

House Bill 964

By: Representatives Lindsey of the 54th, Ehrhart of the 36th, and Taylor of the 79th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 31A of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
2 relating to state charter schools, so as to provide for charter-schools-in-the-workplace and
3 charter-schools-in-a-municipality; to provide for legislative intent; to provide for enrollment
4 priorities for state charter schools; to provide for petitions for charter-schools-in-the
5 workplace and charter-schools-in-a-municipality; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 31A of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
10 state charter schools, is amended by revising Code Section 20-2-2080, relating to legislative
11 findings and intent, as follows:

12 "20-2-2080.

13 (a) The General Assembly finds that:

14 (1) State charter schools can serve as a complement to the educational opportunities
15 provided by local boards of education in the state's system of public education; and

16 (2) State charter schools do not supplant public schools operated by local boards of
17 education but provide options to enhance public educational opportunities.

18 (b) It is the intent of the General Assembly that there be established a state-level
19 commission under the authority of the State Board of Education whose primary focus is the
20 development and support of state charter schools in order to better meet the growing and
21 diverse needs of students in this state and to further ensure that state charter schools of the
22 highest academic quality are approved and supported throughout the state in an efficient
23 manner.

24 (c) It is further the intent of the General Assembly that in order to increase business
25 partnerships in education, to reduce school and classroom overcrowding throughout the
26 state, and to offset the high costs of educational facilities construction, the General

27 Assembly intends to encourage the formation of business partnership schools or satellite
 28 learning centers and municipal operated schools through charter school status."

29 **SECTION 2.**

30 Said article is further amended by revising paragraph (1) of subsection (c) of Code Section
 31 20-2-2083, relating to the powers and duties of the State Charter Schools Commission, as
 32 follows:

33 "(c)(1) The commission shall establish rules and regulations requiring each state charter
 34 school to provide adequate notice of its enrollment procedures; ~~including any provision~~
 35 ~~for the use of a random selection process where all applicants have an equal chance of~~
 36 ~~being admitted in the event that the number of applications to enroll in the school exceeds~~
 37 ~~the capacity of the program, grade, or school.~~ A state charter school shall enroll any
 38 student who resides in the charter attendance zone as specified in the charter and who
 39 submits a timely application as specified in the charter unless the number of applications
 40 exceeds the capacity of a program, class, grade level, or building. In such case, all such
 41 applicants shall have an equal chance of being admitted through a random selection
 42 process unless otherwise prohibited by law; provided, however, that a state charter school
 43 may give enrollment preference to applicants in any one or more of the following
 44 categories in the order of priority specified in the charter:

45 (A) A sibling of a student enrolled in the state charter school;

46 (B) A student whose parent or guardian is a member of the governing board of the state
 47 charter school;

48 (C) A student whose parent or guardian is a full-time teacher, professional, or other
 49 employee at the state charter school; or

50 (D) A student who is the child of:

51 (i) For a charter-school-in-the-workplace, an employee of the business partner or a
 52 resident of the municipality in which such charter-school-in-the-workplace is located;

53 or

54 (ii) For a charter-school-in-a-municipality, a resident of the municipality in which
 55 such charter-school-in-a-municipality is located."

56 **SECTION 3.**

57 Said article is further amended by revising subsections (b) and (c) of Code Section
 58 20-2-2084, relating to petition for charter schools, requirements of school, governing board
 59 membership, and annual training, as follows:

60 "(b) The commission shall be authorized to approve a petition for a state charter school that
 61 meets the following requirements:

- 62 (1) Has a state-wide attendance zone; ~~or~~
- 63 (2)(A) Has a defined attendance zone; and
- 64 (B) Demonstrates that it has special characteristics, such as a special population, a
65 special curriculum, or some other feature or features which enhance educational
66 opportunities, which may include the demonstration of a need to enroll students across
67 multiple communities or an alternative delivery system; provided, however, that the
68 petitioner shall demonstrate a reasonable justification for any proposed special
69 curriculum that has a narrow or limited focus;
- 70 (3) Is a charter-school-in-the-workplace which operates in a school facility provided by
71 one or more business partners and enrolls students who are children of employees of such
72 business partner or partners; or
- 73 (4) Is a charter-school-in-a-municipality which is operated by one or more municipalities
74 and enrolls students who are children of residents of such municipality or municipalities.
- 75 (c)(1) For petitions for state charter schools with a state-wide attendance zone, the
76 petitioner shall submit such petition to the commission and concurrently to the local
77 board of education in which the school is proposed to be located for information
78 purposes; provided, however, that this shall not apply to a proposed state charter school
79 which will solely provide virtual instruction.
- 80 (2) For petitions for state charter schools with a defined attendance zone, the petitioner
81 shall concurrently submit such petition to the commission, to the local board of education
82 in which the school is proposed to be located, and to each local school system from which
83 the proposed school plans to enroll students. The commission shall not act on a petition
84 unless the local board of education in which the school is proposed to be located denies
85 the petition; provided, however, that such local board shall approve or deny the petition
86 no later than 60 days after its submission, as required pursuant to subsection (b) of Code
87 Section 20-2-2064, unless the petitioner requested an extension. Failure to approve or
88 deny such petition by such local board, in violation of Code Section 20-2-2064, shall be
89 deemed a denial for purposes of this paragraph. A local board that has denied a petition
90 for a state charter school shall be permitted to present to the commission in writing or in
91 person the reasons for denial and the deficiencies in such petition resulting in such denial.
- 92 (3) For petitions for charter-schools-in-the-workplace or
93 charter-schools-in-a-municipality, the petitioner shall submit such petition to the
94 commission and concurrently to the local board of education in which the school is
95 proposed to be located for information purposes.
- 96 ~~(3)~~(4) The commission may take into consideration any support or opposition by the
97 local board of education or local boards of education on the start-up charter school
98 petition when it votes to approve or deny a corresponding state charter school petition."

99

SECTION 4.

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