

House Bill 405

By: Representatives Mayo of the 84th, Fludd of the 64th, Casas of the 107th, Coleman of the 97th, Kaiser of the 59th, 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 require members of governing boards of
3 nonprofit organizations which are charter petitioners, charter schools, and state charter
4 schools to participate in governance training; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

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

10 "20-2-2072.

11 (a) All members of governing boards of nonprofit organizations which are:

12 (1) Charter petitioners shall participate in at least three hours of governance training prior
13 to submitting a charter petition to a local board of education for approval pursuant to this
14 article; and

15 (2) Existing charter schools shall participate in at least six hours of individual or whole
16 board training annually to ensure the effective governance and oversight of charter
17 schools.

18 (b) The State Board of Education shall approve credentialed charter school governance
19 training professionals to conduct such training and to present an appropriate certificate to
20 each board member upon completion. The State Board of Education shall adopt such
21 procedures as may be necessary to verify the attendance of members of charter school
22 governing boards at such training. Instruction at such training may include, but is not
23 limited to, best practices in charter school governance, including monitoring academic
24 achievement, fiduciary duties, fiscal health and sustainability, and legal and regulatory
25 compliance. Due to the inherent conflict of interest, authorizing entities and education or
26 charter management organizations in contract with a charter petitioner or existing charter

27 school are prohibited from acquiring, recommending, or delivering governance training for
 28 charter schools under their supervision."

29 **SECTION 2.**

30 Said chapter is further amended by revising paragraph (12) of subsection (b) of Code Section
 31 20-2-2083, relating to the powers and the duties of the State Charter Schools Commission,
 32 as follows:

33 "(12) Provide for initial and annual training, as determined by the commission, for
 34 members of state charter school governing boards in accordance with the requirements
 35 contained in subsection (f) of Code Section 20-2-2084. ~~The training shall include, but~~
 36 ~~not be limited to, best practices on school governance, the constitutional and statutory~~
 37 ~~requirements relating to public records and meetings, and the requirements of applicable~~
 38 ~~statutes and rules and regulations."~~

39 **SECTION 3.**

40 Said chapter is further amended by revising subsection (f) of Code Section 20-2-2084,
 41 relating to state charter school requirements, as follows:

42 "(f)(1) All members of the governing board of a charter petitioner for a state charter
 43 school shall participate in at least three hours of governance training prior to submitting
 44 a charter petition to a local board of education for approval pursuant to this article.

45 (2) The members of the governing board of each existing state charter school shall
 46 participate in at least six hours of individual or whole board annual training conducted
 47 by the commission pursuant to paragraph (12) of subsection (b) of Code Section
 48 20-2-2083 to ensure the effective governance and oversight of state charter schools.

49 (3) The commission shall approve credentialed charter school governance training
 50 professionals to conduct such training and to present an appropriate certificate to each
 51 board member upon completion. The commission shall adopt such procedures as may
 52 be necessary to verify the attendance of members of charter school governing boards at
 53 such training. Instruction at such training may include, but is not limited to, best
 54 practices in charter school governance, including monitoring academic achievement,
 55 fiduciary duties, fiscal health and sustainability, and legal and regulatory compliance.
 56 Due to the inherent conflict of interest, authorizing entities and education or charter
 57 management organizations in contract with a charter petitioner or existing charter school
 58 are prohibited from acquiring, recommending, or delivering governance training for
 59 charter schools under their supervision."

60

SECTION 4.

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