

House Bill 881

By: Representatives Jones of the 46<sup>th</sup>, Coleman of the 97<sup>th</sup>, Lindsey of the 54<sup>th</sup>, Millar of the 79<sup>th</sup>, Everson of the 106<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to  
2 elementary and secondary education, so as to provide for legislative findings and intent; to  
3 establish the Georgia Charter Schools Commission; to provide for its powers and duties; to  
4 provide for chartering authority for commission charter schools; to provide for approval of  
5 cosponsors; to provide for cosponsor agreements; to provide for revocation of approval of  
6 cosponsors; to provide for application and review; to provide for applications of existing  
7 charter schools; to provide for application of the general laws; to provide for access to  
8 information; to provide for an annual report; to provide for duties, powers, and authority of  
9 the State Board of Education with respect to the foregoing; to provide for duties of the  
10 sponsor; to provide for appeal; to provide for debts of charter schools; to provide for  
11 findings; to provide for related matters; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 style="text-align:center">**SECTION 1.**

14 (a) The General Assembly finds that:

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

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

21 (3) The growth of charter schools in the state has contributed to enhanced student  
22 performance, greater efficiency, and the improvement of all public schools.

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

24 (1) There be established an independent, state-level commission whose primary focus  
25 is the development and support of charter schools in order to better meet the growing and  
26 diverse needs of some of the increasing number and array of charter schools in the state

1 and to further ensure that charter schools of the highest academic quality are approved  
2 and supported throughout the state in an efficient manner; and

3 (2) New sources of community support in the form of municipalities with knowledge of  
4 the unique needs of a particular community or state universities, community colleges, or  
5 regional educational consortia with special education expertise should be authorized to  
6 participate in developing and supporting charter schools that maximize access to a wide  
7 variety of high-quality educational options for all students regardless of disability, race,  
8 or socioeconomic status.

9 **SECTION 2.**

10 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
11 secondary education, is amended by adding a new article to read as follows:

12 "ARTICLE 31A

13 20-2-2080.

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

21 (b) The commission shall be appointed by the State Board of Education and shall be  
22 composed of three appointees recommended by the Governor, two appointees  
23 recommended by the President of the Senate, and two appointees recommended by the  
24 Speaker of the House of Representatives. The Governor, the President of the Senate, and  
25 the Speaker of the House of Representatives shall each recommend a list of no fewer than  
26 two nominees for each appointment to the commission. The appointments shall be made  
27 as soon as feasible but no later than September 1, 2008. Each member shall serve a term  
28 of two years; however, for the purpose of providing staggered terms, of the initial  
29 appointments, three members shall be appointed to one-year terms and four members shall  
30 be appointed to two-year terms. Thereafter, each appointee shall serve a two-year term  
31 unless the State Board of Education, after review, extends the appointment. If a vacancy  
32 occurs on the commission, it shall be filled by the State Board of Education from a  
33 recommendation by the appropriate authority according to the procedure set forth in this  
34 subsection. The members of the commission shall annually vote to appoint a chairperson

1 and a vice chairperson. Each member of the commission shall hold a bachelor's degree or  
2 higher, and the commission shall include individuals who have experience in finance,  
3 administration, law, education, and school governance.

4 (c) The commission is encouraged to convene its first meeting no later than October 1,  
5 2008, and, thereafter, shall meet each month at the call of the chairperson or upon the  
6 request of four members of the commission. Four members of the commission shall  
7 constitute a quorum.

8 (d) The commission shall appoint an executive director who shall employ such staff as is  
9 necessary to perform the administrative duties and responsibilities of the commission.

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

13 20-2-2081.

14 (a) The commission shall have the power to:

15 (1) Authorize and act as a sponsor commission of charter schools, including the approval  
16 or denial of charter school applications pursuant to Code Section 20-2-2064 and the  
17 nonrenewal or termination of charter schools pursuant to Code Section 20-2-2068;

18 (2) Authorize municipalities, state universities, community colleges, and regional  
19 educational service agencies to act as cosponsors of charter schools, including the  
20 approval or denial of cosponsor applications pursuant to State Board of Education rule  
21 and Code Section 20-2-2084 and the revocation of approval of cosponsors pursuant to  
22 State Board of Education rule and Code Section 20-2-2086;

23 (3) Approve or deny commission charter school applications and renew or terminate  
24 charters of commission charter schools; and

25 (4) Conduct facility and curriculum reviews of charter schools approved by the  
26 commission or one of its cosponsors.

27 (b) The commission shall have the following duties:

28 (1) Review charter school applications for commission charter schools and assist in the  
29 establishment of commission charter schools throughout the state. A commission charter  
30 school shall exist as a public school within the state as a component of the delivery of  
31 public education within Georgia's K-12 education system pursuant to a charter approved  
32 by the commission under this article;

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

- 1 (3) Develop, promote, and require high standards of accountability for any school that  
2 applies for and is granted a charter under this article;
- 3 (4) Monitor and annually review the performance of cosponsors approved pursuant to  
4 this article and hold the cosponsors accountable for their performance pursuant to the  
5 provisions of Code Section 20-2-2084. The commission shall annually review and  
6 evaluate the performance of each cosponsor based upon the financial and administrative  
7 support provided to the cosponsor's charter schools and the quality of charter schools  
8 approved by the cosponsor, including the academic performance of the students that  
9 attend those schools;
- 10 (5) Monitor and annually review and evaluate the academic and financial performance  
11 of the charter schools it sponsors and hold the schools accountable for their performance  
12 pursuant to the provisions of Article 31 of this charter;
- 13 (6) Report the student enrollment in each of its sponsored charter schools to the local  
14 board of education district in which the school is located;
- 15 (7) Work with its cosponsors to monitor the financial management of each commission  
16 charter school;
- 17 (8) Direct charter schools and persons seeking to establish charter schools to sources of  
18 private funding and support;
- 19 (9) Actively seek, with the assistance of the department, supplemental revenue from  
20 federal grant funds, institutional grant funds, and philanthropic organizations. The  
21 commission may, through the State Board of Education, receive and expend gifts, grants,  
22 and donations of any kind from any public or private entity to carry out the purposes of  
23 this article;
- 24 (10) Review and recommend to the General Assembly any necessary revisions to  
25 statutory requirements regarding the qualification and approval of municipalities, state  
26 universities, community colleges, and regional educational consortia as cosponsors for  
27 commission charter schools;
- 28 (11) Review and recommend to the General Assembly any necessary revisions to  
29 statutory requirements regarding the standards for accountability and criteria for  
30 revocation of approval of cosponsors of commission charter schools;
- 31 (12) Act as liaison for cosponsors and commission charter schools in cooperating with  
32 local school boards that may choose to allow charter schools to utilize excess space  
33 within public school facilities;
- 34 (13) Collaborate with municipalities, state universities, community colleges, and regional  
35 educational consortia as cosponsors for commission charter schools for the purpose of  
36 providing the highest level of public education to low-income, low performing, gifted,  
37 or underserved student populations. Such collaborations shall:

1 (A) Allow state universities and community colleges that cosponsor commission  
 2 charter schools to enable students attending a charter school to take college courses and  
 3 receive high school and college credit for such courses; and

4 (B) Be used to determine the feasibility of opening charter schools for students with  
 5 disabilities;

6 (14) Support municipalities when the mayor or chief executive, through resolution  
 7 passed by the governing body of the municipality, expresses an intent to cosponsor and  
 8 establish charter schools within the municipal boundaries;

9 (15) Meet the needs of charter schools and school systems by uniformly administering  
 10 high-quality charter schools, thereby removing administrative burdens from the school  
 11 systems;

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

15 (17) Provide training for members of commission charter school governing bodies within  
 16 90 days after approval of the charter school. The training shall include, but not be limited  
 17 to, best practices on charter school governance, the constitutional and statutory  
 18 requirements relating to public records and meetings, and the requirements of applicable  
 19 statutes and State Board of Education rules.

20 20-2-2082.

21 (a) A charter school applicant for a commission charter school may submit an application  
 22 to the commission only if the school system in which the commission charter school is to  
 23 be located has not retained exclusive authority to authorize charter schools as provided in  
 24 subsection (e) of this Code section. If a local board of education has not retained exclusive  
 25 authority to authorize charter schools as provided in subsection (e) of this Code section, the  
 26 local board of education and the commission shall have concurrent authority to authorize  
 27 charter schools and commission charter schools, respectively, to be located within the  
 28 geographic boundaries of the school system. The local board of education shall monitor  
 29 and oversee all charter schools authorized by the local board of education pursuant to  
 30 Article 31 of this chapter. The commission shall monitor and oversee all commission  
 31 charter schools sponsored by the commission pursuant to Code Section 20-2-2081.

32 (b) Subsection (e) of this Code section may not be construed to eliminate the ability of a  
 33 local board of education to authorize charter schools pursuant to Article 31 of this chapter.  
 34 A local board of education shall retain the authority to reauthorize and oversee any charter  
 35 school it has authorized, except with respect to any charter school that is converted to a  
 36 commission charter school under this Code section.

1 (c) For fiscal year 2008-2009 and for each fiscal year thereafter, a local board of education  
2 may seek to retain exclusive authority to authorize charter schools within the geographic  
3 boundaries of the school system by presenting to the State Board of Education, on or before  
4 March 1 of the fiscal year prior to that for which the exclusive authority is to apply, a  
5 written resolution adopted by the local board of education indicating the intent to retain  
6 exclusive authority to authorize charter schools. A local board of education may seek to  
7 retain the exclusive authority to authorize charter schools by presenting to the state board  
8 the written resolution on or before a date 60 days after establishment of the commission.  
9 The written resolution shall be accompanied by a written description addressing the  
10 elements described in subsection (e) of this Code section. The local board of education  
11 shall provide a complete copy of the resolution, including the description, to each charter  
12 school authorized by the local board of education on or before the date it submits the  
13 resolution to the state board.

14 (d) A party may challenge the grant of exclusive authority made by the State Board of  
15 Education pursuant to subsection (e) of this Code section by filing with the state board a  
16 notice of challenge within 30 days after the state board grants exclusive authority. The  
17 notice shall be accompanied by a specific written description of the basis for the challenge.  
18 The challenging party, at the time of filing notice with the state board, shall provide a copy  
19 of the notice of challenge to the local board of education that has been granted exclusive  
20 authority. The state board shall permit the local board of education the opportunity to  
21 appear and respond in writing to the challenge. The state board shall make a determination  
22 upon the challenge within 60 days after receiving the notice of challenge.

23 (e) The State Board of Education shall grant to a local board of education exclusive  
24 authority to authorize charter schools within the geographic boundaries of the school  
25 system if the state board determines, after adequate notice, in a public hearing, and after  
26 receiving input from any charter school authorized by the local board of education, that the  
27 local board of education has provided fair and equitable treatment to its charter schools  
28 during the four years prior to the local board of education's submission of the resolution  
29 described in subsection (c) of this Code section. The state board's review of the resolution  
30 shall, at a minimum, include consideration of the following:

- 31 (1) Compliance with the provisions of Article 31 of this chapter;
- 32 (2) Compliance with full and accurate accounting practices and charges for central  
33 administrative overhead costs;
- 34 (3) Compliance with requirements allowing a charter school, at its discretion, to purchase  
35 certain services or a combination of services at actual cost to the school system;
- 36 (4) The absence of a local board of education moratorium regarding charter schools or  
37 the absence of any system-wide charter school enrollment limits;

- 1 (5) Compliance with valid orders of the state board;
- 2 (6) The provision of assistance to charter schools to meet their facilities' needs by  
3 including those needs in local bond issues or otherwise providing available land and  
4 facilities that are comparable to those provided to other public school students in the same  
5 grade levels within the school system;
- 6 (7) The distribution to charter schools authorized by the local board of education of a pro  
7 rata share of federal and state grants received by the local board of education, except for  
8 any grant received for a particular purpose which, by its express terms, is intended to  
9 benefit a student population not able to be served by, or a program not able to be offered  
10 at, a charter school that did not receive a proportionate share of such grant proceeds;
- 11 (8) The provision of adequate staff and other resources to serve charter schools  
12 authorized by the local board of education that are provided by the local board of  
13 education at a cost to the charter schools that does not exceed their actual cost to the local  
14 board of education;
- 15 (9) The lack of a policy or practice of imposing individual charter school enrollment  
16 limits, except as otherwise provided by law; and
- 17 (10) The provision of an adequate number of educational choice programs to serve  
18 students exercising their rights to transfer pursuant to the federal No Child Left Behind  
19 Act of 2001, Pub. L. No. 107-110, and a history of charter school approval that  
20 encourages chartering.
- 21 (f) The decision of the State Board of Education pursuant to subsection (e) of this Code  
22 section shall not be subject to the provisions of Chapter 13 of Title 50, the "Georgia  
23 Administrative Procedure Act," and shall be a final action subject to judicial review by the  
24 district court of appeals.
- 25 (g) For local boards of education that have no discernable history of authorizing charter  
26 schools, the State Board of Education may not grant exclusive authority unless the local  
27 board of education demonstrates that no approvable application has come before the local  
28 board of education.
- 29 (h) A grant of exclusive authority by the State Board of Education shall continue so long  
30 as a local board of education continues to comply with this Code section and has presented  
31 a written resolution to the state board as set forth in subsection (c) of this Code section.
- 32 (i) Notwithstanding any other provision of this Code section to the contrary, a local board  
33 of education may permit the establishment of one or more commission charter schools  
34 within the geographic boundaries of the school system by adopting a favorable resolution  
35 and submitting the resolution to the State Board of Education. The resolution shall be  
36 effective until it is rescinded by resolution of the local board of education.

1 20-2-2084.

2 (a) The commission shall begin accepting applications by municipalities, state universities,  
3 community colleges, and regional educational consortia no later than January 31, 2009.

4 The commission shall review and evaluate all applications for compliance with the  
5 provisions of subsection (c) of this Code section and shall have 90 days after receipt of an  
6 application to approve or deny the application unless the 90 day period is waived by the  
7 applicant.

8 (b) The commission shall limit the number of charter schools that a cosponsor may  
9 approve pursuant to its review of the cosponsor's application under subsection (c) of this  
10 Code section. Upon application by the cosponsor and review by the commission of the  
11 performance of a cosponsor's current charter schools, the commission may approve a  
12 cosponsor's application to raise the limit previously set by the commission.

13 (c) Any entity set forth in subsection (a) of this Code section that is interested in becoming  
14 a cosponsor pursuant to this Code section shall prepare and submit an application to the  
15 commission that provides evidence that the entity:

16 (1) Has the necessary staff and infrastructure or has established the necessary contractual  
17 or interagency relationships to ensure its ability to handle all of the administrative  
18 responsibilities required of a charter school sponsor;

19 (2) Has the necessary staff expertise and infrastructure or has established the necessary  
20 contractual or interagency relationships to ensure that it will approve and is able to  
21 develop and maintain charter schools of the highest academic quality;

22 (3) Is able to provide the necessary public and private financial resources and staff to  
23 ensure that it can monitor and support charter schools that are economically efficient and  
24 fiscally sound;

25 (4) Is committed to providing equal access to all students and to maintaining a diverse  
26 student population within its charter schools, including compliance with all applicable  
27 requirements of federal law;

28 (5) Is committed to serving low-income, low performing, gifted, or underserved student  
29 populations;

30 (6) Has articulated annual academic and financial goals and expected outcomes for its  
31 charter schools as well as the methods and plans by which it will measure and achieve  
32 those goals and outcomes; and

33 (7) Has policies in place to protect its cosponsoring practices from conflicts of interest.

34 (d) The commission's decision to deny an application or to revoke approval of a cosponsor  
35 pursuant to Code Section 20-2-2086 is not subject to Chapter 13 of Title 50, the "Georgia  
36 Administrative Procedure Act," and may be appealed to the State Board of Education  
37 pursuant to Code Section 20-2-2064.1.

1 20-2-2085.

2 (a) Upon approval of a cosponsor, the commission and the cosponsor shall enter into an  
3 agreement that defines the cosponsor's rights and obligations and includes the following:

4 (1) An explanation of the personnel, contractual, and interagency relationships and  
5 potential revenue sources referenced in the application as required subsection (c) of Code  
6 Section 20-2-2084;

7 (2) Incorporation of the requirements of equal access for all students, including any plans  
8 to provide food service or transportation reasonably necessary to provide access to as  
9 many students as possible;

10 (3) Incorporation of the requirement to serve low-income, low performing, gifted, or  
11 underserved student populations;

12 (4) An explanation of the academic and financial goals and expected outcomes for the  
13 cosponsor's charter schools and the method and plans by which they will be measured  
14 and achieved as referenced in the application;

15 (5) The conflict of interest policies referenced in the application;

16 (6) An explanation of the disposition of facilities and assets upon termination and  
17 dissolution of a charter school approved by the cosponsor;

18 (7) A provision requiring the cosponsor to annually appear before the commission and  
19 provide a report of each of its charter schools;

20 (8) A provision requiring that the cosponsor report the student enrollment in each of its  
21 sponsored charter schools to the local board of education of the county in which the  
22 school is located;

23 (9) A provision requiring that the cosponsor work with the commission to provide the  
24 necessary reports to the State Board of Education; and

25 (10) Any other reasonable terms deemed appropriate by the commission given the  
26 unique characteristics of the cosponsor.

27 (b) No cosponsor may receive applications for charter schools until a cosponsor agreement  
28 with the commission has been approved and signed by the commission and the appropriate  
29 individuals or governing bodies of the cosponsor.

30 (c) The cosponsor agreement shall be attached to and shall govern all charter school  
31 contracts entered into by the cosponsor.

32 20-2-2086.

33 If at any time the commission finds that a cosponsor is not in compliance, or is no longer  
34 willing to comply, with its contract with a charter school or with its cosponsor agreement  
35 with the commission, the commission shall provide notice and a hearing in accordance with  
36 State Board of Education rules. If after a hearing the commission confirms its initial

1 finding, the commission shall revoke the cosponsor's approval. The commission shall  
2 assume temporary sponsorship over any charter school sponsored by the cosponsor at the  
3 time of revocation. Thereafter, the commission may assume permanent sponsorship over  
4 such school or allow the school's governing body to apply to another sponsor or cosponsor.

5 20-2-2087.

6 Charter school applications submitted to the commission or to a cosponsor approved by the  
7 commission pursuant to Code Section 20-2-2084 shall be subject to the same requirements  
8 set forth in Code Section 20-2-2063. The commission or cosponsor shall receive and  
9 review all applications for commission charter schools according to the provisions for  
10 review of charter school applications under Code Section 20-2-2064.

11 20-2-2088.

12 (a) An application may be submitted pursuant to this Code section by an existing charter  
13 school approved by a local board of education provided that the obligations of its charter  
14 contract with the local board of education will expire prior to entering into a new charter  
15 contract with the commission or one of its cosponsors. A local board of education may  
16 agree to rescind or waive the obligations of a current charter contract to allow an  
17 application to be submitted by an existing charter school pursuant to this Code section. A  
18 charter school that changes sponsors pursuant to this subsection shall be allowed to  
19 continue the use of all facilities, equipment, and other assets it owned or leased prior to the  
20 expiration or rescission of its contract with a local board of education sponsor.

21 (b) An application to the commission or one of its cosponsors by a conversion charter  
22 school as defined in Code Section 20-2-2062 may only be submitted upon consent of the  
23 local board of education. In such instance, the local board of education may retain the  
24 facilities, equipment, and other assets of the conversion charter school for its own use or  
25 agree to reasonable terms for their continued use by the conversion charter school.

26 20-2-2089.

27 The provisions of Article 31 of this chapter shall apply to the commission and the  
28 cosponsors and charter schools approved pursuant to this article.

29 20-2-2090.

30 The commission shall provide maximum access to information to all parents in the state.  
31 It shall maintain information systems, including, but not limited to, a user-friendly Internet  
32 website, that will provide information and data necessary for parents to make informed  
33 decisions. At a minimum, the commission shall provide parents with information on its

1 accountability standards, links to schools of excellence throughout this state, and public  
2 education programs available in this state.

3 20-2-2091.

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

7 20-2-2092.

8 The State Board of Education shall adopt rules and regulations necessary to facilitate the  
9 implementation of this article.

10 20-2-2093.

11 (a) The duties of the sponsor shall be to:

12 (1) Monitor and review the charter school in its progress toward the goals established in  
13 the charter;

14 (2) Monitor the revenues and expenditures of the charter school; and

15 (3) Approve, at its discretion, a charter for a charter school before the applicant has  
16 secured space, equipment, or personnel, if the applicant indicates approval is necessary  
17 for it to raise working capital.

18 (b) The sponsor's policies shall not apply to a charter school.

19 (c) The sponsor shall ensure that the charter is innovative and consistent with state  
20 education goals.

21 (d) The sponsor shall ensure that the charter school participates in the state's education  
22 accountability system. If a charter school falls short of performance measures included in  
23 the approved charter, the sponsor shall report such shortcomings to the Department of  
24 Education.

25 (e) The sponsor shall not be liable for civil damages under state law for personal injury,  
26 property damage, or death resulting from an act or omission of an officer, employee, agent,  
27 or governing body of the charter school.

28 (f) The sponsor shall not be liable for civil damages under state law for any employment  
29 actions taken by an officer, employee, agent, or governing body of the charter school.

30 (g) The sponsor's duties to monitor the charter school shall not constitute the basis for a  
31 private cause of action.

32 (h) Immunity for the sponsor of a charter school under this Code section applies only with  
33 respect to acts or omissions not under the sponsor's direct authority as described in this  
34 Code section.

1 (i) Nothing contained in this Code section shall be considered a waiver of sovereign  
2 immunity by a local board of education.

3 (j) A community college may work with the school system or school systems in its  
4 designated service area to develop charter schools that offer secondary education. These  
5 charter schools shall include an option for students to receive an associate degree upon high  
6 school graduation. Local boards of education shall cooperate with and assist the community  
7 college on the charter application.

8 20-2-2094.

9 Beginning September 1, 2008, for charter school applications for commission charter  
10 schools in school systems that have not been granted exclusive authority to sponsor charter  
11 schools pursuant to Code Section 20-2-2082, the right to appeal an application denial under  
12 subsection (c) of such Code section shall be contingent on the applicant's having submitted  
13 the same or a substantially similar application to the Georgia Charter Schools Commission  
14 or one of its cosponsors. Any such applicant whose application is denied by the  
15 commission or one of its cosponsors subsequent to its denial by the local board of  
16 education may exercise its right to appeal the local board of education's denial under  
17 subsection (c) of Code Section 20-2-2082 within 30 days after receipt of the commission's  
18 or cosponsor's denial or failure to act on the application. However, the applicant forfeits  
19 its right to appeal under subsection (c) of Code Section 20-2-2082 if it fails to submit its  
20 application to the commission or one of its cosponsors by August 1 of the school year  
21 immediately following the local board of education's denial of the application.

22 20-2-2095.

23 If a charter is not renewed or is terminated, the charter commission school is responsible  
24 for all debts of the charter school. The school system may not assume the debt from any  
25 contract for services made between the governing body of the commission charter school  
26 and a third party, except for a debt that is previously detailed and agreed upon in writing  
27 by both the school system and the governing body of the charter school and that may not  
28 reasonably be assumed to have been satisfied by the school system.

29 20-2-2096.

30 Students enrolled in a charter school, regardless of the sponsorship, shall be funded as if  
31 they are in a basic program or a special program, the same as students enrolled in other  
32 public schools in the school system. Each charter school shall report its student enrollment  
33 to the sponsor local board of education in accordance with Department of Education  
34 guidelines. The sponsor local board of education shall include each charter school's

1 enrollment in the school system's report of student enrollment. All charter schools  
2 submitting student record information required by the Department of Education shall  
3 comply with the Department of Education's guidelines for electronic data formats for such  
4 data, and all school systems shall accept electronic data that complies with the Department  
5 of Education's electronic format."

6 **SECTION 3.**

7 All laws and parts of laws in conflict with this Act are repealed.