



2015 Charter School Petition Guidelines

DCSD Petition Due Dates

Start-ups: May 15, 2015

Conversions, Renewals & High School Clusters:

August 14, 2015

School Opening Year

2016-2017

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Charter Petition Timeline¹

Step	Action	Start-Up Timeline	Conversion, Renewal, or High School Cluster Timeline	Additional Notes
1	Letter of Intent Due	December 1, 2014	February 2, 2015	Must be submitted to both the SBOE and DCSD
2	Required Informational Session for Petitioners	February 19, 2015 10:00 a.m. AIC- Professional Learning Room 2	February 19, 2015 11:00 a.m. AIC- Professional Learning Room 2	Mandatory session will be held for all interested petitioners to discuss expectations and answer questions regarding the charter review process and requirements
3	Due Date for Charter School Petitions Due by 12:00 p.m.	May 15, 2015	August 14, 2015	Hand Delivery Only (Petitions will not be accepted before the established date.) Charter Petitions received by Charter Office for 1 st round of reviews by Charter Review Committee
4	Notice of Receipt of Petition and Scheduling of Required Capacity Interview & Clarification Session	May 22, 2015	August 21, 2015	Notice of Receipt will be sent to Petitioners along with a scheduled date for a capacity interview and clarification session
5	Petition Reviews	Mid-May to Early July	Mid-August to Early October	Committee will evaluate petition according to the criteria indicated in the <i>Petitioner Guidelines</i>
6	Charter Petition Review Results sent to Petitioner for Petitioner clarification, and response to questions, comments, concerns	June 30, 2015	September 29, 2015	Petitioners must respond to this document with a revised petition Failure to do so will cause the petition to be deemed incomplete
7	Capacity Interview and Clarification Meeting with Petitioners (Required)	July 7-14, 2015	October 6-13, 2015	Interview & Petitioner opportunity to inquire about Charter Petition Review Results
8	Revised Petition Due	July 14, 2015	October 13, 2015	Petitioners submit revised petition with all of the questions, comments, concerns of the Charter Review Committee addressed This will be considered the final petition for submission to the Superintendent and Board of Education
9	Final Review by Charter Review Committee	July 24, 2015	October 31, 2015	
10	Superintendent's Recommendation to the DeKalb Board of Education & DeKalb Board of Education votes to approve or deny petition	August 12, 2015, or earlier	November 11, 2015, or earlier	The Superintendent's staff will present the Board with an agenda item for action, and the recommendation for approval or denial will be presented by the Superintendent or Delegated Staff to the Board
11	Approved or Denied petitions and information submitted to the Georgia Department of Education by the Petitioners	August 2015-October 2015	November 2015-January 2016	DCSD & BOE will provide charter information pages with necessary signatures Approved Petitions will be submitted to GADOE by the petitioner for review and recommendation to the SBOE Submittal of Denial Letters to SBOE and Petitioner within 60 days of denial
12	Petition Cycle Officially Ends	December 31, 2015	March 31, 2016	Petitioners who are denied by the DBOE and seek to submit a revised petition must collaborate with the Charter Office to submit the petition 60 days prior to this deadline.

¹ **If a deadline falls on a date that DCSD administrative offices are closed for business, the document will be considered due on the first business day after the deadline. The District reserves the right to change the timeline, as necessary. No exceptions will be made for missed deadlines.**

Introduction & Information

This *Petitioner Guideline* manual was created to accompany DeKalb County Board of Education Policy IBB.² The *Petitioner Guidelines*³ serves as a guide for petitioners in designing and articulating a comprehensive educational program that realizes the vision of Georgia's Charter School Act, while providing information on how to provide correct formatting and specific provisions that should be included in the petition required by the DeKalb County School District (DCSD). The *Petitioner Guidelines* also provides insight into what considerations the charter reviewer will use to assess the overall petition.

A. Letter of Intent to Submit a Petition

Each petitioner shall submit a letter of intent to the DCSD (this letter of intent should be addressed to the Charter School Office) and to the SBOE (State Board of Education). An eligible, approved letter of intent must precede the petition to be considered for the current charter school processing cycle. The District's example letter of intent may be found at <http://www.dekalb.k12.ga.us/charter-schools>.

B. Petition Review & Process

Petitions will be reviewed and considered based on several factors including, but not limited to: program innovation, a demonstrably effective curriculum and academic plan, solid financial planning, depth and breadth of community support, evidence of strong academic leadership, an effective governing board and carefully designed accountability measures.

Please be sure to follow all instructions in the *Petitioner Guidelines*. Where the questions ask for details, a description, or specific procedures and/or processes, please provide this information as requested. Do not give conclusive assertions or assurances that the charter school will comply, but rather details on how the school will comply. The petition must provide sufficient detail so that reviewers may reasonably ascertain that the petitioner(s) has more than a cursory knowledge of what will actually be offered or expected from the school. Petitions that are incomplete or do not follow these guidelines will not be reviewed by the District or submitted to the Board of Education.

Petitions will be reviewed by the DCSD Charter School Office to ensure that all minimum requirements are addressed. If the minimum requirements are met, the Charter Review Committee, including DCSD experts in various areas of school operations, will review the petition. The Charter Review Committee will then notify the Superintendent of its completion of the review and findings. The Committee's findings will be reviewed by the Superintendent to make a recommendation to the Board of Education. The DeKalb Board of Education will then approve or deny the petition. Filing a charter school petition does not guarantee that a charter with the DeKalb County School District will be granted.

² It is highly recommended that the petitioner read DeKalb Board Policy IBB, and its corresponding regulations, if any, located at <http://www.dekalb.k12.ga.us/board-of-education>. Please see O.C.G.A. §20-2-2063, et. al. and State Board Rule 160-4-9-.04 and accompanying GADOE guidance for charter schools for further information.

³ This document is available in MS Word format to a qualified petitioner, pursuant to a written, email request to the DCSD Charter Office.

All questions regarding the charter petition and review process should be directed to:

Charter School Office
1701 Mountain Industrial Blvd. Suite J-106
Stone Mountain, Georgia 30083
Phone: (678) 676-0377

C. District-Petitioner Communications

DCSD will communicate with the person listed as the primary contact in the petition on the dates listed in the Charter Petition timeline, and as initiated by the District. It is the responsibility of the primary petitioner to forward communication on to others involved in the charter petition development.

D. SBOE & DBOE Requirements

All state requirements are posted on the Georgia Department of Education website at http://public.doe.k12.ga.us/pea_charter.aspx. This site provides information on charter school law, charter school rule, and guidance.

Local requirements are outlined within this document as well in DeKalb County Board of Education Charter School Policies IBB, which can be located at <http://www.dekalb.k12.ga.us/>.

E. Important Federal and State Laws

Applicants are encouraged to have their legal counsel read and understand the following Federal and State laws to ensure compliance in their charter petition:

- ADA Amendments Act of 2008
- Section 504 of the Rehabilitation Act of 1973
- Individuals with Disabilities Act (IDEA)
- Education and Secondary Education Act (ESEA/formerly No Child Left Behind Act of 2001)
- Fair Labor Standards Act
- Equal Pay for Equal Work Act of 1963
- Title VI and Title VII of the Civil Rights Act of 1964
- Age Discrimination Act of 1967
- Occupation Safety and Health Act of 1970
- Title IX of the Education Amendments of 1972
- Workers' Compensation, O.C.G.A. § 34-9-81.1
- Unemployment Compensation
- Federal Educational Rights and Privacy Act (FERPA)
- Official Code of Georgia Title 20: Georgia School Laws
- Charter Schools Act of 1998

F. Petition Approval or Denial

If the petition is approved by the DeKalb Board of Education, it will be forwarded to the State Board of Education (SBOE), by the petitioner, no later than thirty business days after board action. If a proposed school or school location is determined not to be in the public interest of the DeKalb County School District, the DeKalb County Board of Education has the right and authority to deny the petition. Denials will be communicated in writing to the petitioner and SBOE within sixty (60) days of Board action. There is no District appeals process for the Board's denial of a petition, however, resubmission of a revised petition must be submitted in the current petition cycle. Submission in another, future petition cycle, will require for the petitioner to complete all DCSD petition process steps, including submission of a Letter of Intent.

Petition Submission

A. Complete Petitions

Petitioners are required to follow DCSD directions regarding corrections, revisions, amendments, etc. All content and supporting documents requested by the DeKalb County School District and the State Board of Education (including but not limited to all required appendices, state and local checklists and signature pages), must be included and all formatting guidelines must be followed in order for a petition to be considered complete.

Failure to submit a timely and complete petition, including requested revisions, will serve as grounds to deny a petition. If the Charter Office finds that the document submitted is missing substantial amounts of required information, it will be considered incomplete and denied without further review by the Charter Review Committee. The policies and procedures written in your petition, including all other plans, should be submitted in final form.

Charter petitions must address each of the questions and requirements. All requested information should be included in the main text of the petition unless otherwise stated.

B. Deadlines

Complete petitions must be received by the DCSD Charter Office no later than 12:00 p.m. on the stated deadline (*see* Timeline). All petitions must be hand-delivered. No mailed or emailed petitions will be accepted. Pursuant to state statute, the District reserves 90 (ninety) calendar days to review the petition.

C. Petitioner Information Session

A required information session will be scheduled for petitioners (*see* Timeline). This session is designed to orient the petitioner to the process. This information session serves as an opportunity for the petitioner to have their individual questions about the charter review process answered by the DCSD Charter School Office.

D. Capacity Interview & Clarification Session

Petitioners must attend an in-person interview conducted by members of the Charter Review Committee. This session will also serve as an opportunity for the petitioner to inquire about additional information they may need to respond to, as provided in the Charter Petition Review Results, and for the District to assess the capacity of the Petitioner to successfully implement aspects of a charter school, such as curriculum, governance, and finances.

Petition Assembly & Format

Charter petitions must demonstrate all of the following formatting requirements:

- Include the completed GADOE Cover Sheets with required signatures;
- Typewritten in 11-point Georgia or Times New Roman font;
- Printed on 8.5" x 11" white paper;
- Include a table of contents which identifies the page(s) on which each question is answered; Petitioners must organize their petitions according to the numbered questions in the guidelines, with the response to each question item clearly identified;
- One-inch margins with a header showing the proposed charter school's name and a footer showing consecutive page numbers;
- The original must be signed in blue ink. Stamped signatures will not be accepted;
- Does not exceed a maximum of 100 single-sided pages (no double-sided pages), not including attachments or appendices and other supporting documents;
- Include the State Board of Education's Checklist
- The main petition document must also be submitted as a Microsoft Word Document;
- Individually label/tab all attachments;
- The petition is submitted in one (1) three-ring binder (no clips, staples, rubber bands or folders); and
- Answer every question from the State and District. You may indicate "not applicable" (N/A) with a brief explanation if specific questions are not relevant to your proposed charter school.

Your complete petition must include all of the following at the time of submission for 1st and 2nd round reviews:

- Signed Letter of Assurances;
- Seventeen (17) paper copies of your completed petition, in one (1) three-ring binder, including the narrative, all appendices, and all attachments, labeled appropriately;
- Seventeen (17) CDs with your petition in its entirety, including all exhibits and attachments in Microsoft Word or PDF format, as applicable. The entire petition document, including the appendices, should be located in one (1) electronic document; and
- Applicants are responsible for ensuring that all files on the CD-ROMs are accessible and readable.

Eligible School Checklist

A charter school petition may not be submitted by home study programs or schools, existing private schools, sectarian or religious schools, or private for-profit schools.

An applicant can demonstrate that their petition does not involve the conversion of an existing private school by answering NO to all of the following:

- a. Will your proposed charter school have the same or substantially the same board of trustees and/or officers as an existing private school? No Yes
- b. Will your proposed charter school employ a substantial proportion of employees who will be drawn from an existing private school? No Yes
- c. Will your proposed charter school receive a substantial portion of the assets and property of an existing private school? No Yes
- d. Will your proposed charter school be located at the same site as an existing private school? No Yes
- e. Will the private school close within one year of establishment of your proposed charter school? No Yes
- f. Will a substantial portion of your proposed charter school's students be drawn from the existing private school? No Yes

If you answered "yes" to any of the questions above, your proposed school is not eligible to become a charter school with DeKalb County.

Eligible Uses for Quality Basic Education (QBE) Formula Funds

A charter school is authorized to serve one or more of the grades one through twelve. It may also establish a Kindergarten program. However, QBE formula earnings do not cover Pre-K programs.

Charter schools may not provide English language instruction, GED preparation courses, technical certification courses, after school programs, tutorials or other programs or services to parents or family members using Quality Basic Education (QBE) formula funds.

While these services are permitted in the school facilities, they must be funded through other revenue sources and therefore, should not be included in the school's operating budget. Funds for these services, including personal funds, should not be commingled.

Start-Up Petition Requirements

All start-up petitions that are submitted by a charter petitioner to the local board must meet the petition requirements provided in the Petition Guidelines & Questions section of this manual.

Conversion Charter Schools Petition Requirements

All conversion charter petitions that are submitted by a charter petitioner to the local Board must meet the additional petition requirements:

- a. Include a statement, and evidence, that the petitioner has held the appropriate votes, by secret ballot, required pursuant to O.C.G.A. § 20-2-2064, and shall describe the procedures and outcomes of those votes. For the purposes of the vote required pursuant to O.C.G.A. § 20-2-2064 (a)(1)(A), each faculty or instructional staff member shall have a single vote.
- b. A conversion charter petition shall include a statement detailing the flexibility that the conversion school shall have from the District. *Please see the Conversion Charter Flexibility & Freedom Chart at the end of this book.* 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 the school intends to implement and how this will materially distinguish the conversion school from the school's pre-conversion model.

High School Cluster Petition Requirements

Pursuant to O.C.G.A. § 20-2-2062 and 20-2-2063(b), a high school and all of the middle and elementary schools whose students matriculate into that high school may act as a single charter petitioner to convert to charter school status. The high school cluster petition may include new and existing start-up charter schools, conversion charter schools, and renewals thereof.

All high school cluster charter petitions that are submitted by a charter petitioner to the DeKalb Board of Education must meet the additional petition requirements:

- a. Include a statement that the petitioner has held the appropriate votes, by secret ballot, required pursuant to O.C.G.A. § 20-2-2064, and shall describe the procedures and outcomes of those votes.
 - i. For the purposes of the vote required pursuant to O.C.G.A. § 20-2-2064 (a)(1)(A), each faculty or instructional staff member shall have a single vote.

- ii. For the 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.

- b. Include a statement, and evidence, affirming that a vote was conducted at each school proposed to convert into the high school cluster, and the day(s) and time(s) the polls were open.

- c. Include a statement indicating if the petitioner opted to allow parents who resided outside of the cluster attendance zone to vote.

- d. Include a statement indicating the total number of faculty and parents who cast a ballot at each school and the percentage of yeas and nays.

- e. A conversion charter (high school cluster) petition shall include a statement detailing the flexibility that the conversion school shall have from the District. *Please see the Conversion Charter Flexibility & Freedom Chart at the end of this manual for the district’s insight into appropriate levels of autonomy for a conversion charter school.* 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 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.

- f. Include a statement describing the rationale for petitioning as a high school cluster.

- g. Include a description of how each school shall be held accountable for academic performance goals stated in the charter.

- h. Include a description of how the high school cluster as a whole shall be held accountable for performance goals stated in the charter.

- i. Petitioners must ensure that they adhere to all Standards as set forth by the Southern Association of Colleges and Schools (SACS) and AdvancED.

Charter Renewal

Petition Requirements & Executive Summary

All charter renewal petitions (start-up, conversion, or high school cluster) that are submitted by a charter petitioner to DCSD must meet all charter petition requirements and must comply with current State Charter Laws, Rules, and Guidance. In addition, a charter school’s renewal petition must contain an executive summary. The executive summary should not exceed three (3) pages.

- a. **Brief Synopsis of the School:** original opening date, history, grades served, number of students seeking to serve, grades being added, school’s innovation, etc.

- b. A succinct overview of the performance of the school or schools over the term of the charter and the proposed changes to the charter, in the following areas:
 - i. **Academic Performance, Student Growth, & CRCT/ Georgia Milestones Scores:** Information and/or evidence that demonstrates the academic success of the charter school during the previous charter term(s). This demonstration shall explain how the charter school succeeded in meeting the annual measurable objectives of CCRPI (or AYP, if applicable) and the performance-based objectives stated in the charter.
 - ii. **Governance:** Information and/or evidence that demonstrates effective governance of the charter school during the previous charter term(s). This demonstration shall detail governance training and meeting dates, changes in governing board leadership, and any other innovative practices or challenges that the governing board experienced. Additionally, this section shall include a brief section on the school's leadership and organizational structure, including any significant changes in the school's leadership.
 - iii. **Fiscal Knowledge & Responsibility:** Information and/or evidence that demonstrates effective and efficient fiscal knowledge and responsibility of the governing board and school leaders, including how the charter school succeeded in achieving financial stability and funding from sources other than the District.
- c. If the school failed to meet any academic/student performance objectives, or other performance-based objectives regarding governance, finance, or organizational stability and effectiveness, etc., the petitioner must clearly define and explain these situations in the executive summary.
- d. If a Breach of Contract Notice was issued during the most recent charter term, the petitioner must state this in the charter renewal petition and explain how the matter was resolved.
- e. If termination proceedings were initiated during the most recent charter term, the petitioner must state this in the charter renewal petition and explain how the matter was resolved.

Charter Information & Petition Questions

The **DCSD Charter School Petition Guidelines'** questions are aligned and consistent with the *GADOE Application*. ALL questions and sub-questions must be answered. Corresponding tips are located at the back of these guidelines.

Including the SBOE application, the petitioner should copy the following form as the first page of their DCSD charter petition:

Name of Proposed Charter School: _____

Check one: New Start-Up New Conversion
 Start-up renewal Conversion Renewal
 College & Career Academy

If renewal, when was the original charter term start date? _____

If renewal, for how many charter terms has the school been in existence? _____

Name of the Georgia nonprofit corporation that will hold the charter, if granted:

Contact person: _____

Name

Title

Contact address: _____

Telephone number of contact: _____

E-mail address of contact: _____

Grade Levels Served: _____

Ages Served: _____

Proposed Opening/Renewal Date: _____

Proposed Charter Term: _____

The Petitioner should indicate all grade levels to be served each year during the charter term. For each year of the charter term, please indicate the maximum number of pupils the charter school plans to serve each school year.

Year/Grade	K	1	2	3	4	5	6	7	8	9	10	11	12	Total
2016-2017														
2017-2018														
2018-2019														
2019-2020														
2020-2021														

I. THE CASE

1. Why do you want a charter?

- a. What is your motivation for applying to be a charter school?
- b. What will you be able to do with a charter that you cannot do without a charter?
- c. Describe how parents, community members, and other interested parties were involved in developing the petition and will be involved with the school.
 - i. Describe in detail the community support for this school and the need for this particular school in the community it will serve. Support may be evidenced through additional documentation.
 - ii. As part of your evidence of community engagement, you must provide a letter or a petition signed by parents/guardians of school-age children eligible to attend the charter that demonstrates that they would consider enrolling their child in the proposed school. These items may be placed in the Appendix.
 - iii. Describe the steps you have taken to develop any partnerships and your plans to further develop additional community partnerships.
 - iv. Provide a list of organizations that have committed to partner with your school and the potential nature of the partnerships. Provide evidence of support from the partners in the Appendix.
- d. What is the Charter School's Mission? How does it support the legislative intent of the school's program to "increase student achievement through academic and organizational innovation?"
- e. Please provide specific examples of and documentation regarding programs that would be offered by your school that are not offered in any existing schools in DCSD. Please see Board Policy IBB.

Guideline: *The petition should contain a clear mission statement that explains what the school intends to do, for whom, and to what degree. Identify how the school will accomplish its purpose and what makes it uniquely suited to do so. Additionally, the petition's program should not merely duplicate programs currently offered by other schools in DCSD.*

II. ACADEMIC OBJECTIVES, PLANS, AND WAIVERS

2. What are your school's performance objectives for the proposed charter term?

- a. As background for your answer to this question, please see the CCRPI and Beating the Odds goals (Attachments A and B) and review the PowerPoint found on the GADOE's Charter Schools Division's website. These goals will be included in your charter contract.
- b. In your answer to this question, you will list the specific areas you will target to achieve your CCRPI and Beating the Odds goals.
- c. For example, you may choose to target Math or ELA to raise your overall CCRPI score – because your current Math or ELA scores are dragging your CCRPI score down.
- d. As a way to be competitive on Beating the Odds, you may also choose to focus on closing the gap in your school between educationally advantaged and educationally disadvantaged students – or you may choose to ensure gifted students are well-served, since average-performing gifted

students will lower your Beating the Odds ranking compared to schools and districts with high-performing gifted students.

- e. Indicate the expected rate of student performance growth in each year of the proposed charter term.
- f. You are encouraged to include all or some of the components of the current draft of the Georgia Department of Education's College and Career Ready Performance Index (CCRPI).
- g. You are urged to include cohort measures that show the progress over time of a single cohort of students.
- h. You are also urged to include national norm-referenced test results among your performance measures.
- i. Be specific, measurable, attainable, relevant, and time-based (SMART).

3. How will the charter school governing board, management, instructional leadership, faculty and staff know that students are on track to meet these academic goals?

- a. What assessments will the school administer to obtain performance data for each student?
- b. Describe how the school will obtain baseline achievement data.
- c. Describe how the school will benchmark student growth.
- d. Describe plans to formally and informally assess student performance in the core academic areas.
- e. Explain how the charter school will work with the local school system to participate in all state-mandated assessments. Provide a statement that the charter school will administer all state assessments in accordance with the DCSD testing calendar.
- f. Describe plans to diagnose educational strengths and needs of students and plans on how this data will be used for instructional planning.
- g. Describe the school's plan for using assessment data to monitor and improve achievement for all students over a set period of time.
- h. Describe how the charter school shall comply with the accountability provisions of O.C.G.A. § 20-14-30 through § 20-14-41 and federal accountability requirements.
- i. Describe how the charter will adhere to all assessment guidelines and procedures as outlined by the State Assessment Handbook, the State Accommodations Manual and other state and local guidance on assessment.
- j. Describe how staff from the charter school will attend required test administration training held by DCSD.

4. What specific actions will the school's management, instructional leadership; faculty and staff take to ensure student performance objectives are met during the proposed charter term?

- a. Describe the focus of the curriculum. This statement should also discuss any distinctive or unique instructional methods to be used that are research-based and standards driven.

- b. A full and complete curriculum, aligned, for all grade levels to be served during the proposed charter term is required to be submitted as an Appendix item. This information must be aligned with Common Core and Georgia Performance Standards (where applicable).
 - c. Identify materials/programs that the school plans to obtain/purchase to support the stated curriculum.
 - d. Describe the educational innovations that will be implemented.
 - e. Provide a clear explanation of how the innovations will increase student achievement.
 - f. Describe why the innovations are appropriate for this unique school.
 - g. Describe the anticipated teacher-to-student ratios and the rationale for maintaining these ratios. Please describe your intended class sizes, including the minimum and maximum number of students. Be sure to explain the source of any additional funding necessary if the class sizes are smaller than those set forth in the SBOE Class Size Rule 160-5-1-.08.
 - h. If this is a charter high school, describe how the charter high school will determine that a student has satisfied the requirements for high school graduation, including the credits or units to be earned and the completion credentials to be awarded.
5. **What are the school's plans for educating special populations? (Reciting the requirements of law and rule is not sufficient)**
 6. **Describe methods, strategies and/or programs for meeting the needs of students identified as gifted and talented. Include any diagnostic methods or instruments that will be used to identify and assess those students.**
 7. **Describe how the charter school will provide state and federally mandated services for students with disabilities. Include any diagnostic methods or instruments that will be used to identify and assess those students.**

***Guideline:** To demonstrate compliance with Federal requirements, the petition should clearly articulate the policies and procedures the charter school will follow to ensure the Federal requirements are met as well as elaborate on the services it intends to provide. Charter schools must comply with all Federal requirements for students with special needs, and they are required to implement a student's IEP as written. Charter schools must ensure that there are sufficient numbers of well-prepared and competent administrators, teachers, and staff with experience working with students with disabilities and special needs.*

8. **Describe methods, strategies and/or programs for students receiving supplemental education services. These services should be provided pursuant to SBOE Rule 160-4-5-.03 and the Elementary and Secondary Education Act/No Child Left Behind.**
9. **Describe methods, strategies and/or programs for meeting the needs of students at-risk of academic failures through remediation. Include any diagnostic methods or instruments that will be used to identify and assess those students who are performing below grade level as well as the processes/programs/tools to be used in providing them with remedial instruction. These services should be provided pursuant to SBOE Rule 160-4-5-.01 and NCLB.**
10. **Describe how the charter school will provide state and federally mandated services for English Language Learners (ESOL). Include any diagnostic methods or instruments that will be used to identify and assess those students, including:**

- a. A description of the special language instructional program to be provided to ELLs that is designed to teach English, as well as general curriculum and who on staff will coordinate this effort.
- b. A provision indicating that ELL students will not be excluded from curricular and extracurricular activities in school because of the inability to speak and understand the language of instruction.
- c. Appropriate evaluative standards for measuring the linguistic and academic progress of ELL students, including program exit criteria.

11. List all proposed extracurricular activities or other auxiliary educational activities along with the grade levels in which these activities will be offered. Please list and describe the partnerships the school has developed to offer extracurricular activities (ex: chorus, band, sports, clubs, art). This information should explain who the partner organization is, at which location the activity will be offered, and any charges associated with providing these activities. Please provide copies of contracts or correspondence setting forth the terms of the partnership.

12. Which of the specific actions in the academic plan require a waiver of state law, rule, or guidelines?

- a. Although you will be granted a broad flexibility waiver if you are granted a charter, please demonstrate why a charter is necessary for this school by providing examples of significant components of your academic plan for which you need a waiver. Please also identify the specific waivers that are required to allow the implementation of those components.

III. ORGANIZATIONAL OBJECTIVES, PLANS, AND WAIVERS

13. State the school's Organizational Goals and Measures.

- a. School organizational performance objectives should reflect where the school envisions itself organizationally at the end of the charter term.
- b. Objectives should include areas such as: governing board training, student and teacher retention, and student, parent and teacher satisfaction.

14. What specific actions will the school take to achieve its organizational performance objectives?

- a. Describe the organizational innovations that will be implemented during the proposed charter term.
- b. Provide a clear explanation of how the innovations will increase organizational effectiveness.
- c. Describe why the innovations are appropriate for this unique school.

15. Which of the specific actions in the organizational plan require a waiver of state law, rule, or guidelines?

- a. Although you will be granted a broad flexibility waiver if you are granted a charter, please demonstrate why you need a charter by providing examples of a significant component of your organizational plan for which you need a waiver. Please also identify the waivers that are required to allow the implementation of that component.

IV. GOVERNANCE

A key characteristic of charter schools is that an autonomous governing board makes decisions on behalf of the school. It is imperative that all governing boards demonstrate substantial autonomy, decision-making authority and capacity.

16. Describe how an autonomous governing board will make decisions for the school.

- a. Identify each member of the governing board; describe the composition of the governing board (number of members, skillsets to be represented, how members are/will be representative of the

- school and the community, etc.; describe how and when board members will be selected, and the terms that governing board members will serve. Briefly explain the recruitment plan of new members if vacancies occur.
- b. Describe the governing board's function, duties and role in the areas of budget, resource allocation, personnel decisions (primarily school leader selection, evaluation, and termination), establishing and monitoring the achievement of school improvement goals, curriculum and school operations.
 - c. Please use the Governance matrix (found on the Charter School Division's website) to illustrate the level of autonomy your Governing Board will have. Please note: This matrix will become part of your charter contract.
 - d. Use this section to provide a narrative of your matrix, including anything in the matrix that requires further explanation or clarification.
 - e. Describe your plan for ensuring that you maintain a diverse board with broad skillsets.
 - f. Describe how and why governing board members may be removed.
 - g. Georgia law now requires Charter Schools to provide initial training for newly approved charter school Governing Boards as well as annual governance training thereafter. Governance training should help build the capacity needed to make decisions in the above-mentioned areas. Trainers must be selected from a SBOE-approved list that ensures that the training covers certain SBOE requirements. Beyond those requirements, as a best practice, Charter Schools should also ensure that it selects a training program that covers areas of identified needs.
 - h. Describe your plan and timeline for securing a provider for your initial governance training as well as annual training thereafter. Include in this plan, areas of focus that are specific to your board and school. Provide a brief plan for continuous governance training, recruitment and retention of high quality governing board members.
 - i. Disclose any potential conflicts of interest and describe how the governing board will ensure that current and future board members avoid conflicts of interest.
 - j. How will the governing board's role uphold the school's mission and vision? Please provide specific examples.
 - k. How will the governing board evaluate the principal's performance? This should include the assessment tool that will be used to determine effectiveness.
 - l. How will the governing board ensure effective organizational planning and financial stability? Please provide specific examples.
 - m. How will parents, community members, or other interested parties be involved in the charter school's governing board?
 - n. How will the school promote parental and staff involvement in school governance?
 - o. How will the school communicate with students' families?

17. Grievances

- a. What will be school leadership's role in resolving teacher, parent and student grievances and other conflicts? Describe the rules and procedures concerning how the school will address grievances and complaints from students, parents, and teachers. The grievance policy should clearly articulate how individuals may present grievances, how those grievances will be reviewed,

and who will undertake the task to review grievances, as well as the time frame for disposing of a grievance.

- b. What will the governing board's role be in resolving teacher, parent, and student grievances and other conflicts? This should include specific procedures and protocols for grievance resolution for each group. Describe the plan or method that the charter school's governing board will utilize for resolving conflicts with the DeKalb County School District and/or Board of Education. Explain how conflicts will be addressed and resolved.
- c. Describe the method that the governing board plans to utilize for resolving internal conflicts.

Guideline: *Grievances with the principal or those that have escalated through the chain of command should involve a step that involves the governing board in the resolution process.*

18. In the appendix, attach an official copy of the certificate of incorporation for the required Georgia nonprofit corporation from the Georgia Secretary of State, pursuant to O.C.G.A. § 20-2-2065(b)(4).

19. Provide a brief description for each governing board member that explains what role they will play on the board and why they were chosen to participate in the founding group. Attach the member résumés or curriculum vitas in the appendix.

20. In the appendix, please provide the proposed charter school's bylaws, pursuant to O.C.G.A. § 20-2-2065(b)(4). (All petitions must provide a copy of the by-laws in final form; no drafts.) Bylaws must reflect the charter school's mission and non-profit status and should include:

- a. The method by which the board will be elected or appointed and removed, as well as the term of office for each member.
- b. The number of members to serve on the board after the charter school is authorized (the minimum required by DCSD is five), and identify any seats reserved for specific constituents.
- c. The responsibility and authority of the board for the policy and operations of the charter school.
- d. A list of committees of the governing board (which must include, at minimum, an executive, finance, and education/accountability committee).
- e. The calendar for board meetings, providing for a minimum of six meetings per year.
- f. A list of the quorum and voting requirements for board meetings and committees.

21. A conflict of interest is generally defined as a situation in which someone has differing or competing professional, monetary or personal interests. Any potential conflicts of interest of the founding governing board members must be disclosed. Provide the complete and signed conflict of interest form for each proposed founding board member, located at the end of these Guidelines. This form must be included in the petition appendices and completed by each founding and/or governing board member.

V. CONTRACTS WITH EDUCATIONAL SERVICE PROVIDERS OR OTHER CHARTER PARTNERS

- 22. Does the charter school intend to contract, or has the school contracted, with an education service provider (ESP) or other charter partner, to provide management or consulting services? If so, please complete this section and include a signed, operationalized agreement submitted as an exhibit.**
- a. Describe how the arrangement will be in the best educational and financial interests of the charter school.
 - b. Describe other education service providers or charter partners that were considered and the reasons this ESP or partner was selected above all others. How and why was EMO/CMO company chosen, selected?
 - c. Describe the history of the ESP or partner selected, including academic results, closures, non-renewals and separations.
 - d. Describe how the contract was negotiated.
 - e. Briefly describe the range of services the education service provider or partner will provide for the school. To what extent will the educational management company participate in the management of the school? Please describe all educational and non-educational services to be provided by any educational management company or for-profit entity with which the charter school will contract.
 - f. Describe how the governing board will monitor and assess the performance of the management organization.
 - g. What are the requirements to terminate the contractual relationship and how would terminating the relationship affect the school's ability to continue its operations?
 - h. Describe the reporting and organizational structure of the school in regard to the governing board, school administration and educational management company in relation to the governance and management of the school. Clearly delineate which positions are employees of the [EMO/CMO] and which persons or positions are employees of the charter.
 - i. In the Appendix, provide the latest annual report for the educational management company, including audited financial statements, if available.
 - j. In the Appendix, provide the educational management contract with all applicable signatures and dates of execution.
 - k. Is the EMO/CMO charging a fee for their services? If yes, this description should include the nature, duration, and cost of service commitments.
 - l. Please submit a list of all owners, directors and officers of the [EMO/CMO].
 - m. Please submit the name, address and telephone number of the legal representative and the accounting firm for the [EMO/CMO].
 - n. In the appendix, provide references from previous schools managed by the [EMO/CMO], including academic success of students by grade and program measured by test scores and external financial audits for each school managed (both those currently opened and those that have closed) within the last three years. If the company has managed schools in the state of

Georgia which have closed, the reasons for its closing should be offered. (If the company has a history of closures across the nation, please explain.)

- o. A description of the [EMO/CMO]'s partnerships with any other charter schools, public schools, or private schools. If applicable, please provide a list of all schools managed or Served in the last five years (including those no longer in operation). Indicate the location and grade levels served of those schools.
- p. Is the charter school leasing, lease-purchasing or engaging in any other property or financing relationships with the [EMO/CMO]? Is so, please provide the statement in the petition that lease, lease-purchase, or financing transactions will be separately documented and not a part of or incorporated into the [EMO/CMO]-charter school agreement.

23. List any proposed business arrangements or partnerships with existing schools, educational programs, businesses, or nonprofit organizations (excluding those relationships discussed in previous section).

- a. Contact information for a representative of each business and/or partnership listed should be provided.
- b. Disclose any potential conflicts of interest within each arrangement or partnership.
- c. Include a copy of any actual or intended contract with each arrangement or partnership in the Appendix.

***Guideline:** Any business arrangements or partnerships described should already be initiated at the time charter petition is submitted and should be documented through signed agreements between the parties involved.*

VI. FINANCIAL OBJECTIVES, PLANS, AND WAIVERS

24. State the school's Financial Goals and Measures.

- a. School financial performance objectives should reflect where the school envisions itself financially at the end of the charter term.
- b. Objectives should emphasize fiscal health and sustainability.
- c. Describe the school's plans for fiscal management; and specify how the school will manage budgets and expenditures.
- d. Use the spreadsheets provided by GADOE, which list detailed budget information projecting revenues and expenditures for the first five years of the proposed charter term. 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. Include a budget that complies with O.C.G.A § 20-2-171.
- e. Identify the school's Chief Financial Officer and describe how that person's credentials comply with the Guidance for Georgia State Board of Education Rule 160-4-9-.04 for the purpose of developing and adhering to generally accepted accounting principles.
- f. Identify the representatives of the school who will be responsible for the financial management of the charter, and describe plans to procure and maintain during the entire length of the charter a Crime/Fidelity Bond covering all persons receiving or disbursing funds. The DCSD required bond amount is \$1 million.

Guideline: At a minimum, the school's CFO must possess the following qualifications: 1) 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 2) documented experience of ten or more years in the field of business and financial management.

25. What specific actions will the school take to achieve the financial performance objectives?

- a. Describe the financial innovations that will be implemented during the proposed charter term.
- b. Provide a clear explanation of how the innovations will increase financial effectiveness.
- c. Describe why the innovations are appropriate for this unique school.

Guideline: Applicants must adhere to these general requirements for all budgets and cash flow documents:

- The charter school must operate on a July 1 to June 30 fiscal year.
- Budgets must be consistent with the school's mission, vision, objectives and goals.
- Budgets must show estimated revenue and expenses for each year and must be balanced i.e., revenues must be equal to or greater than expenses.
- The budget must include a narrative describing the process for estimating revenue and expenses.
- Revenue estimates should be conservative and expense estimates should be realistic.
- Documentation must be retained to show the basis for the assumptions made in estimating revenue and expense. If grant awards are presumed as revenue, the petition must include either a grant award letter or a letter of intent to award, predicated upon the granting of a charter. If no such evidence is provided, the petition cannot include such anticipated grant funds as revenue.
- Include funds in the budget for legal representation; the school must be prepared to defend itself, without assistance from the district, in case of a lawsuit.

26. Fundraising or Other Sources of Income

- a. Please describe in detail the school's plans for securing other sources of funding. This plan should demonstrate financial independence from the school district by using state and local funds and a feasible plan to supplement those funds with other funding sources on a yearly basis as required.
- b. Describe any planned fundraising efforts and who will lead and coordinate these efforts. Because there is no guarantee that these funds will be awarded, you must describe how your school would remain solvent if you do not receive these funds.
- c. Independent private funding sources that have been secured must be evidenced through a letter of intent, commitment letters, and/or loan agreements from the funder may be included as an Appendix item.
- d. If established, provide evidence of your organization's federal tax-exempt status in the Appendix.

Guideline: Funding by DeKalb County Schools shall not be affected by the charter school's receipt of any grant or funds from another source. If the charter school ceases operation, any grant funds or loan proceeds made to the charter school shall be distributed in accordance with the terms of the grant or loan.

27. Which of the specific actions in the financial plan require a waiver of state law, rule, or guidelines?

- a. Although you will be granted a broad flexibility waiver if you are granted a charter, please provide examples of a significant component of your financial plan for which you need a waiver – and the waivers that are required to allow the implementation of that component.

VII. STUDENT ADMISSIONS

28. How will students be admitted to the charter school?

- a. What is the school's attendance zone? Please describe or provide a map which indicates your targeted attendance zone.
- b. Please state the following enrollment priorities that apply, pursuant to O.C.G.A. § 20-2-2066(a)(1), in the rank order the school will use them. If the school will not utilize any enrollment priorities, please leave this section blank.
 - 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
 - iv. Students matriculating from a local school designated in the charter
- c. Describe the rules and procedures that will govern admission and registration. Please include the school's admissions policy for potential students that are equitable, non-discriminatory, and will ensure that the student populations will reflect diversity. Please note that "enrollment priorities", "admission" and "registration" are different concepts. To avoid confusion the GADOE recommends the following:
 - i. "enrollment priorities" describe those students granted priority pursuant to O.C.G.A. § 20-2-2066(a)(1);
 - ii. "admission" describes pre-lottery processes and forms; and
 - iii. "registration" describes post-lottery processes and forms after the student has been offered a seat at the school through enrollment priorities or the lottery process.
- d. Describe procedures for situations if student applications for admissions exceed available space, including the following:
 - i. The precise manner in which the lottery will be conducted and by whom;
 - ii. Measures to ensure that the admissions process adheres to legal requirements; and the procedures for wait-listing students who are not included in the first round of lottery offers.
- e. How will the charter school reach students representative of the racial and socioeconomic diversity in the school system?
- f. How does the school plan to recruit students and maintain/increase enrollment? Please include an enrollment application in the appendix.
- g. Attach the charter school's proposed annual calendar and a draft of the charter school's daily school schedule.

VIII. FACILITIES

A charter school's facility is a very important part of implementation. Without a proper facility, the charter school will not be feasible. Best practice is that a school's facility costs should not exceed 15% of its total expenditures. Additionally, please be aware that all facilities must be approved by the Department's Facilities Services Unit (more information regarding this step can be found on the Department's website). For this reason, it is imperative that the charter school not commit to a facility before it has been approved. We encourage new schools that are planning construction or major renovations prior to the admission of students consider a planning year to safely complete the construction process. We also strongly encourage Memorandums of Understanding (MOU) pending approval. Also for this reason, it is encouraged that a school have at least two facility options.

29. Describe the school facility that the charter school proposes to use.

- a. Is the facility new or existing? Describe the quantity and types of rooms (i.e. classrooms, administrative offices, program specific space (science labs, art workshops, etc.), media center, meeting space, and/or kitchen facility.)
- b. Will the facility require renovations? If so, describe the extent of the renovations and source of funding to pay for the renovations. (Building plans must be approved by the DeKalb County School's Facilities department.)
 - I. Please include a narrative regarding how the renovations will comply with all applicable local zoning and building codes and timetable to achieve compliance. Include how anticipated completion date for each major phase of renovation.
 - II. Any rehabilitation work necessary for this site to meet building codes applicable to schools must be completed before the start of the school year and must include the following:
 - The scope of the work to be completed and proposed funding mechanism to cover these costs;
 - The person(s) who will manage the project and their qualifications; and
 - A project timeline.
 - III. If applicable, include written verification from the appropriate municipality that the zoning and land use regulations for the site will permit the operation of a public school on the premises.
- c. What is the location of the facility?
 - I. If the charter intends to lease or contract with a church or other religious organization, please attach the questionnaire, entitled "Building Lease with Religious Organization Form," regarding this arrangement.
 - II. Provide documentation of ownership or a copy of the lease of the facility. If ownership documentation or a lease is unavailable, provide a timeline for obtaining such facilities or providing such documentation (this question does not apply to conversion charter schools).
- d. How does this facility meet the required space needed for the proposed school? Please indicate if the identified site will accommodate the school through the initial charter term and at full capacity. If the school will not start at full capacity, describe how the school will accommodate growth over an initial five-year term of the school.
- e. If applicable, schools must submit a School Site Selection Form for Site and Facility Approval for a site or facility not owned by the DeKalb Board of Education. This also includes completion of a "Phase I Environmental Site Assessment." (Place these items in the Appendix.)

30. Does the charter school have an MOU for the facility pending charter and facility approval?

- a. The MOU should include the total proposed facility cost.
- b. The MOU should set forth any material terms that will be reflected in a lease, such as the lease term.

31. Does the charter school have a Certificate of Occupancy (CO) for the proposed facility?

- a. Please note that schools must obtain a CO no later than 45 days before the start of the charter term on July 1. Attach a copy of Certificate of Occupancy. Please provide a Certificate of

Occupancy, or a timeline detailing the latest possible date by which the Certificate of Occupancy will be obtained prior to students occupying the proposed facility.

32. Does the charter school have an emergency safety plan pursuant to O.C.G.A. § 20-2-1185 for the proposed facility?

Please note that schools must submit an emergency safety plan no later than 45 days before the start of the charter term on July 1.

- a. Provide the school's emergency/safety plan in the Appendix.
- b. Describe how all local and state policies related to health and safety will be met.

IX. STUDENT DISCIPLINE

33. Please state whether or not the school intends to adopt the DeKalb County School District's Student Code of Conduct as the school's discipline policy.

- a. Provide the school's student discipline policies and procedures, setting forth student due process procedures for all disciplinary action, not just for the most serious forms of discipline such as out-of-school suspension and expulsion, in a Code of Conduct, as an Appendix item.
- b. Provide a description of how the charter school will meet the federal due process requirements for students with disabilities, or students believed to have a disability, who are suspended or removed for disciplinary reasons.
- c. If the school intends to require a uniform, the dress code policy should also be included.

Guideline: The policy must not refer to involuntary transfer as a discipline option. It is mandatory that applicants adopt the DeKalb County School District's Student Code of Conduct as their discipline policy.

X. OTHER INFORMATION

34. Describe whether transportation services will be provided and include a statement that the transportation program will comply with applicable law. If transportation services are not provided, explain how this will not discourage eligible students from attending the school.

35. State whether the charter school will provide food services (including participation in the National School Lunch Program).

- a. If food services will be provided, please describe this program briefly.
- b. If food services will not be provided, please indicate your plans for providing for student lunches. This plan should include information on whether the food will be prepared on-site or off-site and the anticipated cost to students and other significant elements of the food service program should be provided.

36. Provide information on the school's legal representation or counsel.

- a. How will the proposed school ensure compliance with the requirements of law with respect to legal issues?
- b. Please confirm whether this organization or individual has reviewed the DCSD charter petitioner guidelines and petition document to be submitted.

37. Describe the charter school’s insurance coverage, including the terms and conditions and coverage amounts thereof. Information on insurance coverage and amounts are required in the following areas:

- a. General Liability
- b. Errors or Omissions
- c. Property/Lease Insurance
- d. Auto Liability
- e. Worker’s Compensation
- f. Theft

Copies of the school’s insurance policies should be included as an Appendix item. If insurance policies do not exist, please provide the following statement: “Copies of each policy shall be provided to the DCSD Charter School Office prior to the opening of the school.” Please list the date by which evidence of insurance will be submitted.

38. Additional information that may support the information presented in the narrative section of your petition and helps the reviewer to better assess the proposed charter school may be included in the appendices. DCSD may request additional attachments/appendices as needed. Pages in the appendices should be numbered, labeled, and included in the Table of Contents. Labeled tabs/dividers should separate the appendices. Please attach only materials referenced in your petition, such as budget forms, certificates of incorporation, bylaws, education management company or other third party contracts, facilities, Letter of Intent and/or Memorandum Of Understanding, resumes, and signed conflict of interest forms. Examples of common attachments/appendices are listed below, but are not solely limited to these items.

Required appendix submission (if applicable):

1. Resumes of Founding Board Members
2. Board Questionnaires/Conflict of Interest Forms (provided below)
3. Annual Calendar
4. Draft of the School’s Daily Schedule
5. Partnership agreements for Extracurricular activities
6. Certificate of Incorporation
7. Monthly Cash Flow Projections for First Two Years of Operation (with Revenue and Expenditures)
8. Monthly Cash Flow Projections for First Two Years of Operation (with Revenue and Expenditures assuming projected student enrollment)
9. Annual Cash Flow Projections for First five years of operations
10. Contracts for Supplemental Education Services and Remediation
11. Full Curriculum with Alignment to Georgia Performance Standards
12. Governing Board Bylaws
13. Institutional Partnership Agreement/MOU
14. Questionnaire on Religious Organization Agreements
15. Educational Management Company Contract, Financial Statements, and Proof of Academic Success & Student Growth
16. Facilities Plans
17. Insurance/Indemnification Information
18. Copies of each required insurance policy
19. Start-up and Five-Year Operating Budget
20. School Safety Plan
21. Site and Facility Approval Form
22. Parent, Student, or Faculty Handbooks & student Dress Code
23. Letters of Community Support for the Petition
24. Lease or Documentation of Ownership
25. School’s Asbestos Plan
26. Code of Student Conduct
27. Certificate of Occupancy
28. Documentation of Application for Accreditation for schools grades 8-12
29. Job Descriptions

Optional Appendix information:

1. Letters of Support from Funders
2. Code of Ethics
3. Organizational Charts
4. Program Descriptions, beyond those required
5. List of Partners and Details of Partnership

39. Letter of Assurances

The law requires your school provide assurances that it will do certain things and comply with certain laws. The DCSD Letter of Assurance Form enumerates these and other mandatory requirements. When you submit this form as part of your charter school application package, you are providing the legal assurance that your charter school understands and will do these things. This form must be signed by a duly authorized representative of the school. The Letter of Assurance Form is located at the end of this manual. The District reserves the right to add assurances, modify, or individualize this document for a petitioner, before or after the Board of Education's approval.

DeKalb County School District Signature Sheet

(Please sign section 1 only in blue ink and submit with petition)

The petitioner hereby agrees to adhere to all laws, regulations, and District Guidelines & Board Policy IBB during the petition review process. The Petitioner also agrees to refrain from engaging in any conduct that could be deemed as, but not limited to, illegal, improper, unprofessional, intimidating, collusive, and/or bribery toward, of, or with any District employee and/or DeKalb County Board Member during the petition process. Engaging in any act as stated above will result in an automatic withdrawal of the petition for review and potential sanctions. The petitioner hereby asserts that a completed petition has been submitted. If a charter is granted, petitioners assure that the proposed charter school's programs, services, and activities will operate in accordance with the terms of the charter and all applicable, federal, state, and local laws, rules, and regulations.

Authorized Charter School Representative

Date

1. This Charter School Petition, Assurance Form, and Attached Exhibits were **approved** by the DeKalb Board of Education on the _____ day of _____, 20_____.

Authorized Charter School Representative

Date

Chair, Local Board of Education

Date

2. This Charter School Petition, Assurance Form, and Attached Exhibits were **denied** by the DeKalb Board of Education on the _____ day of _____, 20_____. Pursuant to state law, a reason for the denial will be delivered to the petitioner within sixty (60) business days of the decision.

Superintendent

Date

Chair, Local Board of Education

Date

Public Charter School Lease or Contract Arrangement With Church or Other Religious Organization Questionnaire

Name of Charter School:
Address of School Building:
Name of Lessor:

Please answer the following questions as detailed as possible. If the question is not applicable, please indicate in your response the reason that the question does not apply.

- 1) Is there a church connected to the school building?
- 2) What proportion of the members of the Academy's board of directors are also officers, board members or employees of the non-public school? Also what proportion of the charter board of directors are members of the church?
- 3) Will there be any shared time programs with the church?
- 4) If the church is connected to the school building, does the school building have a separate entrance from the church entrance? Is the separate entrance clearly marked and identified?
- 5) Will there be any religious symbols, pictures or statues in the school building? Will there be any religious symbols, pictures or statues in the classrooms and common areas used by charter students?
- 6) Will the church conduct any programs in the building during school hours? If so, will the church programs and the school share common areas in the building or at the building site (e.g., bathrooms, teacher's lounge, playground or lunchroom)?
- 7) Will the school have its own signage separate from the church signage to indicate that it is not organized by or affiliated with the church?
- 8) Do the church and the school plan to share employees, textbooks or services (e.g., transportation, food service)?
- 9) Is the school parking lot separate from the church parking lot?
- 10) Is the Academy being operated or organized by the church or any other religious organization? Will the Academy have any organizational ties or affiliations with the church that would be prohibited by state and federal constitutional laws?
- 11) Will there be any other tenants occupying the school building? If so, please list those additional tenants by name (including church personnel)?
- 12) Are there any provisions in the proposed lease agreement requiring the charter to teach or promote religion?
- 13) Please describe how the Charter Governing Board will notify the general public that the charter is a public school and that it is not operated by or affiliated with the church.
- 14) Please describe how the charter will advertise that it is enrolling students and the procedures for applying for enrollment.
- 15) Is the agreed rental rate similar to the rate that is being charged for structures of similar size and in the same general location?
- 16) Did the charter engage in a legitimate search for other potential sites?
- 17) Is the church building used for any other public functions?
- 18) Does the lease contain any restrictions on the school's curriculum or activities?

The following questions apply only to applicants/academies requesting to utilize a non-public school building operating during the past 12 months as a school building.

- 19) Does the governing body of the non-public school plan to dissolve or discontinue the nonpublic school? If so, please disclose whether the non-public school has outstanding debts and how those outstanding debts will be retired.
- 20) How many students currently or formerly enrolled at the non-public school affiliated with the religious organization have communicated interest in enrolling in the charter?
- 21) How many currently or formerly enrolled non-public school students does the charter anticipate will apply for enrollment?
- 22) How many teachers formerly employed by the non-public school or church will become or are now employees of the Academy or an educational service provider that will contract or currently contracts with the Academy?

**DeKalb County School District Charter School Petitioner
GOVERNING BOARD MEMBER CONFLICT OF INTEREST FORM**

Name & Title: _____
Proposed Charter School: _____
Telephone: _____
Street Address: _____
City, State, Postal Code: _____
Email Address: _____

Conflict of Interest Disclosure

Instructions: If you answer "yes" to any of the following questions, please provide an explanation on a separate sheet of paper. Please label explanations with the number of the corresponding question.

- 1) Do or will you or your spouse have any contractual agreements with the proposed charter school? Yes No
- 2) Do or will you, your spouse, or any member of your immediate family have any ownership interest or derive any income in any educational management organization (EMO) or any other legal entity contracting with the proposed charter school? Yes No
- 3) Did or will you or your spouse lease or sell property to the proposed charter school? Yes No
- 4) Did or will you or your spouse sell any supplies, materials, equipment or other personal property to the proposed charter school or receive funds, gifts, loans, services or other consideration from the proposed charter school? Yes No
- 5) Have you or your spouse guaranteed any loans for the proposed charter school or loaned it any money? Yes No
- 6) Are or will you, your spouse, or any member of your immediate family be employed by the proposed charter school, its EMO or any other company contracting or providing service to the charter? Yes No
- 7) Did you or your spouse provide any start up funds to the proposed charter school? Yes No
- 8) Did or do you or your spouse, or other member of your immediate family, have ownership interest, directly or indirectly, in any corporation, partnership, association or other legal entity which would answer "yes" to any of the questions 1-7? Yes No
- 9) Does any other board, group, or corporation believe it has a right to control or have input on votes you will cast as a founding member or member of the Board? Yes No
- 10) Do you currently serve as a public official or sit on any other boards? Yes No
- 11) Have you, your spouse, or any member of your immediate family applied to establish or participated in the establishment of another charter school? Yes No
- 12) Have you ever been cited for a breach of ethics for unprofessional conduct, or been named in a complaint to a court, administrative agency professional association, disciplinary committee or other professional group? Yes No
- 13) To the best of your knowledge, are there situations not described above that may give the appearance of a conflict of interest between you and the proposed charter school, or which would make it difficult for you to discharge your duties or exercise your judgment independently on behalf of the proposed charter school? Yes No

Criminal Background History

Instructions: Complete this section by placing your **initials** in the space beside option 1, 2, and/or 3. If you initial option 1 or 2, please provide information on what the charges were and which courts were involved. Please label explanations with the number of the corresponding question. **Traffic violations do not need to be included.**

- 1) _____ I have been convicted, pled guilty or nolo contendere (no contest) to one or more crimes.
- 2) _____ I am currently charged with one or more crimes.
- 3) _____ I have not been convicted, pled guilty or nolo contendere (no contest) to one or more crimes.

Certification

I recognize that all information submitted with this conflict of interest disclosure and criminal record history becomes a matter of public record, subject by law to disclosure upon request to members of the general public. I will hold DeKalb County Schools, its trustees officers, employees or authorized agents harmless from liability for the disclosure of any information it reasonably believes is true based upon my representations.

I hereby certify that the information contained in this document is true and complete to the best of my knowledge and agree to notify the DeKalb County School District Charter Schools Office of any change that may create a conflict of interest based on the stated questions. Further, I recognize that falsification or failure to submit a complete annual conflict of interest disclosure as part of my annual board orientation and training becomes justification for removal.

Signature

Date

Petition Review Tips & Notes

These tips correspond with Questions 1-39.

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- **Q1:** Reviewers will look for Charter School/Petitioner Information that includes the following: 1) Whether petitioners followed instructions and included the State Board of Education's cover pages with original signatures in blue ink which include all necessary information to complete this section of the petition; 2) Whether the information is accurate and realistically reflects proposed grade levels and enrollment projections; and 3) Whether sufficient contact information is offered for the charter school's contact person.
- Due to changes in Georgia State law, all charter contracts, including those of conversion charter schools, must be held by a Georgia non-profit corporation.
- The petition should be consistent with the DCSD policy that the charter will be issued for up to a five year period and renewal charters will be issued for up to five years, based on whether or not performance goals have been met as specified in the charter.
- Reviewers will look for a Mission Statement & Description of Innovation that includes the following: 1) Innovativeness, uniqueness and creativeness in the proposed charter that does not merely duplicate existing programs of study offered in DeKalb County Schools; and 2) Evidence the petitioner is familiar with the needs of DeKalb County Schools and understands what educational programs are desirable based on the petitioners research of the community and its needs to improve student achievement.

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- **Q3:** Reviewers will look for Goals and Objectives that include the following: 1) Goals set above the minimum required levels; 2) Clear, rigorous, measurable and data-driven indicators of progress, including supplemental educational and non-educational goals; 3) A commitment by the proposed school to hold itself accountable for results; and 4) Goals that reflect the unique mission of the school.
- Failure to meet specific performance-based goals and measurable objectives may result in charter termination pursuant to State Board Rule 160-4.9-.04. For the charter school's first year, initial baseline student achievement data shall be collected within three months of the first day of school. This data is not limited to, but may include, standardized assessment results from previous school years.
- Reviewers will look for assessment plans that include the following: 1) Adherence to established testing schedules; 2) Plans for evaluation of test data to promote the advancement of student achievement and academic progression; 3) Student learning measured with multiple forms of assessments and metrics; 4) Assessments that align with the school's mission for continuous improvement, that reflect the school's emphasis on accountability for student learning, that shape and inform instruction on an ongoing basis, and for which a solid rationale is provided; and 5) Summative and formative assessment results that are used to gauge student/teacher/school progress.
- **Q4:** Reviewers will look for an educational design that reflects the following characteristics: 1) Well-planned, innovative educational program that will likely result in academic success for all students; 2) Standards-based, academically rigorous curriculum; 3) High academic expectations and strategies for the full range of students served by the school, including those at risk of

academic failure, English Language Learners, Gifted and Talented and Special Needs students;4) Use of research-based instructional models and methods; 5) Engaging, effective instructional strategies; 6) Teachers empowered to act in a manner that promotes student success; 7) Components that display how the educational program (including the school's mission, ages and grades of students and focus of curriculum) shall contribute to the achievement of the performance-based goals and measurable objectives; 8) Behavioral expectations and social supports that reflect the school's mission and comply with all applicable laws and regulations; 9) Plans to facilitate teacher effectiveness, collaboration, learning, instructional competency and development on an ongoing basis; 10) Student and teacher schedules that position the school for success; and 11) Capacity to communicate effectively with the school's families, and stakeholder engagement strategies that mobilize parents and the community in a way that promotes school success.

- Please ensure that neither the curriculum nor the reading list contain any religious tenets or doctrine.

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- **Q5 & Q6:** Reviewers will look for services that include the following: 1) Assured provision of services to special education students in compliance with all Federal and State laws, rules and regulations; 2) Assured provision of services to English Language Learner students in compliance with all Federal and State laws, rules and regulations; 3) Special education services to be provided directly by the proposed charter school, and a clear plan of who on staff will coordinate this effort; 4) Proposed strategies to be used to ensure that Special Education and English Language Learner students will have ways to improve their skills and access curricular content; 5) How the proposed charter school will make efforts to attract and retain a comparable or greater enrollment of students with disabilities as compared to the enrollment figures for DeKalb students in a comparable school; 6) A well-defined plan and capacity to service the learning needs of students with special needs, English Language Learners, and other non-traditional characteristics; and 7) A description stating strategies beyond legal requirements that ensure Special Education students will have access to curricular content that improves their skills.
- It is critically important that a member of the Governing Board have expertise in the area of Special Needs Education. If not, consider securing a consultant with special education expertise for support.

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- Reviewers will look for a governance and organizational design that includes the following: 1) Appropriate roles, responsibilities, and decision-making power of school community members (including the governing board and school leadership); 2) Effective communication of not just who, but how members will manage; 3) An accountability structure that provides effective oversight of the educational program and fiscal components of the school; 4) A board composition that is reflective of the community it will serve, including an understanding and identifiable ties to that community; 5) A governing board with the ability to evaluate the school's budget/financial plan; 6) Solid plans that effectively and clearly communicate who will manage the daily operations of the school; 7) Sufficient levels of autonomy displayed; 8) Board members with a range of expertise, in areas such as finance, legal matters, business and real estate, who are independent and whose affiliations represent no conflict of interest; 9) Effective processes for policy development and a strong plan for ongoing board development and self-evaluation, including continuous governance training, regularly scheduled meetings and recruitment of new members; 10) How the board proposes to use data to inform board decision processes; 11) Effective processes for ongoing policy development, board development and self-evaluation; 12)

The board's ability to develop a long-term vision to make the school a success; and 13) The establishment of a board that is voluntary and does not receive payment for service as board members.

- Please note that the following relates to the board that will immediately replace the founding board, as well as future boards.

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- Résumés for key personnel and the governing board members should display the following skills and attributes: 1) A commitment to providing the highest quality education for all children; 2) Experience in building an organization from the ground up; 3) Financial and business acumen; 4) Expertise and a proven track record in urban education, including evidence of student success on a variety of indicators; 5) Effective community and parent engagement; 6) Ability to fundraise and develop strategic partnerships; 7) Skills to convey ideas to numerous audiences including students, teachers, parents, the media, legislators, and other interested constituents; 8) A clear understanding of the Georgia Charter Schools Act and other relevant laws, including the Elementary and Secondary Education Act (ESEA; also known as No Child Left Behind); 9) The role the member will play on the governing board; and 10) Relevant affiliations.

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- A "Bylaws Checklist" is available upon request is intended to be used as a tool to draft possible components of your bylaws. It is expected that these components will vary depending on your school's governance structure.
- Governing Board members should not be paid for their service as a board member and also should not be compensated as contractors or employees of the non-profit nor any educational management company or any other business entity affiliated with the charter school as this would present a conflict of interest. However, governing board members may receive per diem for expenses incurred.
- Charter Management Organizations (CMOs) are non-profit entities that manage two or more charter schools. Education Management Organizations (EMOs) are for-profit entities that manage charter schools and perform similar functions as CMOs. EMOs generally charge a management fee for their services to charter schools.
- Reviewers will look for an education management contract that includes the following: 1) Appropriate roles, responsibilities, and decision-making power of the governing board versus the management company; 2) Governance structure which does not allow the staff or EMO/CMO to be voting members; 3) Whether the rate the EMO/CMO is charging for their services is reasonable; 4) Contract language which lists which staff members of the EMO/CMO are dedicated specifically to the particular charter and in what capacity; 5) No sweep contract language is included (i.e. contracts which allow remaining revenue to be turned over to the EMO/CMO at the end of the fiscal year); 6) Contracts that limit the use of a facility if the EMO/CMO relationship/contract is severed; 7) If facility lease agreement fees negotiated are at or below market value if the facility lease agreement is in a property owned by the EMO/CMO; 8) Attorney representation of the petitioners in the negotiation of the contract; and 9) A management agreement that does not contain any language that would override or supersede the authority of the governing board in any aspect of decision-making.

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- Reviewers will look for a financial management plan that includes the following: 1) A budget developed using the GADOE budget template that is consistent with all parts of the proposal, including school mission, educational program, and staffing plan; 2) Financial Procedures in compliance with Financial Management for Georgia Local Units of Administration; 3) Strong internal controls and segregation of duties; 4) A budget that does not rely on loans or unsecured grant funds; 5) Demonstrated knowledge of practical matters relevant to school operation; 6) Realistic assessments of projected revenues and expenditures; 7) Sound and logical financial assumptions; 8) Resources deployed over time in a manner that aligns with school goals; 9) Cash flow and financial projections that are free of deficit over five years; 10) Rigorous and consistent internal / fiscal control procedures; 11) Reasonable Educational Management Fees to the charter that do not duplicate services or products offered at no cost by the school system or reflected in other budget lines; and 12) A written procedure in the petition for approving outside contracts for services to be provided to students or the school.
- GADOE budget templates are located at <http://www.gadoe.org/External-Affairs-and-Policy/Charter-Schools/Pages/Charter-Petition-Application.aspx>. FTE funding information for DCSD can be found on the DCSD website. Please visit the most recent approved budget for information related to local revenue estimates at <http://www.dekalb.k12.ga.us/>. State funding information can be obtained from the GADOE website. Please visit the QBE funding webpage for information related to state revenue estimates: <http://app.doe.k12.ga.us/ows-bin/owa/qbe-reports.public-menu?p-fy=2000>. Charters are required to use the same numbering system as used by the Georgia Department of Education for their bookkeeping. The chart of accounts is a numbered list of each item that the accounting system tracks. A typical chart of accounts will be comprised of several main categories – such as Assets, Liabilities, Equity, Revenues and Expenses – each with multiple, numbered subaccounts that capture specific financial operating details. Per pupil FTE funding information can be found in the DCSD annual budget.

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- The DeKalb County Board of Education and the DeKalb County School Districts shall not be responsible for the repayment of any loans or grants to a charter school.
- Reviewers will look for a school facilities plan that includes the following: 1) A well-developed facility plan for space available by the proposed school start date; 2) Appropriate and realistic assumptions about the amount of space needed in the school's first year of operation and as it scales up; 3) Appropriate and realistic assumptions about the cost of space in the proposed neighborhood/community; 4) Acknowledgement of possible constraints in space availability and timing; 5) A viable budget in regard to the proposed facility plan; 6) Demonstrated capacity to deliver on the financing proposal set forth; and 7) Proposed facilities in compliance with applicable building codes, health and safety laws, and with the requirements of the Americans with Disabilities Act as Amended (ADAAA).
- School Site Selection Form is located on the GADOE website, under the Facilities Services Link: <http://www.gadoe.org/fbo-facilities.aspx>.
- **Q26:** Please ensure that your plans include specific security guidelines to be followed with regards to a level of protection from a safety/security process that identifies measures taken to prohibit unauthorized persons from entering the building. For example, plans should include information on intrusion alarms, after-hours security, cameras, keyless entry pads and other monitoring devices the school intends to use. Plans for maintaining the facility on a day-to-day

basis (custodial) and extended basis (facility maintenance) should be considered. Custodial staff or contracted services for maintenance should be reflected in the operating budget.

- The charter facilities must meet all codes for sanitation, fire, construction, stability, temperature, ventilation, and suitability of physical space. The charter school will grant access to local health and fire department officials for inspection of the premises or operations of the school for purposes of ensuring the health, safety, and welfare of students and employees pursuant to Georgia Statutes and National Fire Protection Association Life Safety Code, N.F.P.A. 101. The charter school is subject to all federal, state, and local rules, regulations, court orders, and statutes relating to civil rights, insurance, the protection of physical health and safety of school students, employees and visitors, conflicting interest transactions, and the prevention of unlawful conduct.

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- **Q28:** Although charter schools are provided with funding for transportation services, they are not required to provide these services to students. DeKalb County Schools Board Policy, Descriptor Code: ED may be used as reference for applicable laws.
- **Q29:** If the school elects to participate in the federal program, the school must submit its own application to the Georgia Department of Education (GADOE) and will be responsible for accurately counting meals and submitting financial reimbursement claims to GADOE for meals meeting nutritional standards.



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Board of Education
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Superintendent
Mr. Michael L. Thurmond

Charter School Letter of Assurances

This Letter of Assurances (hereinafter "Assurances") is made effective the ___ day of _____, 20____, by and between DeKalb County School District (the "District" or "DCSD") and the petitioner of a proposed charter school: _____, in which the petitioner assures that, if approved, the following procedures and obligations will be followed throughout the term of the charter in accordance with the terms of the Charter and all applicable federal, state, and local laws, rules, and regulations. These Assurances enumerate all of these requirements and, the Petitioner hereby provides the legal assurance that the proposed charter school understands and will do these things.

Students, Academic Performance & Student Growth

1. The charter school understands that as a public school, it cannot charge tuition or fees for attendance.
2. The recruitment of students is the responsibility of the petitioner and the charter school. During the recruitment process, the charter will provide parents of potential students with accurate information about the programs, services and amenities available at the school.
3. The charter shall comply with the accountability provisions of O.C.G.A. § 20-14-30 through § 20-14-41, and federal accountability requirements, and participate in statewide assessments. Additionally, the charter school will adhere to all assessment guidelines and procedures as outlined by the State Assessment Handbook, the State Accommodations Manual, and other state and local guidance on assessment.
4. The charter school agrees to unannounced visits and announced instructional audits conducted by the DeKalb School District's Charter School Office, or the Internal Audit Team, as needed.
5. The charter school will adopt the DCSD Student Code of Conduct, and modify this document to meet the due process needs of the school. An electronic copy of the charter school's Student Code of Conduct will be submitted to the Charter Office by August 1st, each school year.
6. The charter school shall comply with federal due process procedures regarding student discipline and dismissal.

Student Support Services

1. The provision of services and due process procedures will be implemented for students with disabilities and English Language Learners in accordance with all relevant Federal and State laws, rules, and regulations.
2. Establish a Student Support Team (SST) in accordance with state guidelines and local school board policies manual and use DCSD forms for SST.
3. Establish a Section 504 team in accordance with state guidelines and local school board policies.
4. Use DCSD forms for Section 504, special education, counseling services, psychological services, social services and health services.
5. Handle all discipline issues regarding Section 504 students in accordance with federal regulations, state guidelines, and local school board policies.

Petitioner's Initials: _____

6. Comply with Section 504 by providing the appropriate accommodations and equipment.
7. Immediately notify the DCSD Charter Office, upon receipt of a complaint made by a parent/guardian or student concerning the Individuals with Disabilities in Education Act or §504 Plan, furnish a copy of such complaint and cooperate fully in the investigation, defense and resolution of such complaint.
8. Hire or contract certified Special Education teacher(s), a licensed school counselor, a licensed certified school psychologist or a licensed clinical psychologist, a licensed school social worker, a licensed school nurse, and special education paraprofessionals, to provide services to eligible students (in accordance with State guidelines and DCSD policy).
9. Develop, maintain, and implement an Individualized Education Plan (IEP) for each student identified as needing special education services.
10. If the charter school does not have a certified or Hi-Q identified special education teacher, the school must employ substitute teachers as required by state guidelines until a certified/Hi-Q teacher is hired, and the substitute must be able to knowledgeably maintain and implement students' Individualized Education Plans.
11. Handle discipline issues regarding special education students in accordance with federal guidelines, state rules and DCSD policy.
12. Report all allegations of child abuse and/or neglect to the charter school social worker and to the persons required to receive such reports pursuant to state law.

Governance

1. The charter school shall be 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.
2. The charter school's governing board members shall receive initial training and annual training thereafter.
3. The local governance of the charter school shall operate under a structure that retains a local school level governance body of parents, teachers, administrators, and others who are involved in school level governance within the charter.
4. Charter school board members will not constitute a voting majority on any other charter school board, will be voluntary and fully insured and bonded prior to final approval of the charter, and will maintain fully bonded status throughout the term of the charter.
5. No Petitioner and no member of the governing board of the Petitioner or the charter school shall sell, lease, or receive payment for providing textbooks, supplies, services, equipment, facilities, or land to a charter school or other public school in this school system. Nor will the board members receive payment for services as board members.
6. All meetings of the charter governance board are subject to the provisions of O.C.G.A. § 50-14-1 et seq. (Open and Public Meetings) and O.C.G.A. § 50-18-70 et seq. (Inspection of Public Records).
7. The governing board will be held accountable for the school's operational functions including, but not limited to fiscal oversight and facilities planning.
8. The charter school's governance board members may only receive compensation for reasonable and actual expenses incurred in connection with performance of their duties.
9. The charter school will have a written grievance procedure to resolve student, parent, and teacher complaints, and a written procedure for resolving conflicts between the charter school and the local board of education.

Petitioner's Initials: _____

DeKalb County School District

Letter of Assurances for _____ Charter School

Financial

1. Any surplus funds remaining at the close of each fiscal year, may be placed in a reserve fund, but the reserves should be used to enhance the charter school's academic program, facilities, or personnel plans, in the following school years.
2. The charter school's annual audit will meet GASB guidelines and will contain a complete asset inventory.
3. The charter school is subject to an audit by the District's Internal Audit Department.
4. The DeKalb County School Board requires an annual financial audit by an independent Georgia-licensed Certified Public Accountant, in accordance with O.C.G.A. § 20-2-2065(b)(7), at the school. The financial reporting format shall be in conformity with generally accepted accounting principles.
5. The school will comply and adhere to the State's October 1 financial audit deadline, and forward a copy of the school's annual audit to the DeKalb County School District's Director of Finance and Charter Office no later than October 1st of each year.
6. The school will be responsible for providing various financial reports to the DCSD Charter Schools Office and DeKalb County Board of Education, including but not limited to monthly budget status report, monthly cash reports and quarterly statements.
7. Any financial audit findings may result in termination of the charter after review of by the DCSD Finance Department.
8. The charter school will comply with the federal monitoring requirements for schools receiving federal funds.
9. Any deficit occurring during or at the end of a fiscal year shall be eliminated by funds to be provided by the Petitioner. The charter school shall not request any additional funds from the DCSD to cover any deficit created by the charter school and the DCSD shall not allocate funds for the charter school for the next fiscal year until the deficit has been resolved satisfactorily.
10. The charter school is solely responsible for all debts incurred by the charter school and its governing body, and the DCSD shall not be contractually bound to the charter school or to any third party with whom the charter school has a contract or from whom the charter school has purchased goods or services, except as otherwise agreed in the charter contract.
11. The charter will provide evidence that it has obtained appropriate bonding of the governing board and administrators by October 1st of its first year of operation.
12. In the event the charter school ceases operation for any reason, the charter school and its governing body shall be responsible for closing out the business affairs of the charter school. The charter school shall cooperate with the DCSD to the extent necessary to provide an orderly return of the students to the appropriate schools for which they are zoned. Any surplus remaining at the time any charter school ceases operations shall be remitted to the DCSD. Any furniture and equipment purchased with state or local funds shall be delivered to DCSD.
13. If the charter school plans to cease operation, the school will notify the DCSD Charter Office within 24 hours of the governing board's decision and include the name and contact information for the person responsible for the closing procedures. Unless an emergency closure is necessary, the charter school will ensure that a transition plan is developed, and the school will close at the end of the fiscal year in which it is operating, or another mutually agreed upon date. The charter school shall submit a financial audit for the final year of operation, prepared by an independent Georgia-licensed certified public accountant. This audit shall include a detailed inventory of all assets. Further, should the charter school not have sufficient funds to pay all of its bills, invoices, or other evidence of indebtedness at the time it ceases operation, DCSD shall not be responsible for any debts incurred or contracts signed by the charter school.
14. The petitioner acknowledges that a charter may be terminated or non-renewed by the DeKalb Board of Education if the Board determines that the charter school failed to meet generally accepted standards of fiscal management as described by the District's financial division.

Petitioner's Initials: _____

15. The petitioner acknowledges that if, in the judgment of the DeKalb Board of Education, the charter petitioner is in material breach of one or more provisions of this charter and if such material breach is not fully rectified within 30 days after the receipt of written notice to the petitioner identifying the breach and what must be done to rectify it, the DeKalb Board shall be authorized to suspend all payments to the charter school by the District, until such breach is satisfactorily resolved, and/or pursue termination of the charter.

Facilities

1. The school will comply with the Uniform Building Code Inspection and the Standard Building Code, Standard Plumbing Code, Standard Mechanical Gas Code, Americans with Disabilities Act as Amended (ADAAA) access requirements and other applicable fire, health and structural safety requirements, local state, and federal laws.
2. The charter school will meet all applicable codes for sanitation, fire, construction, stability, temperature, ventilation, and suitability of physical space. The charter school will maintain a certificate of occupancy from the required government agency. The charter school will grant access to local health and fire department officials for inspection of the premises or operations of the school for purposes of ensuring the health, safety, and welfare of students and employees pursuant to Georgia Statutes and National Fire Protection Association Life Safety Code, N.F.P.A. 101.
3. The charter school is subject to all federal, state, and local rules, regulations, court orders, and statutes relating to civil rights; insurance; the protection of physical health and safety of school students, employees and visitors; conflicting interest transactions; and the prevention of unlawful conduct.
4. Any future facilities, beyond those proposed in the petition, which will be used to educate students are subject to approval by the local board of education and the State Board of Education prior to occupancy.

School Nutrition & Transportation

1. If the charter elects to participate in the National School Breakfast and Lunch Program, the charter will submit its own application to the GADOE and will be responsible for accurately counting meals and submitting financial reimbursement claims to the GADOE for meals meeting specified nutrient standards.
2. The charter school agree to provide the system with transportation safety documentation, if any, as required by the GADOE no later than June 1 for the pending school year.
3. The charter school's transportation program will comply with applicable law and any vehicles or drivers used for transporting students will meet the same safety standards applicable to public schools in this State.

Personnel

1. The charter school shall submit the Certified Personnel Index (CPI) survey to the DeKalb County School District's Human Resources Department no later than October 1, May 1 and July 1, and other times upon request by Human Resources personnel.
2. The charter school will provide documented annual professional development for all instructional staff.
3. The faculty, instructional staff and all other personnel necessary for the operation of the Charter School shall be employees of the Charter School. Charter School instructors of core subjects shall be certified in those subjects by the Georgia Professional Standards Commission, and any applicable state or federal laws. Teachers will meet all other GAPSC requirements for highly qualified teachers working at charter schools. Paraprofessionals with instructional support duties will meet guidelines and regulations of the Georgia Professional Standards Commission, and any applicable state or federal laws.
4. The charter school shall comply with O.C.G.A. §20-2-210(b)(1) and implement an evaluation system as adopted and defined by the State Board of Education for elementary and secondary school teachers of record, assistant principals, and principals.

Petitioner's Initials: _____

DeKalb County School District

Letter of Assurances for _____ Charter School

5. The charter school shall remit payments to TRS on behalf of employees and shall employ teachers in accordance with TRS.

Administrative

1. Representatives from the charter school will attend any workshop, in-services and/or training and other meeting(s) as required by the DeKalb County School District. Charter school administrators are responsible for informing the charter staff of all required meetings. Charter school administrators will use the school district's email system and will check the email system daily to ensure they stay informed on all required events and information by DCSD, as this will be DCSD's primary means of communication with the schools.
2. No administrator will be directly responsible for the supervision or evaluation of a member of his/her immediate family.
3. The charter school may not open except at the beginning of each school year. The charter may commence the school year at an earlier or later date than DCSD, however, the charter school's school year must begin no more than two weeks before or two weeks after the beginning of the District's school year.
4. The charter school shall report daily attendance to the DeKalb County School System (DCSD) using the standard, approved method of data collection. Master schedules and student schedules must exist for students in grades K-12, as well as final marks for each course after each semester. DCSD will provide the necessary software and training for the student information system application while the charter school shall provide hardware and the necessary internet service connection. The DCSD Student Information System is to be used for the collection of all data and information required by O.C.G.A. 20-2-320 for mandatory reporting to the State Department of Education (SDOE) and federal agencies (example: discipline). The method of data collection will be that which is currently in use by DCSD and may be changed from time to time based on technology currently in use. Existing periodic and end-of-year checklists provided by DCSD will be used to define when progress reports, report cards and other verifications that are to be produced.
5. The charter school shall maintain all student records in accordance with applicable federal and state laws, regulations, rules and policies. The charter school shall maintain all student records on behalf of the Board during each student's enrollment in the charter school. Upon a student's withdrawal or other matriculation from the charter school, the student's educational records shall be returned within ten (10) business days to the Board's student records center for retention. The charter school shall maintain and ensure the privacy and confidentiality of each student's educational record in accordance with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, and shall not disclose to any unauthorized third party any personally identifiable information concerning any student enrolled in the charter school without first obtaining prior written parental permission.

Maximum Flexibility

1. Local charter schools are subject to the control and management of the DCSD Board of Education and are expected to abide by and enforce all laws and regulations governing the health, safety, and welfare of its students.
2. Pursuant to O.C.G.A. §20-2-2065(a), the charter school will meet or exceed the performance-based goals and measureable objectives, in exchange for maximum flexibility afforded by the law from the provisions of Title 20 of the Official Code of Georgia Annotated and from any state or local rule, regulation, policy, or procedure established by a local board of education, the State Board of Education, or the Georgia Department of Education. Notwithstanding this maximum flexibility, the charter school shall comply with the terms of the Charter, the Charter Schools Act, and compliance with all applicable federal and state and local laws that may not be waived, pursuant to O.C.G.A. §20-2-2065, and any rules, regulations, policies, or procedures established by the State Board consistent with the Charter Schools Act.

Annual Report and Monitoring

1. The charter school shall and will, by October 1st, submit an annual report to the Georgia Department of Education, the DeKalb County Board of Education and parents/guardians of students enrolled in the school. This report shall include all state-mandated assessment and accountability scores and comply with all requirements set out in O.C.G.A. § 20-2-2067.1(c)(1)-(6). The annual 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.

Petitioner's Initials: _____

DeKalb County School District

Letter of Assurances for _____ Charter School

2. The charter school must use the template provided by the Georgia Department of Education to complete and submit the annual report, but will adhere to any additional survey or questionnaire requirements provided by the District. The District may exercise its right to include notice of deficiencies or provide comments and feedback in the annual report.
3. The charter school shall complete annual reports and surveys, as mandated by the DeKalb County School District, and shall be supervised and monitored by the DeKalb County School District’s Charter Office.

Charter Adherence of State and Federal Laws

1. The charter school will not waive and is not exempt from Federal law, nor the following state laws:
 - a. School Accountability Provisions, Part 3 of Article 2 of Chapter 14 of Title 20 O.C.G.A. § 20-14-30 through O.C.G.A. § 20-14-41
 - b. Shall Not Charge Tuition, O.C.G.A. § 20-2-133
 - c. Unlawful Conduct in or near a Public School, O.C.G.A. § 20-2-1180 through O.C.G.A. § 20-2-1182
 - d. Reporting Requirements – Student Data Collection, O.C.G.A. § 20-2-320
 - e. Brief Period of Quiet Reflection, O.C.G.A. §§ 20-2-1050, 20-2-1051
 - f. Open and Public Meetings, O.C.G.A. § 50-14-1 et seq.
 - g. Inspection of Public Records, O.C.G.A. § 50-18-70 et seq.
 - h. Fingerprinting and Criminal Record Check of All Personnel Employed by the Charter School, O.C.G.A. § 20-2-211
2. The charter school shall be nonsectarian in its programs, admissions policies, employment practices, and all other operations.
3. The charter school shall not discriminate against any student or employee on the basis of race, color, ethnic background, national origin, gender, disability or age. Moreover, the charter school will seek to ensure that a diverse representation of DeKalb students is enrolled in the charter school.
4. The charter school will provide documentation that the school has applied for accreditation and received probationary status by the Southern Association of Colleges and Schools (SACS), Georgia Accrediting Commission (GAC), or other recognized accrediting commission approved by the State Board of Education no later than October 1st of its first year of operation. The charter school understands if it does not receive full accreditation by the end of its second year of operation, DCSD may pursue termination of its charter.
5. The charter agrees to complete registration for the upcoming school year and provide the names, addresses and home school of all accepted students to DCSD no later than April 1st annually. It is understood that the school can continue to accept students after this date and will continue to update the system on the number of students registered and all other student information as requested. If the charter school does not meet its projected enrollment within twenty percent (20%), DCSD may pursue termination of its charter. If the enrollment levels create a financial hardship that puts student achievement in jeopardy, DCSD may pursue termination of its charter unless the charter school can document additional independent financial support.
6. The charter school shall provide an electronic copy of the complete charter school petition and contract to every parent as a part of the student enrollment procedures.

Assurances for Charter Schools with an EMO/CMO Agreement

1. No provision of the [EMO/CMO] agreement shall interfere with the Charter Board’s duty to exercise its statutory, contractual and fiduciary responsibilities governing the operation of the charter school.
2. No provision of the [EMO/CMO] agreement shall prohibit the Charter Board from acting as an independent, self-governing public body, or allow public decisions to be made other than in compliance with the Open Meetings Act.
3. Upon termination of the agreement, the charter school governing board shall ensure that the managment company immediately turns over all student, personnel, fiscal, and other charter school records to the governing board.

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4. Nothing in the agreement between the charter school and the [EMO/CMO] shall be construed in any way to limit the authority of the DeKalb County Board of Education including, but not limited to, the authority to take and enforce action pursuant to O.C.G.A. § 50-14-1 et seq. and O.C.G.A. §50-18-70 et seq.
5. To the extent there are any conflicts between the terms of the charter school's charter and the terms of the management agreement, the terms of the charter will control.
6. The Governance team of the school will solely retain authority over the budget. Representatives of the [EMO/CMO] will not serve on the Governing Board.
7. This [EMO/CMO] is the charter school's only management partner.
8. The term of the contract with the [EMO/CMO] does not exceed the term of the charter agreement.
9. If an [EMO/CMO] purchases equipment, materials and supplies for the use of, on behalf of or as the agent of the charter, the [EMO/CMO] agreement shall provide that such equipment, materials and supplies shall be and remain the property of the charter. The [EMO/CMO] shall not charge additional commission, mark-up or similar fees, for the items purchased for the use of, on behalf of or as the agent of the charter. Any such purchases must be made from a third party supplier, unless set forth in the charter petition.
10. The governing board must ensure that, while management partners may make recommendations to the governing board, the Board will not be under any contractual obligation to accept these recommendations.
11. The governing board will ensure that the management agreement contains a section that will reasonably permit either party to terminate the contract.
12. The contract should include provisions dealing with ownership of physical and intellectual property developed by the [EMO/CMO] or by the charter school's employees.

Indemnification Rights & Responsibilities

1. The charter school agrees to indemnify, defend and hold harmless the DeKalb County Board of Education, the DeKalb County School District, and the DeKalb County School System (hereinafter collectively referred to as "DCSD"), their officials, officers, employees, agents, volunteers, and assigns (all of whom hereinafter may collectively be referred to as "Indemnitees"), from any and all claims, demands, suits, actions, legal or administrative proceedings, losses, liabilities, costs, interest, and damages of every kind and description, including any attorneys' fees and/or litigation and investigative expenses, for bodily injury, personal injury, (including but not limited to the charter school's employees), patent, copyright, or infringement on any intellectual property rights, or loss or destruction of property (including loss of use, damage or destruction of DCSD owned property) to the extent that any such claim or suit was caused by, arose out of, or contributed to, in whole or in part, by reason of any act, omission, professional error, fault, mistake, or negligence whether active, passive or imputed, of the charter school, its employees, agents, representatives, or subcontractors, their employees, agents, or representatives in connection with or incidental to the charter school's performance of the charter contract, regardless of whether such liability, claim, damage, loss, cost or expense is caused in part by an Indemnitee.
2. The charter school shall be excused from its indemnification obligations, as stated in Paragraph 1 above:
 - b. If the claims, demands, suits, actions, proceedings, losses, liabilities arise solely and exclusively out of the negligence of DCSD or one of the Indemnitees; or
 - c. If DCSD fails to:
 - i. provide written notice of the third party claim or suit as soon as practicable;
 - ii. cooperate with all legally reasonable requests of the charter school; or
 - iii. assists the charter school with the defense and/or settlement of such claim or suit.
3. The charter school's obligation to indemnify any Indemnitee shall survive the completion, expiration, or termination of the charter contract, for any reason.

Petitioner's Initials: _____

Insurance

1. The charter school shall procure and maintain throughout the term of the charter contract, a policy or policies of insurance providing coverage as set forth below that shall protect the charter school and the Indemnitees from any and all claims as set forth in the Indemnification clause that may arise out of charter school's operations under the charter contract.
2. The policies shall be obtained from insurance companies approved to do business in the State of Georgia or companies acceptable to DCSD. The Charter School shall procure the insurance policy(ies) at it's own expense and shall furnish to DCSD a certificate(s) of insurance containing the following information:
 - a. Name and address of agent/broker;
 - b. Name and address of insured;
 - c. Name of insurance company, underwriting syndicate, or other insuring entity;
 - d. Description of coverage in standard terminology;
 - e. Policy period;
 - f. Policy Number;
 - g. Limits of liability;
 - h. Name and address of certificate holder;
 - i. Acknowledgment to the DCSD of notice requirements of material adverse change;
 - j. Signature of authorized agent/broker;
 - k. Telephone number of authorized agent/broker; and
 - l. Details of policy exclusions applicable to this Agreement in comments section of Insurance Certificate.
3. In addition to the Certificates of Insurance, the charter school's broker/ insurer shall provide copies of the policy endorsements evidencing the coverage(s) for DCSD through the Indemnification and Insurance obligations assumed by **the charter school**. All certificates/endorsements evidencing primary and excess layers shall be renewed and kept current and up to date on an annual or lesser time basis as needed.
4. The charter school is required to maintain the following insurance coverage(s) during the Term of this Agreement:
 - a. **Workers' Compensation Insurance** in the amount of the statutory limits established by the General Assembly of the State of Georgia. The charter school shall have the ability to self-insure its required workers compensation coverage if it is an approved self-insurer in the State of Georgia.
 - b. **Comprehensive General Liability Policy (CGL)** including Products and Completed Operations, or equivalent coverage, to include the contractual obligation of the charter school for any liability assumed hereunder.
 - c. **Business Auto Policy** to include but not be limited to liability coverage on any owned, non-owned and hired vehicle used by **the charter school** or charter school's personnel in the performance of this Agreement and their operations.
 - d. **Educators Professional Liability Insurance (Errors and Omissions)** in the amount of \$1,000,000 per Insured per Wrongful Act and \$3,000,000 in the annual aggregate per Insured for all Wrongful Acts.
 - e. **Crime and Fidelity Insurance** in the amount of \$500,000 per loss subject to a deductible of not more than \$10,000 per occurrence covering Employee Theft and Dishonesty, Forgery or Alteration, Theft of Money and Securities, Robbery or Safe Burglary, Computer Fraud, and Money Orders and Counterfeit Currency.
5. Should the charter school desire to structure their insurance program utilizing a Commercial Umbrella or Excess Liability Policy, all such policies shall have sufficient limits to provide that there is no gap in coverage between an underlying policy and the secondary layer;
6. All **Risk Property Insurance** in sufficient amounts to cover the replacement cost of all structures and contents to their full value for property owned or leased by **the charter school**. Policy(ies) shall be endorsed to name DCSD as a Loss Payee as their interest may appear. Deductible or Self-Insured Retentions shall not exceed \$250,000 per claim;

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7. Under all coverage required hereunder, the policy(ies) shall be endorsed to include the following terms and conditions:
 - a. Except for Professional Liability policies, all coverage shall be on an "occurrence" not "claims made" basis;
 - b. The foregoing policies shall contain a provision that coverage afforded under the policies will not be canceled, allowed to lapse, fail to be renewed, or endorsed to adversely change any coverage applicable to DCSD or an Indemnitee for any reason until at least thirty (30) days prior written notice has been given to DCSD;
 - c. Shall waive all right of subrogation against Indemnitees for any losses arising out of this Agreement;
 - d. All such coverage shall remain in full force and effect during the Term and any renewal or extension thereof; and
 - e. Except for any acceptable secondary layer of protection, the policies shall be primary and not excess to any other coverage provided by or available to the Indemnitees.

8. Under coverage required under Sections 7 (b), (c), (d) and (e) above, the policy(ies) shall be endorsed to include the following terms and conditions:
 - a. Except as provided otherwise above, minimum limits of \$1,000,000 per occurrence \$2,000,000 in the annual aggregate (if applicable) with insurers approved to conduct business in the State of Georgia.
 - b. Contractual liability coverage, specifically referencing this Agreement and the Indemnification herein.
 - c. Shall include Indemnitees as "Additional Insureds."
 - d. A severability of interest or cross liability clause or endorsement applicable to Comprehensive General Liability, Auto, and any Excess Liability policy(ies).

9. The charter school shall require any and all subcontractors performing work under this Agreement to carry insurance of the type and with limits of liability as the charter school shall deem appropriate and adequate for the work being performed. However, the obligations of the charter school to the Indemnitees assumed in Sections "Indemnification", and "Insurance" shall not be reduced or diminished by the standards set for the subcontractors. Further, the charter school agrees that their obligation to indemnify and insure the Indemnitees shall pertain to all losses arising out of the subcontractor's acts or negligence in the same manner and to the same extent as if committed by the charter school. The charter school shall obtain and make available for inspection by DCSD, current certificates of insurance evidencing insurance coverage by such subcontractors.

Other Obligations

1. **Entire Agreement.** This Letter of Assurances constitutes the entire agreement between the Charter school, DeKalb Board of Education, and District, with respect to the matters set forth herein and supersedes all prior, contemporaneous, written or oral negotiations, agreements, or understandings between the Parties regarding such matters, but does not supersede the charter contract, which sets forth an entire agreement between the charter school, DeKalb Board of education, and State Board of Education.

2. **Modification.** The DeKalb Board of Education, or District Designee, reserves the right to require the charter school to sign updated versions of this Letter of Assurances throughout the charter term, as necessary.

3. **Waiver.** No failure or delay by the DeKalb Board of Education, or District Designee, in exercising any right or remedy herein shall operate as a waiver thereof. The rights and remedies of the DeKalb District under this Letter of Assurances are cumulative and are not exclusive of any rights or remedies which it would otherwise have herein.

4. **No Violation.** The charter school represents and warrants that the execution of, and performance under, this Letter of Assurances will not be a breach of, violation of, or conflict with any other contract or agreement to which it is a party or subject, including the charter contract.

5. **Headings/Interpretation of MOU.** The headings contained in this Letter of Assurances are for convenience only and shall not affect in any way the meaning or interpretation of this document.

6. **Severability.** In the event that any term or provision of this Letter of Assurances is found to be, or becomes by operation of law, invalid, unenforceable or void, the remaining terms and provisions shall not be affected thereby and shall remain in full

Petitioner's Initials: _____

DeKalb County School District

Letter of Assurances for _____ Charter School

force and effect, and the invalid, unenforceable or void term or provision shall be deemed not to be a part of this Letter of Assurances.

- 7. **Governing Law.** This Letter of Assurances shall be governed by and construed and enforced in accordance with the laws of the State of Georgia.
- 8. **Notices.** Unless otherwise provided in the charter contract, or this Letter of Assurances, all notices shall be in writing and shall be sent by electronic mail, U.S.P. regular mail, personally delivered, overnight delivery service or certified mail, postage prepaid. Notices shall be deemed given (a) on the date delivered if delivered personally or by electronic mail, (b) on the first business day following the date of dispatch if delivered by overnight delivery service, certified mail, or regular mail, or (c) on the earlier of confirmed receipt or the fifth business day following the date of mailing if sent by certified mail.

Notices shall be addressed as follows:

To the DeKalb District: DeKalb County School District
1701 Mountain Industrial Boulevard
Stone Mountain, Georgia 30083
Attn: Superintendent

With a copy to: Ronald B. Ramsey, Sr., Chief Legal Officer
DCSD Office of Legal Affairs
1701 Mountain Industrial Boulevard
Stone Mountain, Georgia 30083

Dr. José G. Boza, Jr., Director
Leadership Development & Charter Schools Office
1701 Mountain Industrial Boulevard
Stone Mountain, Georgia 30083

- 9. **Counterparts.** This Letter of Assurances may be executed in counterparts, each of which shall be deemed an original, and all counterparts so executed shall constitute one agreement binding upon all the Parties.

Petitioner’s Initials: _____

DeKalb County School District

Letter of Assurances for _____ Charter School

_____ **Charter School**

DeKalb County Board of Education

Charter School Representative

Signature

Name (Please Print)

Name

Title

Chair, DeKalb Board of Education
Title

Date

Date

DeKalb County School District

Signature

Name

Superintendent, DeKalb County School District
Title

Date

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