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***“Making Education Work for All Georgians”***

**Guidelines for Charter Authorizers, Financing, Management, and Governance Training**

**(To accompany State Board of Education Rule 160-4-9-.06)**

# Guidelines for Charter Authorizers, Financing, Management, and Governance Training

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## **Guidelines for Charter Authorizers, Financing, Management, and Governance Training**

### **Document Version History**

Version Number	Date Approved by State Board of Education	Description
Version 1	9/8/2011	last approved
Version 2	TBD	Initial draft document release

# **Guidelines for Charter Authorizers, Financing, Management, and Governance Training**

## **Introduction**

This guideline document is incorporated by explicit reference into Georgia State Board of Education Rule 160-4-9-.06 CHARTER AUTHORIZERS, FINANCING, MANAGEMENT, AND GOVERNANCE TRAINING. The contents of this document are considered to have the same effect and requirement as any rule promulgated by the Georgia State Board of Education. Any future substantive revision to this document will require approval by the Georgia State Board of Education. This document provides information regarding authorizer roles and responsibilities, charter school financing, management of charter contracts, and governing board training requirements. Further clarification may be found in guidance on the Charter Schools Division website.

Inquiries concerning this guideline document should be directed to the Charter Schools Division at the Georgia Department of Education.

## **Guidelines for Charter Authorizers, Financing, Management, and Governance Training**

### **Part 1: Responsibilities of Charter Authorizers.**

(1) RESPONSIBILITIES OF LOCAL BOARDS OF EDUCATION. Local boards of education (“local boards”) shall provide control and management of local charter schools and charter systems, pursuant to O.C.G.A. § 20-2-2065(b)(2) and State Board of Education Rule 160-4-9.06.

(a) At a minimum, this control and management shall include the following responsibilities for local charter schools:

1. Pre-Charter award or charter renewal:
  - i. Review and act on local charter school petitions;
2. Post-Charter award or charter renewal:
  - i. Enforce clear expectations for, and ensure achievement of, performance goals set forth in the charters;
  - ii. Ensure that local charter schools are fiscally sound and operating in accordance with Generally Accepted Government Auditing Standards, including annually reviewing budgets and reviewing working papers as needed;
  - iii. Ensure that local charter schools comply with the accountability provision of O.C.G.A. § 20-14-30 *et seq.* and federal accountability requirements;
  - iv. 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;
  - v. Develop termination and nonrenewal processes that:
    - I. Provide the charter school governing board with timely notification of the prospect of and reasons for termination or nonrenewal of a charter;
    - II. Allow the charter school governing board a reasonable amount of time to prepare a response;
    - III. Allow for a public hearing;
    - IV. Require the local school system to submit documentation and to produce witnesses at the public hearing who can testify to the reasons for termination or nonrenewal;

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V. Provide the charter school governing board with an opportunity to submit documents, produce witnesses, and give testimony challenging the reasons given for termination or nonrenewal and to argue for continuation of the charter at a public meeting held for that purpose;

VI. Allow the charter school governing board to be represented by its own counsel, to call witnesses on its behalf, and to confront witnesses, and challenge documents, statements or reports against continuation of the charter;

VII. After a reasonable period for deliberation, require a final determination to be made and conveyed in writing to the charter school governing board and the State Board of Education. Such final determination must clearly articulate the reasons for the final decision;

vi. Allow local charter schools to exercise substantial autonomy over decisions affecting the school. The nonprofit governing board of a charter school shall have authority to make personnel decisions, including selection of the principal or school leader; financial decisions and resource allocation decisions, including establishing the number and type of personnel, curriculum costs, supply costs, equipment costs and maintenance and operations costs; selection of a curriculum and accompanying instructional materials; establishment and monitoring of the achievement of school improvement goals, including approval of the school improvement plan and oversight of its implementation; and operations that are consistent with school improvement goals. The local board shall only override decisions of a conversion charter school's governing board in those areas where the local board has constitutional authority and has a reasonable belief that a decision will be substantially detrimental to students;

vii. Provide to the charter school, for inclusion in the locally approved charter petition, the base per-pupil amount that it will receive upon execution of the contract as long as the school system receives state and local revenues upon which the approved school budget is based;

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

ix. Ensure that the requirements of the Individuals with Disabilities Education Act (IDEA) are met. The local board(s) must have a plan to ensure that the local school 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. Nothing in this section shall prevent a local board(s) from providing services to students with disabilities at a central location, if that is standard practice for students with disabilities from other schools in the local school system.

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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.

III. Ensure that the requirements of all other applicable federal laws are met.

x. Develop policies to provide for an expedited review process for high quality charter school renewal, expansion, and replication; and

xi. Publish annually the name and address of each unused facility located in the school district that it governs.

(b) At a minimum, this control and management shall include the following responsibilities for charter systems:

1. Pre-Charter:

i. Review and act on charter system petitions;

2. Post-Charter:

i. Enforce clear expectations for, and ensure achievement of, performance goals set forth in the charter;

ii. Ensure that all system charter schools comply with the accountability provision of O.C.G.A. § 20-14-30 *et seq.* and federal accountability requirements;

iii. Allow system charter schools to exercise school level governance over decisions affecting the school, as provided for in the contract. A Local School Governing Team at system charter school shall have authority to make personnel decisions, including recommending the principal or school leader for selection by the local board of education; financial decisions and resource allocation decisions, including having input into the final recommendations for a system charter school's budget and input as to the number and type of personnel, curriculum costs, supply costs, equipment costs and maintenance and operations costs; input into the selection of a curriculum and accompanying instructional materials; establishment and monitoring of the achievement of school improvement goals, including approval of the school improvement plan and oversight of its implementation; and school operations decisions, including input into any school operations that are consistent with school improvement and charter goals. The local board of education ultimately retains constitutional authority;

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

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v. Ensure that the requirements of the Individuals with Disabilities Education Act (IDEA) are met; and

vi. Ensure that the requirements of all other applicable federal laws are met.

### **(c) ANNUAL REPORTING**

1. Each authorizer that oversees a local charter school or has received a charter petition shall submit to the State Board of Education and post on its website an annual report including the following:

i. The authorizer's strategic vision for chartering and progress towards achieving that vision.

ii. The academic performance of all operating public charter schools overseen by the authorizer, according to the performance expectations set forth in the charter, for inclusion in the annual report to the General Assembly pursuant to code section OCGA 20-2-2070.

iii. The financial performance of all operating public charter schools overseen by the authorizer, according to the performance expectations set forth in the charter, for inclusion in the annual report to the General Assembly pursuant to code section OCGA 20-2-2070.

iv. The status of all public charter school applications, including applications (A) pending review; (B) approved, and, for each, the date on which the school will open or did open; and (C) denied, and, for each, the reasons for the denial.

v. All public charter schools that have closed within the past year, and, for each, the reason for closure.

vi. The authorizing functions provided by the authorizer to the public charter schools under its purview, including the authorizer's operating costs and expenses associated with providing its authorizer functions.

2. Each authorizer that provides oversight of a charter school shall include in its annual report a written confirmation that it has not in the preceding year required a commercial contract with any public charter school board under its oversight.

**(2) RESPONSIBILITIES OF THE STATE BOARD OF EDUCATION.** The State Board of Education shall have the following supervisory duties pursuant to O.C.G.A. § 20-2-2063:

(a) Review and act on local charter school petitions and charter system petitions;

(b) Review State Charter Schools Commission decisions in accordance with OCGA §20-2-2083(a)(1) and take action, as appropriate;



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(c) Ensure the provision of technical assistance to local school systems in successfully administering their responsibilities as described in (1) above;

(d) Ensure that each charter school uses the Department's template to submit an annual report that outlines the previous year's progress no later than October 1 of each year. 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 other such progress data;
3. Updated contact information for the governing board and the administrator;
4. Audit report or unaudited financial statements;
5. Proof of current Georgia nonprofit status;
6. Proof of compliance with State Board of Education Governing Board training requirements for Charter Schools as outlined in State Board of Education Rule 160-4-9-.06 and in Part 4 below.
7. Any other supplemental information that the charter school chooses to include or that the state board requests, that demonstrates that school's success.

(e) Ensure that the Department monitors charter schools and charter systems in the second and fourth year of the charter term.

1. For purposes of this section, monitoring may include an on-site visit, a telephone audit, or a desk audit.
2. Based on its findings and/or observations, the Department may place the school or system on probation in accordance with Part 3 below or provide feedback, as needed;

(f) Ensure that each charter system submits an annual report outlining the previous year's progress no later than October 1 of each year. 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 other such progress data;

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3. Updated contact information for the system, including the name and contact information of an employee of the charter system that can facilitate communications between the Charter Schools Division and the chairpersons of the Local School Governing Teams.

4. Proof of compliance with State Board of Education Governing Board training requirements for Charter Systems as outlined in State Board of Education rule 160-4-9-.07;

5. A description of the actual authority exercised by Local School Governance Teams with regard to each component of school level governance;

6. A description of any plans to increase school level governance in the future;

7. An itemization of initiatives being supported by the added QBE dollars for charter systems and a description of how those funds have promoted school level governance or improved student achievement; and

8. Any other supplemental information that the charter system chooses to include or that the state board requests, that demonstrates that system's success.

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

(h) Create and maintain a strategic plan and policy for the state's charter schools program;

(i) Ensure that the Department manages any applicable federal grant awarded to the state for use by the state's charter schools;

(j) Ensure that the Department annually assigns authorizers to one of four categories, and that the Department develops definitions for the categories (first time authorizer, exemplary authorizer, adequate authorizer, and authorizer needs improvement)

(k) Ensure that the Department provides focused technical assistance to those authorizers not in the exemplary category;

(l) Provide an annual report on the status of the state's charter school program to the General Assembly, pursuant to O.C.G.A. § 20-2-2070;

### **Part 2: Charter School Funding**

(1) CHARTER SCHOOL FUNDING CALCULATIONS. Charter school funding calculations shall be pursuant to the following:

(a) A local charter school shall be eligible for federal, state, and local funds pursuant to

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O.C.G.A. § 20-2-2068.1 and § 20-2-2090, as appropriate.

(b) For the purpose of local charter schools, the Department shall determine the allotment of state funds and 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(s) stipulated as the fiscal agent in the charter.

(c) Pursuant to O.C.G.A. § 20-2-2068.1(a) the local board(s) and the State Board of Education 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 the Local Units of Administration (LUA) Manual. A local charter school may request the Department to order mediation if it believes the local board(s) is treating the charter school less favorably than other local schools.

(d) Pursuant to O.C.G.A. § 20-2-2068.1(c), the local board(s) 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 outlined 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 as defined in State Board of Education Rule 160-4-9-.04.

(2) CHARTER SCHOOL FACILITIES FUNDS. Charter school facilities funds shall be awarded 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 State Board of Education shall allocate the funds among eligible charter schools pursuant to accompanying grant Guidance.

(3) CHARTER SCHOOL CAPITAL FINANCING. Pursuant to O.C.G.A § 20-2-2095 *et. seq.*, in each year in which charter school capital financing funds are appropriated by the General Assembly, the State Board of Education shall establish a grant program in the form of matching funds for qualified charter school contributions, pursuant to accompanying grant guidance.

(a) The State Board of Education 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 State Board of Education 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.

(b) 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.

(4) CHARTER SCHOOL GRANTS. Charter school competitive grant applicants shall adhere to all application requirements and related timelines. Applicants should consult the Department's website <http://www.gadoe.org> for additional information and applications. In order to qualify for any charter school grant, applicants must meet all eligibility requirements.

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The Department shall have the right to determine eligibility for all grants and to adjust grant application procedures. Applications that do not meet eligibility requirements shall not be considered. All charter school grants shall be administered according to procedures outlined in the grant application.

### **Part 3: Management of Charter Contracts.**

(1) CHARTER TRAINING. Charter schools and systems shall attend any required training. At the authorizer's discretion, charter schools and systems may be required to attend any additional training that the authorizer deems necessary and proper for the successful operation of the charter school or system.

(2) AMENDING A CHARTER CONTRACT. The terms of a charter contract may be amended as follows:

(a) The contract for a local charter school may be amended during the term of the charter upon the approval of the local board(s), State Board of Education, and the charter school governing board. Additional information and instructions for requesting an amendment may be found on the Department's website. All amendments must comply with requirements as established by the Department.

1. Amendment requests that originate with the charter school governing board shall be submitted to the local board(s). The local board(s) shall, by a majority vote, approve or deny the proposed amendment no later than sixty (60) days after the local board(s) request is received, unless the local board(s) and the charter school governing board agree to extend the amendment review beyond sixty (60) days.

2. Amendment requests that originate with the local school board shall be submitted to the charter school governing board. The charter school governing board shall, by a majority vote, approve or deny the proposed amendment no later than sixty (60) days after the request is received unless the charter school governing board and the local board(s) agree to extend the amendment review beyond sixty (60) days.

i. If the local board(s) and the charter school governing board agree to the amendment, the charter school shall forward the amendment to the Department for State Board of Education action.

ii. If the local board(s) and the charter school governing board do not agree to the amendment, the State Board of Education may recommend mediation upon the agreement of both the local board(s) and the charter school governing board. If mediation is unsuccessful, the charter continues in its unamended form.

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3. For amendment requests that originate with the State Board of Education, the Department shall notify the charter school governing board and the local board(s) of the State Board's request to amend the charter.

i. The charter school governing board and the local board(s) shall each, by a majority vote, approve or deny the proposed amendment no later than sixty (60) days after the request is received unless they agree to extend the review beyond sixty (60) days.

ii. If the local board(s) and the charter school governing board agree to the amendment, the charter school shall forward the approval to the Department for State Board of Education action.

iii. If the local board(s) and/or the charter school governing board do not agree to the amendment, the Department may recommend mediation upon the agreement of the local board(s) and the charter school governing board.

iv. If mediation is unsuccessful, the charter continues in its un-amended form.

(b) The contract for a charter system may be amended during the term of the charter upon the approval of the local board and the State Board of Education. Additional information and instructions for requesting an amendment may be found on the Department's website. All amendments must comply with requirements as established by the Department.

(c) All charter contracts are subject to applicable federal and state laws, rules, and regulations and shall be deemed amended to reflect applicable changes to these laws upon the effective date of any such change.

### **(3) PLACING A CHARTER ON PROBATIONARY STATUS**

(a) The Department or local board(s) of education may place a charter school or charter system on probation if it has reason to believe that any of the following have occurred or is imminent:

1. A failure to comply with any recommendation or direction of the state board with respect to Code section 20-14-41;

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

3. A failure to meet generally accepted government accounting standards;

4. A violation of applicable federal, state, or local laws or court orders;

5. The existence of substantial evidence that the continued operation of the charter school or charter system could be contrary to the best interest of the students or the community; or;

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6. A failure to comply with any provisions of Code Section 20-2-2065;
  7. For charter schools, the governing board has demonstrated an inability to provide effective leadership to oversee the operation of the charter school; and
  8. For charter systems, the local board of education has demonstrated an inability to provide effective leadership to oversee the operation of the charter system.
  9. Any other reason that would lead to the eventual termination of the charter if not resolved.
- (b) In the event that a charter school or charter system is placed on probation, the following shall apply:
1. The Department shall provide written notice to the charter school or charter system of the reasons for such placement, not later than five days after the placement;
  2. Not later than 30 days after the date of such placement, the charter school or charter system shall file with the Department a corrective action plan that addresses the reasons outlined for the probation and timeline for remedying those issues;
  3. The Department may approve the corrective action plan as submitted or impose any additional terms of probation on the school or system that it deems necessary;
  4. The charter school or charter system shall implement the Department-approved corrective action plan;
  5. During the term of probation, the Department may require the school or system to file interim reports concerning any matter deemed relevant to the probationary status of the school or system, including financial reports or statements.
  6. The Department may amend the length of the probation based on the status of the interim reports.
- (c) A charter school or charter system may be taken off probation upon fulfilling the terms of its corrective action plan and upon the Department's determination that the conditions which precipitated the probation no longer exist and that no new conditions exist which would necessitate probationary status.
- (d) In the event that the charter school or charter system does not file or implement the approved corrective action plan within the required time period, or does not comply with the terms within the required time period, the State Board of Education or local board(s), as applicable, may move to terminate the charter.

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(e) No charter school on probation may increase its student enrollment or engage in the recruitment of new students without the consent of the Department.

### **(4) TERMINATING A CHARTER.**

(a) Pursuant to O.C.G.A. §20-2-2068, the State Board of Education may terminate a local charter school if requested by a majority of parents or guardians of enrolled students *or* a majority of the faculty and instructional staff employed at the charter school; if requested by the charter school governing board; if requested by the local board(s); or upon determination by the State Board of Education by its own audit or other means.

1. If requested by a majority of parents or guardians of enrolled students *or* a majority of the faculty and instructional staff employed at the charter school:

i. The group requesting the termination, must, within thirty (30) days of the public meeting held pursuant to O.C.G.A. § 20-2-2068(a)(1)(A) or (B), submit a petition for termination to the State Board of Education, with a copy to the local board(s), which shall include the following:

I. A written statement detailing the reasons for termination pursuant to O.C.G.A. § 20-2-2068(a)(2)(A)-(G), including supporting documentation;

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

III. A copy of the minutes of the public meeting where the termination request was voted upon;

IV. A written statement signed by a member of the group requesting termination. The statement shall specify that an identical copy of the materials has also been provided to the appropriate officials at the charter school. Appropriate officials shall include, at a minimum, the principal of the school, the president of the governing board, and the superintendent of the local board(s) of education that serves as the fiscal agent for the charter school; and

V. Any other pertinent information.

ii. The charter school governing board and local board(s) shall have thirty (30) days from receipt of the petition for termination to provide the State Board of Education with a written response to the petition.

iii. Upon receipt of the above records, and if requested by the charter school governing board or the local board(s) within 30 days of such receipt, the State Board of Education may conduct a hearing prior to rendering a decision. If no such request is made within 30 days of the State Board of Education's receipt of these records, all parties waive their right to a hearing and the

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State Board of Education may vote based upon information submitted by the parties or the State Board of Education may decide to hold a hearing prior to taking a vote.

iv. If the State Board of Education votes to sustain the charter, it may consider the termination request and supporting documentation as a factor in its renewal decision.

2. For termination requests originating with the charter school governing board:

i. The governing board must file a petition for termination with both the local board(s) and the State Board of Education within 30 days of the vote to request termination.

ii. The petition for termination shall include:

I. A succinct statement of the reasons for the termination request;

II. The record of the vote taken by the charter school governing board.

iii. Upon receipt of the above records, and if requested by the local board(s) or the State Board of Education within 30 days of such receipt, the State Board of Education may conduct a hearing prior to rendering a decision. If no such request is made within 30 days of the State Board of Education's receipt of these records, all parties waive their right to a hearing and the State Board of Education may vote based upon information submitted by the parties or the State Board of Education may decide to hold a hearing prior to taking a vote.

iv. If the State Board of Education votes to sustain the charter, it may consider the termination request and supporting documentation as a factor in its renewal decision.

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

i. Upon determining the existence of any ground for termination pursuant to O.C.G.A. § 20-2-2068(a)(2), the local board(s) shall provide appropriate notice of proposed termination to the charter school governing board as well as an opportunity for a hearing, if applicable, on the proposed termination in accordance with the policies established pursuant to (1)(a)(2)(v) of these guidelines. If the local board(s) decides to move forward with termination, it must file a petition for termination with the State Board of Education within thirty (30) days of the determination.

ii. The request shall include a succinct statement of the reasons for the termination request, the transcript of the public hearing, including witness testimony to support its reasons for termination, other evidence as applicable, and the record of the vote taken by the local board(s) of education to terminate the charter;

iii. The local board(s) shall send a copy of all of the above to the charter school governing board at the same time as such documents are filed with the State Board of Education.



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iv. The State Board of Education shall treat all requests for termination from the local board(s) in accordance with O.C.G.A. § 20-2-1160.

I. The State Board of Education shall uphold the decision of the local board(s) if it finds sufficient evidence to sustain the decision.

II. The State Board of Education shall render a final written decision and shall notify the parties accordingly.

4. For termination requests initiated by the State Board of Education:

i. The State Board of Education shall notify the charter school and 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)

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

iii. After the 30 day period for receiving a response has elapsed, the State Board of Education shall conduct a hearing and render a decision in accordance with the policies established pursuant to these guidelines.

(b) Pursuant to O.C.G.A §20-2-2068, the State Board of Education may terminate a charter system charter contract if requested by the local school governing team of a system charter school; if requested by the local board; or by determination by the State Board of Education by its own audit or other means.

1. For termination requests originating with the local school governing team of a system charter school:

i. A petition to terminate a system charter must be submitted in writing by the local school governing team of a system charter school to the State Board of Education and to the local board of the charter system.

ii. The local board of the charter system shall have thirty (30) days from receipt of the petition for termination to provide a written response to the State Board of Education.

iii. Upon receipt of the petition for termination and following the 30-day period for the charter system's response and at the request of an interested party, the State Board of Education shall conduct a hearing and determine whether the system charter shall be terminated. If no such

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request is made, the parties waive their right to a hearing and the State Board of Education shall vote based upon information submitted by the parties.

iv. Nothing contained herein shall prevent the State Board of Education from proposing an amendment to the system charter to address the concerns raised by the request for termination.

2. For termination requests originating with the local board:

i. The local board must file a petition for termination with the each system charter school's local school governing board and the State Board of Education within 30 days of the vote to request termination.

ii. The petition for termination shall include:

I. A succinct statement of the reasons for the termination request; and

II. The record of the vote taken by local board

iii. Upon receipt of the above records, and if requested by the State Board of Education within 30 days of such receipt, the State Board of Education may conduct a hearing prior to rendering a decision. If no such request is made within 30 days of the State Board of Education's receipt of these records, the State Board of Education waives their right to a hearing and the State Board of Education may vote based upon information submitted by the parties.

iv. If the State Board of Education votes to sustain the charter, it may consider the termination request and supporting documentation as a factor in its renewal decision.

3. For termination requests originating with the State Board of Education:

i. The State Board of Education shall notify the local board of its intention to convene a hearing for the purposes of determining whether the charter system 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 system is alleged to have violated and shall contain all information contained in O.C.G.A. § 50-13-13(a)(2).

ii. The local board of the charter system shall have thirty (30) days from the date of State Board of Education notification to file a response.

iii. After the 30 day period for receiving a response has elapsed, the State Board of Education may conduct a hearing and render a decision in accordance with the policies established pursuant to these guidelines.

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### **Part 4: Governance Training**

#### **(1) TRAINING REQUIREMENTS.**

(a) New members of charter school governing boards and members of newly approved charter schools shall participate, at a minimum, in 15 hours of training within one year of taking office. The training shall consist of the following minimum requirements; the remaining hours shall be in compliance with the State Board of Education-approved Governing Board Standards:

1. Three hours of such training shall be in charter school finance and budgeting, and
2. Three hours of such training shall be in best practices on charter school governance, the constitutional and statutory requirements relating to public records and meetings, and the requirements of applicable statutes and rules and regulations.

(b) Board members with one or more years of board service shall participate, as a minimum, in nine hours of training annually. Three of the nine required training hours shall include the whole board governance team training provision. Board members with a break in service of more than one year shall be considered new board members for training purposes.

(c) Whole Board Governance Team training, at a minimum of three hours, shall be conducted annually. The purpose of such training is to enhance the effectiveness of the governance team and to assess the continuing education needs of the board and school leader. The assessment of needs shall be based on the State Board-adopted standards for charter school governing boards and shall be used to plan the charter school adopted board training program.

(d) Charter School Governing Board member training must adhere to the following:

1. Each board member training program must include training curricula aligned with State Board of Education governance standards for charter school governing boards.
2. All required board member training shall be conducted by charter school Training Providers approved by the State Board of Education.
3. Charter school governing boards and individual members may also participate in additional training based on identified needs.
4. The board chair shall receive training related to leadership duties of a board chair as some portion of the annual requirement.

(e) The training for charter schools that are college and career academies shall adhere to the standards approved by the State Board of Education in conjunction with the Technical College System of Georgia.

#### **(2) TRAINING CONTENT FOR CREDIT HOURS:**

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(a) Training credit hours will be awarded only on approved content aligned with the State Board of Education governance standards for charter schools.

### **(3) TRAINING PROVIDERS**

(a) Training Provider Rationale: The State Board of Education has adopted “State Board of Education governance standards for charter school boards” as the basis for charter school governing board member training. The approved charter school Training Providers will conduct charter school governing board member training utilizing curricula aligned with the State Board of Education governance standards for charter school governing boards and which meet identified areas for improvement as submitted in charter school governing boards’ training program.

(b) Charter school Training Providers wishing to provide charter school governing board training must be approved by the State Board of Education. To be considered for such approval, charter school Training Providers shall provide to the Department the following:

1. Overview of the individual(s) or entity wishing to provide training.
2. Experience in providing charter school governing board training with references.
3. Instructors’ qualifications.
4. Name(s) of training course(s).
5. Length of training course(s).
6. Syllabus, which includes standard(s) to which each course is aligned.
7. Probable delivery method for delivery of content (whole board, large or small group, virtual, etc.).
8. Proposed location(s) of training course(s).
9. Fees (if any) to be charged for each training course.
10. Participant evaluations of each training course.
11. List of charter school governing board members who participate in each training course.
12. Assurances that trainer will not provide training to charter school governing board members who are immediate members of the trainer’s family without obtaining prior approval from the State School Superintendent or his designee. For the purpose of this assurance, immediate family members shall include a spouse, child, sibling, parent, or the spouse of a child, sibling or parent.

### **(4) STATE DEPARTMENT OF EDUCATION PROVISIONS**

(a) The Department of Education will:

1. Receive assurance of the adopted charter school governing board training program plan.
2. Recommend Training Providers and courses for training credit for State Board of Education approval.
3. Periodically review the charter school governing board training program requirements and make recommendations for improvement.
4. Within three months of the required assurance date of the charter school governing board training program plan publish the approved Training Providers and courses approved for training

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credit.

5. Report to the State Board of Education annually on compliance with the training program requirements by members of charter school boards of education.

### **(5) TRAINING STANDARDS.**

(a) Governance. The charter school governing board is charged with acting in a manner that focuses on improving student achievement and organizational effectiveness.

1. The governance leadership team adheres to appropriate roles and responsibilities, as defined in State Board of Education rules and guidelines.

2. The governance leadership team executes its duties as defined in state law and State Board of Education rules and guidelines and ethical standards, which govern its conduct.

3. The governing board acts as a policy-making body, separate from the roles and responsibilities authorized to the school leader.

4. The governance leadership team demonstrates a unified approach to governing the charter school in order to assure effective fulfillment of roles and responsibilities.

(b) Strategic Planning. The governance leadership team, in collaboration with the community, adopts and enacts a planning process that results in an adopted school strategic plan designed to improve student achievement and organizational effectiveness.

1. The governance leadership team develops and adopts the school's strategic plan.

2. Annually and as needed, utilizing the adopted strategic planning process, the governance leadership team monitors and reports progress on performance measures.

(c) Board and Community Relations. In order to ensure improved student achievement and organizational effectiveness, the governing board creates and sustains healthy community relations, models professional relationships, creates a culture of mutual respect, and serves as a charter school advocate for effective collaboration and engagement of internal and external stakeholders.

1. The governance leadership team develops a process for creating a culture where input is sought, heard, and valued.

2. The board develops policies to ensure effective communication and engagement of all stakeholders' which support the strategic plan, desired culture and continuous improvement of the charter school.

3. The governance leadership team ensures processes that develop, communicate and maintain procedures for communications by stakeholders which result in resolution of issues and concerns supporting the strategic plan, desired culture and continuous improvement of the charter school.

(d) Policy Development. The governing board adopts, revises, and follows written policies in accordance with laws and State Board of Education rules that include but are not limited to those that support improved student achievement, fiduciary responsibility, community and stakeholder engagement, organizational effectiveness, and continuous improvement.

1. The governing board adopts, revises, and follows written policies that are clear, up-to-date, and in compliance with the charter school's strategic plan, state and federal laws and State Board of Education rules and guidelines.

(e) Board Meetings. In order to conduct official business for the purpose of improving student achievement and organizational effectiveness, the local charter school governance leadership team plans and conducts board meetings in accordance with the Open Meetings Act.

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1. The board announces and holds meetings in accordance with the Open Meetings Act (O.C.G.A. §50-14-1).

(f) Personnel. The governing board employs, sets performance expectations for, and evaluates the work of the school leader.

1. The governing board employs a school leader who acts as the Chief Executive Officer of the school.

2. The governing board evaluates the professional performance of the school leader.

(g) Financial Governance. The governing board provides guidance to the school leader and sets sound fiscal policy so that the school is an effective steward of all resources to support student achievement and organizational effectiveness.

1. The governing board upon recommendation of the school leader adopts a budget that adheres to State law provisions and is consistent with its strategic plan.

2. The governing board adopts policy for sound fiscal management and monitors the implementation of the budget in accordance with state laws and regulations.

(h) Ethics. The governance leadership team conducts themselves, collectively and individually, in an ethical and professional manner.

1. The governing board adheres to, adopts and practices a Code of Ethics, avoids conflicts of interest, and annually reviews ethical standards to ensure and enhance governance structure and organizational effectiveness.

2. State charter schools shall not be subject to requirements of this section, but shall adhere to the training and eligibility requirements of O.C.G.A. § 20-2-2084 and rules of the State Charter Schools Commission.

Last Adopted: 11/6/2014