

House Bill 731

By: Representatives Lindsey of the 54th, Ashe of the 56th, Setzler of the 35th, Hamilton of the 23rd, Coleman of the 97th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 31 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
2 relating to charter schools, so as to enact the "Parent Trigger Act"; to provide for a definition;
3 to provide for charter petitions by a majority of parents or guardians for certain schools; to
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 This Act shall be known and may be cited as the "Parent Trigger Act."

8 **SECTION 2.**

9 Article 31 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
10 charter schools, is amended in Code Section 20-2-2062, relating to definitions, by adding a
11 new paragraph to read as follows:

12 "(10.1) 'Low-achieving school' means a public school that fails to meet adequate yearly
13 progress for two or more consecutive years in the same subject, in accordance with the
14 accountability system established pursuant to Article 2 of Chapter 14 of this title."

15 **SECTION 3.**

16 Said article is further amended in Code Section 20-2-2064, relating to approval or denial of
17 charter petitions, by revising subsection (a) as follows:

18 "(a) A charter petitioner seeking to create a conversion charter school ~~must~~ shall submit
19 a petition to the local board of the local school system in which the proposed charter school
20 will be located. The local board ~~must~~ shall by a majority vote approve or deny a petition
21 no later than 60 days after its submission unless the petitioner requests an extension;
22 provided, however, that a denial of a petition by a local board shall not preclude the
23 submission to the local board of a revised petition that addresses deficiencies cited in the
24 denial; and provided, further, that the local board shall not act upon a petition for a

25 conversion charter school, including, but not limited to, a conversion charter for a high
 26 school cluster, until such petition:

27 (1) Except as otherwise provided in paragraph (2) of this subsection:

28 (A) Has been freely agreed to, by secret ballot, by a majority of the faculty and
 29 instructional staff members of the petitioning local school at a public meeting called
 30 with two weeks' advance notice for the purpose of deciding whether to submit the
 31 petition to the local board for its approval; and

32 (B) Has been freely agreed to, by secret ballot, by a majority of the parents or
 33 guardians of students enrolled in the petitioning local school present at a public meeting
 34 called with two weeks' advance notice for the purpose of deciding whether to submit
 35 the petition to the local board for its approval; or

36 (2) Has been freely agreed to, by secret ballot, by a majority of the parents or guardians
 37 of students enrolled in the local school present at a public meeting called with two weeks'
 38 advance notice for the purpose of deciding whether to submit the petition to the local
 39 board for its approval, if such school is:

40 (A) A low-achieving school;

41 (B) A school in a local school system which is on probation or an equivalent level of
 42 accreditation immediately preceding loss of accreditation or has lost its accreditation
 43 by one or more accrediting agencies included in subparagraph (A) of paragraph (6) of
 44 Code Section 20-3-519; or

45 (C) A traditional, noncharter public school which has been operating for at least ten
 46 years; or

47 ~~(2)~~(3) If for a high school cluster, has been approved by a majority of the school councils
 48 in the high school cluster and has been freely agreed to, by secret ballot, by at least 60
 49 percent of the combined vote of the faculty and instructional staff members of the high
 50 school cluster and the parents or guardians of students who reside in the attendance zone
 51 of such high school cluster present at a public meeting called with two weeks' advance
 52 notice for the purpose of deciding whether to submit the petition to the local board for its
 53 approval. Each school council within the high school cluster shall appoint two
 54 representatives to a committee that shall conduct the vote.

55 This subsection shall not apply to a system charter school petitioning to be a conversion
 56 charter school."

57 **SECTION 4.**

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