

Georgia Department of Education
Synopsis of Proposed Amendments to
Rule 160-4-9-.04 Charter Schools and Charter Systems
Definitions

This rule is being initiated to amend State Board Rule 160-4-9-.04 to add the definition of “Unused Facility” as added to state law by HB 430 during the 2016-2017 legislative session.

Georgia Department of Education

Synopsis of Proposed Amendments to

Rule 160-4-9-.05 Charter Schools Petition Process

This rule is being initiated to amend State Board Rule 160-4-9-.05 to address requirements added to state law by HB 430 during the 2016-2017 legislative session in addition to other changes, including:

- HB 430 in 2017 amended state law to allow locally-approved charter schools to petition the State Charter Schools Commission (SCSC) for authorization if the local board of education fails to meet the principles and standards of charter school authorizing established by the State Board of Education and the SCSC for two (2) consecutive years.
- Add requirement that charter schools shall ensure that individuals employed as special education teachers have a bachelor's degree and either be certified in special education or hold a special education license.
- Clarify that charter school enrollment and lottery policies shall ensure that only students who reside in a school's proposed attendance zone are eligible to participate in its lottery.

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Synopsis of Proposed Amendments to

Rule 160-4-9-.06 Charter Authorizers, Financing, Management, and Governance Training

This rule is being initiated to amend State Board Rule 160-4-9-.06 to address requirements added to state law by HB 139, HB 338, and HB 430 during the 2016-2017 legislative session in addition to other changes, including:

- HB 338 in 2017 amended state law to require local boards of education to coordinate with the State Board of Education and the Department in monitoring and supporting schools identified as turnaround eligible schools.
- Add requirement that individuals employed as special education teachers in charter schools or in charter system schools must have a bachelor's degree and must either be certified in special education or hold a special education license.
- HB 430 in 2017 amended state law to require the State Board of Education and the State Charter Schools Commission (SCSC) to establish a code of principles and standards of high-quality charter school authorizing. HB 430 also provides for the training of State Board staff and local board members on these principles and standards, as well as for an annual independent review of local boards for adherence to the principles and standards of high-quality charter school authorizing practices.
- HB 139 in 2017 amended state law to require public schools to post on their websites links to their financial efficiency ratings as published by the Governor's Office of Student Achievement, and to their local school system's financial information as published by the Department.
- HB 430 in 2017 amended state law to also require local school systems to distribute to each local charter school the proportionate amount of federal funds for which a school is eligible under each federal program, or to provide in-kind services to the school upon agreement between the parties. In addition, HB 430 requires local boards of education to post on the websites the calculation of earnings for each local charter school, including federal funds.
- Clarify that a charter school identified as a turnaround eligible school may be placed on probation.
- Clarify that a charter system in which one-half or more of its schools are identified as turnaround eligible schools may be placed on probation.
- HB 430 in 2017 amended state law to allow for the termination of a charter school contract if the local board of education fails to meet the principles and standards of high-quality charter school authorizing for two (2) consecutive years and the SCSC approves the transfer of the charter school's authorization to the Commission.

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Synopsis of Proposed Amendments to

Rule 160-4-9-.07 Charter Systems

This rule is being initiated to amend State Board Rule 160-4-9-.07 to address requirements added to state law by HB 139, HB 338, SB 149, and SB 211 during the 2016-2017 legislative session in addition to other changes, including:

- SB 211 in 2017 amended state law to prohibit local school systems from excluding students in dual credit courses from valedictorian or salutatorian determinations. SB 211 also provides that this prohibition is not waivable.
- SB 149 in 2017 amended state law to add training requirement recommendations for individuals employed as school resource officers.
- HB 139 in 2017 amended state law to require local school systems to post on their websites links to the system's financial information as published by the Department.
- HB 338 in 2017 amended state law to allow for the amendment of a charter system contract for the purpose of agreeing to receive assistance from the Chief Turnaround Officer for schools identified as turnaround eligible schools. HB 338 also provides for intervention by the State Board of Education or the termination of a charter system contract if a local board of education does not sign an amendment within sixty (60) days or declines to sign an amendment.

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Synopsis of Proposed Amendments to

Rule 160-5-1-.33 Strategic Waivers and Title 20/No Waivers

School Systems

This rule is being initiated to amend State Board Rule 160-5-1-.33 to address requirements added to state law by HB 338, SB 149, and SB 211 during the 2016-2017 legislative session in addition to other changes, including:

- Clarify that Strategic Waivers School Systems (SWSS) cannot waive special education teacher certification requirements.
- SB 211 in 2017 amended state law to prohibit local school systems from excluding students in dual credit courses from valedictorian or salutatorian determinations. SB 211 also provides that this prohibition is not waivable.
- SB 149 in 2017 amended state law to add training requirement recommendations for individuals employed as school resource officers.
- HB 139 in 2017 amended state law to require local school systems to post on their websites links to the system's financial information as published by the Department.
- HB 338 in 2017 amended state law to allow for the amendment of a SWSS contract for the purpose of agreeing to receive assistance from the Chief Turnaround Officer for schools identified as turnaround eligible schools. HB 338 also provides for intervention by the State Board of Education or the termination of a SWSS contract if a local board of education does not sign an amendment within sixty (60) days or declines to sign an amendment.
- HB 338 in 2017 amended state law to also require local boards of education to coordinate with the State Board and the Department in monitoring and supporting schools identified as turnaround eligible schools.

