**The Truth about the Druid Hills Public School Charter Cluster**

Principled opposition fuels healthy debate, and we enjoyed a great deal of that during the petition formation process – with parents and community volunteers from all over the cluster, as well as teachers, administrators, and other school staff.

Unfortunately, there are flyers being circulated with misinformation, and some of that misinformation is finding its way into emails being shared with various lists. To avoid any confusion, we are happy to take this opportunity to provide you with accurate and verifiable information concerning the requested waivers and other aspects of the petition.

We include references to state law to which the cluster is bound so that you may verify for yourself the facts. Further, we have provided a copy of the table of waivers AND the rationale for each that may be found in the petition appendices. References to specific waivers noted in the flyer have been emphasized for your convenience.

One flyer says **“Keep Druid Hills Public”** on the front followed by a message that says, **“You’re a taxpayer. You deserve the truth about your taxes and the Druid Hills Cluster Petition.”** Let’s take them one at a time:

1. **“Keep Druid Hills Public”** – what a great idea. We agree.
	1. O.C.G.A. 20-2-2062 states: “Charter School” means a PUBLIC school operating under the terms of a charter.
	2. The Druid Hills Charter Petition would create a conversion charter cluster of seven schools: Avondale, Briar Vista, Fernbank, Laurel Ridge and McLendon Elementary schools, Druid Hills Middle School, and Druid Hills High School.
	3. All seven schools are public today and would remain public under the Conversion Charter. No tuition, no special entrance requirements, anyone in the attendance zone can go to school.
	4. Any capacity in any school after the attendance zone students enroll is available to any student in DeKalb County by lottery. This is not an opinion; this is Georgia Law. O.C.G.A. §20-2-2065 (b) (1-13).
2. **“You’re a taxpayer. You deserve the truth about your taxes and the Druid Hills Cluster Petition”** – yes you do deserve the truth. Here it is:
	1. The DeKalb Board of Education sets the property tax millage rate for school funding in the county within legislative guidelines. The DeKalb Board of Education sets the per pupil funding rate across the county to normalize for differing property tax bases.
	2. If you are a taxpayer, you should care deeply about how the DeKalb Board of Education makes those decisions. One of the ways they can choose to deploy those tax dollars is by entering into service contracts – for a great number of things.
	3. That is what a Conversion Charter is: a service contract between the Board of Education and a service provider, in our case the non-profit Druid Hills Charter, Inc. Again, this is not an opinion; it is Georgia Law: O.C.G.A. §20-2-2062 (1).
3. **The back of the flyer says “The Druid Hills Private Cluster vote creates a private system out of all of our public dollars.”** The Petition does NO such thing.
	1. First, funding for the cluster is based on federal and state funds earned by the Druid Hills Charter Cluster students and a proportionate share of local funds.
	2. The cluster retains 97% of these funds and pays the district 3% for administrative services (O.C.G.A. §20-2-2068.1)
	3. This funding for the cluster applies only to the enrolled students in the Druid Hills Cluster.
	4. The funding has no effect whatsoever on the per pupil funding earned by any other student in DeKalb County per O.C.G.A. §20-2-2068.1(c),(c.2)
	5. It is the intent of the cluster, and evidenced by a conservative budget aligned to the charter plan, to put as many funds as possible into the classroom and to remain efficient, administratively lean, and good stewards of public funds.
	6. Waivers over financial operations and service contracts were specifically included to allow the cluster to shop best value and best quality, which again, puts more funds into the classroom.
4. Continuing with the items on the back of the flyer, **“The applicants have asked for over 200 public school waivers.”** This is true. What is left unsaid is:
	1. Waivers are required by Georgia Law O.C.G.A. §20-2065 in order for a charter school or schools to operate differently. We certainly intend to operate differently, otherwise why create the charter? So, for example, if the Druid Hills Charter Cluster wants to add learning pathways for IB, Montessori, and STEAM and have curriculum tailored to those pathways, we need a waiver.
	2. Georgia law prohibits certain waivers, including (but not limited to) any state law, rule, regulation, or policy in violation of civil rights (i.e., discrimination), insurance, health and safety, financial audits, and operation as a non-profit.
	3. Federal law may NOT be waived, which means that mandates such as Civil Rights, Equal Protection Act, Individuals with Disabilities Education Act, Section 504, and the 14th Amendment protecting due process (for students AND staff) may NOT be waived.
	4. O.C.G.A. 20-2-2065 allows for a broad flexibility waiver; however, DeKalb Schools requires in its petitioning requirements for charter petitioners to enumerate specific waivers and how the request for waiver supports implementation of the charter and is tied to raising student achievement. The cluster complied with the county’s requirements. The creators of the flyer have either not read or have chosen to ignore the explanations for each waiver, which are included in a table in the next section of this document.

Further, the public should note that many issues are protected under the U.S. Constitution and federal law, and thus, even if the cluster waives the state or local laws or rules, policies must be adopted complying with federal mandates which may not be waived.

1. “**A private company will manage our public tax dollars – without oversight or input”** – Again, this is simply NOT TRUE.
	1. The tax dollars applied in the Druid Hills Charter Cluster are ONLY the tax dollars granted by the DeKalb Board, and can ONLY be spent according to the contract signed between the DeKalb Board and the Charter Cluster.
	2. In terms of oversight, the Charter Cluster is required to submit an annual report to the DeKalb Board and the State Board of Education, and an annual unqualified audit of finances. This is not an opinion; it is Georgia Law: O.C.G.A § 20-2-2067.1.
	3. The charter cluster has the greatest level of accountability, as it must PROVE annually that is has met its academic, operational, and financial goals and objectives. Lack of performance can lead to termination of the charter by the local district or the state. Further, parents and staff have a great deal of influence, as a majority of either party may call for termination of the charter. You may find these provisions in O.C.G.A. 20-2-2068.
	4. In terms of input…
		1. Prior to the charter coming into effect in August of 2014, Implementation teams from school based stakeholders will make decisions about the specifics of how the charter will be implemented – text books, schedules, instructional materials, school organizational structure, extracurricular and co-curricular activities are examples. The charter provides the framework; schoolhouse level decisions will ensure meaningful implementation. No educator or parent has ever had this level of input in the traditional schooling structure.
		2. Every school leadership team can submit a qualified slate of governing board candidates;
		3. Terms of board members are limited to 2 consecutive, 2 year terms.;
		4. The Board must comply with Open Meetings and Open Records laws;
		5. The “checkbook” of every school in the cluster is public and financials will be presented monthly at the board meetings;
		6. The governing board members all must have a verifiable interest in the schools of the cluster. Each of our founding Governing Board members have children or grandchildren enrolled in Cluster schools or are residents of the Cluster with particular expertise to offer the oversight of our schools.
2. **“Special Needs Children will be left behind – REQUESTED IN THE PETITION.”** This statement is reprehensible and is not based in fact.

***The cluster did not waive a single law, rule, or regulation pertaining to students identified with special needs*** and will work collaboratively with DeKalb Schools to ensure that every student is served. As our authorizer and the entity responsible for ensuring a free and appropriate public education is provided to every child, DeKalb Schools will ensure the cluster meets this obligation. For example, the cluster has funded all SWD teaching positions and ADDED a SWD coordinator for the seven schools to improve operational success of programs across grade levels.

O.C.G.A. 20-2-2065 (waivers section) specifically prohibits waiving federal law related to civil rights. Charters must comply with the Civil Rights Act of 1974 and the 14th Amendment, both of which ensure that all students, including students with special needs, will have the opportunity to be served by the cluster.

O.C.G.A. 20-2-2066 defines how enrollment in charters is conducted and specifically requires ALL students to be admitted within the attendance zone.

In addition to creating special pathways, assessments and teaching models to improve achievement of every student – regular education, special education, gifted, remedial, English Language Learners, and alternative education students (something we are contractually committed to doing), we have made budgetary priorities and planned to implement processes and instruction in a manner that will best serve every child and meet them where they are.

**“Application for all the money with no accountability.”** Again, not true and not even legal.

* 1. Georgia Law grants 97% of the per pupil revenue, so it is not all the money (O.C.G.A. § 20-2-2068.1), and Georgia Law requires annual review of progress to the Georgia DOE and DeKalb BOE, and an unqualified annual audit (O.C.G.A. § 20-2-2067.1)
1. “**They want to waive conflict of interest rules regarding public dollars.”** The Cluster feels strongly that the ethics and conflict policies of the DeKalb BOE need strengthening.
	1. O.C.G.A. 20-2-2065 specifically binds the charter to compliance with all “federal, state and local rules, regulations, court orders, and statutes relating to insurance, protection of physical health and safety of students, employees and visitors, **conflicting interest transactions**, and the prevention of unlawful conduct.
	2. Further, as a non-profit organization, the board must also comply with the IRS’s 501(c)(3) requirements, including conflict of interest.
	3. As noted in the Petition, DHCC is adopting fully transparent and robust ethics and conflict of interest policies adapted from state and federal ethics provisions, Sarbanes Oxley whistleblower protection provisions, and IRS non-profit requirements.
	4. The charter’s appendices lists a table of contents for policies to be adopted, and conflicts of interest is one of the policy – and is modeled after a template provided by the IRS.
	5. Governing Board bylaws call for removal of members violating ethics and conflict policies, and discipline for employees. The Cluster’s advisors include former federal ethics attorneys and prosecutors.
	6. Each governing board member of the charter has signed a Conflict of interest Form, and those are in the petition appendices.

In addition to the flyer dissected above, there is another flyer making the rounds that shows the list of the waivers in the petition and has a cover page that says: “REQUESTED STATE WAIVERS FOR DRUID HILLS CLUSTER PRIVATE SCHOOL PETITION.” The authors conveniently removed all the rationale documented for each waiver.

Use of the words “PRIVATE SCHOOL PETITION” is deliberately misleading and a completely false representation of the facts. The Druid Hills Charter Petition is filed under the terms of Georgia Law O.C.G.A. § 20-2-2062 which would establish it as a public conversion charter cluster of schools. Enrollment is free and guaranteed to any student in the attendance zone as required by Georgia Law: O.C.G.A. 20-2-2066(a)(B).

We believe in open discourse. We believe in the best possible public education we can deliver for all children. If you have questions, please ask. Our documents, minutes from public work meetings during planning, and organizing committee public meetings are, and have been since the beginning of this process, public (www.druidhillschartercluster.org). We will help you see, chapter and verse, the complete answer to your questions.

If you understand the answers and disagree with the choices the cluster made, we respect you and hope you will stay involved to help us improve, should the charter be granted.