall not discriminate on any basis that would be illegal if used by a school system.

(d) A student may withdraw without penalty from a charter school at any time and enroll in a local school in the school system in which such student resides as may be provided for by the policies of the local board. A student who is suspended or expelled from a charter school as a result of a disciplinary action taken by a charter school shall be entitled to enroll in a local school within the local school system in which the student resides, if, under the disciplinary policy of the local school system, such student would not have been subject to suspension or expulsion for the conduct which gave rise to the suspension or expulsion. In such instances, the local board shall not be required to independently verify the nature or occurrence of the applicable conduct or any evidence relating thereto.

HISTORY: Code 1981, § 20-2-2066, enacted by Ga. L. 1998, p. 1080, § 3; Ga. L. 2002, p. 388, § 1; Ga. L. 2005, p. 798, § 13/SB 35; Ga. L. 2007, p. 185, § 9/SB 39.

§ 20-2-2067. Reprisals by local boards or school system employees prohibited

A local board of education or a school system employee who has control over personnel actions shall not take unlawful reprisal against another employee of the school system because such other employee is directly or indirectly involved with a petition to establish a charter school. A local board of education or a school system employee shall not take unlawful reprisal against an educational program of any school or school system because a petition to establish a charter school proposes the conversion of such educational program to a charter school. As used in this Code section, the term 'unlawful reprisal' means an action taken by a local board of education or a school system employee as a direct result of a lawful petition to establish a charter school which action is adverse to another employee and which is not lawfully taken in response to any action or behavior of such employee or is adverse to an educational program of the school or the school system and:

- (1) With respect to such other employee, results in one or more of the following:
 - (A) Disciplinary or corrective action;
 - (B) Transfer or reassignment, whether temporary or permanent;
 - (C) Suspension, demotion, or dismissal;
 - (D) An unfavorable performance evaluation;

(E) A reduction in pay, benefits, or awards;

(F) Elimination of the employee's position without a reduction in force by reason of lack of moneys or work; or

(G) Other significant changes in duties or responsibilities that are inconsistent with the employee's salary or employment classification; or

(2) With respect to an educational program, results in one or more of the following:

(A) Suspension or termination of the educational program;

(B) Transfer or reassignment of the educational program to a less favorable department;

(C) Relocation of the educational program to a less favorable site within the school or school system; or

(D) Significant reduction or termination of funding for the educational program, unless necessitated by unfunded mandates from federal or state decisions which result in a significant reduction in funds available to the local board of education and which result in a proportionate loss of funding for all schools in the system.

HISTORY: Code 1981, § 20-2-2067, enacted by Ga. L. 1998, p. 1080, § 3; Ga. L. 1999, p. 81, § 20; Ga. L. 2002, p. 388, § 1.

§ 20-2-2067.1. Amendment of terms of charter for charter school; initial term of charter; annual report

(a) The terms of a charter for a local charter school may be amended during the term of the charter upon the approval of the local board, the state board, and the charter school. The terms of a charter for a state chartered special school may be amended during the term of the charter upon the approval of the state board and the charter school. The terms of a charter for a charter system may be amended during the term of the charter upon approval of the state board and the local board.

(b) The initial term of a charter, except for a charter system, shall be for a minimum of five years, unless the petitioner shall request a shorter period of time, and shall not exceed ten years. The local board and the state board, in accordance with Code Section 20-2-2064.1, may renew a local charter, upon the request of the charter school, for the period of time specified in the request, not to exceed ten years. The state board may renew a state chartered special school, upon the request of the school, for the period of time specified in the request, not to exceed ten years. The initial term of a charter for a charter system shall not exceed five years. The state board may renew the charter of a

charter system, upon the request of the local board, for the period of time specified in the request, not to exceed ten years.

(c) Each start-up and conversion charter school and each charter system shall submit an annual report outlining the previous year's progress to the authorizing local board or state board, as appropriate; to parents and guardians of students enrolled in the school, or, for a charter system, to parents and guardians of students enrolled in school within the local school system; and to the Department of Education no later than October 1 of each year. The report submitted by a charter system shall include, but not limited to, data on all of its system charter schools. The report shall contain, but is not limited to:

(1) An indication of progress toward the goals as included in the charter;

(2) Academic data for the previous year, including state academic accountability data, such as standardized test scores and adequate yearly progress data;

(3) Unaudited financial statements for the fiscal year ending on June 30, provided that audited statements will be forwarded to the local board and state board upon completion;

(4) Updated contact information for the school and the administrator, and for charter systems, each system charter school and its respective administrator;

(5) Proof of current nonprofit status, if applicable;

(6) Any other supplemental information that the charter school or charter system chooses to include or that the state board requests that demonstrates that school or system's success; and

(7) For charter systems, an on-site external evaluation of the system at least once every five years, as determined by the state board.

HISTORY: Code 1981, § 20-2-2067.1, enacted by Ga. L. 2002, p. 388, § 1; Ga. L. 2005, p. 798, § 14/SB 35; Ga. L. 2007, p. 185, § 10/SB 39.

§ 20-2-2068. Termination of a charter

(a) The state board may terminate a charter under the following circumstances:

(1) (A) If a majority of the parents or guardians of students enrolled at the charter school vote by a majority vote to request the termination of its charter at a public meeting called with two weeks' advance notice and for the purpose of deciding whether to request the state board to declare the charter null and void; or

(B) If a majority of the faculty and instructional staff employed at the charter school vote by a majority vote to request the termination of its charter at a public meeting called

with two weeks' advance notice and for the purpose of deciding whether to request the state board to declare the charter null and void.

This paragraph shall not apply to system charter schools;

(2) If, after providing reasonable notice to the charter school or charter system, as applicable, and an opportunity for a hearing, the state board finds:

(A) A failure to comply with any recommendation or direction of the state board with respect to Code Section 20-14-41;

(B) A failure to adhere to any material term of the charter, including but not limited to the performance goals set forth in the charter;

(C) A failure to meet generally accepted standards of fiscal management;

(D) A violation of applicable federal, state, or local laws or court orders;

(E) The existence of competent substantial evidence that the continued operation of the charter school or charter system would be contrary to the best interests of the students or the community; or

(F) A failure to comply with any provision of Code Section 20-2-2065; or

(3) Upon the written request of a local board for termination of a charter for a local charter school located within its school system if, prior to making such request, the local board provided reasonable notice to the charter school and an opportunity for a hearing, and determined the existence of any of the grounds described in paragraph (2) of this Code section.

(b) For a system charter school, if the school council or governing council, as applicable, at such school within the charter system requests that:

(1) The system charter be terminated; or

(2) The system charter be amended with respect to such system charter school,

the state board, after providing reasonable notice to the charter system and the system charter school, shall conduct a hearing. Based on the findings of the hearing, the state board may enter into negotiations with the charter system to amend the charter to address the concerns of the requesting system charter school. If negotiations fail and the state board finds good cause, the state board shall be authorized to terminate the system charter or to amend the system charter with respect to the requesting system charter school; provided, however, that the local board shall be authorized to terminate the system charter if it is unwilling to accept the amendments to such charter by the state board. The term "good cause" includes but is not limited to a local board's failure to comply with its

obligations and duties under the system charter, state board rules, or other applicable law, or other good cause as determined in the sole discretion of the state board.

HISTORY: Code 1981, § 20-2-2068, enacted by Ga. L. 1998, p. 1080, § 3; Ga. L. 1999, p. 81, § 20; Ga. L. 2002, p. 388, § 1; Ga. L. 2007, p. 185, § 11/SB 39; Ga. L. 2008, p. 324, § 20/SB 455.

OPINIONS OF THE ATTORNEY GENERAL

STATE CHARTER SCHOOLS COULD QUALIFY FOR STATE GRANTS pursuant to subsection (d) of former O.C.G.A. § 20-2-2068, and a local system was required to treat a state charter school no less favorably than other local schools located within the applicable school system. 2001 Op. Att'y Gen. No. 2001-9.

§ 20-2-2068.1. Quality basic education formula applies; grants, local tax revenue, and funds from local bonds

(a) A local charter school shall be included in the allotment of QBE formula earnings, applicable QBE grants, applicable non-QBE state grants, and applicable federal grants to the local school system in which the local charter school is located under Article 6 of this chapter. The local board and the state board shall treat a conversion charter school no less favorably than other local schools located within the applicable local school system unless otherwise provided by law. The local board and the state board shall treat a start-up charter school no less favorably than other local schools within the applicable local system with respect to the provision of funds for instruction, school administration, transportation, food services, and, where feasible, building programs.

(b) QBE formula earnings, applicable QBE grants, applicable non-QBE state grants, and applicable federal grants earned by a local charter school shall be distributed to the local charter school by the local board; provided, however, that state equalization grant earnings shall be distributed as provided in subsection (c) of this Code section. QBE formula earnings shall include the salary portion of direct instructional costs, the adjustment for training and experience, the nonsalary portion of direct instructional costs, and earnings for psychologists and school social workers, school administration, facility maintenance and operation, media centers, additional days of instruction in accordance with Code Section 20-2-184.1, and staff development. The local charter school shall report enrolled students in a manner consistent with Code Section 20-2-160.

(c) In addition to the earnings set out in subsection (b) of this Code section, local revenue shall be allocated to a local charter school on the same basis as for any local school in the local school system. In the case of a start-up charter school, local revenue earnings shall be calculated as follows:

(1) Determine the total amount of state and local five mill share funds earned by students enrolled in the local start-up charter school as calculated by the Quality Basic

Education Formula pursuant to Part 4 of Article 6 of this chapter including any funds for psychologists and school social workers but excluding 5 percent of system-wide funds for central administration and excluding any categorical grants not applicable to the charter school;

(2) Determine the total amount of state and local five mill share funds earned by all students in the public schools of the local school system, including any charter schools that receive local revenue, as calculated by the Quality Basic Education Formula but excluding categorical grants and other non-QBE formula grants;

(3) Divide the amount obtained in paragraph (1) of this subsection by the amount obtained in paragraph (2) of this subsection; and

(4) Multiply the quotient obtained in paragraph (3) of this subsection by the school system's local revenue. The product obtained in paragraph (4) of this subsection shall be the amount of local funds to be distributed to the local start-up charter school by the local board; provided, however, that nothing in this subsection shall preclude a charter petitioner and a local board of education from specifying in the charter a greater amount of local funds to be provided by the local board to the local start-up charter school if agreed upon by all parties to the charter. Local funds so earned shall be distributed to the local start-up charter school by the local board. Where feasible and where services are provided, funds for construction projects shall also be distributed to the local start-up charter school as earned. In all other fiscal matters, including applicable federal allotments, the local board shall treat the local start-up charter school no less favorably than other local schools located within the applicable school system and shall calculate and distribute the funding for the start-up charter school on the basis of its actual or projected enrollment in the current school year according to an enrollment counting procedure or projection method stipulated in the terms of the charter.

(c.1) The adjustments in each program for training and experience used in calculating the start-up charter school's QBE formula earnings shall be calculated in the same manner as for any local school within the local school system; provided, however, that the adjustments in each program for training and experience used in calculating the start-up charter school's QBE formula earnings shall not be less than one-half of the comparable percentages for the local school system in which the charter school is located.

(c.2) For newly approved local charter schools, including charter renewals, the local board of education may retain an amount of the charter school's per pupil share of state and local funding not to exceed 3 percent of the total funds earned by the charter school to reimburse the local school system for administrative services actually provided to the charter school.

(d) QBE formula earnings, applicable QBE grants, applicable non-QBE state grants, and applicable federal grants that are earned by a state chartered special school shall be distributed to the local board of the local school system in which the state chartered special school is located which shall distribute the same amount to the state chartered

special school; provided, however, that a state chartered special school shall not be included in the calculation and distribution of the local school system's equalization grant unless the voters of the local school system have approved the use of revenue from local tax levies and funds from local bonded indebtedness to support the state chartered special school in accordance with subsection (e) of this Code section. If such approval has been given, state equalization grant earnings shall be earned for the state chartered special school and shall be distributed as provided in subsection (f) of this Code section. The local board shall not be responsible for the fiscal management, accounting, or oversight of the state chartered special school. The state chartered special school shall report enrolled students in a manner consistent with Code Section 20-2-160. Any data required to be reported by the state chartered special school shall be submitted directly by the school to the appropriate state agency. Where feasible, the state board shall treat a state chartered special school no less favorably than other public schools within the state with respect to the provision of funds for transportation and building programs.

(e) The state board may require a local referendum of the qualified voters in the local school system in which the state chartered special school will be located. Such referendum shall be held at the next regularly scheduled general election or as may otherwise be authorized at an earlier date by the local board or boards of education affected. Such referendum shall be held for the purpose of deciding whether the local board of education shall provide funds from school tax levies to support such state chartered special school or incur bonded indebtedness to support such state chartered special school or both. The ballot question shall be approved by the state board.

(f) The local board shall treat a state chartered special school for which the use of funds from local bonded indebtedness and local school tax levies has been approved by qualified voters in the system in accordance with subsection (e) of this Code section no less favorably than other public schools located within the applicable school system.

(g) The local board shall not distribute funds from local bond indebtedness and local school tax levies to a state chartered special school unless such use has been approved by qualified voters in accordance with subsection (e) of this Code section.

(h) For system charter schools, funds including federal, state, and local revenue shall be distributed to each such school by the charter system in a manner and in such amounts as are provided in the terms of the charter with an objective of maximizing spending at the school level.

HISTORY: Code 1981, § 20-2-2068.1, enacted by Ga. L. 2002, p. 388, § 1; Ga. L. 2005, p. 798, § 15/SB 35; Ga. L. 2007, p. 185, §§ 12, 13/SB 39; Ga. L. 2008, p. 603, § 2/HB 881; Ga. L. 2009, p. 8, § 20/SB 46.

OPINIONS OF THE ATTORNEY GENERAL

State charter schools can qualify for state grants and a local system is required to treat a state charter school no less favorably than other local schools located within the applicable school system. 2001 Op. Att'y Gen. No. 2001-9.

§ 20-2-2068.2. Facilities fund for charter schools; purposes for which funds may be used; upkeep of charter school property; availability of unused facilities

(a) From moneys specifically appropriated for such purpose, the state board shall create a facilities fund for local charter schools, state chartered special schools, and commission charter schools as defined in Code Section 20-2-2081 for the purpose of establishing a per pupil, need based facilities aid program.

(b) A charter school or commission charter school may receive moneys from the facilities fund if the charter school or commission charter school has received final approval from the Georgia Charter Schools Commission or from the state board for operation during that fiscal year.

(c) A charter school's or commission charter school's governing body may use moneys from the facilities fund for the following purposes:

(1) Purchase of real property;

(2) Construction of school facilities, including initial and additional equipment and furnishings;

(3) Purchase, lease-purchase, or lease of permanent or relocatable school facilities;

(4) Purchase of vehicles to transport students to and from the charter school or commission charter school; and

(5) Renovation, repair, and maintenance of school facilities that the school owns or is purchasing through a lease-purchase or long-term lease of five years or longer.

(d) The Department of Education shall specify procedures for submitting and approving requests for funding under this Code section and for documenting expenditures.

(e) 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, unless otherwise agreed upon by the petitioner and the local board in the charter.

(f) (1) Prior to releasing moneys from the facilities fund, the Department of Education 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.

(2) Prior to releasing moneys from the facilities fund, the Department of Education shall ensure that the governing board of the state chartered special school and the state 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 state board in the event the state chartered special school terminates operations.

(3) Prior to releasing moneys from the facilities fund, the Department of Education shall ensure that the governing board of the commission charter school and the Georgia Charter Schools Commission 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 Georgia Charter Schools Commission in the event the commission charter school terminates operations.

(g) The reversion of property in accordance with subsection (f) of this Code section is subject to the complete satisfaction of all lawful liens or encumbrances.

(h) Each local board of education shall make its unused facilities available to local charter schools. The terms of the use of such a facility by the charter school shall be subject to negotiation between the board and the local charter school and shall be memorialized as a separate agreement. A local charter school that is allowed to use such a facility under such an agreement shall not sell or dispose of any interest in such property without the written permission of the local board. A local charter school may not be charged a rental or leasing fee for the existing facility or for property normally used by the public school which became the local charter school. A local charter school that receives property from a local board may not sell or dispose of such property without the written permission of the local board.

HISTORY: Code 1981, § 20-2-2068.2, enacted by Ga. L. 2004, p. 107, § 19C; Ga. L. 2005, p. 798, § 16/SB 35; Ga. L. 2009, p. 727, § 1/HB 555.

§ 20-2-2069. Office of Charter School Compliance

There is established within the Department of Education an Office of Charter School Compliance, the responsibilities of which shall be to:

(1) Prepare charter school and charter system guidelines to be approved by the state board;

- (2) Distribute charter school and charter system petition information to inquiring parties;
- (3) Process all charter school and charter system petitions and coordinate with the Charter Advisory Committee established pursuant to Code Section 20-2-2063.1 to facilitate its review and recommendations to the state board;
- (4) Administer any state or federal charter school implementation grant program;
- (5) Contract with an independent party to evaluate the performance of charter schools and charter systems, as such performance relates to fulfilling the terms of their charters; and
- (6) Compile information necessary to produce the annual report required by Code Section 20-2-2070.

HISTORY: Code 1981, § 20-2-2069, enacted by Ga. L. 1998, p. 1080, § 3; Ga. L. 2007, p. 185, § 14/SB 39.

§ 20-2-2070. Annual report to General Assembly

The state board shall report to the General Assembly no later than December 31 of each year on the status of the charter school program.

HISTORY: Code 1981, § 20-2-2070, enacted by Ga. L. 1998, p. 1080, § 3; Ga. L. 2005, p. 798, § 17/SB 35.

§ 20-2-2071. Validity of charters in effect on July 1, 1998

Any charter which was granted pursuant to Code Section 20-2-255 and is in effect on July 1, 1998, shall continue to be valid until such charter expires according to its terms.

HISTORY: Code 1981, § 20-2-2071, enacted by Ga. L. 1998, p. 1080, § 3.

TITLE 20. EDUCATION
CHAPTER 2. ELEMENTARY AND SECONDARY EDUCATION
ARTICLE 31A. GEORGIA CHARTER SCHOOLS COMMISSION

§ 20-2-2080. Legislative findings

(a) The General Assembly finds that:

(1) Charter schools are a critical component in this state's efforts to provide efficient and high-quality schools within this state's uniform system of public education;

(2) Charter schools provide valuable educational options and learning opportunities while expanding the capacity of this state's system of public education and empowering parents with the ability to make choices that best fit the individual needs of their children; and

(3) The growth of charter schools in this state has contributed to enhanced student performance, greater efficiency, and increased parental satisfaction.

(b) It is the intent of the General Assembly that:

(1) There be established a state-level commission whose primary focus is the development and support of charter schools in order to better meet the growing and diverse needs of some of the increasing number and array of charter schools in this state and to further ensure that charter schools of the highest academic quality are approved and supported throughout the state in an efficient manner; and

(2) New sources of community support from cosponsors should be authorized to participate in developing and supporting charter schools, with the goal of maximizing access to a wide variety of high-quality educational options for all students regardless of disability, race, or socioeconomic status, including those students who have struggled in a traditional public school setting.

HISTORY: Code 1981, § 20-2-2080, enacted by Ga. L. 2008, p. hb0881, § 1/HB 881.

§ 20-2-2081. Definitions

As used in this article, the term:

(1) "Commission" means the Georgia Charter Schools Commission established pursuant to Code Section 20-2-2082.

(2) "Commission charter school" means a charter school authorized by the commission pursuant to this article whose creation is authorized as a special school pursuant to Article VIII, Section V, Paragraph VII of the Constitution. A commission charter school shall exist as a public

school within the state as a component of the delivery of public education within Georgia's K-12 education system.

(3) "Cosponsor" means a municipality, county, consolidated government, university or college of the board of regents, technical institution of the Technical College System of Georgia, or regional educational service agency which has been authorized by the commission pursuant to Code Section 20-2-2083.

(4) "Department" means the state Department of Education.

The definitions set forth in Code Section 20-2-2062 shall be applicable to this article.

HISTORY: Code 1981, § 20-2-2081, enacted by Ga. L. 2008, p. hb0881, § 1/HB 881.

§ 20-2-2082. Establishment of Georgia Charter Schools Commission; appointment of commission members; meetings; role; compensation

(a) The Georgia Charter Schools Commission is established as a state-level charter school authorizing entity working in collaboration with the Department of Education. Startup funds necessary to establish and operate the commission may be received by the State Board of Education in addition to such other funds as may be appropriated by the General Assembly. The department shall assist in securing federal and other institutional grant funds to establish the commission.

(b) The commission shall be appointed by the State Board of Education and shall be composed of a total of seven members and made up of three appointees recommended by the Governor, two appointees recommended by the President of the Senate, and two appointees recommended by the Speaker of the House of Representatives. The Governor, the President of the Senate, and the Speaker of the House of Representatives shall each recommend a list of no fewer than two nominees for each appointment to the commission. The appointments shall be made as soon as feasible but no later than September 1, 2008. Each member shall serve a term of two years; however, for the purpose of providing staggered terms, of the initial appointments, three members shall be appointed to one-year terms and four members shall be appointed to two-year terms as determined by the State Board of Education. Thereafter, each appointee shall serve a two-year term unless the State Board of Education, after review and upon recommendation by the initial recommending authority, extends the appointment. If a vacancy occurs on the commission, it shall be filled by the State Board of Education from a recommendation by the appropriate authority according to the procedure set forth in this subsection. The members of the commission shall annually vote to appoint a chairperson and a vice chairperson from among its membership. Each member of the commission shall hold a bachelor's degree or higher, and the commission should include a group of diverse individuals representative of Georgia's school population who has experience in finance, administration, law, education, public school teaching, and school governance.

(c) The commission is encouraged to convene its first meeting no later than October 1, 2008, and

thereafter shall meet at least bimonthly at the call of the chairperson or upon the request of four members of the commission. Four members of the commission shall constitute a quorum.

(d) The commission shall determine the manner in which it reviews commission charter school petitions and may, in its discretion, use existing department personnel to conduct such review.

(e) The members of the commission shall not be compensated for their services on the commission but may be reimbursed for per diem and travel expenses in the same manner as provided for in Code Section 45-7-21.

HISTORY: Code 1981, § 20-2-2082, enacted by Ga. L. 2008, p. hb0881, § 1/HB 881.

§ 20-2-2083. Power and duties of the commission

(a) The commission shall have the power to:

(1) Approve or deny petitions for commission charter schools and renew, nonrenew, or terminate commission charter school petitions in accordance with State Board of Education rules and regulations established pursuant to this article. At its discretion, the commission may preliminarily approve a charter petition for a commission charter school before the petitioner has secured space, equipment, or personnel, if the petitioner indicates such preliminary approval is necessary for it to raise working capital. The State Board of Education may overrule the approval, denial, renewal, nonrenewal, or termination of a commission charter school by the commission within 60 days of such decision by the commission upon a vote of at least two-thirds of the members of the state board; provided, however, that a commission charter school petitioner may re-apply to the commission for approval or renewal after remedying any deficiencies cited by the State Board of Education;

(2) Authorize cosponsors of commission charter schools; and

(3) Conduct facility and curriculum reviews of commission charter schools.

(b) The commission shall have the following duties:

(1) Review charter school petitions for commission charter schools and assist in the establishment of commission charter schools throughout this state. The commission shall ensure that all charters for commission charter schools are consistent with state education goals;

(2) Develop, promote, and disseminate best practices for charter schools and charter school cosponsors in order to ensure that high-quality charter schools are developed and encouraged. At a minimum, the best practices shall encourage the development and replication of academically and financially proven charter school programs;

(3) Develop, promote, and require high standards of accountability for commission charter schools. The commission shall ensure that each commission charter school participates in the

state's education accountability system. If a commission charter school falls short of performance measures included in the approved charter, the commission shall report such shortcomings to the Department of Education;

(4) Monitor and annually review the performance of cosponsors;

(5) Monitor and annually review and evaluate the academic and financial performance, including revenues and expenditures, of commission charter schools and hold the schools accountable for their performance pursuant to the charter and to the provisions of this article. The commission's duties to monitor the charter school shall not constitute the basis for a private cause of action;

(6) Report to each local school system the number of students who reside in such school system and are enrolled in a commission charter school;

(7) Work with its cosponsors to monitor the financial management of each commission charter school;

(8) Direct charter schools and persons seeking to establish charter schools to sources of private funding and support;

(9) Actively seek, with the assistance of the department, supplemental revenue from federal grant funds, institutional grant funds, and philanthropic organizations. The commission may, through the State Board of Education, receive and expend gifts, grants, and donations of any kind from any public or private entity to carry out the purposes of this article;

(10) Review and recommend to the General Assembly any necessary revisions to statutory requirements regarding standards and accountability for commission charter schools;

(11) Act as liaison for cosponsors and commission charter schools in cooperating with local boards of education that may choose to allow commission charter schools to utilize excess space within school facilities;

(12) Collaborate with cosponsors for the purpose of providing the highest level of public education to all students, including, but not limited to, low-income, low-performing, gifted, and underserved student populations and to students with special needs. Such collaborations shall:

(A) Allow universities and colleges of the board of regents and technical institutions of the Technical College System of Georgia that cosponsor commission charter schools to enable students attending a commission charter school to take college courses and receive high school and college credit for such courses; and

(B) Assist in determining the feasibility of establishing commission charter schools for students with disabilities;

(13) Meet the needs of commission charter schools and local school systems by uniformly

administering high-quality commission charter schools, thereby removing administrative burdens from the local school systems;

(14) Assist commission charter schools in negotiating and contracting with local boards of education that choose to provide certain administrative or transportation services to the charter schools on a contractual basis; and

(15) Provide training for members of commission charter school governing bodies after approval of the charter school. The training shall include, but not be limited to, best practices on charter school governance, the constitutional and statutory requirements relating to public records and meetings, and the requirements of applicable statutes and State Board of Education rules.

HISTORY: Code 1981, § 20-2-2083, enacted by Ga. L. 2008, p. hb0881, § 1/HB 881.

§ 20-2-2084. Applications for cosponsorships; defining role of cosponsors

(a) The commission shall begin accepting applications to act as cosponsors no later than January 31, 2009. The commission shall review and evaluate all applications in accordance with commission rules and regulations established pursuant to this article to encourage technical assistance, academic support, curriculum review, financial assistance, or other support from cosponsors.

(b) Cosponsors shall have no authority to authorize charter schools. Cosponsors may partner with charter petitioners and the commission to provide community support for the proposed charter school. This support may include technical assistance, academic support, curriculum review, financial assistance, or other support as agreed to between the cosponsor and the commission charter school.

(c) Upon approval of a cosponsor, the commission and the cosponsor shall enter into an agreement that defines the cosponsor's rights and obligations.

HISTORY: Code 1981, § 20-2-2084, enacted by Ga. L. 2008, p. hb0881, § 1/HB 881.

§ 20-2-2085. Petition requirements for commission charter school

(a) Charter school petitions submitted to the commission shall be subject to State Board of Education rules and regulations established pursuant to this article and as otherwise applicable to charter schools.

(b) A petitioner for a commission charter school shall submit a petition for a start-up charter school to the local board of education in which the school is to be located and to each local school system from which the commission charter school plans to enroll students prior to or concurrently with a corresponding petition to the commission unless the proposed commission

charter school plans to enroll students from five or more counties; provided, however, that the commission shall not act on the commission charter school petition until the local board of education or local boards of education have had the opportunity to approve or deny the petition for a start-up charter school in accordance with State Board of Education rules and regulations. Local board of education approval or denial of a start-up charter school petition shall not preclude the petitioner from seeking authorization from the commission. A petitioner shall not be required to seek authorization from the commission for a commission charter school if the local board of education or local boards of education approve the petition for a start-up charter school; provided, however, that such start-up charter school shall be governed by Article 31 of this chapter. The commission shall take into consideration any support or opposition by the local board of education or local boards of education on a start-up charter school petition when it votes to approve or deny a corresponding commission charter school petition.

HISTORY: Code 1981, § 20-2-2085, enacted by Ga. L. 2008, p. hb0881, § 1/HB 881.

§ 20-2-2086. Petition from existing charter schools

A petition may be submitted pursuant to this Code section by an existing charter school approved by a local board of education or the State Board of Education provided that the obligations of its charter with the local board of education or State Board of Education will expire prior to entering into a new charter with the commission. A local board of education or the State Board of Education in the case of a state chartered special school may agree to rescind or waive the obligations of a current charter to allow a petition to be submitted by an existing charter school pursuant to this Code section. An existing charter school that is established as a commission charter school pursuant to this Code section shall be allowed to continue the use of all facilities, equipment, and other assets it used prior to the expiration or rescission of its charter with a local board of education.

HISTORY: Code 1981, § 20-2-2086, enacted by Ga. L. 2008, p. hb0881, § 1/HB 881.

§ 20-2-2087. Maximum access to information by parents

The commission shall provide maximum access to information regarding commission charter schools to all parents in this state. It shall maintain information systems, including, but not limited to, a user-friendly Internet website, that will provide information and data necessary for parents to make informed decisions. At a minimum, the commission shall provide parents with information on its accountability standards, links to commission charter schools throughout this state, and public education programs concerning commission charter schools.

HISTORY: Code 1981, § 20-2-2087, enacted by Ga. L. 2008, p. hb0881, § 1/HB 881.

§ 20-2-2088. Annual report to State Board of Education

Each year, the chairperson of the commission shall appear before the State Board of Education and submit a report regarding the academic performance and fiscal responsibility of all commission charter schools and cosponsors approved under this article.

HISTORY: Code 1981, § 20-2-2088, enacted by Ga. L. 2008, p. hb0881, § 1/HB 881.

§ 20-2-2089. Financial responsibility

If a charter is not renewed or is terminated, the commission charter school shall be responsible for all debts of such charter school. The local school system may not assume the debt from any contract for services made between the governing body of the commission charter school and a third party, except for a debt for which the local school system has agreed upon in writing to assume responsibility.

HISTORY: Code 1981, § 20-2-2089, enacted by Ga. L. 2008, p. 603, § 1/HB 881.

§ 20-2-2090. Funding for commission charter schools

(a) The Department of Education shall pay to each commission charter school through appropriation of state and federal funds an amount equal to the sum of:

(1) QBE formula earnings, QBE grants, and federal grants earned by the commission charter school based on the school's enrollment, school profile, and student characteristics. QBE formula earnings shall include the salary portion of direct instructional costs, the adjustment for training and experience, the nonsalary portion of direct instructional costs, and earnings for psychologists and school social workers, school administration, facility maintenance and operation, media centers, additional days of instruction in accordance with Code Section 20-2-184.1, and staff development. For purposes of this paragraph, QBE formula earnings shall not include the additional amount provided for in Code Section 20-2-165.1 earned by a charter system for full-time equivalent students in its schools;

(2) A proportional share of state categorical grants, non-QBE state grants, state equalization grants, and all other state and federal grants; and

(3) (A) An amount determined by the commission for each student enrolled in such school equal to a proportional share of local revenue from the local school system in which the student attending the commission charter school resides; provided, however, that the commission may reduce the amount calculated pursuant to this paragraph based on factors that affect the cost of providing instruction.

(B) In making the funding determination required pursuant to this paragraph, the commission shall take into account the following factors:

(i) In the case of a commission charter school that draws students from multiple school systems, the commission shall take into account the actual costs of operating such a commission charter school and any efficiencies gained by using an expanded attendance zone; and

(ii) In the case of a commission charter school that plans to offer virtual instruction, the commission may reduce the amount calculated pursuant to this paragraph based on the factors specified in subparagraph (A) of this paragraph.

(b) The department may withhold up to 3 percent of the amount determined pursuant to subsection (a) of this Code section for each commission charter school for use in administering the duties required pursuant to Code Section 20-2-2083; provided, however, that any amount withheld pursuant to this subsection shall be spent solely on expenses incurred by the commission in performing the duties required by this article.

(c) The total allotment of state and federal funds to the local school system in which a student attending a commission charter school resides shall be calculated as otherwise provided in Article 6 of this chapter with an ensuing reduction equivalent to the amount of state and federal funds appropriated to the commission charter schools pursuant to subsection (a) of this Code section.

(d) For purposes of funding students enrolled in commission charter schools in the first year of such charter school's operation and prior to the initial student count, the department shall calculate and distribute the funding for the commission charter school on the basis of its projected enrollment according to an enrollment counting procedure or projection method stipulated in the terms of the charter. After the initial student count during the first year of such commission charter school's operation and in all years of operation thereafter, each commission charter school's student enrollment shall be based on the actual enrollment in the current school year according to the most recent student count. Nothing in this Code section shall be construed to require the department to conduct more than two student counts per year.

HISTORY: Code 1981, § 20-2-2090, enacted by Ga. L. 2008, p. 603, § 1/ HB 881; Ga. L. 2009, p. 8, § 20/SB 46.

§ 20-2-2091. Collaborative efforts; administration

The commission shall work in collaboration with the department on all matters related to charter authorizing and shall be assigned to the department for administrative purposes only, as prescribed in Code Section 50-4-3. For administrative purposes, including data reporting, student enrollment counting procedures, student achievement reporting, funding allocations, and related purposes as defined by the State Board of Education, commission charter schools should, consistent with department rules and regulations, be treated as contained within a single, state-wide local education agency. This local education agency shall be administered by the Department of Education, which shall ensure that commission charter schools receive the support required by this article, including, but not limited to, establishing procedures to ensure

that commission charter schools receive the funding required by Code Section 20-2-2090.

HISTORY: Code 1981, § 20-2-2091, enacted by Ga. L. 2008, p. 603, § 1/HB 881.

§ 20-2-2092. Promulgation of rules and regulations

The commission and the State Board of Education, as appropriate, shall adopt rules and regulations necessary to facilitate the implementation of this article. Except as otherwise provided in this article, any rules and regulations adopted by the State Board of Education pursuant to this article, to the extent practicable, shall be established in the same manner as for state chartered special schools under Article 31 of this chapter.

HISTORY: Code 1981, § 20-2-2092, enacted by Ga. L. 2008, p. 603, § 1/HB 881.

160-4-9-.04 CHARTER SCHOOLS.

(1) DEFINITIONS.

(a) **Charter** – a performance-based contract between the charter authorizer(s) and a charter petitioner. By entering into a charter, a charter petitioner and the charter authorizer(s) shall be deemed to have agreed to be bound to all the provisions of the Charter Schools Act and this Rule as if such terms were set forth in the charter.

(b) **Charter advisory committee** – a committee established by the State Board of Education (SBOE) to make recommendations to the SBOE regarding approval or denial of charter petitions, charter policy, and the disbursement of planning grants for charter systems.

(c) **Charter attendance zone** – all or any portion of the local school system in which the charter school is located and may include all or any portion of other local school systems if the charter school is jointly authorized pursuant to O.C.G.A. § 20-2-2063(c).

(d) **Charter authorizer** – a local school board, the SBOE, or the Georgia Charter School Commission (Commission).

(e) **Charter petitioner** – a local school, local board of education, private individual, private organization, or state or local public entity that submits a petition for a charter. 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.

(f) **Charter school** – a public school that is operating under the terms of a charter.

(g) **Charter system** – a local school system that is operating under the terms of a charter.

(h) **Commission** – the Georgia Charter Schools Commission as established by O.C.G.A. § 20-2-2082.

(i) **Commission charter school** – a start-up charter school authorized by the Commission and that is operating under the terms of a charter between a charter petitioner and the Commission.

(j) **Conversion charter school** – a charter school that existed as a local school prior to becoming a charter school.

(k) **Faculty and instructional staff members** – all certificated personnel assigned to the school on a full-time basis and all paraprofessionals assigned to the school on a full-time basis. The term “paraprofessional” shall have the same meaning as set out in O.C.G.A. § 20-2-204.

(l) **Fiscal agent** – the entity responsible for the financial control and management of the

charter school or schools. For state chartered special schools and commission charter schools, the school will act as its own fiscal agent.

(m) **Full-Time Equivalent Program Count (FTE)** – a student count consisting of six state funded segments per student authorized under O.C.G.A. § 20-2-161.

(n) **Governing council** – a school-level council of parents, teachers, administrators, and others who are involved in school-level governance within a charter system.

(o) **High school cluster** – a public high school and all of the public middle and public elementary schools which contain students who matriculate to such high school. The schools in a high school cluster may include charter schools, local schools, or a combination of both.

(p) **Jointly authorized charter school** – a charter school or high school cluster charter authorized by more than one local board and operating under the financial oversight of a designated fiscal agent.

(q) **LEA start-up charter school** – a charter school that did not exist as a local school prior to becoming a charter school and which was created by a local board as part of the existing local school system. The charter petitioner is the local board.

(r) **Local board** – a county or independent board of education exercising control and management of a local school system pursuant to Article VIII, Section V, Paragraph II of the Georgia Constitution.

(s) **Local charter school** – a start-up charter school, an LEA start-up charter school, a high school cluster, a jointly authorized charter school, or a conversion charter school that is operating under the terms of a charter between the charter petitioner, the local board, and the SBOE.

(t) **Local revenue** – local taxes budgeted for school purposes in excess of the local five mill share, combined with any applicable equalization grant and budgeted revenues from any of the following: investment earnings, unrestricted donations, and the sale of surplus property; but exclusive of revenue from bonds issued for capital projects, revenue to pay debt service on such bonds, and local option sales tax for capital projects. Nothing in this paragraph shall be construed to prevent a local board from including a local charter school in projects specified in the ballot language of a local option sales tax or bond referendum.

(u) **Local school** – a public school in Georgia that is under the management and control of a local board.

(v) **Local school system** – the system of public schools established and maintained by a local board within its limits pursuant to Article VIII, Section V, Paragraph I of the Georgia Constitution.

(w) **Petition** – a proposal to establish a charter school or a charter system.

(x) **QBE formula earnings** – funds earned for the Quality Basic Education Formula pursuant

to O.C.G.A. § 20-2-161, including the portion of such funds that are calculated as the local five mill share in accordance with O.C.G.A. § 20-2-164.

(y) **Qualified charter school contributions** – the donation of funds by a taxpayer to a qualified charter school organization for the purchase of real property and for capital outlay for a charter school.

(z) **Qualified charter school organization** – a charitable organization in this state that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code which is approved by the SBOE to provide funds for the purchase of real property for capital outlay for charter schools in this state.

(aa) **School-level governance** – decision-making authority in personnel decisions, financial decisions, curriculum and instruction, resource allocation, establishing and monitoring the achievement of school improvement goals, and school operations.

(bb) **Special school** – a school whose creation is authorized pursuant to Article VIII, Section V, Paragraph VII of the Georgia Constitution.

(cc) **Start-up charter school** – a charter school that did not exist as a local school prior to becoming a charter school. The petitioner is not the local board.

(dd) **State chartered special school** – a charter school created as a special school that is operating under the terms of a charter between the charter petitioner and the SBOE and which acts as its own public Local Education Agency for accountability purposes.

(ee) **System charter school** – a school within a charter system.

(ff) **Virtual charter school** – a charter school that offers full-time enrollment and elementary or secondary education through Internet-based methods, with time and/or distance separating the teacher and the learner.

(2) RESPONSIBILITIES OF CHARTER AUTHORIZERS.

(a) Local boards shall control and manage local charter schools, pursuant to O.C.G.A. § 20-2-2065(b)(2). At a minimum, this control and management shall include the following responsibilities:

1. Review and act on local charter school petitions;
2. Enforce clear expectations for, and ensure achievement of, performance goals set forth in the charters;
3. Review annual budgets for local charter schools;
4. Ensure that local charter schools comply with the accountability provisions of O.C.G.A. § 20-14-30 *et seq.* and federal accountability requirements;

5. Evaluate a local charter school's performance in relation to the expectations and goals set forth in the charter and take appropriate action based on this evaluation;

6. Distribute applicable federal, state, and local funding to local charter schools in a timely manner and in accordance with law and ensure that funds are spent according to applicable laws, rules, policies, and guidelines, including requirements for the monitoring of the use of federal funds; and

7. Ensure that the requirements of the Individuals with Disabilities Education Act (IDEA) are met. The local board must have a plan to ensure that the local system shall:

(i) Serve students with disabilities attending the local charter school in the same manner as it serves all other students with disabilities in its other local schools;

(ii) Provide funds to local charter schools on the same basis as it provides funds to its other local schools, including proportional distribution based on relative enrollment of children with disabilities; and

(iii) Nothing in this section shall prevent a local board from providing services to students with disabilities at a central location, if that is standard practice for students with disabilities from other local schools in the local school system.

(b) The SBOE shall have the following supervisory duties pursuant to O.C.G.A. § 20-2-2063:

1. Review and act on local charter school petitions and state chartered special school petitions;

2. Ensure the provision of technical assistance to local school systems in successfully administering their responsibilities as described in (2)(a) above;

3. Ensure the provision of technical assistance to petitioners submitting planning grants, implementation grants, facilities grants, charter petitions, petition renewal applications, and any other programs authorized by applicable law;

4. Create and maintain a strategic plan and policy for the state's charter schools program;

5. Manage any applicable federal grant awarded to the state for use by the state's charter schools;

6. Provide an annual report on the status of the state's charter schools program to the General Assembly by December 31, pursuant to O.C.G.A. § 20-2-2070; and

7. Exercise control and management for state chartered special schools in the same manner as described in (2)(a) above.

(c) The Commission shall have the following responsibilities:

1. Approve or deny petitions for commission charter schools, including any amendments

thereto, and renew, nonrenew, or terminate commission charter school petitions in accordance with SBOE rules and regulations;

2. Actively seek supplemental revenue from federal grant funds, institutional grant funds, and philanthropic organizations to support commission charter schools; and

3. Pursuant to O.C.G.A. § 20-2-2088, the chairperson of the Commission shall report annually to the SBOE on the academic performance and fiscal responsibility of all commission charter schools at the January meetings of the SBOE, beginning with the January meeting following the first school year completed by a commission charter school.

4. Pursuant to O.C.G.A. § 20-2-2090(3)(A), if the Commission determines that the proportional share of local revenue provided to a commission charter school should be reduced based on factors that affect the cost of providing instruction, the Commission shall forward that recommendation to the Georgia Department of Education (“the Department”) for consideration and application in accordance with SBOE rules and regulations.

5. In calculating the proportional share of local revenue required to be paid to commission charter schools under O.C.G.A. § 20-2-2090(3)(A), the Department shall use the calculation method provided for determining local revenue for start-up charter schools pursuant to O.C.G.A. § 20-2-2068.1(c).

6. In making a recommendation, if any, as described in 2(c)(4) above, the Commission shall have no authority to recommend that the proportional share of local revenue provided to a commission charter school should exceed the amount determined by the Department based on the calculation called for in 2(c)(5) above.

(3) CHARTER PETITION PROCESS.

(a) **LETTERS OF INTENT.** Letters of intent to submit a charter petition shall be submitted to the Department in accordance with Guidance accompanying this rule and to the appropriate local board(s) at least six months prior to the date on which the petition must be submitted to the Department. A letter of intent is not required for renewal petitions. The letter of intent is for notice purposes only and the Department shall clarify the application of this requirement in specific circumstances.

(b) **PLANNING GRANTS.** Applications for state funded planning grants shall be submitted to the Department in accordance with timelines established by the Department and provided in Guidance accompanying this Rule.

(c) **CHARTER PETITIONS TO LOCAL BOARDS.** Local boards may adopt policies regarding submission of charter petitions which are consistent with the timeline and requirements for charter petitions set forth in this Rule and Guidance accompanying this Rule; provided, however, that the Department may review local board rules to ensure uniform application of this Rule.

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 a local board denies a petition, the local board must within sixty (60) days thereafter 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 the 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.

4. If a local board approves a petition, the local board must within thirty (30) days deliver the approved petition along with the required state application to the Department for review by the SBOE.

(d) CHARTER PETITIONS TO THE DEPARTMENT OF EDUCATION. Under O.C.G.A. § 20-2-2064.1, the Department shall establish annual timelines, page limitations and formatting requirements. Charter petitions must be submitted in accordance with timelines established by the Department and provided in Guidance accompanying this Rule.

(e) CHARTER PETITIONS TO THE COMMISSION. Prior to accepting petitions, the Commission shall be appointed and consist of seven (7) appointed members as set forth in O.C.G.A. § 20-2-2082 and one (1) ex officio member who shall be appointed by the Department. The ex officio member shall be a non-voting member, but shall otherwise participate in Commission meetings and business. After the Commission has been appointed, the Commission shall determine the manner in which it will begin accepting and reviewing commission charter school petitions. The Commission may adopt policies regarding submission of charter petitions which are consistent with the timelines and requirements for charter petitions set forth in this Rule and Guidance accompanying this Rule.1. Proposed commission charter schools that plan to enroll students from five (5) or more counties are not required to submit a petition to the local boards in which the school will be located or from which the school intends to enroll students, but may apply directly to the Commission.

2. Pursuant to O.C.G.A. § 20-2-2086, existing local charter schools and state chartered special schools may submit a petition to the Commission if the current charter will expire prior to entering into a new charter with the Commission or if the local board or SBOE has rescinded or waived the obligations in an existing charter. Existing charter schools shall notify the Department of the intent to seek commission charter school status by submitting a letter to the Department in accordance with Guidance accompanying this Rule.

(f) IMPLEMENTATION GRANTS. Applications for federally-funded implementation grants shall be submitted to the Department in accordance with timelines established by the Department and provided in Guidance accompanying this Rule.

(4) CHARTER PETITION REVIEW PROCEDURES.

(a) Department staff shall process all charter petitions and coordinate with the Charter Advisory Committee and the Commission, as applicable, to facilitate their review and recommendations.

(b) Department staff shall make recommendations to the SBOE or the Commission, as appropriate, of approval or denial on each charter petition and shall specify the reasons for such recommendations.

(5) CHARTER PETITION REQUIREMENTS.

(a) **START-UP CHARTER PETITIONS.** All start-up charter school petitions, including commission charter school petitions, shall meet the following minimum requirements pursuant to O.C.G.A. § 20-2-2063. Nothing in this Rule shall be construed to prevent the establishment of a charter school as a separate entity within an existing local school, provided that the charter school meets all other requirements of Rule and law.

1. **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.

2. **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).

(i) 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.

(ii) 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.

(iii) Subject to any waivers requested and subsequently granted by any authorizer, state chartered special schools and commission charter schools shall be considered a separate LEA and shall, to the extent required by law and the charter, state that the school shall comply with all reporting and other requirements applicable to LEAs under statute and SBOE rules and regulations.

3. **STATEMENT OF GOALS AND OBJECTIVES.** The petition must list and describe in detail the specific performance-based goals and measureable 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.

4. 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.

5. 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:

- (i) The school's mission;
- (ii) The ages and grades to be included;
- (iii) The focus of the curriculum;
- (iv) Instructional methods to be used, including any distinctive or unique instructional techniques or educational programs to be employed;
- (v) 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;
- (vi) For English Language Learners, a description of how the school shall provide state and federally-mandated services;
- (vii) Anticipated teacher-to-student ratio and the rationale for maintaining this ratio;
- (viii) 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;
- (ix) How the school will meet the needs of students identified as gifted and talented;
- (x) 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
- (xi) The school's proposed annual calendar and a draft daily school schedule.

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

(i) 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.

(ii) 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.

(iii) How assessment shall measure improvement and over what period of time.

(iv) The school's plan for using assessment data to monitor and improve achievement for all students.

(v) 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.

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

(i) The proposed duration of the charter, pursuant to O.C.G.A. § 20-2-2067.1(b).

(ii) The proposed attendance zone for the school, pursuant to O.C.G.A. § 20-2-2062(1.1).

(iii) A description of all rules and procedures that shall govern the admission of students to the charter school, including:

(I) The steps that shall be taken to reach students representative of the racial and socioeconomic diversity in the school system;

(II) 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

(III) 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 set forth in the Guidance accompanying this Rule, including the requirement that charter schools shall have open enrollment.

(iv) Rules and procedures concerning student discipline and dismissal, including the code of conduct and student due process procedures.

(v) Rules and procedures concerning how the school will handle grievances and complaints from students, parents, and teachers.

(vi) The manner in which the school shall be insured, the terms and conditions thereof, and the amounts of coverage.

(vii) State whether 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.

(viii) State whether 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.

(ix) Describe the employment procedures and policies of the school. The description of employment procedures and policies shall include, at a minimum, the following:

(I) 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;

(II) Whether the charter school will use the state salary schedule, and if another schedule will be used, provide that schedule;

(III) The charter school's procedures to ensure compliance with the requirement that all staff members are subject to fingerprinting and background checks; and

(IV) 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.

(x) 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:

(I) 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.

(II) 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 or by the facilities department of the SBOE in the case of a state chartered special school or a commission charter school.

(III) 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.

(IV) 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.

(xi) 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.

8. DEMONSTRATION OF FISCAL FEASIBILITY AND CONTROLS.

(i) A description of the school's financial structure, including the following components:

(I) 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.

(II) 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.

(III) Designation of a chief financial officer possessing credentials in accordance with the Guidance accompanying this Rule for the purpose of developing and adhering to generally accepted accounting principles.

(IV) Spreadsheets that have been developed in accordance with Guidance accompanying this Rule, which list detailed budget information projecting revenues and expenditures for the first five years of the proposed charter term. For the first two years of the charter term, the detailed budget information must include spreadsheets projecting revenues and expenditures on a month by month basis and alternative spreadsheets projecting revenues and expenditures that assume one-half of the projected student enrollment for the first two years. If any 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.

(V) 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.

(VI) A timeline as to when the school expects to receive state and local funding, as applicable, in order to begin operations.

(VII) A statement that the school shall comply with federal monitoring required for schools that receive federal funds.

(VIII) Commission charter and state chartered special schools shall be required to follow the financial requirements of the Charter Schools Section of the Department's Financial Management for Georgia Local Units of Administration manual. These schools shall be required

to submit all necessary information required by the State Accounting Office for inclusion in the State of Georgia Comprehensive Annual Financial Report.

9. 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 with O.C.G.A. § 20-2-2067.1(c) and that such report shall conform with the template provided by the Department.

10. DESCRIPTION OF GOVERNANCE STRUCTURE.

(i) A description of the school's governance structure, including the following components:

(I) A description of how the charter school shall be governed.

(II) A statement that the governing board shall be subject to the provisions of O.C.G.A. § 50-14-1 *et seq.* and O.C.G.A. § 50-18-70 *et seq.*

(III) If a local charter school, a statement that the governing board shall be subject to the control and management of the local board.

(IV) 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.

(V) A description of how parents, members of the community, and other interested parties will be involved in the governing board of the school.

(VI) 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.

(VII) If a local charter school, a description of the method that the local board and the charter school plan to utilize for resolving conflict.

(ii) 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 Guidance accompanying this Rule. LEA start-up charter schools,

conversion schools, and charter systems are not subject to this requirement pursuant to O.C.G.A. § 20-2-2065(b)(4).

(b) **CONVERSION CHARTER PETITIONS.** All conversion charter petitions shall meet all petition requirements as listed in paragraph (5)(a) above with the exception of (5)(a)(7)(vi) concerning insurance, (5)(a)(7)(x)(I) and (II) concerning facilities, (5)(a)(8)(i) (II), (III), (IV), (V), (VI) and (VIII) concerning fiscal matters, and (5)(a)(10)(ii) concerning formation as a Georgia nonprofit corporation.

1. A conversion charter petition shall include 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 shall describe the procedures and outcome of those votes.

(i) 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.

(ii) 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.

2. If the conversion school intends to use the same policies or procedures currently used in the local school district where the conversion charter school is to be located, the petition shall include copies or website references to such policies or procedures.

3. A conversion charter petition shall include a statement detailing the autonomy that the conversion school shall have from the local school system. This statement shall include, among other things, 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.

4. A statement that the school shall be subject to an annual financial audit conducted either by an independent Georgia-licensed certified public accountant or by the state auditor, in accordance with O.C.G.A. § 20-2-2065(b)(7).

(c) **STATE CHARTERED SPECIAL SCHOOL PETITIONS.** A start-up charter petitioner whose petition has been denied by a local board or boards may submit the charter petition to the SBOE for approval as a state chartered special school, as described in (3)(d) above. If the local board or boards does not vote to approve or deny a petition within sixty (60) days after the date of its submission and the petitioner has not requested an extension, the petition may, upon request of the petitioner, be deemed denied by the local board for purposes of submitting a petition for a state chartered special school. All state chartered special school petitions shall meet all petition requirements as listed in (5)(a) above, as applicable.

1. The content of a state chartered special school petition may not be altered from the content that was submitted to the local board or boards that denied the petition. Once approved, a state

chartered special school may request that a referendum be ordered by the SBOE pursuant to O.C.G.A. § 20-2-2068.1(e).

2. In addition to the charter petition, state chartered special school petitioners shall submit to the SBOE:

(i) A statement regarding whether the school intends to request from the SBOE a local referendum pursuant to O.C.G.A. § 20-2-2068.1(e) and, if so, the timeline for pursuing such a request.

(ii) 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.

(d) **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).

1. Petitions involving two or more local boards shall follow the same requirements as other charter petitions, as outlined above in section (5)(a), with the addition of the following requirements:

(i) A statement specifying which entity shall be the fiscal agent for the jointly authorized charter school;

(ii) A statement specifying how each local board shall contribute local revenue, in a manner consistent with law, to support the charter school; and

(iii) An agreement detailing the involvement and responsibilities of each local board regarding the jointly authorized charter school.

2. The Department shall determine how Adequate Yearly Progress (AYP) is calculated both for the jointly authorized charter school and for the authorizing districts, in accordance with the Single Statewide Accountability System.

3. The local boards may authorize the charter school by one of the following methods:

(i) Each local board shall approve the charter petition before it is submitted to the SBOE; or

(ii) 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.

(e) **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.

1. The high school charter cluster shall submit a single charter petition, which must describe the rationale for petitioning as a high school cluster, such as consistency of academic calendar or educational approach.

2. The high school cluster petition must address petition requirements for each school as described in (5)(a) and (5)(b) above. In addition, the petition must address the following requirements:

(i) How each school shall be held accountable for performance goals stated in the charter including Adequate Yearly Progress (AYP);

(ii) How the high school cluster as a whole shall be held accountable for performance goals stated in the charter.

(f) CHARTER SYSTEM PETITIONS. All charter system petitions shall address all petition requirements for conversion charter petitions in (5)(b) above with the exception of (5)(a)(5)(viii) relating to extracurricular activities, (5)(a)(7)(iii)(I) relating to recruitment of students from the school system, 5(a)(10) relating to governance, and (5)(b)(1), relating to parent and faculty votes. In addition, the petition shall include the following minimum requirements:

1. 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:

(i) Describe 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:

(I) The composition of each council, 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.

(II) Acknowledgement of compliance with the provisions of O.C.G.A. § 50-14-1 *et seq.* and O.C.G.A. § 50-18-70 *et seq.*

(ii) Describe in detail the decision-making authority of the principal of each charter system school, the governing council of each 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:

(I) Personnel decisions, including hiring school principals and teachers;

(II) Financial decisions;

(III) Curriculum and instruction;

(IV) Resource allocation;

(V) Establishing and monitoring the achievement of school improvement goals; and

(VI) School operations.

(iii) To meet the objective of maximizing financial decision-making at the school level, describe:

(I) How federal, state, and local funds shall be distributed to each system charter school; and

(II) What autonomy each charter system school shall have over budgets and expenditures.

(iv) Describe in detail 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.

(v) 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 described in this paragraph (f)(1). This description shall include training timelines and topics to be covered.

(vi) Describe in detail how the parents, teachers and community members, outside of each school's governing council, will be involved in implementing the school-level decision-making described in this paragraph (f)(1).

2. **FISCAL HISTORY.** Provide a statement regarding the fiscal history of the system, including whether the system currently is 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.

3. 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.

4. A copy of the local board resolution approving the proposed charter system petition.

5. A copy of the required notice to each principal within the proposed charter system regarding hearings on the charter system petition.

(g) **VIRTUAL CHARTER SCHOOL PETITIONS.** Any petition that includes a proposal to create a virtual charter school shall meet all the requirements set forth in this Rule and all the requirements for virtual charter schools set forth in the Guidance accompanying this Rule.

(6) RENEWAL OF CHARTERS

(a) All charter renewal petitions that are submitted by a charter petitioner to the local board(s), SBOE or the Commission shall meet all petition requirements in paragraphs (5)(a), (b), (c), (d), (e), (f), and (g) above which pertain to the type of renewal charter petition submitted, and must comply with current charter law, Rule, and Guidance. In addition, a charter school's renewal petition must contain each of the following:

1. An executive summary that provides:

(i) A succinct overview of the performance of the school or schools over the term of the charter and the proposed changes to the charter;

(ii) Information that demonstrates the success of the charter school(s) or system during the previous charter term(s). This demonstration shall explain how the charter school(s) or system succeeded in meeting the annual measurable objectives of AYP and the performance-based objectives stated in the charter and how the charter school(s) or system succeeded in achieving financial and organizational stability and effectiveness. For high school cluster charter renewal petitions and system charters, this demonstration must address each charter school in the cluster/system and the cluster/system as a whole; and

(iii) If termination proceedings were initiated during the most recent charter term, the petitioner must state that in its charter renewal petition.

(7) CHARTER AMENDMENTS.

(a) 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. The charter of a commission charter school may be amended during the charter term upon approval of the charter school governing board and the Commission. Once an amendment is approved by the governing board and/or the local board(s), it shall be submitted to the SBOE or the Commission, as appropriate, for approval. Amendment requests submitted to the SBOE and the Commission must address requirements stipulated in Guidance accompanying this Rule.

1. For local charter schools, the local board(s) shall, by a majority vote, approve or deny the proposed amendment no later than sixty (60) days after the amendment's submission to the local board(s), unless the local board(s) and the charter school governing board mutually agree to temporarily postpone the vote to a specific date.

2. The local board(s) shall notify the Department in writing of the charter amendment decision.

3. If the local board(s) and the charter school governing board do not agree to the amendment, the SBOE may recommend mediation between both parties upon the request of any party to help

resolve differences regarding the proposed amendment.

4. If the amendment is not accepted by the local board(s) or the SBOE, the charter continues in its current unamended form.

(b) Pursuant to O.C.G.A. § 20-2-2068(b)(2), the charter of a system charter may be amended with respect to a particular system charter school during the charter system term upon request of the system charter school's governing council.

1. A request to amend a system charter with respect to a particular system charter school must be submitted in writing to the SBOE and to the charter system.

2. The charter system shall have thirty (30) days from receipt of the request for amendment to provide a written response to the SBOE.

3. Upon receipt of the request for amendment and following the 30-day period for the charter system's response, the SBOE shall conduct a hearing and determine whether the system charter shall be amended to address the concerns of the requesting system charter school.

(8) TERMINATION OF A CHARTER.

(a) 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, by the local board(s), or by the SBOE; provided, however, that termination of a system charter may not be requested by either a majority of the parents or guardians of students enrolled at the charter school, or by a majority of faculty and instructional staff employed at the charter school.

(b) For termination requests from a majority of the parents or guardians of students enrolled at the charter school or by a majority of the faculty and instructional staff employed at the charter school:

1. The group requesting the termination of the charter must submit within thirty (30) days of the public meeting held pursuant to O.C.G.A. § 20-2-2068(a)(1) (A) or (B), a petition for termination to the SBOE which shall include the following:

(i) A written statement detailing the reasons for termination, including supporting documentation;

(ii) The minutes, if any, of the public meeting where the termination request was voted upon;

(iii) Documentation showing that a public meeting and vote was held in accordance with the requirements of O.C.G.A. § 20-2-2068(a)(1) (A) or (B);

(iv) A written statement signed by a member of the group requesting termination stating that an identical copy of the materials submitted by such group to the SBOE pursuant to this subsection has also been provided to the appropriate officials at the charter school, which shall

include at a minimum the principal of the school and the president of the governing board, and the superintendent of the local board of education that serves as the fiscal agent for the charter school; and

(v) Any other pertinent information.

2. The charter school and local board shall have thirty (30) days from receipt of the petition for termination to provide a written response to the petition to the SBOE.

3. Upon receipt of the termination request and following the 30-day period for the charter school's response, the SBOE shall conduct a hearing and render a decision in accordance with Georgia's Administrative Procedures Act.

4. If the SBOE votes to sustain the charter, it shall take notice of the termination request if the charter comes up for renewal.

(c) For termination requests originating with the local board(s):

1. The local board(s) shall provide appropriate notice of proposed termination to the charter school and conduct a hearing on the proposed termination in accordance with O.C.G.A. § 20-2-2068;

2. If the determination is made that the termination of the charter will be requested, the local board(s) shall then file a petition for termination with the SBOE within thirty (30) days of the local board hearing.

(i) Pursuant to O.C.G.A. § 20-2-2068(a)(3), the request shall include a succinct statement of the reasons for the termination request, the transcript of the evidence and proceedings, and the decision of the local board of education;

(ii) The local board(s) shall send a copy of the above documents to the charter school at the same time such documents are filed with the SBOE.

3. Upon receipt of the above documents, the SBOE shall assign a hearing officer to consider the petition, review the transcript of evidence, proceedings, and findings of the local board(s), and make a report and recommendation to the SBOE.

(i) The SBOE shall uphold the decision of the local board(s) if it finds sufficient evidence to sustain the decision.

(ii) The SBOE shall render a final written decision and shall notify the parties accordingly.

(d) For termination requests initiated by the SBOE, including termination requests for state chartered special schools:

1. The SBOE shall notify the charter school and, where applicable, the local board(s), of its intention to convene a hearing for the purposes of determining whether the charter school is in

violation of a provision of O.C.G.A. § 20-2-2068(a)(2). The notification shall include the specific provisions of O.C.G.A. § 20-2-2068(a)(2) that the charter school is alleged to have violated and shall contain all information contained in O.C.G.A. § 50-13-13(a)(2).

2. The charter school and, where applicable, the local board(s) shall have thirty (30) days from the date of SBOE notification to file a response.

3. After the thirty-day period for receiving a response has elapsed, the SBOE shall conduct a hearing and render a decision in accordance with Georgia's Administrative Procedures Act.

4. If the SBOE determines that the charter should be terminated, it shall issue a statement setting forth the reasons for such termination.

(e) The governing council of a system charter school may request termination of a system charter. For such requests:

1. A petition to terminate a system charter must be submitted in writing by the school governing council of a system charter school to the SBOE and to the charter system.

2. The charter system shall have thirty (30) days from receipt of the petition for termination to provide a written response to the SBOE.

3. Upon receipt of the petition for termination and following the 30-day period for the charter system's response, the SBOE shall conduct a hearing and determine whether the system charter shall be terminated.

Nothing contained herein shall prevent the SBOE from proposing an amendment to the system charter to address the concerns raised by the request for termination.

(f) The Commission may terminate a charter for a commission charter school as follows:

1. A majority of the parents or guardians of students enrolled or a majority of faculty and instructional staff employed at the commission charter school may vote to request the termination of a commission charter school if they have voted to do so at a public meeting called with two (2) weeks advance notice that the purpose of the meeting is to decide whether to request the Commission to terminate the charter. Within thirty (30) days of this public meeting, the majority of parents or guardians or the majority of faculty and instructional staff shall submit to the Commission a termination petition that shall include the following:

(i) A written statement detailing the reasons for termination, including supporting documentation;

(ii) The minutes, if any, of the public meeting where the termination request was voted upon;

(iii) Documentation showing that a public meeting and vote was held in accordance with the requirements of this Rule;

(iv) A written statement signed by a member of the group requesting termination stating that an identical copy of the materials submitted by such group to the Commission pursuant to this subsection has also been provided to the appropriate officials at the charter school, which shall include at a minimum the principal of the school, the president of the governing board, and the fiscal agent for the charter school; and

(v) Any other pertinent information.

2. The Commission may initiate a termination request if it notifies the charter school of its intention to convene a hearing for the purposes of determining whether the charter school has engaged in any conduct set forth in O.C.G.A. § 20-2-2068(a)(2)(A)-(F). The hearing notification shall include the specific conduct that the charter school is alleged to have engaged in.

3. The charter school shall have thirty (30) days from receipt of the termination petition or hearing notification to provide a written response to the Commission.

4. Following the 30-day period for the charter school's response, the Commission shall conduct a hearing and render a decision.

5. If the Commission determines that the charter should be terminated, it shall issue a statement setting forth the reasons for such termination.

(g) Emergency Terminations. 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 special-called meeting, may temporarily suspend the operations of the charter school until a termination hearing as described above 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.

(h) Upon termination, whether initiated during the charter term or at the end of the charter term and with or without the consent of the 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). All assets and unencumbered funds of a state chartered special school shall revert to the Department. 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.

(9) ALLOTMENT OF FUNDS.

(a) A charter school shall be eligible for federal, state, and other funds pursuant to O.C.G.A. § 20-2-2068.1 and § 20-2-2090, as appropriate. As noted in paragraph (2)(a)(6) above, the local board(s) shall ensure that local charter schools comply with requirements for monitoring of the use of federal funds.

(b) For the purpose of local charter schools, the Department shall determine the allotment of

state funds and the allocation of federal funds for the LEA in which the charter school is physically located, pursuant to O.C.G.A. § 20-2-2068.1, or to the local board stipulated as the fiscal agent in the charter. Upon request, the Department shall provide to potential charter school petitioners estimates of state funds to be available per FTE and the basis for the estimates as well as approximate dates of availability of funds.

(c) Pursuant to O.C.G.A. § 20-2-2068.1(a) the local board(s) and the SBOE shall treat a local charter school no less favorably than other local schools located within the applicable local system unless otherwise provided by law, including with respect to the provision of funds for instruction, school administration, transportation, food services, and, where feasible, building programs. Funds for transportation and food service shall be provided in accordance with Guidance accompanying this Rule. A local charter school may request the SBOE to order mediation if it believes the local board is treating the charter school less favorably than other local schools. A local charter school intending to request that the SBOE order mediation must make a written request for mediation to the local board(s) not less than sixty (60) days before requesting that the SBOE order mediation.

(d) Pursuant to O.C.G.A. § 20-2-2068.1(c), the local board shall calculate and distribute the funding for the start-up charter school on the basis of its actual or projected enrollment in the current school year according to an enrollment count procedure or projection method stipulated in the terms of the charter. This shall include funding on the basis of its actual or projected enrollment in the current school year in the charter school's first year of operation and in any year that the charter school significantly expands its enrollment (*e.g.*, by adding a grade or grades to the school).

(10) CHARTER SCHOOL FACILITIES FUND.

(a) Pursuant to O.C.G.A. § 20-2-2068.2, in each year in which charter school facilities funds are appropriated by the General Assembly for charter school facilities, the SBOE shall allocate the funds among eligible charter schools.

(b) Charter school facilities funds may, among other allocation methods, be allocated on a per pupil basis. For purposes of this section only, "pupil" is defined as 1.0 FTE. Students who attend a charter school less than full-time may be combined with other part-time students to generate a 1.0 FTE.

(c) Charter schools must enter into a written agreement with the local board that governs the system in which the charter school is physically located or with the local board stipulated as the fiscal agent in the charter 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 charter school terminates operations. State chartered special schools must enter into such agreement with the SBOE.

(11) CHARTER SCHOOL CAPITAL FINANCING.

(a) Pursuant to O.C.G.A § 20-2-3010 *et. seq.*, in each year in which charter school capital financing funds are appropriated by the General Assembly, the SBOE shall establish a grant program, in the form of matching funds, for qualified charter school contributions.

(b) The SBOE shall determine the maximum amount of matching funds authorized for each dollar of funds donated to a qualified charter school organization for any single charter school project. In so doing, the SBOE shall take into account local revenue, special-purpose local-option sales tax (SPLOST) and bond funding and shall view such local revenue and funding favorably in determining the amount of grant funds to authorize.

(c) The matching grant funds shall apply to any eligible funds donated to a qualified charter school organization within the three (3) year period immediately preceding an appropriation by the General Assembly.

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, 20-2-2080, 20-2-2081, 20-2-2082, 20-2-2083, 20-2-2085, 20-2-2086, 20-2-2088, 20-2-2090, 20-2-2091, 20-2-2092, 20-2-3011, 20-2-3012, 20-2-3013, 20-2-3014, 20-2-3015, 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: May 14, 2009

Effective: June 3, 2009

**Guidance for Georgia State Board of Education Rule 160-4-9-.04
CHARTER SCHOOLS**

(3) CHARTER PETITION PROCESS¹

(a) LETTERS OF INTENT

The requirement that a petitioner submit a letter of intent to the Department is meant to provide notice to the Department of petitions for new start-up charter schools, new conversion charter schools, and new charter systems that may be submitted for review and approval. A letter of intent is not required for renewal petitions.

In keeping with the purpose of the Rule, letters of intent to submit a charter petition should include a brief statement setting forth the proposed vision and mission of the school, the grade levels the school will cover, the school system where the school will be located, the anticipated number of students, and the proposed opening date. A single letter may be submitted to the local board of education and to the Department.

(b) PLANNING GRANTS

Planning grants are funded using state funds and are awarded on a cycle that is based on the state fiscal year, July 1-June 30. Funds awarded during a fiscal year must be expended during that fiscal year. The planning grant application must be completed and signed by the petitioner, along with the budget forms, in order for the application to be considered complete and accepted for review. Planning grant applications that are not recommended for approval may be re-submitted for the next round of competition. The grant application form is posted on the Charter Schools website at: http://public.doe.k12.ga.us/pea_charter.aspx.

All planning grant applications that meet grant requirements will be considered at one of two State Board of Education (“SBOE”) meetings—the August meeting or the January meeting. To ensure that Department staff and the SBOE have sufficient time to consider the grants, all grants must be submitted by July 1 to be considered at the August SBOE meeting and by December 1 to be considered at the January meeting. This timeline is reflected below:

<u>Round</u>	<u>Grant Application Due</u>	<u>To SBOE for Consideration</u>
1	July 1	August Board meeting
2	December 1	January Board meeting

¹ The section, paragraph, and subparagraph designations used throughout this Guidance align with the corresponding section, paragraph, and subparagraph of the Rule.

Kathy Cox, State Superintendent of Schools

Round 2 will be held only if funds are still available. Funds awarded during either round must be expended by the end of the fiscal year. No extensions will be permitted or considered. For purposes of this Guidance, planning grant applications will be deemed submitted to the Department if the application is fully completed, along with all proper supporting documentation, and postmarked by the grant application deadline.

Once a planning grant has been approved, the grant recipient will receive notification, along with directions on how to draw down the funds. A copy of this letter will be sent to the superintendent of the LEA where the grant applicant proposes to locate the charter school.

(c) CHARTER PETITIONS TO LOCAL BOARD

The charter petitioner should check with the LEA where the charter school will be located for a complete copy of all local timelines and policies regarding the submission of charter petitions for approval in that school district. The Department strongly encourages all petitioners to work together with the local board to obtain approval for their petitions.

(d) SUBMISSIONS OF CHARTER PETITIONS TO THE DEPARTMENT OF EDUCATION

To be considered by the Department and the SBOE, petitions for start-up charter schools (including LEA start-up charter schools and career academies) must be submitted to the Georgia Department of Education no later than August 1 the year prior to the school's planned opening. Start-up petitions that are deemed deficient in meeting the requirements of the Charter Schools Rule or law must correct all identified deficiencies to be placed on the SBOE agenda with a recommendation for approval. Petitions for start-up charter schools will be considered by the SBOE at the December meeting following timely submission.

Petitions for conversion charter schools, charter systems, or renewal petitions for existing charter schools or charter systems must be submitted to the Georgia Department of Education by November 1 the fall prior to the school's or system's planned conversion or renewal. For purposes of this Guidance, system charters and cluster charters shall be considered conversion charters. Conversion or renewal petitions that are deemed deficient in meeting the requirement of the Charter Schools Rule and law must correct all identified deficiencies in order to be placed on the SBOE agenda with a recommendation for approval. Petitions for conversion charter schools or renewals will be considered by the SBOE at the March meeting prior to the charter school's planned conversion or renewal.

If deficiencies are identified in any petition they must be corrected and the revised petition must be approved by the local board before the Department will place the petition on the agenda for the SBOE meeting with a recommendation for approval. This process may result in delay of approval until the next approval cycle. The Department has published an application describing all requirements for petitions, which is available

at the Charter Schools website at: http://public.doe.k12.ga.us/pea_charter.aspx. The Department strongly urges petitioners and local boards to utilize the checklist contained in the application during the development of the petition and during the local board approval process so that petitions are not unnecessarily delayed at the state level.

Petitions must be concise and contain only necessary and relevant information. Charter petitions shall not exceed 100 pages in length, exclusive of appendices, and all application questions must be addressed within the 100 page limit. Each page shall be numbered consecutively and shall be prepared with one (1) inch margins. Any portion of petitions exceeding the 100 page limit will not be reviewed during the charter petition evaluation process, which may result in a negative evaluation.

(e) IMPLEMENTATION GRANTS

To ensure that implementation grant applications can be processed efficiently following the approval of a charter petition and in alignment with the goals of the grant award, petitioners who desire to access federal implementation grant funds should begin work on their grant application after submitting their petition to the SBOE. To qualify for an implementation grant a petitioner shall submit its application within one (1) month following the approval of the charter by the SBOE. The Department cannot begin the grant review process until the charter petition has been approved.

Once implementation grant applications are received by the Department, they will be reviewed by three external reviewers. Before any implementation grant application can be forwarded to the SBOE for approval, it must be recommended for approval by at least two of the three reviewers. Implementation grants that are not recommended for approval may be re-submitted.

The application and accompanying budget forms must be completed and signed by the petitioner and by the Superintendent of the local board where the charter school is located in order for the application to be considered complete and accepted for review. The grant application and budget forms are posted on the Charter Schools website at: http://public.doe.k12.ga.us/pea_charter.aspx.

Once an implementation grant has been approved, the grant recipient and the local board of education will receive notification, along with directions on how to draw down the funds.

The foregoing petition and implementation grant timelines are set forth below:

<u>Charter</u>	<u>Letter of Intent Due</u>	<u>Petition Due</u>	<u>To SBOE for Consideration</u>	<u>Implementation Grant Application Due</u>
Start-ups (including LEA Start-ups and Career Academies)	February 1	August 1	December Board meeting	1 month after approval

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Conversions and Charter Systems	May 1	November 1	March Board meeting	1 month after approval
Renewals	N/A	November 1	March Board meeting	N/A

For purposes of this Guidance, petitions and grant applications will be deemed submitted to the Department if they are fully completed, along with all proper supporting documentation, and postmarked by the petition or grant application deadline. To be eligible to qualify for federal implementation grant funding, a charter school must meet the federal and state definitions of charter school. Among other things, these definitions may require that charter schools report Adequate Yearly Progress as required by the Single Statewide Accountability System, that charter schools have open enrollment policies, and that the charter schools enroll students on a full-time basis.

(5) CHARTER PETITION REQUIREMENTS

The Department has prepared an application, which includes a checklist of required components for charter petitions. The application is posted on the Charter Schools website at: http://public.doe.k12.ga.us/pea_charter.aspx. The application must be completed with the required signatures and must be attached to the charter petition when it is submitted to the Department for consideration by the SBOE.

(a) 7. DESCRIPTION OF SCHOOL OPERATIONS

(iii) Charter schools are public schools of open enrollment. As such, charter schools may not use admissions criteria or admissions applications that would not otherwise be used at a traditional public school. Charter schools may not use enrollment applications that require submission of letters of recommendation, essays, resumes, or other narrative summaries of a student’s school or community activities, grades, test scores, attendance record, or disciplinary history.

Charter schools may use enrollment applications for the purpose of verifying the student’s residence within the school’s attendance zone. For the limited purpose of compiling information so that charter school students will receive required services, such applications may also seek information regarding whether a student previously has received special education services or services for students with limited English proficiency. As part of a charter school’s enrollment application, the school may provide information to parents and students regarding the school’s mission, vision, curricular requirements, and academic and behavioral expectations. As part of such applications, charter schools may require parents and students to agree to abide by the school’s stated expectations, including requirements for parent and/or student volunteer hours.

(ix) All teachers of the charter school shall be members of the Georgia Teachers’ Retirement System (TRS) and subject to its requirements. Each charter school is responsible for making arrangements with TRS and making contributions for charter school teachers in

Kathy Cox, State Superintendent of Schools

accordance with state requirements. The charter school is required to make all arrangements directly with TRS for monthly payments.

(x) In the event a charter school seeks to relocate or add an additional site or annex during the term of its charter, the charter school must obtain all necessary local and state approvals of the proposed new facility/site/annex. In addition, the charter school shall notify the Department in writing of the relocation/new site/annex no later than sixty (60) days prior to occupying the proposed new facility.

(a) 8. DEMONSTRATION OF FISCAL FEASIBILITY AND CONTROLS

(i) (III) Chief Financial Officer's credentials. Each charter school must specify an individual who will serve in the capacity of Chief Financial Officer. That person may be a member of the governing board, the executive director of the school, or the principal of the school. At a minimum, that individual must possess the following qualifications:

- (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.

(a) 9. STATEMENT ON ANNUAL REPORT

For purposes of providing a charter school's annual report to parents and guardians of children enrolled in the charter school, a charter school may make a copy of such report available online, at the charter school, or at a properly noticed meeting of the governing board.

(a) 10. DESCRIPTION OF GOVERNANCE STRUCTURE

(i)(II) The statement describing the governing board's duties should, at a minimum, include:

- (a) A description of the governing board's function, duties, and composition;
- (b) A statement setting forth how and when members shall be selected, how long they shall serve, and how members may be removed from office;
- (c) A statement describing how the governing board will uphold the school's mission and vision, review and appraise the principal's performance, ensure effective organizational planning, and help ensure financial stability;
- (d) A statement disclosing any potential conflicts of interest of the founding governing board members;

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(e) A statement describing how current and future governing board members shall avoid conflicts of interest; and

(f) A description of the governing board's role in resolving teacher, parent, and student grievances and other conflicts.

(ii) Charter school governing board members shall not be prohibited from serving on multiple charter school governing boards, provided such individuals comply with the conflicts of interest provisions set forth in the Rule and this Guidance.

(g) VIRTUAL CHARTER SCHOOL PETITIONS

In addition to the standard checklist requirements, any petition, amendment, or other document that allows for the use of virtual instruction in a charter school, whether start-up, conversion, state chartered special school, or otherwise, should also address each of the following areas:

1. Location

(i) A virtual charter school shall maintain a physical facility in the State of Georgia for administrative functions. Provide a description and the address of the physical facility.

(ii) Verify that the physical facility described above is not located in a private residence.

2. Attendance Zone

(i) State the precise attendance zone. If the proposed attendance zone encompasses more than one local school district, please include documentation that the other district(s) have approved the charter petition.

(ii) In addition, if there is any agreement, financial or otherwise, with an LEA governing enrollment, funding, or any other subject matter, include a copy of the agreement with the petition.

3. Access

(i) Transportation: Considering that virtual charter schools typically incorporate in-person interaction to some extent, describe how the school will ensure student attendance at these activities.

4. Instructional Need

(i) Describe the specific student instructional needs the school will meet (*i.e.*, explain demonstrated needs, how course offerings meet those needs, etc.).

(ii) Provide any data that demonstrates the instructional needs stated above.

(iii) Describe the needs served by the proposed school that currently are un-served or under-served by the Georgia Virtual School.

5. Enrollment

(i) Indicate whether the school will set a maximum student enrollment during each year of the requested charter term, and if so, provide the predicted annual enrollment caps.

6. Teachers, Administrators, and Other Faculty

(i) Explain how the school will screen teacher candidates to select faculty members that perform effectively in a virtual environment.

(ii) Roles of teachers beyond instruction

(I) Describe what, if any, additional responsibilities will be required of teachers in the virtual environment (*e.g.* course development/design, research, website maintenance).

(II) Indicate how the school communicates these responsibilities to teachers.

(iii) Teacher Accountability: Describe teacher performance assessment measures and procedures (*e.g.* observing lessons, ensuring alignment of instruction to student needs, auditing student performance tracking instruments).

(iv) Indicate any non-teacher faculty members (paraprofessionals, guidance counselors) and describe their roles and how they will function in the virtual school.

(v) Describe professional development opportunities that the school will furnish or otherwise provide to maximize the faculty's effectiveness in a virtual environment.

7. Instructional Program

(i) Indicate the level of participation in instructional activities students will be required to meet to receive credit for successfully completing a course and receive a satisfactory grade for that course. The level of participation may include the amount of time students will be engaged in both online and other instructional activities in order to receive credit for a course.

(ii) Describe how cooperative and group learning activities will be integrated in the instructional program.

(iii) Describe how the instructional program will address different student needs and learning styles.

8. Achievement/Assessment

(i) Explain how the school will administer all required standardized tests, such as the CRCT, the GHS GT, EOCTs, and other assessments.

(ii) Standardized Test Scores

(I) Explain how your charter school's assessments will measure student improvement and describe the performance-based goals you have set for your student population.

(II) Explain how the virtual school will tailor its instructional approach during the pendency of its charter term if certain student achievement goals are not met.

(III) Describe the virtual school's plan for the appropriate administration of required state assessments. The plan should address, *inter alia*, test taking location(s) and who will administer the tests.

9. Student Accountability

(i) Attendance:

(I) Describe procedures to ensure compliance with the 180-day requirement.

(II) Describe the school's policies regarding truancy, absence, and withdrawal.

(III) Describe the intervention procedures the school will take when students are not participating as required.

(ii) Content/Assignment Mastery:

(I) Describe procedures to ensure the integrity and authenticity of student work product and assessment scores.

(II) Describe the intervention procedures the school will take when students fail to provide authentic work product or assessment responses.

(iii) Describe what role parents/guardians will have in promoting accountability.

10. Student Social Needs

(i) Describe how virtual instruction and activities will be geared to develop and nurture social needs of students.

(ii) Describe any specific extra-curricular activities that will be offered to develop and nurture the social needs of students.

11. Communication between School and Parents

(i) Indicate the nature, frequency, and location of all required in-person meetings between parents and school faculty, such as parent/teacher conferences.

(ii) Indicate the nature and frequency of all optional opportunities for in-person meetings and interactions, such as open houses and school community meetings.

(iii) Describe the procedures for parents to contact school faculty with concerns of any nature and the procedures for prompt and helpful responsiveness to such communications.

(iv) Explain how school administration will communicate with non-English speaking parents/guardians.

12. Technology and Technological Support

(i) Describe all technological equipment and services that the school will provide, including hardware, software, connectivity, and media storage devices.

(I) State specifically any equipment that students and families will be responsible for obtaining.

(II) State specifically any technological support for which students and families will be responsible.

(ii) Describe the scope of technical support that will be provided.

(I) Specify where the support staff will be located.

(II) Describe the hours (including weekends and holidays) and manner in which the support will be accessible to students and families.

(iii) Describe the school's data retention and confidentiality procedures.

(iv) Describe the school's Acceptable Use Policy.

(v) Describe procedures to deliver instruction when equipment, software, or connectivity at any location is lost or impaired.

(vi) Describe data protection and recovery procedures in event of catastrophic system failure.

13. Identifying and Serving Students with Special Needs

(i) Describe how qualified staff will identify students with special needs in the virtual school environment.

(ii) Describe how the school will provide high quality services to all enrolled students with special needs regardless of where the student resides.

(iii) Describe the school's procedures for ensuring that students with disabilities are identified and receive all services needed to comply with the Individuals with Disabilities Education Act (IDEA), the Rehabilitation Act, and the Americans with Disabilities Act (ADA) and related state and federal laws and regulations.

(iv) Describe the school's procedures for Individual Education Plan (IEP) meetings, including determining where such meetings will occur.

(v) Describe how the school will implement ADA and Rehabilitation Act standards for accessibility to web-based curricula.

14. English for Speakers of Other Languages (ESOL)

(i) Explain how the school will accommodate English Language Learners (ELL) and address their unique needs in online and offline instruction and activities.

15. Health and Safety

(i) Describe how the school will provide for the health and safety of students and staff both in online and offline activities.

(ii) Describe how the school will address the nutritional needs of students when appropriate.

(7) CHARTER AMENDMENTS

(a) A charter school may submit a proposed amendment at any time during the charter term, provided, however, that a charter school may not submit a proposed amendment during the last six months of the term prior to renewal. To take effect, an amendment must be approved by the governing board of the charter school, the local board, and the SBOE and must be in compliance with the existing Charter Schools Rule and law. The amendment process is designed to apply only to substantial changes in the charter's terms and conditions.

Upon request, the Department will provide specific guidance to petitioners to determine whether an amendment is required in any specific instance and may approve administrative clarifications of existing charters.

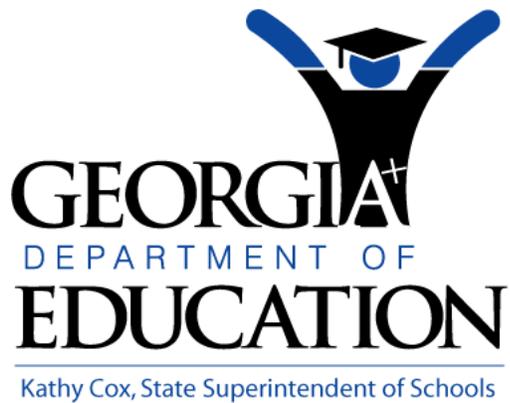
(9) ALLOTMENT OF FUNDS

(b) The local board and the state board are required to treat start-up charter schools no less favorably than other local schools with respect to the provision of funds for instruction, school administration, transportation, and food services. In determining the amount of funds to which a charter school is entitled under this requirement, the local school board shall take into account the number of students enrolled in the start-up charter school and the proportionate share of funds such students earn. For the purpose of calculating the transportation and food service funding required to be paid to start-up charter schools, local boards shall develop a ratio that takes into account total district spending on transportation and food service and then determine the proportionate share to which any start-up charter school is entitled. Such share shall be based on the actual enrollment in the start-up charter school. Notwithstanding the requirement to provide transportation and food service funding, local boards and start-up charter schools may enter into a separate agreement that allows the district to provide transportation services and food service in lieu of the proportionate cash payment otherwise required

Appendix D

Implementation Grant Application and Rubric

1. Implementation Grant Application
2. Implementation Grant Rubric
3. Rater Training
4. Dissemination Grant Application



Charter School Implementation Grant Application and Instructions

“The mission of the Georgia Public Charter Schools Program is to increase student achievement through academic and organizational innovation by encouraging local school districts to utilize the flexibility offered by chartering.”

**Charter Schools Division
2053 Twin Towers East
205 Jesse Hill Jr. Drive, SE
Atlanta, Georgia 30334
404-657-0515 (phone)
404-657-6978 (fax)
http://public.doe.k12.ga.us/pea_charter.aspx**

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General Directions for Applicants

Please Read and Follow All Directions

A. Introduction

The 2010-2013 Georgia Charter School Grant Program has undergone significant changes in policy and program. Applicants familiar with previous grant funding through the federal Charter Schools Program (“CSP”) should read this application carefully to ensure they are responding to the new requirements. The use of obsolete application forms or procedures may forfeit the submitted application.

The CSP, authorized by 20 U.S. Code sections 7221-7221j, is administered by the United States Department of Education. It is a discretionary grant program, and each state is required to compete for available funding every three years. States that are awarded these federal funds distribute them in grants to charter school developers to assist in the development and initial operations of newly established or conversion high quality charter schools. Georgia was awarded approximately \$ X million in grant funds for 2010-2013.

The general purpose of the CSP is to:

- expand the number of high-quality charter schools available to students by providing financial assistance for the planning, program design, and initial implementation of charter schools;
- increase understanding of the charter school model; and
- evaluate the effects of charter schools, including their effects on students, student academic achievement, staff, and parents.

In addition, the Georgia Department of Education has five program objectives for the Federal CSP grant:

1. To increase the number of high quality charter schools, in Georgia, especially among underserved students in rural and urban settings.
2. To use Charter School Program grant funding to improve student outcomes
3. To use chartering and the Charter School Program Grant funding to improve secondary school student performance and graduation rates throughout the state.
4. To monitor charter schools’ fiscal health and to provide support to ensure long term fiscal health.
5. To promote awareness of high quality chartering best practices to teachers, parents, communities and other public schools.

CSP implementation grants are competitive in nature and not every application will be funded by the program. Only applications that receive two scores of 70 or higher by independent raters will be recommended for funding. Charter schools that will serve a majority of secondary students or propose to be located in an identified 'high need' area will be eligible for additional supplemental funding in addition to the base amount.

To be eligible to apply for an implementation grant, your charter must have been approved by the State Board of Education or the Georgia Charter Commission.

Applicants not authorized by the State Board of Education must include an executed copy of their approved charter. Charter approval does not guarantee eligibility for the implementation grant. Please review the more extensive list of eligibility requirements in Section H.

B. Submission Requirements

In assembling the implementation grant application and accompanying materials, please adhere to the following guidelines:

- All applications must be typewritten or computer generated.
- Each page (including appendices and attachments) should be consecutively numbered. Tab and paginate all attachments/appendices.
- Do NOT enclose the application in a notebook, binder, or folder.
- Staple or bind the pages of the original and of each copy. Do not use paperclips.
- All pages must be standard letter size, 8½" X 11" using 12 point, Times New Roman or comparable font, double spaced, one-inch margins.
- The original must contain original signatures in blue ink. Stamped signatures will not be accepted.
- Applications that are faxed or e-mailed will not be accepted.

Only applications that are complete and follow these guidelines will be considered for approval. Failure to comply with any of the above formatting requirements will delay the review of the application and may result in ineligibility for the grant. **Applications will not be returned.** Please keep a copy for your records.

Applicants must send or deliver one (1) original and three (3) hard copies (**a total of 4 submitted documents**) and an electronic version of the completed application to:

Georgia Department of Education
Charter Schools Division
2053 Twin Towers East
205 Jesse Hill Jr. Drive, SE
Atlanta, Georgia 30334

C. Types of Charter School Program Federal Grants

- **Implementation Grant** - Grant funds are intended to provide support for the program design and initial implementation of charter schools. Implementation grant funds are also intended to enhance parent and student choices among public schools and give more students the opportunity to demonstrate proficiency on challenging state standards. A developer is limited to a maximum of **24 month** implementation grant in each 3 year grant cycle, although the Georgia Department of Education may consider waivers to this limitation depending on individual circumstance.
- **Dissemination Grants** - (Available in 2010 and 2011 through a separate application) Charter schools may apply for a grant to distribute best practices to traditional public school and charter school practitioners during the 2010-2013 grant cycle.

D. Amount of Awards

The 24 month baseline funding levels for the two types of charter schools that can be created in Georgia are as follows:

Charter School Program Funding Amounts fo 2010-2013 Grant Application							
	Year 1	Year 2	If Existing Public Charter School that is in Needs Improvement Status 2 or higher, applicant is eligible for an extra \$75,000	If secondary students will make up at least 50% of the school's enrollment, applicant is eligible to receive an extra \$25,000.	School is located in a district that currently does not have any FTE charter schools.	Minimum Award Amount	Maximum Award Amount
Conversion Charter Schools							
School with Enrollment of 500 students or more	\$150,000	\$150,000	\$75,000	\$25,000	\$50,000	\$300,000	\$450,000
School with an enrollment of less than 500 students	\$125,000	\$75,000	\$75,000	\$25,000	\$50,000	\$200,000	\$350,000
Start-up Charter Schools			If proposed charter school will be located in a DISTRICT that that is in Needs Improvement Status 2 or higher, applicant is eligible for an extra \$75,000 over two years	If secondary students will make up at least 50% of the school's enrollment, applicant is eligible to receive an extra \$25,000.	School is located in a district that currently does not have any FTE charter schools.	Minimum Award Amount	Maximum Award Amount
School with Enrollment of 250 students or more (by end of Year 1)	\$250,000	\$250,000	\$75,000	\$25,000	\$50,000	\$500,000	\$650,000
School with an enrollment of less than 250 students (by end of Year 1)	\$250,000	\$150,000	\$75,000	\$25,000	\$50,000	\$400,000	\$550,000

Schools awarded these funds are eligible to utilize them over a twenty-four month period but are granted their yearly awards separately. For purposes of this application and completing required budget forms, applicants should use the baseline amount listed above.

Applicants must explain in their budget narrative how and why they qualify for any ‘incentive amounts’ such as secondary student enrollment.

E. Selection of Awards

Federal law requires a peer review of all CSP applications. The Georgia peer review panel is comprised of urban and rural state charter school developers, governing board members, operators, and policy experts. Reviewers are required to recuse themselves from the evaluation of any application for which they have a perceived or real conflict of interest.

F. Grant Monitoring

The Charter School Division will monitor grants by reviewing and approving status reports. All information in these reports is subject to verification, and the Charter School Division may require additional information from the grantee, verify information with the authorizing entity, require the submission of invoices and receipts, or use any other appropriate and legal means to obtain such verification. The Charter School Division will also conduct site visits to CSP subgrantees during the grant project period. Prior to these monitoring visits, the grantee may be required to submit additional relevant information that will allow the Charter School Division to ensure that CSP subgrantees utilize their grant award efficiently and in compliance with CSP regulations.

G. Implementation Grant Specifications

The purpose of the Implementation grant is to provide financial assistance for the initial operations of newly established and conversion charter schools. Refer to Appendix A for the definitions of “newly established” and “high quality” as they apply to this application.

Implementation grant funding can only be used for initial costs associated with opening or converting a charter school. Implementation activities refer to only those that occur after the school has an approved charter and are limited to 24 continuous months. If not approved for a grant, applicants may revise their grant application so that it better

addresses the application criteria and resubmit it. Applicants that fail to receive two passing scores after resubmitting are not eligible to apply a third time.

H. Eligible Applicants

To be eligible for a subgrant under this program, an applicant must have been granted a charter from either the Georgia State Board of Education or the Georgia Charter Commission. Applicants must submit a signed copy of their charter with their application. Additionally, all applicants must meet the following conditions to be eligible for an award:

1. The school has a written performance contract with either the Department of Education or the Georgia Charter Schools Commission that includes a description of how student performance will be measured in the charter school pursuant to State assessments that are required of other schools and pursuant to any other assessment mutually agreeable to the authorized public chartering agency and the charter school. The written performance contract must be executed by all parties prior to an applicant receiving an award.
2. The applicant must have an approved charter for a new charter school that has not yet opened or has been open for no more than one school year. For the purposes of this grant, GaDOE has defined 'new' charter school as a charter school that has not operated as a private school or under another SBE, and has not been in operation as a charter school for more than one year. A 'conversion' charter school is a public school that has substantially changed its curriculum, staff or school design, either voluntarily or involuntarily, in order to increase student achievement.
3. All subgrantees are required to submit an update on the school's progress towards grant goals after Year 1 of the implementation grant prior to receiving year 2 funding.
4. All applicants must qualify for an AYP designation to be eligible to receive implementation funds. Please note that if your charter school is designed to be dual-enrollment (*i.e.*, students attend the charter school for only a portion of the day and a base high school for the remainder of their classes), you may not be eligible for Implementation grant funding at this time.
5. All applicants must meet all parts of the Federal definition of a charter school. Conversion charter schools must provide documentation that they are a 'school of choice'.

Definition of Charter School for the Purpose of Federal PCSP Grant Funds

Charter schools are established according to individual state charter school laws. The enactment of state charter school laws is solely a state prerogative, and the definition of a “charter school” under state law is a matter of state policy. However, in order to receive PCSP funds, a charter school must meet the definition in Section 5210(1) of ESEA, which is as follows:

The term “charter school” means a public school that:

1. In accordance with a specific State statute authorizing the granting of charters to schools, is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this paragraph [the paragraph that sets forth the Federal definition];
2. Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;
3. Operates in pursuit of a specific set of educational objectives determined by the school’s developer and agreed to by the authorized public chartering agency;
4. Provides a program of elementary or secondary education, or both;
5. Is nonsectarian in its programs, admission policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;
6. Does not charge tuition;
7. Complies with the Age Discrimination Act of 1975, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and Part B of the Individuals with Disabilities Education Act;
8. Is a school to which parents choose to send their children, and that admits students on the basis of a lottery, if more students apply for admission than can be accommodated;
9. Agrees to comply with the same Federal and State audit requirements as do other elementary and secondary schools in the State, unless such requirements are specifically waived for the purpose of this program [the PSCP];
10. Meets all applicable Federal, State, and local health and safety requirements;
11. Operates in accordance with State law; and
12. Has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school.

ADMISSIONS/ENROLLMENT PROCESS and Lottery

A charter school that is oversubscribed and, consequently, must use a lottery generally must include in that lottery all eligible applicants for admission. A charter school may exempt from the lottery only those students who are deemed to have been admitted to the school already

and, therefore, do not need to reapply. Specifically, the following categories of applicants may be exempted from the lottery on this basis: (a) *students who are enrolled in a public school at the time it is converted into a public charter school; (b) siblings of students already admitted to or attending the same charter school; and (c) children of a charter school's teachers and founders (so long as the total number of students allowed under this exemption (c) constitutes only a small percentage of the school's total enrollment)*. When recruiting students, charter schools should target all segments of the parent community. A charter school must recruit in a manner that does not discriminate against students of a particular race, color, national origin, religion, or sex, or against students with disabilities, but may target additional recruiting efforts toward groups that might otherwise have limited opportunities to participate in the charter school's programs. Once a student has been admitted to the charter school through an appropriate process, he or she may remain in attendance through subsequent grades. A new applicant for admission to the charter school, however, would be subject to the lottery if, as of the application closing date, the total number of applicants exceeds the number of spaces available at the charter school.

All applicants' admission practices must comply with State law and applicable Federal laws. Exemptions from enrollment lotteries are permissible only to the extent that they are consistent with the State's charter school law, other applicable State law, the school's charter, and any applicable Title VI desegregation plans or court orders requiring desegregation. A charter school's admissions practices must also comply with Part B of the Individuals with Disabilities Education Act and Federal civil rights laws, including, but not limited to, Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; and Title II of the Americans with Disabilities Act of 1990, as applicable.

Any admission or enrollment practices that are not in compliance with the relevant State law and applicable Federal laws will result in the applicant's ineligibility.

All applicants must address their enrollment and lottery procedures in their applications.

Permissible Use of the Grant Award

The federal charter school law (ESEA-No Child Left Behind Act –Title V, Part B, Section 5204, §3) specifies the allowable activities that may be funded through a federal charter school subgrant:

(3) ALLOWABLE ACTIVITIES- An eligible applicant receiving a grant or subgrant under this subpart may use the grant or subgrant funds only for-

(A) post-award planning and design of the educational program, which may include -

(i) refinement of the desired educational results and of the methods for measuring progress toward achieving those results; and

(ii) professional development of teachers and staff who will work in the charter school;

The Georgia Department of Education has identified additional expenses that are allowable under this program:

- Professional development of teachers and other staff members

- Salaries and benefits of key staff members for the first three months of implementation (limited to three staff members during the first year of the grant)
- Laptops, whiteboards, SMARTboards, and other technology for the classroom
- Classroom furniture, supplies and materials
- Consultant fees directly related to the program and implementation of the charter school
- Up to \$5,000 in costs associated with ADA compliance work
- Other initial start-up costs not covered by state or local funding sources as approved by the Georgia Department of Education

The Georgia Department of Education has identified a list of expenses that are unallowable under this program. This list should not be considered exhaustive.

- Salaries for individuals involved in the school's ongoing program
- Lease or mortgage payments
- Routine student transportation
- On-going staff development/training
- Employees of Educational Management Organizations
- Contracted service for payroll
- Wiring, security systems or other expenses associated with facilities
- Professional dues or members, EMO management fees
- Other expenses deemed operational by the Georgia Department of Education

Grantees may only use grant funds for allowable grant project expenditures during the grant project period. Any unexpended funds remaining at the end of the grant project period **must be returned** to the Georgia Department of Education. *All grant funds must be used only for expenses that are not otherwise provided for from other state or local funding sources.*

The Charter School Division of the Georgia Department of Education will evaluate all grant project budgets to ensure that they are reasonable and allowable under federal guidelines, and may require modifications as a condition of funding. Implementation grant funds should be used for expenses that occur after the state board awards the grant.

I. Grant Payment Schedule

Unless the Georgia Department of Education determines that a different disbursement schedule is necessary, all payments will be released to the local school system using the State accounting system, GAORS. The local school system may choose to distribute these funds as either advances on a consistent basis, pending the submission and approval of quarterly status and expenditure reports, or as reimbursements, via submitted and approved invoices and receipts. Implementation grant funding **should not** be held in reserve.

J. Certification of Assurances

The Certification of Assurances (included in Appendix G on pages 44 and 46 of this document) is a legally binding document between the Georgia Department of Education and the grant recipient. Such assurances shall be included with each properly submitted application.

- **Contracting Standards (if contracts will be made with grant funds)**

If grant funds are used to contract for goods or services, federal regulations require grant recipients to report that they have developed standards for awarding contracts. Federal regulations for these contract standards are contained in Appendix C. The GDOE will evaluate the use of these standards during its monthly review of grantee expenditures, and may request to see the grantee's contracting standards at any time. Costs associated with contracts **not** negotiated in accordance with federal regulations will be disallowed.

- **Statewide Standardized Testing**

Grant recipients must participate annually in all state standardized testing programs required by state law.

K. Application Instructions

The Georgia Department of Education will host a grant writing workshop for interested implementation grant applicants yearly. Applicants are not required to attend the workshop, but participation is strongly encouraged. All applicants are required to submit notification of their intent to apply for the implementation grant to the Department by September 1st of each year.

To apply for a competitive Implementation grant charter school must fill out the cover sheet form and provide an abstract and a project narrative answering sections **A through L** specified herein. Additionally each charter school must submit all appropriate assurances and certifications with the submitted application. For purposes of this application, grant applications will be deemed submitted to the Department if they are fully completed, along with all proper supporting documentation, and postmarked by the grant application deadline.

1. Cover Sheet (1 page).

2. Project Narrative (up to 20 pages). The *Project Narrative* should address Sections A – L, in that order. Applications should be self-contained and must include all relevant language in the *Project Narrative*, not merely refer to language in attachments, such as the Charter Application.
3. Project Budget Detail and Narrative (up to 5 pages). Must cover the entire 24 month project period.
4. Assurances pages (2 pages).
5. ED 80-0013 - Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters and Drug-Free Workplace Requirements form (1 page).
6. If applicant is a commission approved charter school, then the application must include a signed copy of the approved charter.

The complete application, including attachments, cannot exceed 40 consecutive pages.

L. Selection Criteria for Grant Applicants

The standard scoring criteria are based on a 100 point scale, with a minimum score of 70 points necessary for an application to be considered for funding. A proposal must have a score of at least 70 before preference points may be earned. The maximum possible score for each criterion is indicated in parentheses following each criterion. In evaluating an application, grant raters will consider the following criteria:

M. Project Narrative

Executive Summary and Project Goals

A. Executive Summary. Briefly describe your charter school, including the educational program, the school community, the school's origins and the vision of the school. Describe how the school plans to use grant funds to implement the school's vision. Please include the grades served during the first two years of operation, curricular focus or theme of the charter school. The executive summary should be no more than two double spaced pages. **(10 Points)**

B. Project Goals. List at least three project goals, with indicators, for the proposed grant that encompass the 24 month project period. At least two goals must address student academic achievement as measured by either the CRCT, GHSGT and Adequate Yearly Progress (AYP). Each listed goal should be specific, measurable, attainable, research-based and time-phased. As an example, "95% of all staff will receive training on curriculum and policy in year 1, 80% of staff will receive training in reading intervention, writing mastery, and student learning styles in year 2." The use of these grant funds should be directly correlated to student academic achievement. Project goals should relate to the school's goals listed in the charter school application. **(20 Points)**

Research-based Educational Program/ Comprehensive Design Aligned to Standards

C. Educational Program. Briefly describe the educational program that is or will be implemented by the charter school including any themes or key initiatives or instructional delivery methods. Demonstrate that the chosen curriculum is well-suited for the target or actual student population of the charter school. If the charter school serves grades 9-12, list the graduation requirements. Please describe how your educational program distinguishes your school from other educational options available to the student population that you are seeking to enroll. **(20 points)**

D. Support for Standards and Use of Data. Describe how the program is designed to support state and local academic content standards. Describe the school's plan to align the curriculum with the Georgia Performance Standards, particularly during the first years of operation. Explain which software the school will use to maintain achievement data. Describe the data disaggregation and manipulation capabilities along with an explanation of who on the charter school's staff will be managing the data. **(10 Points)**

Continued Operation

E. Describe how the local school board and governing board of the charter school will provide for continued operation of the school once this Federal grant has expired. If the applicant is not locally approved, please describe how the school will continue operations without the grant. **(5 Points)**

F. Explain how other federal, state, local, or private funds are or will be leveraged to assist the school to institutionalize effective practices. Note which federal title funds the charter school will be receiving and how the plan for the use of those funds (*e.g.*, the Consolidated Grant Application) was developed in conjunction with the authorizer. **(5 Points)**

Parent/Community Involvement and Board Governance

G. Parent/Community Involvement and Marketing. Describe how parents and other members of the community were or will be involved in the design and implementation of the school. **(5 points)**

H. Student Access Describe how students in the community will be informed about the school and given an equal opportunity to attend. Please describe your plan will assure equal access to the charter school for all students regardless of gender, race, national origin, color, disability, or age factors all student are given an equal opportunity attend the charter school including:

- The registration, application and enrollment period for the applicable school year,
- The preference procedures in place for students enrolled in the preexisting school (if applicable),
- The preference procedures in place for new students,
- An overview of the lottery procedures,
- The waiting list process, including the length of time the waiting list will be maintained,
- A description of how you plan to ensure that students with disabilities will be served. **(10 Points)**

I. Charter School Governing Board. Describe the composition of the governing board, *e.g.* parents, community members or staff, and their responsibilities or decision-making authority. List any prerequisites for individuals to serve on the governing board. Describe how board members were selected and their qualifications. Detail the training needs of the governing board and what board training has already occurred. Describe how the governing board's policies will be made available to parents. **(5 Points)**

Budget

K. Budget Narrative. Provide an overview of how grant funds will be used to address project goals and meet the needs of the charter school, charter school developers, or a public school seeking to convert to charter status. All expenditures should be related to one of the proposed project goals or objectives. **(10 Points)**

L. Budget Details. Using the budget detail, list the main line items for each project goal. The budget detail page in the Excel spreadsheet should include all detail sufficient to explain how the total line item amount was reached. No single line item should exceed \$30,000 without proper justification (*e.g.*, a technology line item should be broken down to the number of units and the cost per unit). Line items without proper justification will be denied. Fully describe the proposed budget for twenty four months. The proposed budget should not exceed the baseline amounts listed in Section D of this application. Additional information about Georgia Accounting Codes is located in Appendix B of this application. **(10 Points)**

PREFERENCE POINTS (optional)

You may choose to address these areas in your application, but there is no requirement that you do so. These elements are not included in the rubric, but may be awarded to qualifying applicants.

1. The charter school serves or intends to serve students most at risk for not meeting state academic standards, especially among under-resourced students in rural or urban areas. **(5 Preference Points)**
2. The majority of the school's enrollment will be secondary students. **(5 Preference Points)**

All budget line items should contain enough detail for the Georgia Department of Education to understand how funds will be used, such as the level of effort of employees and contractors and the volume/unit cost of supplies and equipment, and how ongoing costs, if charged to the grant, will be sustained at the conclusion of the grant project period. The Charter School Division may require grantees to amend or modify their budgets if they contain unreasonable or non-allowable costs under federal guidelines.

Notes:

- Grant funds cannot be used for fundraising, lobbying, or for the purchase of land or facilities.
- Construction and remodeling expenses are limited to repairs expressly required to meet relevant law, local codes, ordinances or other applicable law or local regulation, or to ensure compliance with the Americans with Disabilities Act.

Georgia Charter School Program Implementation Grant Cover Page

School _____ System _____

School Address _____

School Contact Person _____

Telephone Number of School Contact _____

E-Mail of School Contact _____

E-Mail of Additional School Contact _____

Grade levels in the school _____

Number of Students projected when fully enrolled _____

Number of students projected in first year of operation _____

If your local board's grant approval policy requires board action, please complete this section. If board action is not required, please note and only the Superintendent's signature is required.

The signatures below affirm that submission of this application has been approved through official action of the _____ Board of Education at its _____(Date) board meeting.

Principal or Charter School Representative

Date

School System Superintendent

Date

Please submit one (1) original and three (3) copies (for a total of 4 submitted documents) of your application. Applications should be submitted to:

Charter Schools Division
Georgia Department of Education
2053 Twin Towers East
205 Jesse Hill Jr. Drive
Atlanta, Georgia 30334

Application Checklist

- **ALL APPLICANTS:** Be sure that you have included each of the following as part of your implementation grant application. All applicants must submit an **ORIGINAL** and **THREE COPIES** of each of the materials listed below, unless otherwise indicated.
 - Cover Page (original and three copies- total of 4) (form attached above)**
 - Project Narrative, including Abstract and Project Budget Detail and Narrative (original and three copies - total of 4) (instructions attached above)**
 - Assurances (original and three copies- total of four)(Appendix G)**
 - ED 80-0013 - Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters and Drug-Free Workplace Requirements form (original and three copies - total of four) (Appendix G)**
 - Note: Formatting of this document must be type-written or computer generated and must adhere to the guidelines specified herein.**

Applicants must send or deliver completed applications (**one original, three copies and an electronic version**) to:

Georgia Department of Education
Charter Schools Division
2053 Twin Towers East
205 Jesse Hill Jr. Drive, SE
Atlanta, Georgia 30334

APPENDICES

APPENDIX A.

Definitions of CSP Terms

Admissions Criteria: see Public Random Drawing

Approved Charter: A charter petition that has been approved by both the local authorizing entity and the State Board of Education (SBOE).

Authorized Agent: Superintendent of local education agency applying for funds. The authorized agent must verify and sign all official documents related to the grant award.

Authorizing Entity: A Georgia school district or county office of education, and the State Board of Education (SBOE) that has approved a charter petition, directly or on appeal.

Charter School: A charter school is a public school that provides instruction in any grades kindergarten through 12 grades and is approved by an authorized public chartering agency as a charter school under the provisions of *Education Code* Section 47600 et. seq.

Conflict of Interest: see Appendix C and the Non-Regulatory Guidance. Charter school and non-profit, public benefit corporation board members are regarded as governmental representatives and are subject to provisions of the Fair Political Practices Act and federal regulations found in 34 *Code of Federal Regulations* 75.525.

Conversion School: A conversion school is a traditional public school that converts to charter status under the processes established in *Education Code* sections 47605, 52055.5, 52055.55, or 52055.650.

High Quality: A high quality charter school is a school that has achieved NCLB Adequate Yearly Progress (AYP) goals and whose current annual independent audit contains no material exceptions or deficiencies.

Locally-Funded: Locally-funded is a funding designation that provides funding for charter schools through an LEA.

Lottery: See Public Random Drawing

Newly established Charter School: For purposes of the CSP, a newly established charter school is defined as a charter school that has not operated as a private school or under another SBE number, **and** has been in operation as a charter school for no more than one school year. Education Code section disallows the conversion of private schools to charter schools.

Public Random Drawing (Lottery): A lottery is a random selection process by which students are admitted to the charter school. The federal CSP program requires a charter school receiving CSP funds to hold one lottery that provides qualified students with an equal opportunity to attend the school. Charter schools cannot create separate lottery pools for any purpose, including the desire to ensure balance in areas such as gender, disabilities, languages, nationality and poverty.

A school seeking to avoid any imbalance in its student population should do so through its recruitment efforts. However, recruitment must be conducted in a manner that does not discriminate against students by race, color, national origin, religion, or sex, or against students with disabilities. Rather, the charter school may target additional recruitment efforts toward groups that might otherwise have limited opportunities to participate in the charter school's programs.

The CSP limits exemptions to the lottery to currently enrolled students (including students reside in the attendance area of a public school converted to a charter school), siblings of currently enrolled students. Children of founders and teachers may also be exempted from the lottery as long as the total number of students in this category is less than 10% of the total enrollment.

The CSP allows preferences only through a weighted lottery, and that they be given only when they are necessary to comply with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Equal

Protection Clause of the Constitution, applicable state law related to addressing these federal laws.

Schools that exempt students or give preferences to them for other reasons than those stated above are not eligible for grant funding through the federal Charter School Program.

Secondary school or students: A secondary school is a school that is composed of any combination of seventh through twelfth grades. A secondary student is any student enrolled in grades seven through twelve. A CSP applicant may be eligible for preference points if a majority of its students are in secondary grades.

Weighted Lottery: (see **Random Public Drawing**)

Appendix B

Allowable Expenses

Georgia Cost Codes

Purpose

The purpose of the CSP is to plan and open high quality charter schools throughout Georgia, and to share best practices developed within existing high quality charter schools with other charter and traditional public schools. All grant expenditures must support these overarching goals.

General Federal Guidelines

The CSP is federally funded and must adhere to all applicable federal law and regulations. General guidance regarding allowable expenses for federal grant funds may be found on Office and Management and Budget (OMB) Circular A-87. It is located on the OMB Web page at <http://www.whitehouse.gov/omb/circulars>. Of particular interest to CSP applicants is the prohibition of using federal grant funds for fundraising, civil defense, legal claims against the state or federal government, and contingencies. Further federal regulations expressly prohibit the acquisition of facilities and construction (*Code of Federal Regulations* 34 § 76.533).

Georgia Account Codes

Function Code

1000 - Instruction (Per unit cost under \$5000)

Instruction includes activities dealing directly with the interaction between teachers and students.

2100- Pupil Services

Activities designed to assess and improve the well-being of students and to supplement the teaching process. Activities include guidance, counseling, testing, attendance, social work, health services.

2210-Improvement of Instruction Services

Charter School Program Implementation Grant Rubric

Categories	Score 0-4	Score 5-7	Score 8-10
Abstract Score ____	Abstract does not provide enough information about the goal and outcome(s) of the project, the needs being addressed and the planned activities.	Abstract provides some information about the goal and outcome(s) of the project, the needs being addressed and the planned activities.	Abstract provides very clear information about the goal and outcome(s) of the project, the needs being addressed and the planned activities.
Project Goals Score ____	SMART Project goals are not addressed. Very limited or non-existent explanation of how each will be addressed through the proposed project. Did not include start and end dates with other significant milestones for a successful project.	Each area of the 8 Key Elements is mentioned; however, need more information on how each will be addressed through the proposed project. Included start and end dates with but lacked other significant milestones for a successful project.	SMART goals are provided with a thorough explanation of how each will be addressed through the proposed project. Included start and end dates with other significant milestones for a successful project.
Educational Program Score ____	The curriculum was noted but was vague or inadequately described.	The curriculum was noted but more information is needed to understand why the curriculum was chosen.	A thorough explanation of the planned curriculum needed to address the needs of the students was clearly explained.

Supplemental Curriculum Score ____	The curriculum was noted but was vague or inadequately described.	The curriculum was noted but more information is needed to understand why the curriculum was chosen.	A thorough explanation of the planned curriculum needed to address the needs of the students was clearly explained.
Literacy Score ____	Incomplete - 0 Points	Not applicable	Complete - 10 Points
Support for Standards and Use of Data Score ____	GPS or QCC standards that will be supported through this project were absent or minimal at best. Use of Data is vague.	GPS or QCC standards that will be supported through this project were noted but not fully defined. Use of Data is described but not clearly defined.	GPS or QCC standards that will be supported through this project were clear and fully defined. Use of Data is clearly and thoroughly explained.
Continued Operation Score ____	Cannot describe how the local school board and governing board of the charter school will provide for continued operation of the school once this Federal grant has expired. Vague description of how other federal, state, local, or private funds are or will be leveraged to assist the school to institutionalize effective practices	Can describe how the local school board and governing board of the charter school will provide for continued operation of the school once this Federal grant has expired, but the explanation is somewhat vague. Can describe of how other federal, state, local, or private funds are or will be leveraged to assist the school to institutionalize effective practices but does not	Strong description of how the local school board and governing board of the charter school will provide for continued operation of the school once this Federal grant has expired. Clear and thoughtful description of how other federal, state, local, or private funds are or will be leveraged to assist the school to institutionalize effective practices Describes in clear and concise fashion how the charter school will coordinate the Consolidated Application with the LEA or with the

		explain the Consolidated Application.	State (in the case of a State Chartered Special School)
Parental Involvement/Board Governance Score ____	Vague description of the composition of the governing board, <i>e.g.</i> parents, community members or staff, and their responsibilities or decision-making authority. Does not describe how board members were selected and their qualifications. The governing board's policies are made available to parents in an odd fashion (parents have to place an open records request).	Solid description of the composition of the governing board. List any prerequisites for individuals to serve on the governing board. Describes how board members were selected and their qualifications. Details the training needs of the governing board and what board training has already occurred.	Describe the composition of the governing board, <i>e.g.</i> parents, community members or staff, and their responsibilities or decision-making authority. List any prerequisites for individuals to serve on the governing board. Describe how board members were selected and their qualifications. Detail the training needs of the governing board and what board training has already occurred. Describe how the governing board's policies will be made available to parents
Budget Overview Score ____	Budget is inadequate to support the proposed project.	Budget needs clarification on the ability to support the proposed project.	Budget is fair and adequate to support the proposed project.
Budget Narrative Score ____	Budget Narrative is inadequate and does not explain the need for each proposed line item.	Budget Narrative supports the need for each proposed line item but requires more clarification.	Budget Narrative is clear and concise and fully explains the need for each proposed line item.

Total Possible Score: 110 Points

Abstract	Points Awarded:
Project Goals	Points Awarded:
Educational Program	Points Awarded:
Supplemental Curriculum	Points Awarded:
Literacy	Points Awarded:
Support for Standards and Use of Data	Points Awarded:
Continued Operation	Points Awarded:
Parental Involvement/Board Governance	Points Awarded:
Budget Overview	Points Awarded:
Budget Narrative	Points Awarded:
Total Points Awarded	
Preference Points	
Underserved Students	Point s Awarded
Secondary Students	Points Awarded

Fund As Is _____

Do Not Fund _____

Comments: _____



Charter School Implementation Grant Application Training

Tabitha Press
February 22, 2010



Goals and Objectives

- Provide an overview of the Implementation Grant Application Process and Requirements
- Increase awareness among charter leaders of critical importance of effective grant management to success and sustainability of charter schools
- Greater availability of relevant and practical information, tools, and technical assistance resources to design, implement, and sustain finance systems and practices

2



Agenda

- Charter Context
- Application Basics
- Budget Workshop
- Final Considerations

3



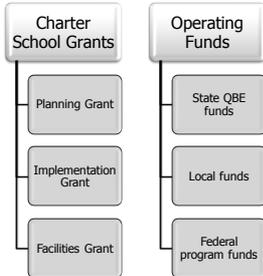
Charter Context

Charter School Funding
Federal Implementation Grants
Implementation Grant Deadlines
Implementation Grant Eligibility

4



Charter School Funding



5



Federal Charter School Grants

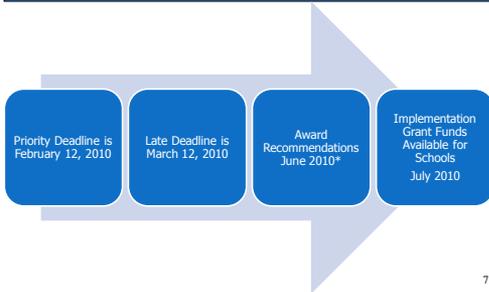
Implementation Grant	Dissemination Grant
----------------------	---------------------

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Only eligible charter schools can apply (New schools with an AYP designation) 2. 24 months 3. Peer-reviewed 4. To assist with start-up costs 5. Supplement not supplant | <ol style="list-style-type: none"> 1. Only eligible charter schools can apply (3 years of operation and making AYP) 2. 12 months 3. Peer-reviewed 4. To share best practices that can be replicated throughout Georgia |
|--|--|

6



Implementation Grant Deadlines for Commission Approved Schools



7



Determining Eligibility

- **Newly Established Charter School:** A Newly established charter school is defined as a charter school that has not operated as a private school or under another SBE number, and has been in operation as a charter school for no more than one school year. Education code disallows the conversion of private schools to charter schools.
- **High Quality:** A High Quality charter school is a school that has achieved NCLB Adequate Yearly Progress goals and whose current annual independent audit contains no material exceptions or deficiencies

8



Can a for-profit entity apply for a grant?

- For-profit entities are **NOT** eligible applicants.
- Charter School can contract with a for-profit entity to provide management services.
- Each charter school **MUST** supervise the administration of the CSP grant.

9



A Charter School is Eligible if:

The school will open during the 2010-2011 School Year

The school complies with all applicable state and federal laws.

The school has a written performance contract with the Department of Education.

10



A Charter School is NOT Eligible if:

The school will not be open during the 2010-2011 School Year

The school will not enroll any full time students or receive an AYP designation

The School does NOT comply with applicable State and Federal laws.

11



Application Basics

12



Application Basics

- Plan together
 - Students, parents, educators, community members
 - Select a lead writer who will create a unified document
- Review Requirements
 - Read the application
 - Ask for additional clarification

13



Application Components

- Coversheet
- Project narrative
 - Sections A-L
- Project Budget Detail and Narrative
- Assurances (Signed in **BLUE** ink)
- ED 80-0013

14



Project Narrative

- Abstract
 - Should be one page or less
 - Provides an overview of your school's mission.
 - Remember the reviewers are NOT familiar with your school.
- Common Mistakes
 - Exceeding the length
 - Discussing at length biographical background

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Project Narrative Continued

- **Project Goals**
 - 3 quantifiable goals
 - Should be measurable by the end of the grant period
 - Directly related to raising academic achievement
 - Do NOT have to be the same as in charter
- **Common Mistakes**
 - Listing less than 3 goals
 - Goals that aren't academic in nature
 - Non-measurable goals

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Project Goals Examples

- A. At least 90% of staff will participate in Core Knowledge, Open Court and Saxon Math trainings during the first three years of the school's operation.
- B. The number of 5th grade students meeting and exceeding expectations on the Math CRCT will increase from the baseline of 70% in 2009 to 75% in 2010, 80% in 2011.

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Educational Program

- **Educational Program**
 - Opportunity to explain Charter curriculum
 - Discuss how curriculum is developed
 - Provide data and graduation requirements
- **Common Mistakes**
 - Not linking chosen curriculum with raising academic achievement
 - Assuming that the reviewer is already familiar with chosen curriculum

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Supplemental Curriculum

- Additional programs that are not part of the core curriculum
 - Examples: SpringBoard, Study Island, Math Counts
- Common Mistakes
 - Classifying special education services or ELL services as supplemental
 - Skipping section

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Literacy

- Describe in detailed the core reading program for the charter school.
 - Include supplemental curriculum
 - Link literacy to project goals
- Common Mistakes
 - Not providing data, target population or justification for curriculum



Support for Standards and Use of Data

- Include information on how the chosen curriculum aligns with Georgia Performance Standards.
 - Student assessments
 - Data collections and analysis
- Common Mistakes
 - Vague use of Data
 - Non-compliance with state mandated assessments

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Operations

- School information System
 - What system? Training?
- Governing Board Training
 - Continual operation, oversight, review
- Fund Leverage
- Consolidated Application
 - Required to receive Title funds

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Parental and Community Involvement

- Describe how parents contributed to the development of the curriculum and the implementation of the charter.
 - Will parents sit on the governing board?
 - How will parents be engaged in school activities?
 - How will the school bring in community partnerships?
- Common Mistakes
 - Does not address the questions listed above

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Budget Workshop

Supplement Vs. Supplant
 Allowable vs. Non-allowable Funds
 Budget Forms
 Budget Narrative

24



Implementation Grant: Funding

- Recommended funding amounts for 2 year cycle:
 - Conversions: \$200,000
 - Start-Up Charter Schools: \$400,000
 - State Chartered Special Schools, Commission Approved Schools: \$600,000
- Funding is determined by:
 - Type of Charter School, Need, Strength of Application

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Supplement vs. Supplant

Supplement	• Pays for TRUE start up costs	Supplant	• Uses funds for a cost that the state or federal government provides funding for.
Supplement	• Hire a curriculum director for 3 months.	Supplant	• Salary for Lead Administrator for the school year
Supplement	• Send 20 teachers to attend national IB training.	Supplant	• Send 20 teachers to local district training

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Allowable Expenses

- Supplies, materials, furniture, computers and other equipment.
- Salaries and benefits for KEY staff during the START-UP phase only.
- Staff and student recruitment materials and activities.
- INITIAL Staff Training
- Consultant services to help develop curriculum etc.
- ADA Compliance (up to \$5,000)
- Conference Attendance
- Library Books

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Non-Allowable Activities and Costs

- Salaries for individuals involved in the school's ongoing program.
 - Lead Teacher salary, Spanish Teacher salary
 - Any employee of an EMO
- Lease Payments
 - Facility grant
- Contracted service for payroll
- Routine student transportation
- On-going staff development/training required by EMO

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Additional Non-allowable Expenses

- Playground equipment, athletic equipment, or sports, uniforms
- Repairs and maintenance of classrooms or building
 - Fire Alarm, bell systems, refrigerators/freezers,
- Planning and zoning, traffic studies, demographic studies, or site inspections
- Food or cafeteria equipment
- Microwaves, outdoor tables, or reception furniture
- Furnishings and equipment for staff offices, or Administrative supplies
 - Other administrative expenses such as a PA system or flags
 - Blackberries, cell phones, telephones, walkie-talkie radios



Is this expense allowable?

- 3 months Salary of Principal from June 2010 to August 2010 **Not Allowable**
- 3 months Salary of Janitor **Not Allowable**
- Installing a ADA compliant Ramp for \$3,000 **Allowable**
- Painting classrooms **Not Allowable**
- Purchase a used bus **Not Allowable**
- 30 computers for classroom use **Allowable**

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Budget Forms

- Budget forms are found on the Charter School Division's [website](#)
- 2 separate budgets are needed Year 1 and Year 2
- Detailed sheets must be provided
 - Access each detail sheet via the tabs located at the bottom of the excel document

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Budget Details

- Excel Spreadsheet/Budget Narrative
 - What grades will be using the item?
 - What room will the furniture or equipment be used in?
 - What staff members will be attending the training? How many?
 - What is the name of the software?
 - What is the average cost per item? How many items do you wish to purchase?

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Commission Specific Budget Items

- Each Commission school needs to budget for the following items:
 - Student Information System
 - Data Collection Individual Training
 - Independent Audit
 - Special Education Services

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Managing the Award

Commingling of grant funds is prohibited:

- Only the school that receives the grant award may benefit from the award. Funds may **not** be used to purchase goods or services for another school at the same location or under the same management as the recipient school.
- Grant recipients must be able to track all expenditures back to the funding source.

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Budget Narrative

- Each applicant must include a narrative about the items listed in the budget.
 - Budget detailed sheets are NOT sufficient
- Each item should be linked to student achievement.
 - Example: 30 desktop computers at \$300 each (\$9,000) to staff each classroom with 3 computers. Classroom computers will allow students access to the Math Counts software program which will play a key role in increasing Math CRCT scores.

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Competitive Review Process

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Competitive Review Process

- 3 Raters
 - Rubric is located on the DOE website
 - Yearly training
 - Conflict of interest forms
- All applications must receive 2 passing scores of 70 or higher to be recommended for funding.
- Review process approximately 3 weeks

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Competitive Review Process

- 3 reviewers
 - Rubric is located on the DOE website
 - Yearly training
 - Conflict of interest forms
- All applications must receive 2 passing scores of 70 or higher to be recommended for funding.

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Competitive Review Process

- Roxanne Tulloss works with the reviewers
 - Reviewers are selected and screened in adherence to GADOE guidelines.
 - Reviewers enter into a contractual agreement to rate applications using the provided grant rubric.
 - Reviewers receive training and understand our mutual expectations.
- Reviewers have 3 weeks to review each application

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Preference Points

- Competitive points awarded based on an applicant's projected student enrollment
 - Secondary students
 - Students most at risk for not meeting state academic standards either in rural or urban areas

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Final Considerations

Lessons from the Field
5 Ways to Raise Your Score
Questions

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Lessons from the Field

- Applications should be stapled NOT bound,
- Additional attachments are not necessary and will NOT be read
- Double check that all assurances are signed and returned

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5 Ways to Raise Your Score

1. Check for grammatical errors and spelling mistakes
2. Ensure that application is readable and LOGICAL
3. Lottery compliance
4. 4 hard copies and 1 electronic copy
5. Standard professional formatting

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Contact us

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Questions



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Georgia Charter Schools **Grant Program**

Dissemination Grant Cover Sheet, Application Packet, and Forms

4 copies (an original and 3 copies) and an electronic copy to:
Charter Schools Division
Georgia Department of Education
2053 Twin Towers East,
205 Jesse Hill Jr. Drive
Atlanta, GA 30334

**Georgia Department of Education
Charter School Program Dissemination Grant Cover Page**

School	System
School Address	
School Contact Person	Telephone Number of School Contact
E-Mail of School Contact	E-Mail of Additional School Contact
Grade Levels in the School	Number of Years Charter School has been operating
Number of students	

If your local board's grant approval policy requires board action, please complete this section. If board action is not required, please note and only the Superintendent's signature is required.

The signatures below affirm that submission of this application has been approved through official action of the _____ Board of Education at its _____ (Date) board meeting.

Principal or Charter School Representative

Date

School System Superintendent

Date

Please submit one (1) original and three (3) copies (for a total of 4 submitted documents) and an electronic version. Applications should be submitted to:

**Charter Schools Division
Georgia Department of Education
2053 Twin Towers East
205 Jesse Hill Jr. Drive
Atlanta, Georgia 30334**

Federal Charter School Program Requirements

In order to be eligible for federal charter school grant funds, a charter school must meet the federal definition of a charter school. All applicants must have their authorizer certify that the applicant meets all parts of the federal definition.

NCLB, Title V, Part B, Subpart 1, Sec. 5210. Definition Criteria	Complies	Does Not Comply
1. In accordance with a specific State Statute authorizing the granting of charters to schools, is exempt from significant state or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this paragraph [the paragraph that set forth the Federal definition]	<input type="checkbox"/>	<input type="checkbox"/>
2. Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction.	<input type="checkbox"/>	<input type="checkbox"/>
3. Operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public charter agency.	<input type="checkbox"/>	<input type="checkbox"/>
4. Provides a program of elementary or secondary education or both.	<input type="checkbox"/>	<input type="checkbox"/>
5. Is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution.	<input type="checkbox"/>	<input type="checkbox"/>
6. Does not charge tuition.	<input type="checkbox"/>	<input type="checkbox"/>
7. Complies with the Age Discrimination Act of 1975, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Part B of the Individuals with Disabilities Education Act.	<input type="checkbox"/>	<input type="checkbox"/>
8. Is a school to which parents choose to send their children, and that admits students on the basis of a lottery, if more students apply for admission than can be accommodated.	<input type="checkbox"/>	<input type="checkbox"/>
9. Agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such requirements are specifically waived by state statutes or rules.	<input type="checkbox"/>	<input type="checkbox"/>
10. Meets all applicable federal, state, and local health and safety requirements.	<input type="checkbox"/>	<input type="checkbox"/>
11. Operates in accordance with State law.	<input type="checkbox"/>	<input type="checkbox"/>
12. Has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to state assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school.	<input type="checkbox"/>	<input type="checkbox"/>

The signatures below affirm that the applicant meets all 12 parts of the federal definition of a charter school.

Principal or Charter School Representative

Date

Authorizer

Date

CHARTER SCHOOL DISSEMINATION GRANTS

Overview

Since 1995, the federal government has supported charter schools with the Public Charter Schools Program, authorized by Congress to provide start-up grants to schools. The states can reserve up to 10% of this allocation for dissemination grants. The purpose of the dissemination grants is to fund activities to disseminate information about the charter school and successful practices in the charter school.

Policymakers and state leaders have long contended that charter schools could drive change and improvement in the larger public school system by serving as models or laboratories of reform. This grant opportunity supports charter schools' efforts to form bridges with the larger system; to share best practices and insights; and to transform specific successes and lessons learned into broader reforms.

A charter school may receive a dissemination grant whether or not it has previously received a planning grant or implementation grant. A charter school may only receive one dissemination grant under this program.

NOTE: An already-operating charter school cannot use these grants to open a new campus. This program is not about supporting operations at the existing school or expanding franchises to more sites.

Eligibility

Charter schools in operation for at least 3 consecutive years that have demonstrated overall success including

- Substantial progress in improving student achievement including AYP standardized test results as compared to district and state,
- High levels of parent satisfaction, and
- The management and leadership necessary to overcome initial start-up problems and establish a thriving, financially viable charter school

Fundable Activities

A charter school may use such funds to assist other schools in adapting the charter school's program (or certain aspects of the charter school's program), or to disseminate information about the charter school, through such activities as --

(a) Assisting other individuals with the planning and startup of one or more new public schools, including charter schools, that are independent of the assisting charter school and the assisting charter school's developers, and that agree to be held to at least as high a level of accountability as the assisting charter school;

(b) Developing partnerships with other public schools, including charter schools, designed to improve student performance in each of the schools participating in the partnership;

(c) Developing curriculum materials, assessments, and other materials that promote increased student achievement and are based on successful practices within the assisting charter school; and

(d) Conducting evaluations and developing materials that document the successful practices of the assisting charter school and that are designed to improve student achievement."

For the legislative citation, see No Child Left Behind Act of 2001, Title V, Part B, Subpart 1, Sec. 5204.

Applicants must target one or more of the fundable activities listed above.

Grant Amount and Length of Award

Grant awards are expected to range from \$25,000 to \$150,000. Grant awards may be adjusted at the discretion of the reviewers to more accurately reflect reasonable project scope and costs. Applicants may submit either a one-year or a two-year proposed budget, depending on the number of years for which the charter school is applying. Funding for either a one-year or a two-year grant is contingent upon federal funding. Second year funds will be released pending satisfactory and timely performance reports. A one-year grant ends June 30, 2011; a two-year grant ends on June 30, 2012.

All products developed through the grant must state that the product or publication was developed under a grant from the Georgia Department of Education. The content, however, does not assume endorsement by the state government. **Dissemination grants are not to be used in any way towards the operation of the charter school. Funds are to be used exclusively for the preparation and dissemination of a product or service.**

The U.S. Department of Education publishes Education Department General Administrative Regulations (EDGAR) that includes regulations concerning income generated by the grant recipient as a result of grant-funded activities. EDGAR may be accessed at <http://www.ed.gov/offices/OCFO/grants/edgar.hatm> or (202) 260-9895. Attached to the end of this application are sections relevant to program income and equipment acquisition (Sections 74.24, Section 74.34, and Section 74.36)

Application Process:

Grant funds will be awarded in a competitive process by peer review. Eligible applicants will earn points by addressing the required criteria in this application packet and earn competitive points by addressing the state's priorities for this competition. The total number of points is 100 with an additional 10 competitive points available. An applicant must receive at least two scores of 70 from the three independent external raters to be recommended for funding. Schools may, if they wish, submit more than one proposal in any round for any amount up to \$150,000.

Formatting Requirements:

- All pages must be standard letter size, 8½” X 11” using 12 point font double spaced, one-inch margins.
- Staple or bind the pages of the original and of each copy. Do not use paperclips.
- Use a document footer with the name of the applicant and page numbers.
- Relevant support documents attached to the application must be kept to a maximum of 10 pages.
- Materials such as commercial publications and videotapes will not be reviewed.
- Incomplete applications or applications exceeding the page limitation or specifications will not be reviewed or considered for funding.

Applicants must submit the original and three copies of:

- Cover Sheet with required signatures
- Application – not to exceed 20 pages, excluding documentation
- Supporting Documentation – not to exceed 10 pages

Please submit application, 4 copies (an original and 3 copies) and an electronic version
to:

Charter Schools Division
Georgia Department of Education
2053 Twin Towers East, 205 Jesse Hill Jr. Drive
Atlanta, GA 30334

Mission/Eligibility (10 points)

- Describe when the charter school was established, the grades served, demographics of students, and academic success.
- Describe start up challenges and how they were overcome.
- Describe the extent to which the charter school takes advantage of the flexibility possible under Georgia's charter school law and waivers from local school policies as identified in the charter contract.
- Provide quantitative evidence of success/progress in improving student achievement.
- Substantial progress in improving student achievement including AYP standardized test results as compared to district and state,
- High levels of parent satisfaction, and
- The management and leadership necessary to overcome initial start-up problems and establish a thriving, financially viable charter school. Describe turnover rates of board members, administrators, and instructional staff.

Project Proposal (25 points)

The purpose of the dissemination grant is to promote best practices that improve student academic achievement. Projects should create and share a product or provide a service that can be used by a variety of publics including but not limited to other charter schools, local school districts and traditional public schools. Grant applicants are encouraged to develop partnerships with other charter schools using a similar model that may contribute to the dissemination of best practices. **All applications must propose to do one of the following:**

- Assist other individuals with the planning and startup of one or more new public schools, including charter schools, that are independent of the assisting charter school and assist charter school's developers, and that agree to be held to at least as high a level of accountability as the assisting charter school
- Develop partnerships with other public schools, including charter schools, designed to improve student performance in each of the schools participating in the partnership
- Develop curriculum materials, assessments, and other materials that promote increased student achievement and are based on successful practices within the assisting charter school
- Conduct evaluations and developing materials that document the successful practices of the assisting charter school and that are designed to improve student achievement.

Applicants must state which type of project they propose and provide a description of area(s) targeted for the dissemination activity to include a summary of the project plan and the project scope, including the number and types of schools and students that will benefit from the project.

- Describe your project's goals and how you will measure the goals.
- Describe your target audience. Describe how your project will be shared with a wide variety of audiences.
- Please include the specific activities that your project will undertake or products that you will develop. Describe your plan on how you will disseminate your product or service to others. Please include methods on how you will inform the public of the availability of your product or service.

Projects' goals and objectives should be aligned with Georgia's Charter School Program's goals and objectives. **Projects should cover at least one of the following topic areas to be eligible for funding:**

- Traditionally under-served student populations.
- Secondary education programs.
- Fiscal management
- Parent and community involvement

Project Impact (20 points)

Applicants must provide documentation that their proposed project will disseminate best practices to the targeted populations. Applicants should include the following:

- The process for developing or refining the project to be disseminated
- Strategies for outreach to potential recipients of the dissemination project
- Individuals responsible for completion of work, including collaborators or contractors (include resumes and/or biographical information for these individuals)
- Method of dissemination, including any use of statewide technical assistance organization(s) in the dissemination project
- Method and ability of applicant and recipient schools to sustain the benefit of the project after the grant period

Project Management Plan (10 points)

All applications are required to submit a comprehensive project management plan with their application. All management plans should have the following components:

- Project timeline with milestones
- Project staff members and bios

The abstract narrative should describe a direct relationship between the goals and objectives of the application, the planned use of funds requested, and the activities that are to occur during the grant period that will lead to positive impact on student academic

achievement. All project management plans should include benchmarks for the proposed project's goals.

Project Evaluation (15 points)

All proposed projects must include an evaluation plan. Please describe how you will evaluate your proposed project to determine if the project's goals and objectives are met. Please include the accountability measures that you will use to determine the success of the project.

Budget Detail Sheets and Narrative (20 points)

All applications must include the Georgia Budget Detail Sheets and a separate Budget Narrative. All applications must describe the planned use of the funds for the projects. Budget narratives must include information about how proposed expenses will allow the school to accomplish the project's goals and objectives.

- Describe the planned use of funds for all participants involved, including consultants.
- The budget should reflect the entire project period, up to two years. Funds need to be spent prior to June 30 of each year a grant is awarded. Note if any other funding sources will be contributing to this project.
- Please describe the school's fiscal autonomy from the local district. Please include information about the school's internal controls to ensure that expenditures will be used appropriately.
- Applicants are required to budget for free distribution of their proposed project. Applicants are not allowed to charge for their products or services associated with this grant.
- **NOTE: Dissemination grants must be used to supplement not supplant local or state funding. Funds are intended to increase the number and quality of Georgia charter schools.**
- All proposed projects are subject to revision. If a project is approved, the applicant will be required to submit a final budget that has been approved by their authorizer and approved by the GaDOE.
- All funded applicants are required to furnish a completed project to the GaDOE.

Allowable Costs and Activities: The following are examples of allowable costs and projects for the dissemination grant:

- Extended contract time for staff involved in the project including summer work time;
- Printing, copying, graphics production, artwork, publishing of materials. Equipment associated with any of these activities will be considered if it is a onetime purchase.
- Payment of consultants to support the work that is directly related to the dissemination project. Consultant expenses should be reasonable and not make up more than 40% of the project's budget.

- Travel costs associated with presenting at conferences, providing technical assistance, or planning associated with the dissemination grant.

ATTACHMENT – SELECTED EDGAR REGULATIONS

U.S. Department of Education, Office of the Secretary, Education Department General Administrative Regulations (EDGAR) The complete text of EDGAR may be accessed at <http://www.ed.gov/offices/OCFO/grants/edgar.html> or (202) 260-9895.

Program income means gross income earned by the recipient that is directly generated by a supported activity or earned as a result of the award (see exclusions in Sec. 74.24(e) and (h)). Program income includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under federally-funded projects, the sale of commodities or items fabricated under an award, license fees and royalties on patents and copyrights, and interest on loans made with award funds. Interest earned on advances of Federal funds is not program income. Except as otherwise provided in ED regulations or the terms and conditions of the award, program income does not include the receipt of principal on loans, rebates, credits, discounts, etc., or interest earned on any of them.

Sec. 74.24 Program income.

(a) The Secretary applies the standards contained in this section in requiring recipient organizations to account for program income related to projects financed in whole or in part with Federal funds.

(b) Except as provided in paragraph (h) of this section, program income earned during the project period must be retained by the recipient and, in accordance with ED regulations or the terms and conditions of the award, must be used in one or more of the following ways:

(1) Added to funds committed to the project by the Secretary and recipient and used to further eligible project or program objectives.

(2) Used to finance the non-Federal share of the project or program.

(3) Deducted from the total project or program allowable cost in determining the net allowable costs on which the Federal share of costs is based.

(c) When the Secretary authorizes the disposition of program income as described in paragraphs (b) (1) or (b) (2) of this section, program income in excess of any limits stipulated shall be used in accordance with paragraph (b) (3) of this section.

(d) In the event that the Secretary does not specify in program regulations or the terms and conditions of the award how program income is to be used, paragraph (b) (3) of this section applies automatically to all projects or programs except research. For awards that support research, paragraph (b) (1) of this section applies automatically unless the Secretary indicates in the terms and conditions another alternative on the award or the recipient is subject to special award conditions, as indicated in Sec. 74.14.

(e) Unless ED regulations or the terms and conditions of the award provide otherwise, recipients have no obligation to the Federal Government regarding program income earned after the end of the project period.

(f) If authorized by ED or the terms and conditions of the award, costs incident to the generation of program income may be deducted from gross income to determine program income, provided these costs have not been charged to the award.

(g) Proceeds from the sale of property shall be handled in accordance with the requirements of the Property Standards (See Secs. 74.30 through 74.37).

(h) Unless ED regulations or the terms and condition of the award provide otherwise, recipients have no obligation to the Federal Government with respect to program income

earned from license fees and royalties for copyrighted material, patents, patent applications, trademarks, and inventions produced under an award. However, Patent and

Trademark Amendments (35 U.S.C. 18) apply to inventions made under an experimental, developmental, or research award.

(Authority: 20 U.S.C. 1221e-3, 3474; OMB Circular A-110)

Sec. 74.34 Equipment.

(a) Title to equipment acquired by a recipient with Federal funds shall vest in the recipient, subject to conditions of this section.

(b) The recipient may not use equipment acquired with Federal funds to provide services to non-Federal outside organizations for a fee that is less than private companies charge for equivalent services, unless specifically authorized by Federal statute, for as long as the Federal Government retains an interest in the equipment.

(c) The recipient shall use the equipment in the project or program for which it was acquired as long as needed, whether or not the project or program continues to be supported by Federal funds and may not encumber the property without approval of the Secretary. When no longer needed for the original project or program, the recipient shall use the equipment in connection with its other federally-sponsored activities, in the following order of priority:

(1) Activities sponsored by the Federal awarding agency which funded the original project; and then

(2) Activities sponsored by other Federal awarding agencies.

(d) During the time that equipment is used on the project or program for which it was acquired, the recipient shall make it available for use on other projects or programs if other use will not interfere with the work on the project or program for which the equipment was originally acquired. First preference for other use shall be given to other projects or programs sponsored by the Federal awarding agency that financed the equipment; second preference shall be given to projects or programs sponsored by other Federal awarding agencies. If the equipment is owned by the Federal Government, use on other activities not sponsored by the Federal Government shall be permissible if authorized by the Federal awarding agency. User charges shall be treated as program income.

(e) When acquiring replacement equipment, the recipient may use the equipment to be replaced as trade-in or sell the equipment and use the proceeds to offset the costs of the replacement equipment subject to the approval of the Secretary.

(f) The recipient's property management standards for equipment acquired with Federal funds and federally-owned equipment shall include all of the following:

(1) Equipment records shall be maintained accurately and shall include the following information:

(i) A description of the equipment.

(ii) Manufacturer's serial number, model number, Federal stock number, national stock number, or other identification number.

(iii) Source of the equipment, including the award number.

(iv) Whether title vests in the recipient or the Federal Government.

(v) Acquisition date (or date received, if the equipment was furnished by the Federal Government) and cost.

(vi) Information from which one can calculate the percentage of Federal participation in the cost of the equipment (not applicable to equipment furnished by the Federal Government).

(vii) Location and condition of the equipment and the date the information was reported.

(viii) Unit acquisition cost.

(ix) Ultimate disposition data, including date of disposal and sales price or the method used to determine current fair market value where a recipient compensates ED for its share.

(2) Equipment owned by the Federal Government must be identified to indicate Federal ownership.

(3) A physical inventory of equipment must be taken and the results reconciled with the equipment records at least once every two years. Any differences between quantities determined by the physical inspection and those shown in the accounting records must be investigated to determine the causes of the difference. The recipient shall, in connection with the inventory, verify the existence, current utilization, and continued need for the equipment.

(4) A control system must be in effect to insure adequate safeguards to prevent loss, damage, or theft of the equipment. Any loss, damage, or theft of equipment shall be investigated and fully documented; if the equipment was owned by the Federal Government, the recipient shall promptly notify the Secretary.

(5) Adequate maintenance procedures must be implemented to keep the equipment in good condition.

(6) Where the recipient is authorized or required to sell the equipment, proper sales procedures must be established which provide for competition to the extent practicable and result in the highest possible return.

(g) When the recipient no longer needs the equipment, the equipment may be used for other activities in accordance with the following standards:

(1) For equipment with a current per unit fair market value of \$5000 or more, the recipient may retain the equipment for other uses provided that compensation is made to ED or its successor. The amount of compensation shall be computed by applying the percentage of Federal participation in the cost of the original project or program to the current fair market value of the equipment.

(2) If the recipient has no need for the equipment, the recipient shall request disposition instructions from the Secretary. The Secretary shall determine whether the equipment can be used to meet ED requirements. If no requirement exists within ED, the availability of the equipment shall be reported to the General Services Administration by the Secretary to determine whether a requirement for the equipment exists in other Federal agencies. The Secretary issues instructions to the recipient no later than 120 calendar days after the recipient's request and the following procedures govern:

(i) If so instructed or if disposition instructions are not issued within 120 calendar days after the recipient's request, the recipient shall sell the equipment and reimburse ED an amount computed by applying to the sales proceeds the percentage of Federal participation in the cost of the original project or program. However, the recipient shall be permitted to deduct and retain from the Federal share \$500 or ten percent of the proceeds, whichever is less, for the recipient's selling and handling expenses.

(ii) If the recipient is instructed to ship the equipment elsewhere, the recipient is reimbursed by ED by an amount which is computed by applying the percentage of the recipient's participation in the cost of the original project or program to the current fair market value of the equipment, plus any reasonable shipping or interim storage costs incurred.

(iii) If the recipient is instructed to otherwise dispose of the equipment, the recipient is reimbursed by ED for costs incurred in its disposition.

(iv) The Secretary may reserve the right to transfer the title to the Federal Government or to a third party named by the Federal Government when the third party is otherwise eligible under existing statutes. This transfer shall be subject to the following standards:

(A) The equipment must be appropriately identified in the award or otherwise made known to the recipient in writing.

(B) The Secretary issues disposition instructions within 120 calendar days after receipt of a final inventory. The final inventory must list all equipment acquired with grant funds and federally-owned equipment. If the Secretary does not issue disposition instructions within the 120 calendar day period, the recipient shall apply the standards of this section, as appropriate.

(C) When the Secretary exercises the right to take title, the equipment is subject to the provisions for federally-owned equipment.

(Approved by the Office of Management and Budget under control number 1880-0513) (Authority: 20 U.S.C. 1221e-3, 3474; OMB Circular A-110) [59 FR 34724, July 6, 1994, as amended at 60 FR 6660, Feb. 3, 1995] Sec. 74.35 Supplies and other expendable property.

(a) Title to supplies and other expendable property shall vest in the recipient upon acquisition. If there is a residual inventory of unused supplies exceeding \$5,000 in total aggregate value upon termination or completion of the project or program and the supplies are not needed for any other federally-sponsored project or program, the recipient shall retain the supplies for use on non-Federal sponsored activities or sell them, but shall, in either case, compensate the Federal Government for its share. The amount of compensation shall be computed in the same manner as for equipment.

(b) The recipient may not use supplies acquired with Federal funds to provide services to non-Federal outside organizations for a fee that is less than private companies charge for equivalent services, unless specifically authorized by Federal statute as long as the Federal Government retains an interest in the supplies.

(Authority: 20 U.S.C. 1221e-3, 3474; OMB Circular A-110)

Sec. 74.36 Intangible property.

(a) The recipient may copyright any work that is subject to copyright and was developed, or for which ownership was purchased, under an award. ED and any other Federal awarding agency reserve a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for Federal purposes, and to authorize others to do so.

(b) Recipients are subject to applicable regulations governing patents and inventions, including government-wide regulations issued by the Department of Commerce at 37 CFR Part 401--Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements.

(c) The Federal Government has the right to:

(1) Obtain, reproduce, publish or otherwise use the data first produced under an award; and

(2) Authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.

(d) (1) In addition, in response to a Freedom of Information Act (FOIA) request for research data relating to published research findings produced under an award that were used by the Federal Government in developing an agency action that has the force and effect of law, ED shall request, and the recipient shall provide, within a reasonable time, the research data so that they can be made available to the public through the procedures established under the FOIA. If ED obtains the research data solely in response to a FOIA request, the agency may charge the requester a reasonable fee equaling the full incremental cost of obtaining the research data. This fee should reflect costs incurred by the agency, the recipient, and applicable sub recipients. This fee is in addition to any fees the agency may assess under the FOIA (5 U.S.C.552(a) (4) (A)).

(2) The following definitions apply for purposes of this paragraph

(i) Research data is defined as the recorded factual material commonly accepted in the scientific community as necessary to validate research findings, but not any of the following: preliminary analyses, drafts of scientific papers, plans for future research, peer reviews, or communications with colleagues. This "recorded" material excludes physical objects (e.g., laboratory samples). Research data also do not include:

(A) Trade secrets, commercial information, materials necessary to be held confidential by a researcher until they are published, or similar information which is protected under law; and

(B) Personnel and medical information and similar information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, such as information that could be used to identify a particular person in a research study.

(ii) Published is defined as either when:

(A) Research findings are published in a peer-reviewed scientific or technical journal; or

(B) A Federal agency publicly and officially cites the research findings in support of an agency action that has the force and effect of law.

(iii) Used by the Federal Government in developing an agency action that has the force and effect of law is defined as when an agency publicly and officially cites the research findings in support of an agency action that has the force and effect of law.

(e) Title to intangible property and debt instruments acquired under an award or subaward vests upon acquisition in the recipient. The recipient shall use that property for the originally-authorized purpose, and the recipient shall not encumber the property without approval of the Secretary. When no longer needed for the originally authorized purpose, disposition of the intangible property shall occur in accordance with the provisions of Sec. 74.34(g).

(Authority: 20 U.S.C. 1221e-3, 3474; OMB Circular A-110)

[59 FR 34724, July 6, 1994, as amended at 65 FR 14407, 14416, Mar. 16, 2000]

Appendix E

2008-2009 Charter School Annual Report

1. Annual Report Executive Summary

2008 - 2009
Annual Report on
Georgia's Charter Schools

Georgia
Department of Education

Kathy Cox,
State Superintendent of Schools

Submitted to the State General Assembly on
December 31, 2009

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EXECUTIVE SUMMARY

2009 was a remarkable year for the Georgia Charter Sector. More than ten years have passed since the Charter Schools Act of 1998 allowed the creation of start-up charter schools in Georgia. Since that time, the charter sector in Georgia has expanded considerably, bringing new public school options to thousands of Georgia children and their families. Georgia continued its charter expansion efforts in 2009 and redoubled its efforts to ensure that charter schools meet rigorous student achievement goals. In 2009, 8 new charter schools opened their doors. In addition, Georgia awarded its first Commission charters to 9 start-up charter schools. Two of these schools existed as state chartered special schools until their transfer to the Commission at the beginning of the 2009-2010 school year. In December 2009, the Commission approved 7 new schools that plan to open in the fall of 2010. Currently, Georgia has 121 approved charter schools, which is more than twice the number of charter schools Georgia had just three years ago. As in all previous years, charter enrollment is up across the board, as Georgia parents increasingly view charter schools as viable and attractive public educational options for their children.

This increased growth and interest was reflected in new legislation as well. During the 2009 legislative session, the General Assembly passed a significant charter school facilities bill, House Bill 555, which requires local school districts to make unused facilities available to charter schools at no lease cost. This bill became effective July 1, 2009 and has already changed the facilities situation for many Georgia charter schools. In fact, many charter schools that formerly leased space from private landlords are now located in district-owned buildings, allowing such schools to use their operational funding directly in the classroom to improve student learning.

The other major development in 2009 was the establishment of the Georgia Charter Schools Commission, a single purpose, seven-member state level commission with the power to authorize charter schools directly. This Commission began its work early in 2009 and considered a total of thirty-eight applications for new or transfer charter schools by the end of 2009. The Commission has ushered in a new era of alternative authorizing in Georgia.

Georgia's charter sector also experienced increased national support and attention. The National Association of Charter School Authorizers awarded the State of Georgia with the Association's inaugural Award for Excellence in Improving Policy. This national award recognizes the progress in states that implement sound, highly effective charter school strategies. In addition, Georgia's local school districts are reflecting national trends by prioritizing charter schools as a school improvement and turnaround strategy, by utilizing chartering as one approach to engage parents, implement flexibility, and improve the achievement of students.

While the Department of Education ("Department") is pleased by this increased focus on chartering, our principal goal remains the same: providing high-quality, innovative educational opportunities for students through *quality* chartering, with a special emphasis on serving those students who are not succeeding in their traditional schools.

Georgia Charter School Facts at a Glance

Charter Schools by the Numbers

- 121 charter schools
- 64,949 charter students
- 65 start-up charter schools, 31 conversion charter schools
- 19 career academies, 4 charter systems
- 4% of public school students enrolled in charter schools

Charter School Academic Performance

- 85% of charter schools made AYP in 2008-09
- 61% of charter schools exceeded the student performance of their two closest schools
- 81% charter school high school graduation rate

Charter School Characteristics

- 1 single gender school
- 7 charter schools offer single gender classes
- 13 charter schools offer dual language instruction
- 12 charter schools offer an International Baccalaureate program
- Largest charter school: 4,689 students (Odyssey Charter School)
- Smallest charter school: 27 students (Fargo Charter School)

Charter School Landscape

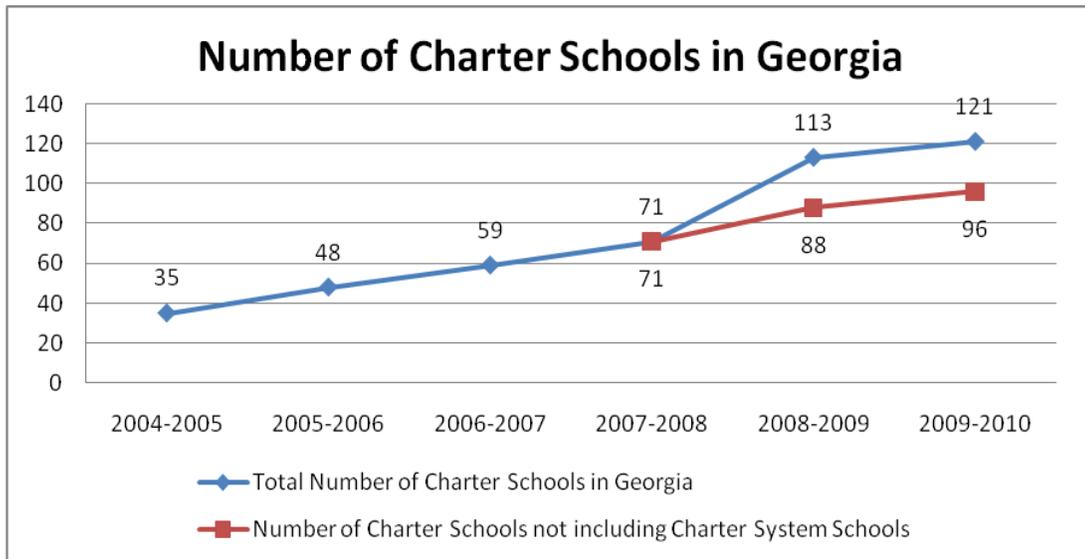
- 38 applications submitted to the Commission in 2009
- 36 applications submitted to the Georgia Department of Education in 2009
- Fulton County has the greatest number of charter schools (12)

This Annual Report is compiled annually by the Department of Education under the leadership of State Superintendent of Schools Kathy Cox and provided to the General Assembly by December 31. The Report is divided into three sections:

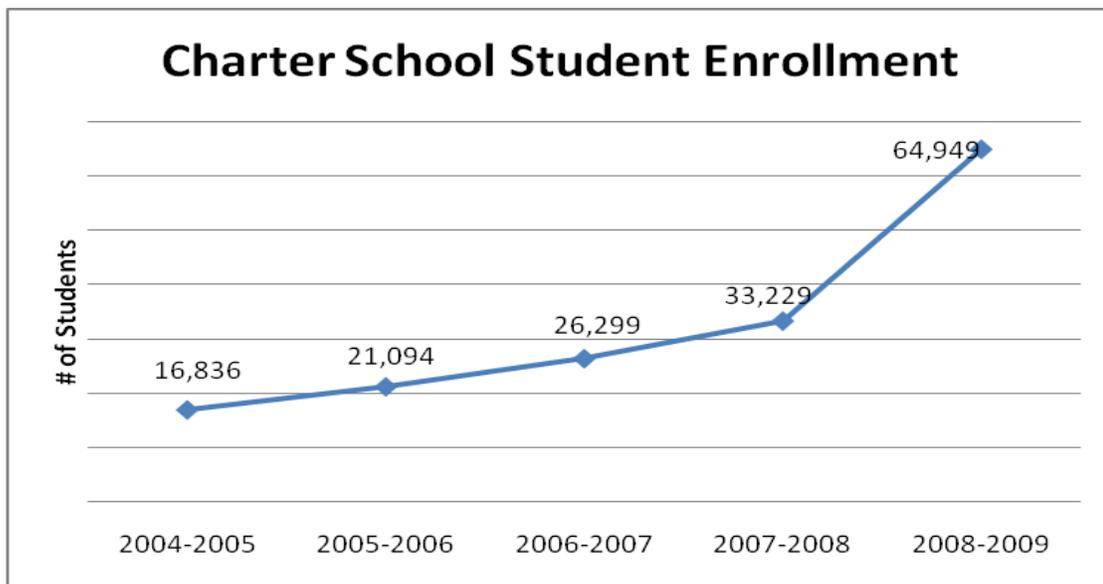
- A demographic overview of charter schools in Georgia, including enrollment numbers, student populations served, distribution of charter schools across the state, and related information;
- An analysis of student performance in charter schools using a variety of data points (AYP, CRCT, GHSGT, graduation rate, etc.), including comparison data with district, state, and local school averages and scatter plot diagrams showing charter school performance compared to the performance of similar schools; and
- An individual school report on every charter school and charter system in Georgia, with information on enrollment, AYP data, academic performance, performance on charter terms, and financial information.

I. Charter Schools in Georgia

The number of charter schools in Georgia has climbed steadily since the first three schools opened in 1995, two years after the Georgia Charter School Act passed in 1993. Since 1998, the first year start-up charter schools were allowed under Georgia law, charter schools have increased in visibility and prominence across Georgia. In the current school year, Georgia has 121 charter schools statewide.



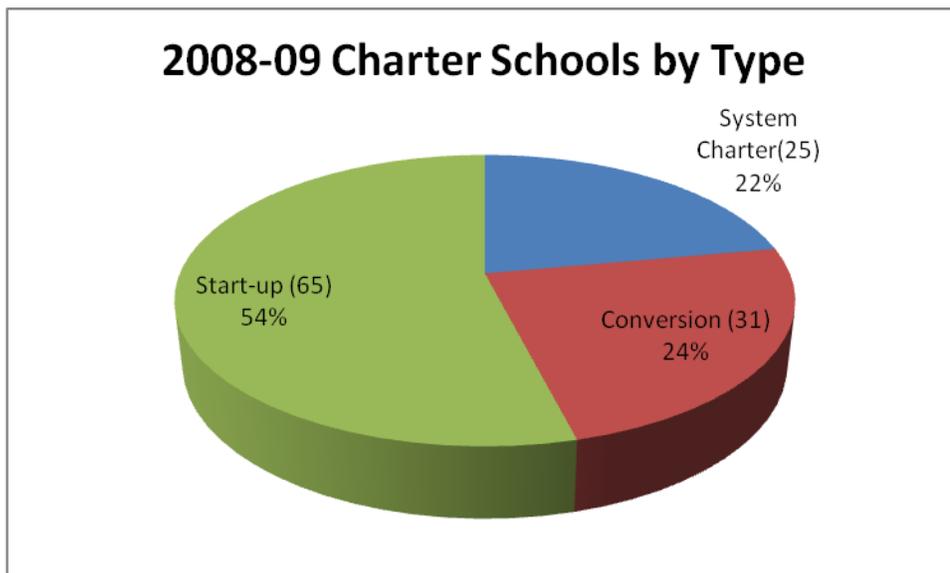
In the past year, charter school enrollment roughly doubled from 33,229 students to 64,949 students. The dramatic increase resulted from a significant expansion in authorization of charter schools since the 2006-2007 school year and from the continued growth in existing schools. Since the 2005-2006 school year, charter school enrollment has increased three-fold.



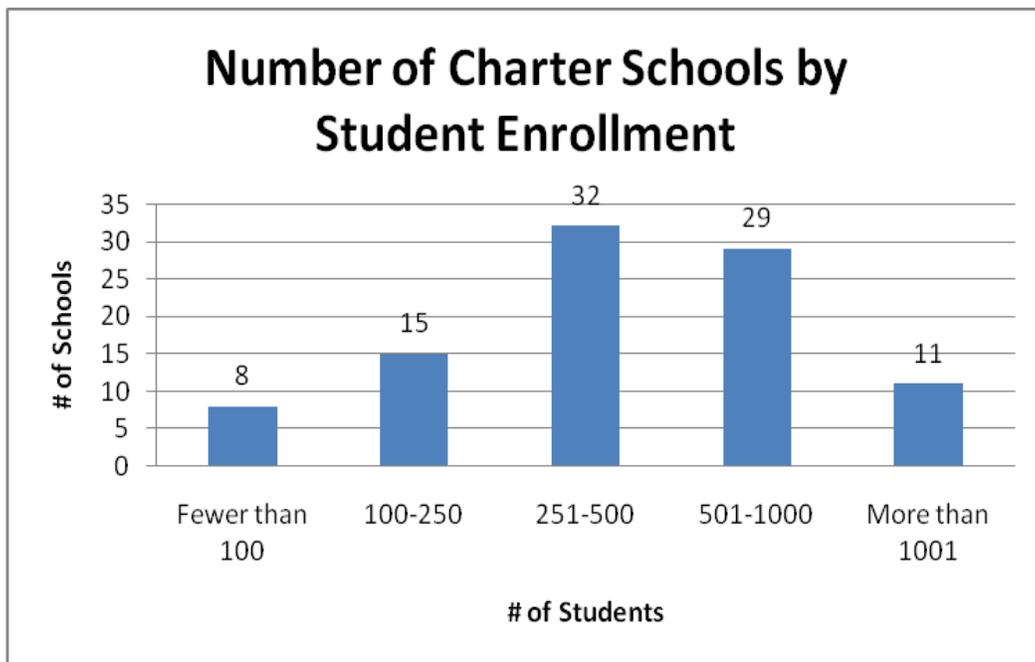
II. Charter School Characteristics and Demographics

Charter schools in Georgia are varied in both type and focus. Georgia law authorizes six distinct types of charter schools: Start-up Charter Schools; LEA Start-up Charter Schools; Conversion Charter Schools; State Chartered Special Schools; System Charter Schools; and Commission Charter Schools. (See Appendix A for a definition of each type of school.) In addition, several hybrid models are also authorized under law, including, for example, career academy charter schools (a start-up charter school, often with a dual enrollment, career/technical curriculum) and cluster charter schools (a conversion high school and all its feeder middle and elementary schools chartered together).

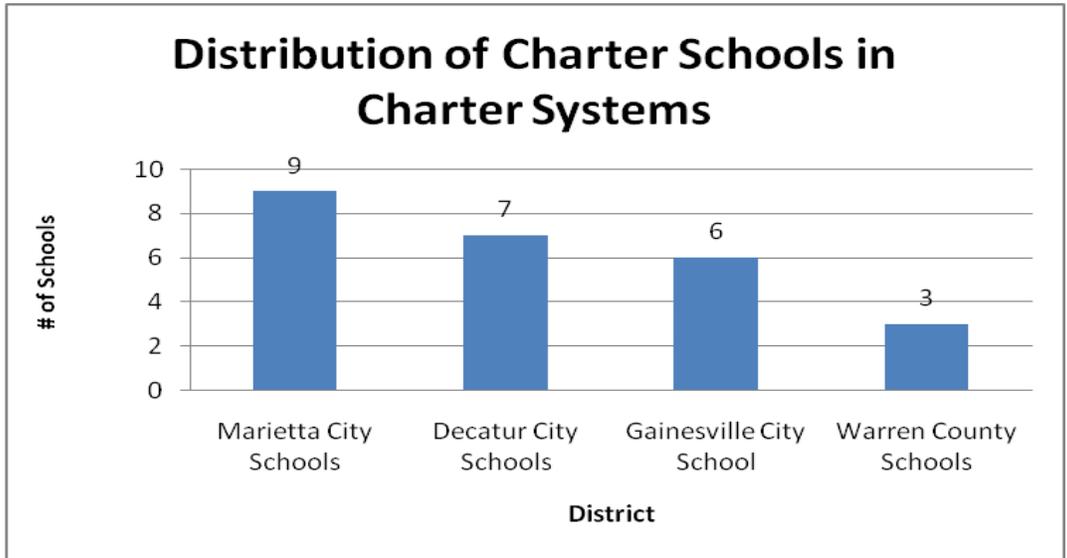
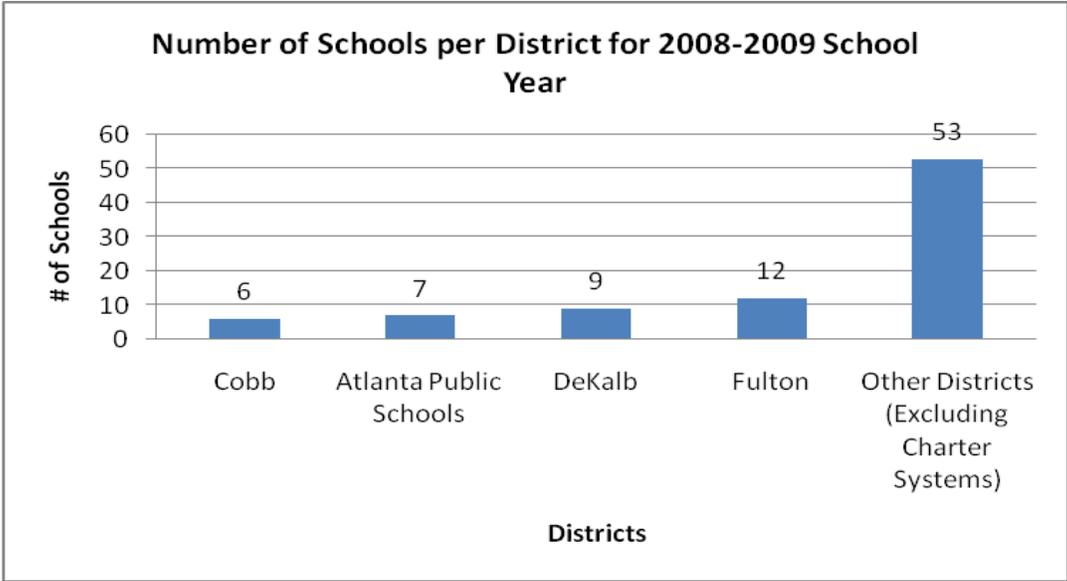
When the Georgia Charter Schools Act (“Act”) was first enacted in 1993, it only authorized conversion schools. Consequently, all charter schools in Georgia were conversion charter schools until 1998, when the Act was amended to allow for start-up charter schools. Since that time, the trend has been toward an increasing number of start-up charter schools, either conventional start-up charter schools or LEA start-up charter schools. Today, 54% of charter schools are start-up schools and just less than one-half of all charter schools were existing schools prior to becoming a charter in the 2008-2009 school year. This is a decrease in start-up schools from 2007, when 65% of all charter schools were start-up charter schools. The composition of charter schools changed dramatically over the past year as a result of four school systems becoming charter systems. The four systems—Decatur City Schools, Gainesville City Schools, Marietta City Schools, and Warren County Schools—comprise one fifth of Georgia’s charter schools. .



Traditionally, charter schools have been smaller than traditional public schools. In 2009, however, Georgia experienced a growth in the average enrollment of charter schools. While the majority of charter schools still have fewer than 500 students total, the growth of existing schools coupled with the addition of the four charter systems caused the average school size to increase. While the majority of schools still enrolls fewer than 500 students, an increasing number of schools are expanding their student populations. Indeed, the number of schools serving students with more than 500 students enrolled increased from 25 to 40 in the 2008-2009 school year. All the charter schools that enroll fewer than 100 students are start-up charter schools.

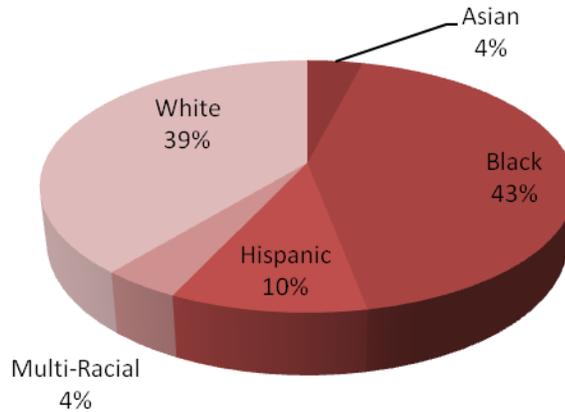


Charter school students are not evenly distributed among Georgia school districts. In fact excluding charter systems, the four districts with the largest number of charter schools – Cobb County Schools, DeKalb County Schools, Fulton County Schools, and Atlanta Public Schools – authorize almost half the charter schools in the state. These four districts also have the largest share of charter school enrollment, enrolling approximately 65% of all charter school students statewide. (The charter schools in these four districts tend to be significantly larger than charter schools in other districts across the state.) In fact, the largest single bricks-and-mortar charter school, with an enrollment of 2,587 students, is Walton High School in Cobb County.

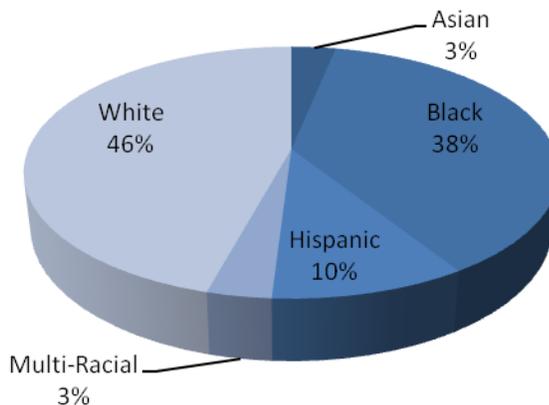


In terms of gender and racial composition, charter schools in Georgia are equally likely to enroll female students and are somewhat more likely to enroll racial minorities. In fact, when multiracial students are included, racial minorities comprise 61% of all charter school students, compared to 54% statewide: 43% of charter schools students are African-American (compared to 38% statewide); 10% are Hispanic (compared to 10% statewide); 4% are Asian (compared to 3% statewide); and 4% are multiracial (compared to 3% statewide).

Racial Composition of Georgia's Charter Schools



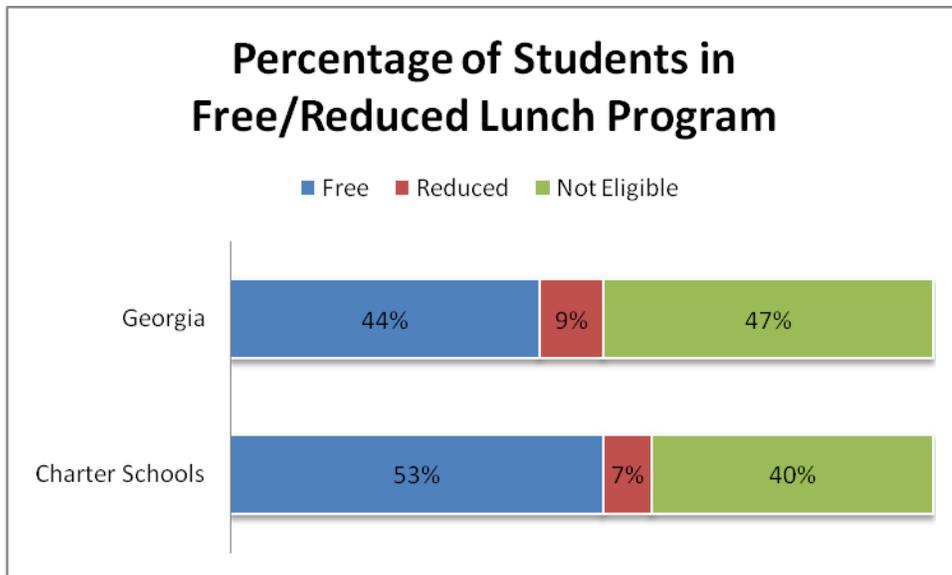
Racial Composition of Georgia's Schools



Finally, students who qualify for free and reduced lunch (“FRL”) are overrepresented in charter schools. During the 2008-2009 school year, 60% of students enrolled in charter schools were FRL qualified compared to 53% of students statewide. These figures are particularly significant in light of the claim that charter schools tend to “skim” more affluent students from traditional public schools. The data from Georgia, which is consistent with nationwide trends, shows that charter schools, on average, enroll a *less* affluent population than traditional public schools enroll.

Moreover, when the free lunch data is disaggregated from the reduced lunch data, it becomes clear that charter schools are even more likely to serve students that are in poverty. Under federal guidelines, students qualify for free lunch if their family has income up to 130% of the federal poverty level and for reduced lunch if their family has income up to 185% of the

federal poverty level. For illustration, a student from a family of three during the 2008 school year qualified for free lunch with a family income of \$22,880 or less, compared to \$32,560 or less for reduced lunch. As illustrated below, 60% of charter school students statewide qualified for free or reduced lunch in 2008-2009. The comparable rate for traditional public schools was 53%. When free lunch qualified students are separated from reduced price lunch, it becomes clear that charter school students tend to be relatively more economically disadvantaged: 53% of all Georgia charter school students qualified for free lunch, compared to 44% of traditional public school students who qualified for free lunch.



III. Charter School Student Performance

The question of whether charter school students outperform students enrolled in traditional public schools is the subject of increasingly rancorous debate in Georgia and nationwide. In 2009, this debate was heightened by two national studies, one completed by Caroline Hoxby examining charter student performance in New York charter schools and one completed by the Center for Research on Education Outcomes (CREDO) at Stanford University focusing on national charter school performance. These two studies, which have generally been described as arriving at competing conclusions, illustrate the challenges in interpreting charter school performance results.

In point of fact, the real issue – whether students enrolled in charter schools performed better than they would have performed had they attended traditional public schools – is difficult to answer because once students enroll in a charter school there is no baseline to determine how well they would have done had they stayed in traditional public schools.

Because of this difficulty, researchers use a number of methods to approximate presumed student performance, including controlling for certain factors known to impact student performance; conducting trend analysis showing whether student achievement accelerates the

Kathy Cox, State Superintendent of Schools
December 17, 2009 · Page viii

longer one is enrolled in a charter school; and using matched pair analysis where charter school students are matched with similar students who remain in traditional public schools and their performance is tracked over time. All of these approaches have their limitations, but they provide some useful data to determine the educational effectiveness of charter schools.

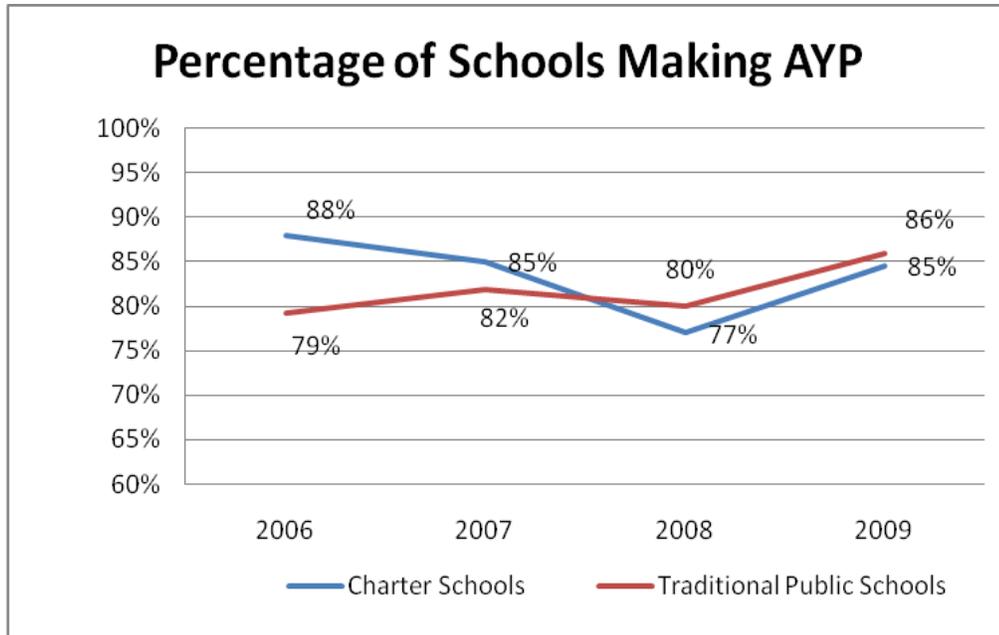
The following analysis of test scores is separated into three sections: (A) Adequate Yearly Progress data; (B) high school graduation rate comparisons; and (C) standardized test results. A review of each of these areas reveals that charter schools in Georgia, on average, have generally outperformed traditional public schools, both in absolute and relative achievement terms, with the exception of AYP figures, where charter schools made AYP at a somewhat lower rate than traditional public schools in 2009.

A. Adequate Yearly Progress Comparisons

Adequate yearly progress (“AYP”) is a relative achievement measure that determines whether a school’s test scores have improved from year to year in various subject areas and grade levels. It does not currently allow for a comparison of cohorts as they move through grades (*e.g.*, by measuring, for instance, the same class of students from year to year), however, so figures compare one group of students to another group of students. Nevertheless, AYP figures provide an overview of whether a school is improving from year to year, at least as measured by succeeding grades of students.

- ✓ 85% of all charter schools made AYP for the 2008-2009 school year
- ✓ 3 out of 4 charter systems made AYP (Decatur City, Marietta City, Gainesville City)
- ✓ 11 charter schools that failed to make AYP in the 2007-2008 school year made AYP in the 2008-2009 school year
- ✓ Two new start-ups made AYP in their first year of operation.

In 2009, Georgia charter schools made adequate yearly progress (“AYP”) at a rate slightly lower (85%) than traditional public schools (86%). This is due largely to an increased number of struggling traditional schools that have decided to use chartering as a school improvement strategy. Because of this new focus, it is even more important to break down AYP results by type of charter school.



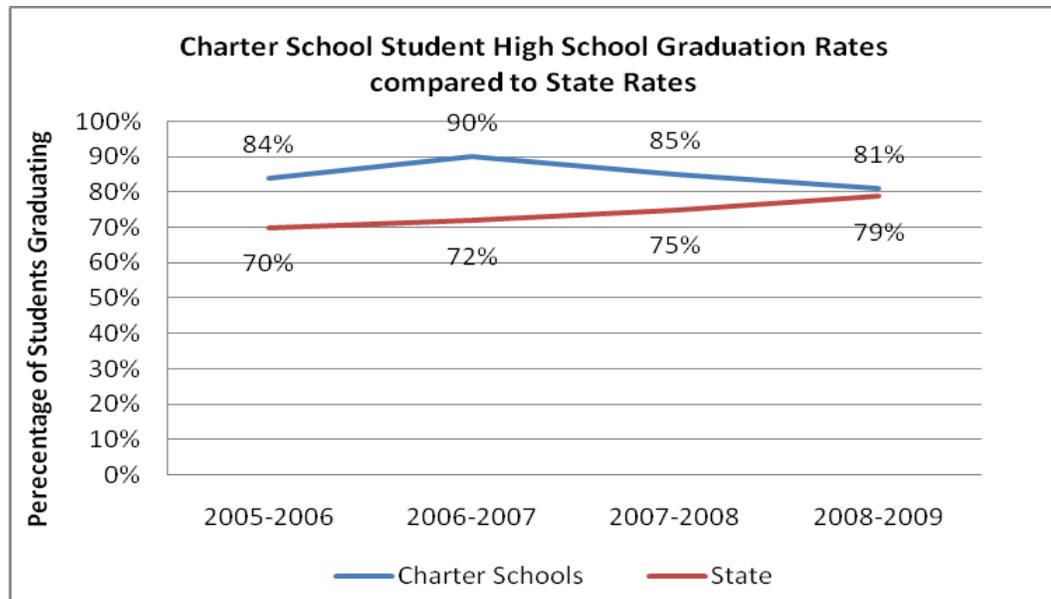
A more complete picture appears if charter schools are divided into three categories: conversions, start-ups and charter systems.

Start-up charter schools performed better than conversion schools. Of the 37 start-ups, 31 made AYP with an overall passing rate of 84%. Out of the 6 start-ups that did not make AYP, only one is in Needs Improvement Status and only two have been open more than two years.

Conversion school performance is somewhat weaker than start-up performance. Approximately 60% of conversion charter schools have made AYP for at least 3 consecutive years, a rate somewhat lower than start-up schools. In addition, several conversion charters have found success using chartering as a turnaround strategy. Murphey Middle Charter School, for instance, converted to charter status in 2007 and is currently in State-Directed Status. The 2008-2009 school year is the first time Murphey Middle Charter School has made AYP since AYP calculations began in Georgia. Of the six conversion schools that did not make AYP, four are high schools and the other two are using chartering as a turnaround strategy.

Three charter systems made AYP in 2009: Decatur City, Marietta City and Gainesville City. Neither Decatur City nor Marietta City made AYP in 2008, prior to becoming charter systems. For the second consecutive year, Warren County School District failed to make AYP based on Warren County High School's academic performance and graduation rate.

B. State High School Graduation Rates



Georgia charter high school graduation rates continue to outpace those from traditional high schools, though in the past two years the rates have declined somewhat. Because of the way high school graduation rates are reported, however, this statistic does not capture the effect of all charter high schools. Georgia has experienced a rapid two-year increase in the number of career academies statewide—there are now 19 approved career academies in Georgia, up from 7 only two years ago. Career academies are charter high schools that partner with the local school system to offer relevant career specific training and increase the local school system’s graduation rates. These career academies have experienced remarkable success, with reported graduation rates above 90% for all but one. Because career academies are programs rather than schools, however, this increase in the graduation rate is reported through the traditional high school and is not included in the charter school graduation rate, thus creating a somewhat artificially low graduation rate among charter high schools. When added to the official high school graduation rate to create an effective graduation rate among all charter schools including career academies, the overall charter school graduation rate soars to 88%.

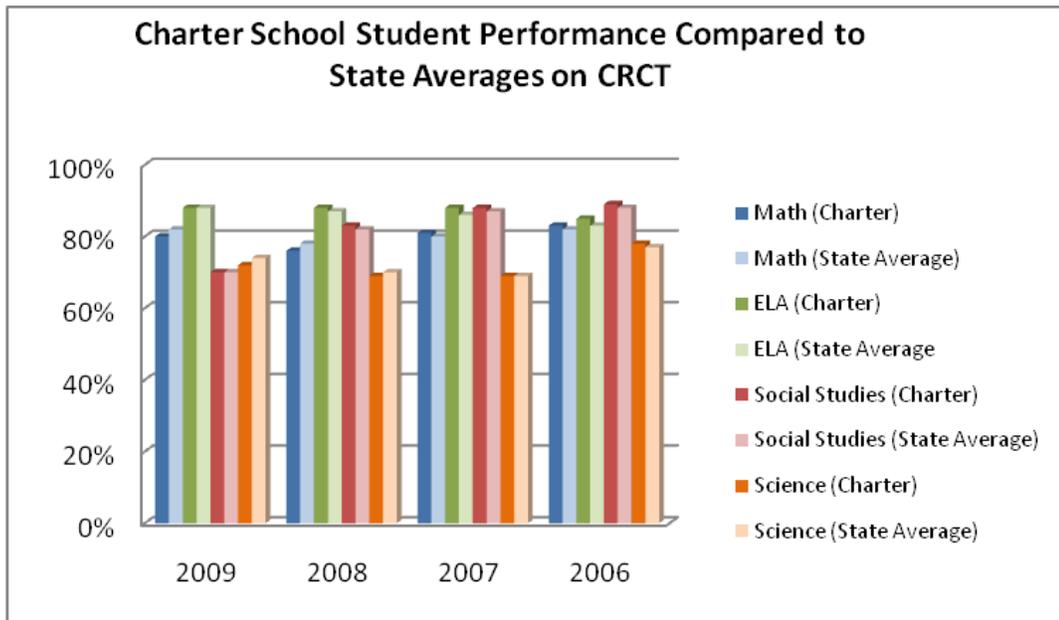
C. Standardized Test Results

➤ CRCT Results

Turning to standardized test results, the data reveals that Georgia charter school student performance has improved in most areas over time. The following figures depict the

performance on the Criterion Referenced Competency Test (“CRCT”)¹ in a variety of content areas over a four-year span. The subjects listed include Social Studies, English/Language Arts, Mathematics, and Science. Comparison scores for all students enrolled in traditional public schools are provided as well.

Georgia charter school students have traditionally performed at a slightly better rate than traditional public school students in most CRCT content areas over time. In the past two years, the achievement difference between charter schools and traditional public schools narrowed somewhat. There was no difference in the achievement results between charter school students and traditional public school students on the English/Language Arts CRCT or the Social Studies CRCT in 2009. Traditional public school students performed slightly better on the Mathematics CRCT and the Social Studies CRCT in 2009. The significance of these results should not be overstated, however, because the size of the difference is extremely small. The following charts compare the percentage of charter school students who passed the CRCT over the past four years with the state averages.



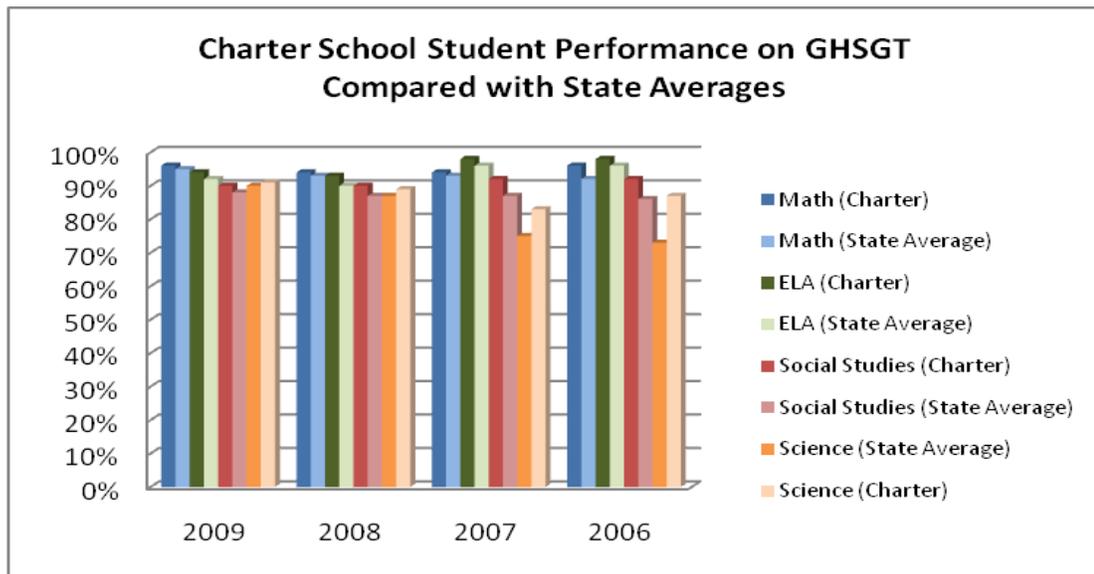
	2009	2008	2007	2006
Math	-2%	-2%	1%	1%
ELA	0%	1%	2%	2%
Science	-2%	-1%	0%	1%
Social Studies	0%	1%	1%	1%

*Calculated by subtracting state averages from the percentage of charter school students who met or exceeded standards on the CRCT.

¹ The CRCT test is administered in grades 1 – 8, while the Georgia High School Graduation Test (GHSGT) is administered to high school students.

➤ GHSGT Results

Over the past four years, charter school students performed slightly better on the Georgia High School Graduation Test (“GHSGT”) than their traditional public high school peers on all subject tests. While the achievement gap is relatively small for each subject year, it corresponds with the higher charter school graduation rates noted above. The continued outperformance is notable both for its length and consistency. Indeed, in 2009, as in every year since 2006, charter high school students had a higher pass rate than traditional public school students on every content area of the GHSGT.



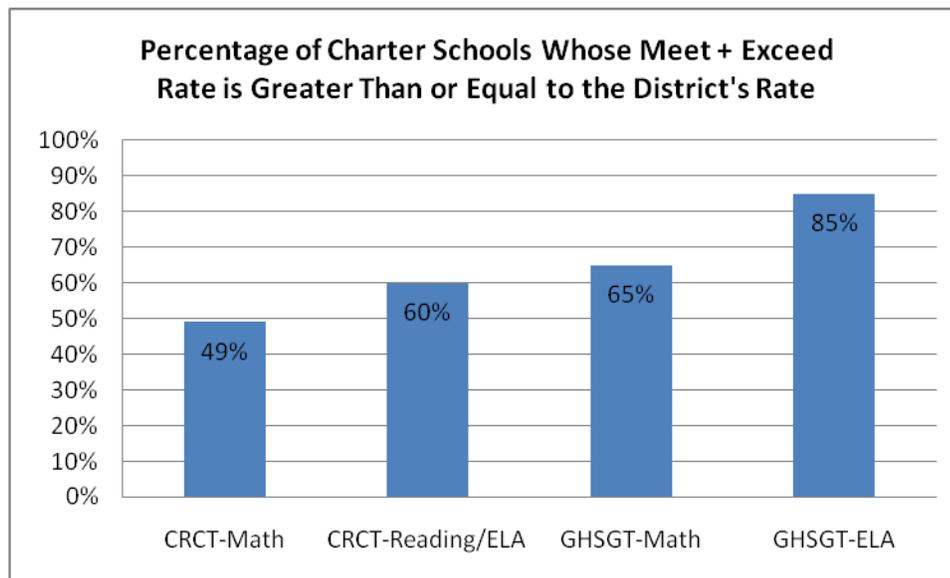
	2009	2008	2007	2006
Math	1%	1%	1%	4%
ELA	2%	3%	2%	2%
Science	1%	2%	8%	14%
Social Studies	2%	3%	5%	6%

*Calculated by subtracting state averages from the percentage of charter school students who meet or exceeded standards on the GHSGT

D. Comparative Achievement Results

The preceding data compares charter schools' overall student averages against the overall state averages. Because charter school students typically enroll in a local school within an existing school district, state averages are limited in their ability to make accurate local comparisons. Thus, it is important to consider whether charter school students in a given district performed better than other public school students in that same district. One way to examine this question is to determine the percentage of charter school students who either meet or exceed standards and compare that to the passage rate for the district in which the charter school is located.

The following chart depicts the percentage of charter schools whose meet and exceed rate is greater than or equal to the passage rate for the district in which the charter is located.



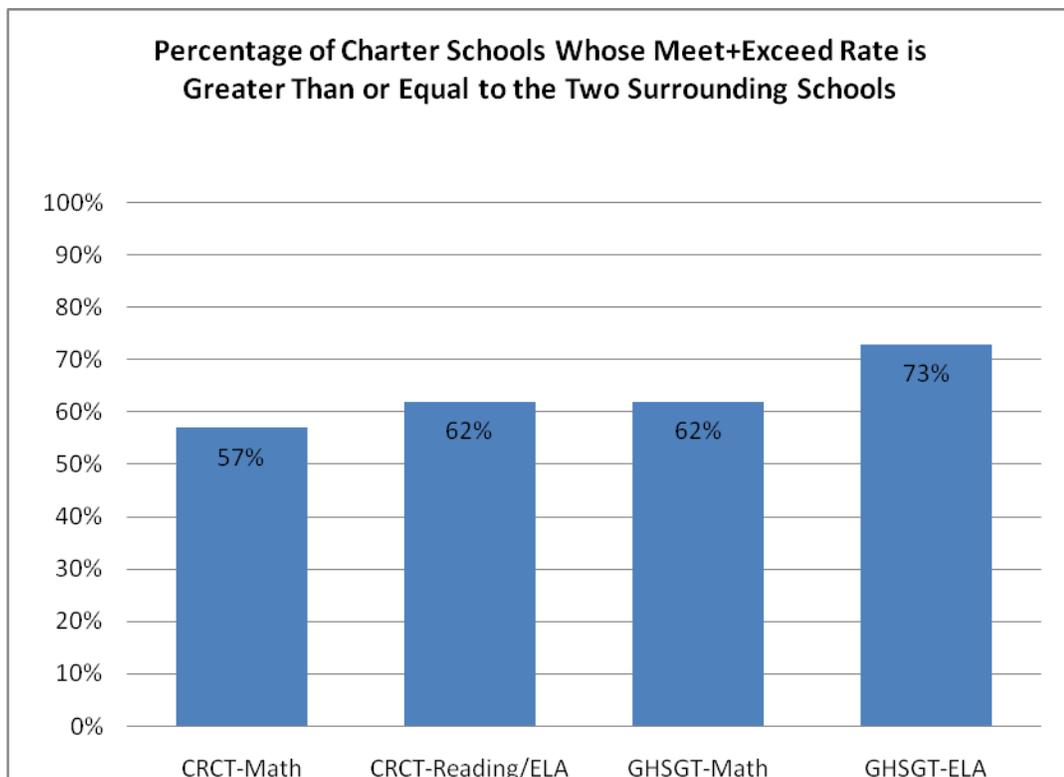
As illustrated above, the majority of charter schools exhibited an overall meet and exceed rate that was better than that of the district as a whole. The performance was strongest on the GHS GT for English/Language Arts, in which 85% of charter schools had a passage rate that was higher than the district average.

This comparison, while certainly more useful than statewide averages, is also somewhat limited by several relevant factors. First, in several Georgia districts, charter school demographics vary quite dramatically from the overall demographics of the district in which the charter school is located. For instance, a charter school might enroll a much higher proportion of English language learners or students with disabilities than the district generally. Comparing such schools to the overall district performance without controlling for relevant variables that affect student achievement might confound the analysis. Likewise, traditional public schools tend to enroll students from a specific attendance zone drawn adjacent to the school itself. While

some charter schools utilize this model, a far higher proportion of charter schools have county-wide attendance zones and some even enroll a substantial number of students from neighboring counties, in which case the comparison to the county performance in which the school is located might be inapt.

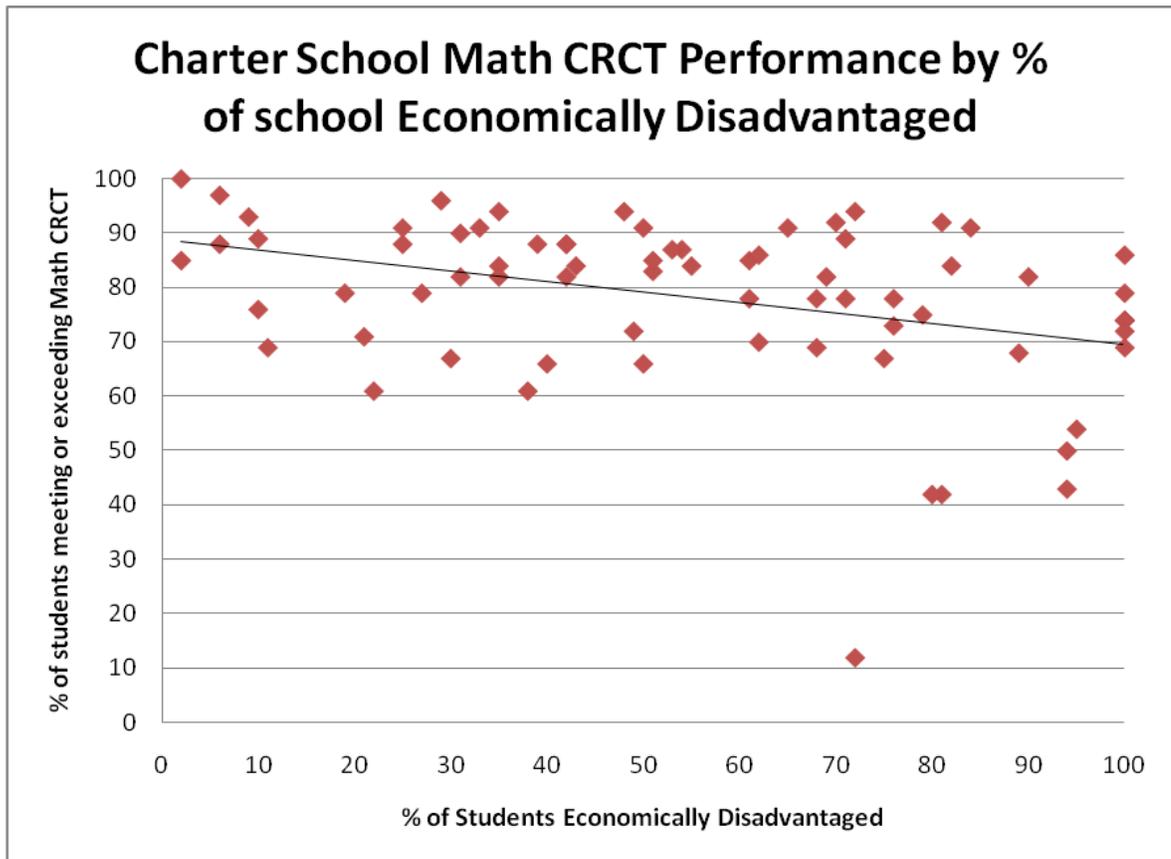
A finer level of detail is provided by comparing the percentage of charter school students who either meet or exceed standards to the neighboring school to which the charter schools' students would otherwise be zoned. This largely controls for the first challenge noted above because it locates the charter school within a specific portion of the district, likely the areas from which the charter school will enroll the majority of its students. After all, Georgia parents and students are not selecting among a composite statewide school, a composite district-wide school, and their zoned school. Instead, they are selecting between a specific traditional public school to which the student is zoned and a charter option. In most respects, this is the best comparison to answer the question of how charter schools perform.

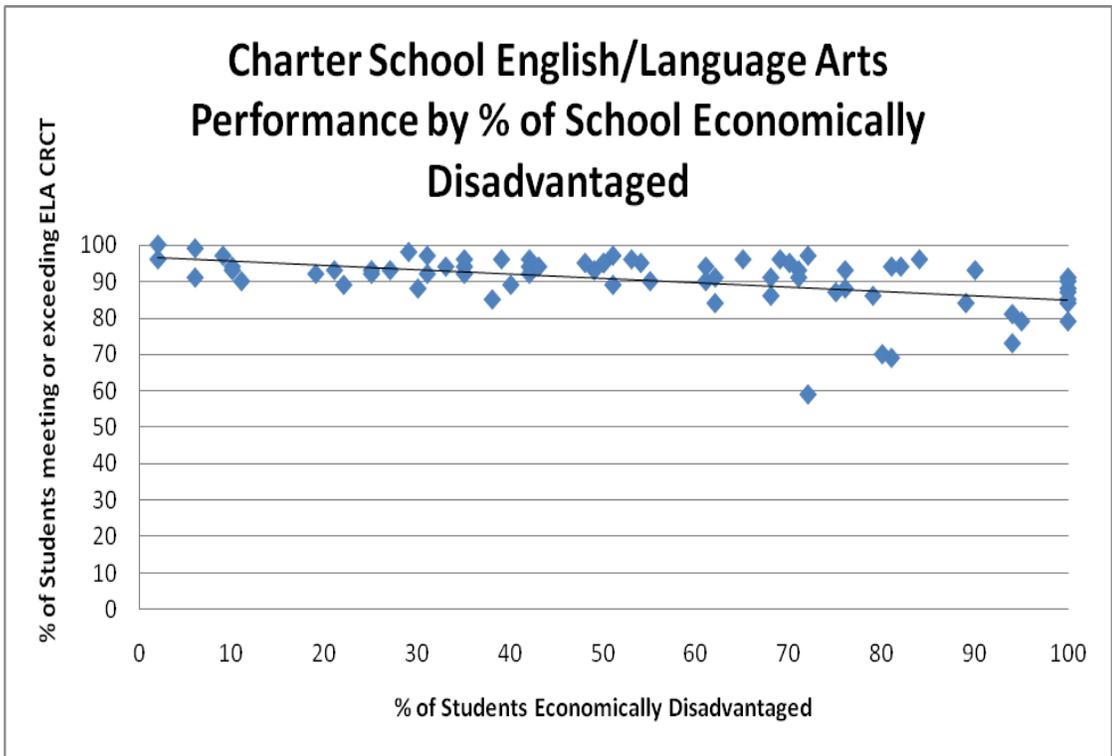
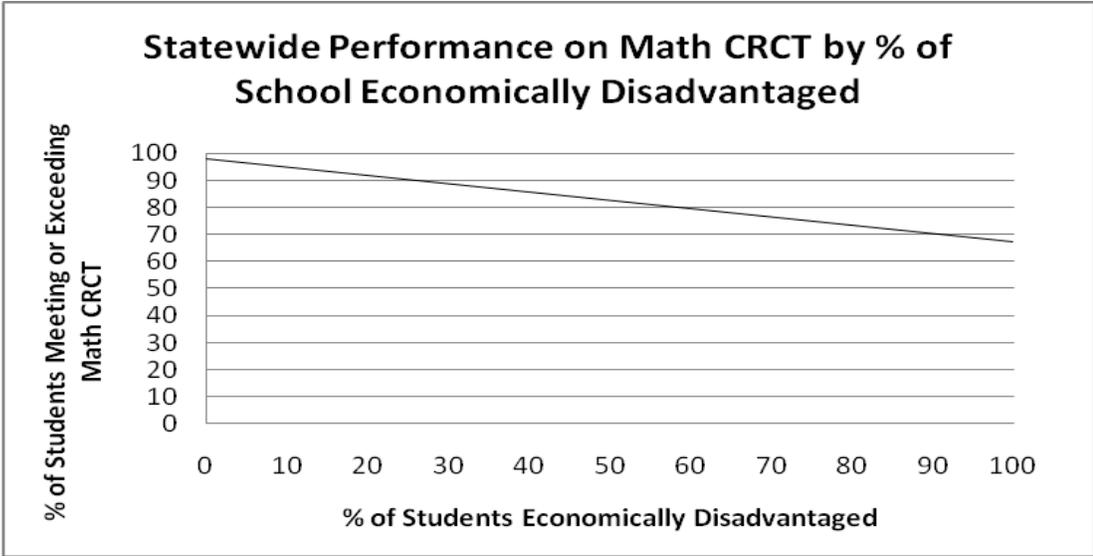
A review of this comparison demonstrates that the majority of charter schools outperform the two closest comparison schools and that charter schools fare even better in this analysis than they did in the district-wide comparison included above. For purposes of this analysis, comparison schools were defined as the two schools with the same grade span that are geographically closest to the charter school and are in the same school district.

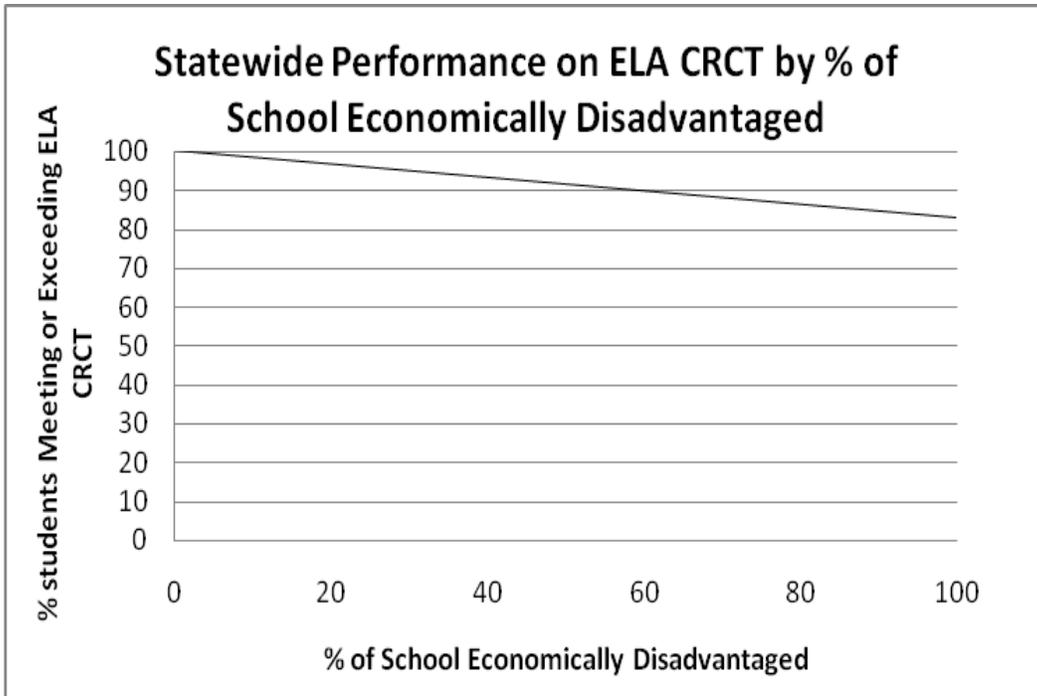


One final tool that is useful to determine relative charter school performance is to control for one of the factors that is most strongly correlated with student performance: economic disadvantage. A review of this data reveals that while charter schools, like traditional public schools generally, exhibit a negative correlation between economic disadvantage and performance, the trend line for charter schools is less steep than the state average. This pattern indicates that economically disadvantaged charter schools are more likely than their peers in traditional public schools to have closed the achievement gap with their more affluent peers.

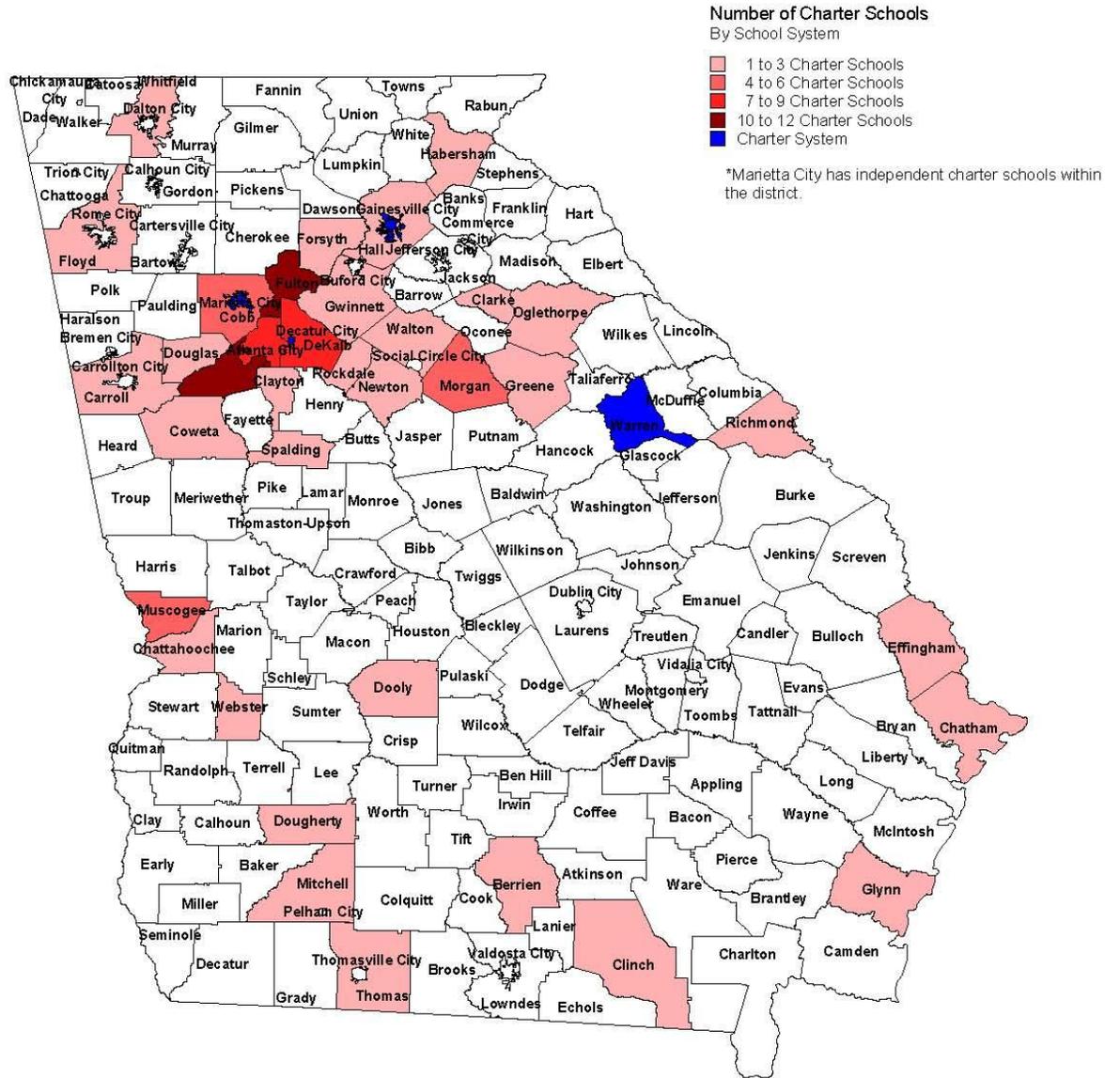
The scatter plot diagrams below represent relative performance by income on the math and English/Language Arts CRCT, respectively. After plotting a school's percentage of students who met or exceeded CRCT standards for individual subjects with the percentage of students who are classified as economically disadvantaged, the analysis shows that the achievement gap is smaller in English/Language Arts than it is in math. A statewide analysis shows a similar pattern. Accordingly, there is a stronger correlation between performance on the math CRCT and the percentage of the school's students who are economically disadvantaged than on the English/Language Arts CRCT. For both subject tests, there was a sharper negative correlation in performance for students statewide than for charter schools.







Charter Schools by School District October 2009



Georgia Department of Education
Kathy Cox, State Superintendent of Schools
Prepared by Data Collections
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Academic Performance of K-8 Charter Schools

						2008-09 CRCT Academic Data							
						Percent Meets or Exceeds ELA				Percent Meets or Exceeds Math			
School Name	District	School AYP Statu	District AYP Statu	% Minority Charter Schod	%Minority higher than District	Charter Scho	Local Distri	Better than the distric	Actual Relative Score	Charter Scho	Local Distric	Better than the distric	Actual Relative Score
Academy of Lithonia Charter School	DeKalb County	Y	N	99	Y	88	88	Equal	0	67	75	N	-8
Addison Elementary School	Cobb County	Y	N	39	N	98	94	Y	4	96	87	Y	9
Amana Academy School	Fulton County	Y	N	69	Y	97	94	Y	3	93	85	Y	8
Atlanta Charter Middle School	Atlanta Public Schools	Y	N	72	N	93	89	Y	4	72	78	N	-6
Baconton Community Charter School*	Mitchell County	Y	N	13	N	96	92	Y	4	94	81	Y	13
Brighten Academy	Douglas County	Y	N	35	N	94	90	Y	4	89	78	Y	11
Burruss Elementary School	Marietta City	Y	Y	66	N	89	90	N	-1	83	80	Y	3
CCAT School*	CCAT	Y	Y	21	N	95	92	Y	3	66	82	N	-16
Centennial Arts Academy	Gainesville City	Y	Y	59	N	95	90	Y	5	87	77	Y	10
Challenge Charter Academy*	Newton County	N	Y	70	Y	59	88	N	-29	12	75	N	-63
Charles R. Drew Charter School	Atlanta Public Schools	Y	N	98	Y	94	89	Y	5	84	78	Y	6
Chesnut Elementary School	DeKalb County	Y	N	61	N	94	88	Y	6	84	75	Y	9
Clairemont Elementary School	Decatur City	Y	Y	39	N	92	94	N	-2	82	89	N	-7
Clubview Elementary School	Muscookee County	Y	N	39	N	97	89	Y	8	90	73	Y	17
Coastal Empire Montessori Charter	Chatham County	Y	N	76	Y	*			*				N/A
D.A.T.E.	DeKalb County	Y	N	100	Y	92	88	Y	4	79	75	Y	4
DeKalb PATH Academy	DeKalb County	Y	N	99	Y	94	88	Y	6	92	75	Y	17
Dougherty Middle School	Dougherty County	N	N	95	Y	81	88	N	-7	50	75	N	-25
Dunleith Elementary School	Marietta City	Y	Y	97	Y	88	90	N	-2	79	80	N	-1
Dunwoody Springs Charter School	Fulton County	Y	N	85	Y	93	94	N	-1	89	85	Y	4
Enota Multiple Intelligences Academy	Gainesville City	Y	Y	63	N	94	90	Y	4	85	77	Y	8
Fair Street I. B. World School	Gainesville City	Y	Y	96	Y	84	90	N	-6	68	77	N	-9
Fargo Charter School	Clinch County	N/A	N	22	N	*	87	NA	N/A	*	74	NA	N/A
Freeman Elementary School	Warren County	Y	N	95	N	84	87	N	-3	69	71	N	-2
Fulton Science Academy	Fulton County	Y	N	40	N	99	94	Y	5	97	85	Y	12
Futral Road Elementary School	Spalding County	Y	N	28	N	90	89	Y	1	84	71	Y	13
Gainesville Exploration Academy	Gainesville City	Y	Y	93	Y	93	90	Y	3	82	77	Y	5
Gainesville Middle School	Gainesville City	N	Y	84	Y	88	90	N	-2	73	77	N	-4
Glennwood Academy	Decatur City	Y	Y	45	N	93	94	N	-1	88	89	N	-1
Hapeville Charter Middle School	Fulton County	Y	N	98	Y	96	94	Y	2	82	85	N	-3
Hickory Hills Elementary School	Marietta City	Y	Y	91	Y	87	90	N	-3	74	80	N	-6
Imagine Mableton Academy	Cobb County	Y	N	92	Y	89	94	N	-5	61	87	N	-26
Imagine Smyrna Academy	Cobb County	Y	N	84	Y	93	94	N	-1	76	87	N	-11
Imagine Wesley Academy	Atlanta Public Schools	N	N	89	N	85	89	N	-4	61	78	N	-17
International Community School	DeKalb County	Y	N	77	N	84	88	N	-4	70	75	N	-5
International Studies Elementary Char	Dougherty County	Y	N	91	Y	96	88	Y	8	91	75	Y	16
Ivy Preparatory Academy School	Ivy Prep	Y	Y	93	Y	96	94	Y	2	91	89	Y	2
Jenkins-White Elementary Charter	Richmond County	N	N	99	Y	73	86	N	-13	43	67	N	-24
Kennesaw Charter School	Cobb County	Y	N	63	Y	96	94	Y	2	85	87	N	-2
Kingsley Elementary School	DeKalb County	Y	N	61	N	92	88	Y	4	82	75	Y	7
KIPP South Fulton Academy School	Fulton County	Y	N	100	Y	95	94	Y	1	92	85	Y	7
KIPP WAYS Academy	Atlanta Public Schools	Y	N	100	Y	97	89	Y	8	94	78	Y	16
Lake Oconee Charter	Greene County	Y	N	13	N	100	85	Y	15	100	69	Y	31
Lewis Academy of Excellence	Clayton County	Y	N	100	Y	93	86	Y	7	78	74	Y	4
Lockheed Elementary School	Marietta City	Y	Y	91	Y	91	90	Y	1	86	80	Y	6
Marietta 6th Grade School	Marietta City	Y	Y	84	Y	91	90	Y	1	78	80	N	-2
Marietta Charter School	Marietta City	Y	Y	80	Y	90	90	Equal	0	69	80	N	-11
Marietta Middle School	Marietta City	Y	Y	83	Y	91	90	Y	1	78	80	N	-2
Morgan County Elementary School	Morgan County	Y	N	38	Y	95	95	Equal	0	91	91	Equal	0
Morgan County Middle School	Morgan County	Y	N	32	N	96	95	Y	1	88	91	N	-3
Morgan County Primary School	Morgan County	Y	N	38	Y	95	95	Equal	0	94	91	Y	3
Murphey Middle Charter School	Richmond County	Y	N	93	Y	79	86	N	-7	54	67	N	-13
Neighborhood Charter School	Atlanta Public Schools	N	N	46	N	93	89	Y	4	71	78	N	-7
New Holland Core Knowledge Academ	Gainesville City	Y	Y	92	Y	86	90	N	-4	75	77	N	-2
New Life Academy of Excellence	Gwinnett County	Y	N	89	Y	91	94	N	-3	88	89	N	-1
Oakhurst Elementary School	Decatur City	Y	Y	44	N	92	94	N	-2	91	89	Y	2
Odyssey School	Odyssey	Y	Y	36	Y	89	92	N	-3	66	84	N	-18
Oglethorpe Charter School	Chatham County	Y	N	61	N	96	87	Y	9	88	72	Y	16
Park Street Elementary School	Marietta City	Y	Y	98	Y	79	90	N	-11	74	80	N	-6
Peachtree Middle School	DeKalb County	Y	N	57	N	92	88	Y	4	82	75	Y	7
Renfro Middle School	Decatur City	Y	Y	53	Y	94	94	Equal	0	91	89	Y	2
Ridgeview Charter School	Fulton County	Y	N	75	Y	90	94	N	-4	78	85	N	-7
Sawyer Road Elementary	Marietta City	Y	Y	91	Y	85	90	N	-5	74	80	N	-6
Scholars Academy School	Scholars Academy	N	N	100	Y	69	86	N	-17	42	74	N	-32
Sedalia Park Elementary School	Cobb County	Y	N	72	Y	97	94	Y	3	85	87	N	-2
Spalding Drive Elementary	Fulton County	Y	N	79	Y	91	94	N	-3	86	85	Y	1
Unidos Dual Language Charter School	Clayton County	Y	N	99	Y	70	86	N	-16	42	74	N	-32
University Community Academy	Atlanta Public Schools	Y	N	100	Y	86	89	N	-3	69	78	N	-9
Warren County Middle School	Warren County	Y	N	97	Y	90	87	Y	3	72	71	Y	1
West Side Elementary School	Marietta City	Y	Y	53	N	94	90	Y	4	88	80	Y	8
Winnona Park Elementary School	Decatur City	Y	Y	49	Y	93	94	N	-1	79	89	N	-10
Woodland Elementary School	Fulton County	Y	N	72	Y	96	94	Y	2	87	85	Y	2
World Language Academy	Hall County	Y	Y	46	Y	94	91	Y	3	84	79	Y	5
Wynnton Arts Elementary	Muscookee County	Y	N	82	Y	87	89	N	-2	67	73	N	-6

Kathy Cox, State Superintendent of Schools
December 17, 2009 · Page xx

Academic Performance of Charter High Schools													
						2008-09 GHS GT Academic Data				2008-09 GHS GT Academic Data			
						Percent Meets or Exceeds ELA		Performance Relative District		Percent Meets or Exceeds Math		Performance Relative District	
School Name	District	School AYP Status	District AYP Status	% Minority Charter School	% Minority Higher than District?	Charter School	Local Districts	Better than the district?	Actual Relative Scores	Charter School	Local District	Better than the district?	Actual Relative Scores
Baconton Community Charter	Mitchell County	Y	N	13	N	87	95	N	-8	67	69	N	-2
CCAT School	CCAT	Y	Y	21	N	100	93	Y	7	59	81	N	-22
Chamblee Charter High School	DeKalb County	Y	N	76	N	96	90	Y	6	86	69	Y	17
Chattahoochee County High School	Chattahoochee County	Y	Y	54	N	88	88	Equal	0	69	69	Equal	0
Decatur High School	Decatur City	Y	Y	54	N	97	97	Equal	0	82	82	Equal	0
Destiny Academy of Excellence	DeKalb County	Y	N	100	Y	67	90	N	-23	28	69	N	-41
Dooly County High School	Dooly County	N	N	91	N	83	83	Equal	0	46	46	Equal	0
Dougherty High School	Dougherty County	N	N	96	Y	89	91	N	-2	48	65	N	-17
Gainesville High School	Gainesville City	Y	Y	75	N	96	96	Equal	0	89	89	Equal	0
Marietta High School	Marietta City	Y	Y	76	N	92	92	Equal	0	84	84	Equal	0
Morgan County High School	Morgan County	N	N	37	Y	90	90	Equal	0	79	79	Equal	0
North Springs High School	Fulton County	N	N	68	Y	95	95	Equal	0	79	84	N	-5
Riverwood High School	Fulton County	Y	N	48	N	97	95	Y	2	90	84	Y	6
TEACH Charter High School	Fulton County	Y	N	55	N	97	95	Y	2	97	84	Y	13
Tech High School	Atlanta Public Schools	N	N	97	Y	92	88	Y	4	46	60	N	-14
Walton High School	Cobb County	Y	N	25	N	99	95	Y	4	98	86	Y	12
Warren County High School	Warren County	N	N	97	Y	91	91	Equal	0	47	47	Equal	0
Webster County High School	Webster County	N	N	62	Y	86	86	Equal	0	59	59	Equal	0
Whitfield County Career Academy	Whitfield County	Y	Y	36	N	96	94	Y	2	79	85	N	-6

- Number of charter schools with a higher percentage of minority population than the resident district: 55/93² (59%)
- Number of charter schools that performed equal to or better than the resident district:
 - ELA: 56/91³ (62%)
 - Math: 47/91 (52%)

² Calculation only includes charter schools that were open during the 2008-2009 school year and received an AYP designation.

³ Calculation only includes charter schools that were open during the 2008-2009 school year and received an AYP designation and had school level data.

Appendix A

Charter Types

1. Conversion: a charter school that existed as a local school prior to becoming a charter school and that operates under the terms of a charter between the public school, local board of education, and the SBOE.
2. Start-up: a charter school created by a petition brought forth by private individuals, private organizations, or a state or local public entity and that operates the school according to the terms of a charter contract between the charter petitioner, local board of education, and the SBOE.
3. Local Educational Agency Start-up: a start-up charter school created by submission of a petition by the LEA to the local school board.
4. State Chartered Special School: a charter school created as a special school that is operating under the terms of a charter between the charter petitioner and the SBOE. Petitioners may apply to become a state chartered special school if their petition is first denied by the local board and they apply for state chartered special school status to the SBOE. Conversion charter school petitioners may not apply to be state chartered special schools.
5. Commission School: a charter school created as an independent school that is operating under terms of a charter between the charter petitioner and the Georgia Charter Schools Commission. Petitioners may apply to become a commission school if their petition is first denied by their local board or if they draw students from five or more counties. Conversion charter school petitioners may not apply to be commission schools.
6. System Charter School: a conversion charter school that is contained within a charter system and that operates according to the terms of the charter system's contract between the local school system and the SBOE.

Four out of the six types of charter schools in Georgia- conversions, start-ups, LEA start-ups, and system charter schools – are under the management and control of the local board, with the SBOE as a third party to the contract. Only state chartered special schools are under the management and control of the SBOE. Charter commission schools are managed and monitored by the Georgia Charter Schools Commission. Only conversion charter schools and system charter schools may be previously existing public schools.

Testing History

In 2000, Georgia instituted the first year of the state assessment, the Criterion Referenced Competency Tests (CRCT), to grades four, six, and eight. Spring 2002 and 2004 marked the first operational administrations in all grades, which includes English/Language Arts, Mathematics, and Reading in grades 1 through 8. Science and Social Studies are covered in grades 3 through 8.

Academic Data

From the academic data available on Georgia's public schools, this Report highlights the most useful. To look at progress over time, this Report includes standardized test scores for each charter school, its local district, and the state. This selection of data allows readers to compare the charter school's achievement level to the local district and the state as well as to compare the charter school's rate of improvement to the local district and the state. Further disaggregated data can be found for each charter school on the Governor's Office of Student Achievement website (www.gaosa.org).

Progress Towards Goals and Financial Audit

For locally approved charter schools, information on goals and the financial audit was provided by each charter school. This Report also contains information about the financial condition of each charter school, including whether each school had a surplus at the end of the reporting period and how much each school spent on facilities costs. Charter schools' progress towards the goals stated in their charters is important because, in conjunction with state and national accountability systems, charter schools are held accountable for meeting these goals.

Acronyms

Throughout the report, a number of acronyms appear. Among these are AYP or Adequate Yearly Progress; CRCT or Criterion Reference Competency Test; GHS GT or Georgia High School Graduation Test; GAEL or Georgia Association of Educational Leaders; GaDOE or Georgia Department of Education; SEA or State Educational Agency; LEA or Local Educational Agency; QBE or Quality Basic Education; NACSA or National Association of Charter School Authorizers; OPB or Office of Planning and Budget.

Acknowledgements

A special thank you from the Charter Schools Division to the following individuals and teams for contributing time and data to this report:

State Board of Education Charter Schools Committee:

Ms. Linda Zechmann, Chair
Mr. Brian Burdette
Mr. Jose Perez
Mr. Allen Rice

GaDOE Office of Information Technology:

Darryl James, IT Project Manager
Anthony Carpenter, IT Project Coordinator
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Appendix E

Letters of Support

1. Letter of Support, Georgia Superintendent of Schools, Kathy Cox
2. Letter of Support, Georgia Lt. Governor, Casey Cagle
3. Letter of Support, Chair of the Georgia Charter Schools Commission, Dr. Ben Scafidi

May 7, 2010

Honorable Arne Duncan
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary Duncan:

It is an honor to write you on behalf of Georgia's application for continued and expanded grant funding under the federal Charter School Program. Georgia's 121 charter schools, more than twice the number of charter schools in the state just three years ago, are a vital part of our ongoing reforms and critical to the current rise in state educational performance.

Since our last application for funding, Georgia's General Assembly passed several significant charter initiatives that expand chartering options for students, including the Georgia Charter Schools Commission Act that created an alternate authorizer for charter petitioners – and a bill which requires local school districts to make unused facilities available to charter schools at no cost.

Georgia's charter school effort has experienced increased national support and attention. The National Association of Charter School Authorizers awarded the State of Georgia with the Association's inaugural Award for Excellence in Improving Policy, which recognizes progress in states that implement sound, highly effective charter school strategies.

The Georgia Department of Education principal charter school goal remains the same: providing high-quality, innovative educational opportunities for students through quality chartering. Our charter schools continue to have high levels of academic success, with 85 percent of all charters making AYP in 2008-09.

The Charter School Program grant is an indispensable component of our commitment to this vibrant movement for increased excellence in public education. Thank you for the opportunity for Georgia to compete for this funding.

Sincerely,



Kathy Cox



OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL

ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

May 7, 2010

Secretary Arne Duncan
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Mr. Secretary:

It is my distinct pleasure to write you on behalf of Georgia for continued grant funding under the federal Charter School Program. I am among Georgia's strongest supporters of the charter school movement and from my longstanding involvement with it, I feel personally invested in its success.

I worked with the General Assembly in 2008 to pass both the Charter Systems Act, which allows entire school systems to convert to the charter model, and the charter Career Academy initiative, which through multiple amendments to state law created new financing for innovative vocational opportunities for Georgia's high school students.

These and other recent legislative successes demonstrate Georgia's full commitment to the charter sector, and we have been rewarded with improved student outcomes, particularly among student populations most in need. Charter schools are a key part of Georgia's educational system, and I am very pleased that we have the opportunity to apply for funding to continue our growth in this area. All our public schools will benefit from their successful experiments and leadership in teaching.

Sincerely,

Casey Cagle
Lt. Governor of Georgia



Georgia's Public Liberal Arts University

Department of Economics and Finance

J. Whitney Bunting School of Business

Campus Box 14

Milledgeville, Georgia 31061-0490

Phone (478) 445-4210

Fax (478) 445-1535

May 7, 2010

Secretary Arne Duncan
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Mr. Secretary:

I write to strongly recommend Georgia's application for continued grant funding from the federal Charter School Program.

I am a professor of economics and an education researcher and was honored to be appointed as the first Chair of the Georgia Charter Schools Commission. I have been concerned for many years about the overall educational results in Georgia, and I am firmly convinced that chartering is an indispensable tool for parents, students and educators to raise the quality of our schools.

Thank you for the opportunity to compete for this funding. Finally, thank you for your efforts and the efforts of President Obama to improve our education system through the charter school movement and other means.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Scafidi".

Benjamin Scafidi, Chair
Georgia Charter Schools Commission

Milledgeville • Macon • Warner Robins

*Georgia College & State University, established in 1889, is Georgia's Public Liberal Arts University.
University System of Georgia*

Budget Narrative

Budget Narrative Attachment Form

Attachment 1:

Title: **Georgia Budget Narrative Pages: 11** Uploaded File: **C:\Documents and Settings\Tabitha Press\My Documents\2010 Federal Application\georgia.budget.narrative.doc**

Budget Narrative Instructions: Budget narratives are to be attached to the “Budget Narrative Attachment Form” in e-Application.

Before preparing the budget narrative, **applicants should review the Federal Register Notice**, and the **program statute** for specific guidance and requirements. Note that applications will be evaluated according to the specific selection criteria specified in the Federal Register notice.

Provide an itemized budget breakdown narrative, by project year, for each budget category listed in Sections A and B of the ED 524 form. If applicable to this program, provide the rate and base on which fringe benefits are calculated. This competition does not involve cost sharing or matching.

If you are requesting reimbursement for indirect costs on line 10, this information is to be completed by your Business Office. Specify the estimated amount of the base to which the indirect cost rate is applied and the total indirect expense. Please indicate which costs are included and which costs are excluded from the base to which the indirect cost rate is applied.

Each State educational agency receiving a grant pursuant to this subpart may reserve not more than 5 percent of such grant funds for administrative expenses associated with the charter school grant program.

Provide other budget explanations or comments deemed necessary.

Other Attachments Instructions: Additional documents are to be attached to the “Other Attachments Form” in e-Application.

This section is where applicants will attach additional documents including resumes/curriculum vitae, and appendices. Applications should include a resume for the project director and other staff who will be directly involved in the administration of the CSP grant. Before preparing additional documentation, applicants should review the **Federal Register Notice** and the **program statute** for specific guidance and requirements.

Electronic submission requires that narratives and other files be attached to the following attachment forms as per the instruction in this document such as:

- One page Abstract must be attached to the “**Abstract Attachment Form**”

- Application Narratives (which include the *Preference Priorities*, *Application Requirements*, and the *Selection Criteria*) must be attached to the “**Application Narrative Attachment Form**”
- All resumes, vitas, letters of support, bibliographies, the assurances and certifications, and other requested appendices must be attached to the “**Other Attachment Form**”
- Budget Narratives must be attached to the “**Budget Narrative Attachment Form**”

Note: Please do not attach any narratives, supporting files, or application components to the Standard Form (SF 424). Although this form accepts attachments, the Department of Education will only review materials/files attached to the attachment forms listed above.

Georgia has always viewed funding through the federal Charter School Program (“CSP”) as a supplement to the substantial state funds made available through Georgia’s General Assembly’s appropriations for public schools. As indicated in the Budget Summary forms completed in connection with this application, the vast majority of personnel, administrative, equipment, and related costs are borne by the State of Georgia. This allows Georgia to devote the majority of its federal CSP grant to activities that directly support charter schools, either through direct grants for planning and implementation; dissemination and by using the 5% administrative portion to provide technical assistance to charter schools.

In addition, Georgia is experiencing a high degree of legislative momentum in the charter field. Unlike many chartering states, Georgia has no cap on the number of charter schools that can be authorized. With the creation of the Georgia Charter Schools Commission, an independent authorizer, the GaDOE expects that the pace of growth of the charter school movement will increase even more during the next three years. The GaDOE has prioritized increasing the internal capacity of the Charter Schools Division to ensure that the Division can provide increased technical assistance and monitoring to the new and existing schools.

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Even though these funds are essential for the continued growth of high-quality charter schools in Georgia, they cannot substitute for the critical start-up and implementation grant funding made available through the CSP. These CSP funds have been crucial to the financial viability of charter schools, particularly in the first two years of operation. Most of Georgia's charter schools start with a single grade and add an additional grade in each year of operation. As a consequence, a typical charter school's student count is small the first year, resulting in modest funding levels. As enrollment climbs, the funding levels increase proportionally, making the schools more financially viable. During those crucial first few years, however, the CSP funds provide a lifeline for Georgia's charter schools as they work to establish themselves.

This grant application outlines five objectives and related performance measures. The Department of Education anticipates that it can meet these goals and produce the anticipated outcomes with continued CSP funding.

Personnel

Currently, the state funds five full-time positions within the Charter Schools Division: charter schools director; legal specialist, two education research and evaluation specialists; and a departmental administrative assistant. Federal funds are used to fund a grants coordinator and a paralegal. The grants coordinator oversees the daily administration of the CSP grant. The paralegal position provides support to both the legal specialist and the grants coordinator. The proposed budget for the 2010-2013 CSP grant includes funding for four new full-time professional positions within the Charter Schools Division. The proposed positions are: grants consultant, fiscal analyst, charter school petition evaluation specialist, and an education program

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specialist. Sample job descriptions for all four positions are included in Appendix B. The Charter Schools Division performed a self evaluation to determine how the division could increase internal capacity to address the concerns raised by the report. The highest priority was to increase fiscal monitoring of charter schools throughout the state. The second priority was to provide additional technical assistance and outreach to parents, communities and educators about the division's grant programs and charter school best practices. The third priority was to increase the overall capacity of the division to match the dramatic increase of new charter schools approved over the past five years. If approved, this will allow the Division to expand to ten full time staff members working on charter schools in Georgia.

With 60 new charter schools to open within the next three years, the need for increased monitoring and compliance within the CSD is evident. This projection does not include the 70 district schools that are expected to become charter system schools. The CSD currently oversees and offers technical assistance to 25 charter system schools in addition to the monitoring provided to independent charter schools. At the beginning of 2006, the GaDOE only had two full-time positions dedicated to charter schools. Both positions were funded by state dollars. In March 2006, however, the Department realized the growing importance of charter schools in the State and elevated charter schools from a program to its own Division. In connection with these initiatives, the GaDOE conducted a national search and hired a new Director for the Charter Schools Division. This elevation signaled a recognition that the charter movement in Georgia is growing and deserves a Division committed to supporting its growth and to promoting chartering as a school improvement strategy.

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Travel

\$11,000 has been allocated to cover the costs associated with travel by SEA program staff. SEA staff will monitor all awardees each year of their award and provide technical assistance throughout Georgia. Additionally, SEA program staff will travel to the national charter school showcase, other national charter school conferences, the state charter school conference, and various charter school seminars and workshops during the year.

Equipment

The budget allocates \$9,500 in the first year and 9,700 in years 2 and 3 for software and computer equipment for new staff members.

Supplies

The \$5,000 budgeted each year for supplies will allow the Charter Schools Division to purchase general office supplies and keep our charter school files organized. These funds will also cover printing and duplication costs associated with the preparation of technical assistance documents and materials for workshops.

Contractual

The CSD will use \$142,500 each year to pay for independent raters to review implementation and dissemination grant applications, to hire an external evaluator and to hire independent contractors to conduct topical workshops for charter schools. The funds will also be used to help design and implement an electronic survey for all charter schools. Every grant application seeking funding under the CSP program is peer-reviewed in a competitive process.

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With respect to the services of independent contractors, the GaDOE anticipates greatly increasing the number and quality of workshops conducted statewide to include:

- governance training for charter school boards and administrators, including information and direction on the utilization of federal grants;
- authorizer accountability workshops in partnership with the National Association of Charter School Authorizers and statewide education organization leaders;
- charter petition and grant workshops;
- a workshop on special education in charter schools; and
- a workshop on facilities funding options, including leveraging private sources of financing.

Georgia Public Charter Schools Grant - Budget Narrative

FEDERAL FUNDS REQUESTED

FY 2010 - FY 2013

Category	Narrative	Amount Requested		
		Year 1	Year 2	Year 3
Personnel		276,800	405,500	405,500
Fringe Benefits	<i>28% for staff members</i>	42,450	53,700	53,700
Travel	Travel for SEA staff to attend professional development related to charter schools and provide technical assistance to sub-grantees	11,000	15,000	15,000
Equipment	Software and hardware upgrades to computer equipment	9,500	9,700	9,700
Supplies	Supplies, materials, and printing to support workshops and technical assistance for charter	5,000	5,000	5,000

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	schools			
Contractual		142,500	142,500	142,500
	Sub-grant raters (\$22,500) (estimated 75 implementation and dissemination grants rated by 3 peers at \$100/review)			
	Meeting Facilities (\$15,000) for petition workshops, state conferences, and continuing education for charter schools			
	Evaluation Contract with SERVE (\$75,000 each year)			
	Authorizing workshop for Local authorizers (\$30,000 per year) to provide workshops on governance, special education, writing a charter petition, finance, student assessment,			

	and facilities			
Other-Subgrants				
	Dissemination grants (583,333)	583,333	583,333	583,333
	Implementation grants (\$10,500,000)	10,500,000	10,500,000	10,500,000
Total/Year		11,570,534	11,714,733	11,714,733
Total Over 3-year Grant Period				
35,000,000				

Georgia Public Charter Schools Grant - Budget Narrative

STATE FUNDS

FY 2010 - FY 2013

Category	Narrative	Amount Requested		
		Year 1	Year 2	Year 3
Personnel	5 Full-time positions	370,000	370,000	370,000
Fringe Benefits		80,000	80,000	80,000
Travel	Travel for SEA staff to attend professional development and visit charter schools	10,000	10,000	10,000
Equipment	Telecommunications equipment and support	13,000	13,000	13,000
Supplies	Office supplies and related materials	11,500	11,500	11,500
Contractual	Annual Evaluation of Georgia Public Charter School Program /Other Contracts to Provide Technical Assistance	100,000	100,000	100,000

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Total State Administrative Funds				
Other-State Funded Grant Programs	State Planning Grants	145,000	145,000	145,000
	Other Grant for Charter Schools	150,000	150,000	150,000
	State Facilities Grants	2,200,000	2,200,000	2,200,000
Total/Year		3,079,500	3,079,500	3,079,500
Total Over 3-year Grant Period				
9,238,500				