

House Bill 1257

By: Representatives Rice of the 139<sup>th</sup>, Hilton of the 48<sup>th</sup>, Donatucci of the 105<sup>th</sup>, and Ballard of the 147<sup>th</sup>

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 revise provisions for incentive grants for local  
3 boards of education to approve charter school petitions; to revise provisions for the Office  
4 of Charter School Compliance; to revise provisions relative to charter petitions by existing  
5 charter schools; to revise provisions relative to state charter school records; to provide for  
6 related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
10 secondary education, is amended in Article 31, the "Charter Schools Act of 1998," by  
11 revising Code Section 20-2-2064.2, relating to promotion of approval of new local charter  
12 school petitions and incentive grants, as follows:

13 "20-2-2064.2.

14 (a) The ~~State Board of Education~~ state board, in collaboration with the ~~State Charter~~  
15 ~~Schools Commission~~ Office of Charter School Compliance, shall establish a program for  
16 the purposes of promoting and supporting the approval of new local charter school petitions

H. B. 1257

17 by local boards of education and to provide incentive grants to local boards of education  
18 that approve new local charter school petitions. The ~~State Charter Schools Commission~~  
19 state board shall promulgate such rules and regulations as it deems necessary to carry out  
20 the provisions and intent of this Code section.

21 (b)(1) Subject to appropriations, for each new local charter school petition approved by  
22 a local board of education after June 30, 2025, such local board of education shall receive  
23 an incentive grant of \$250,000.00 by ~~August 1~~ September 1 of each of the first three  
24 years of such local charter school's operation following such approval, provided that such  
25 local charter school remains authorized by such local board of education. In the event  
26 that available appropriations are not sufficient to cover the total amount of ~~such~~ the  
27 incentive grants provided for in this subsection, the amount of each such grant shall be  
28 reduced proportionally, providing incentive grants in equal amounts to each such local  
29 board of education.

30 (2) Incentive grants provided for in paragraph (1) of this subsection shall be provided  
31 only for the approval of new local charter school petitions and not for the approval or  
32 renewal of an existing local charter school.

33 (3) The total amount of incentive grants provided under this subsection shall not exceed  
34 \$2.25 million in any fiscal year.

35 (c) Incentive grants awarded pursuant to subsection (b) of this Code section may be used  
36 by the receiving local board of education for expenses incurred by the local board of  
37 education in its role as a local charter school authorizer, which may include, but shall not  
38 be limited to, hiring qualified personnel and providing for oversight, compliance  
39 monitoring, and professional development related to local charter school authorization.

40 (d) The Department of Education shall ~~implement and administer~~ distribute the incentive  
41 ~~grant program provided for in~~ grants authorized pursuant to subsection (b) of this Code  
42 section and the Office of Charter School Compliance shall provide any technical assistance

43 necessary to local school systems ~~in to~~ support of compliance with the requirements of this  
 44 Code section.

45 (e) This Code section shall stand automatically repealed on July 1, 2035."

46 **SECTION 2.**

47 Said chapter is further amended in said article by revising subsection (a) of Code  
 48 Section 20-2-2069, relating to the Office of Charter School Compliance and Office of  
 49 District Flexibility, as follows:

50 "(a) There is established within the State Charter Schools Commission an Office of Charter  
 51 School Compliance, which shall be staffed with personnel as provided for in  
 52 subsection (d.1) of Code Section 20-2-2082; who shall report directly to the ~~State Board~~  
 53 ~~of Education~~ state board for purposes of this subsection. The responsibilities of such office  
 54 shall be to:

- 55 (1) Prepare charter school guidelines to be approved by the state board;
- 56 (2) Distribute charter school petition information to inquiring parties;
- 57 (3) Process all charter school petitions and coordinate with the Charter Advisory  
 58 Committee established pursuant to Code Section 20-2-2063.1 to facilitate its such  
 59 committee's review and recommendations to the state board;
- 60 (4) Administer ~~any state or federal~~ charter school ~~implementation grant program~~ grant  
 61 programs;
- 62 (5) Contract with an independent party to evaluate the performance of charter schools,  
 63 as such performance relates to fulfilling the terms of their charters;
- 64 (6) Compile information necessary to produce the annual report required by Code  
 65 Section 20-2-2070, which shall include, but shall not be limited to, information regarding  
 66 the effectiveness of the ~~incentives~~ incentive grants and the adherence of local school  
 67 systems to the requirements provided for in Code Sections 20-2-2064 and 20-2-2064.2;

- 68 (7) Prepare guidelines for local boards of education for the evaluation of charter school  
69 petitions. Such guidelines shall be published on the public website of the Department of  
70 Education and shall include:
- 71 (A) Criteria for evaluating the academic, operational, and financial plans of the charter  
72 petitioner;
  - 73 (B) Best practices for conducting a thorough and objective review of charter petitions;
  - 74 (C) Procedures for public hearings and community input on charter petitions; and
  - 75 (D) A standardized evaluation rubric for use by local boards of education during the  
76 evaluation of charter petitions; and
- 77 (8) Provide technical assistance to local school systems as charter school authorizers,  
78 support local school systems as needed to implement best practices in charter school  
79 authorization, and regularly engage with local school systems to promote charter school  
80 authorization at the local level."

81 **SECTION 3.**

82 Said chapter is further amended in Article 31A, relating to state charter schools, by revising  
83 Code Section 20-2-2085, relating to petitions by existing charter schools, as follows:

84 "20-2-2085.

85 A petition may be submitted pursuant to this Code section by an existing charter school  
86 approved by a local board of education or the State Board of Education, provided that the  
87 obligations of its charter with the local board of education or State Board of Education will  
88 expire prior to entering into a new charter with the commission. The commission shall not  
89 act on a petition submitted pursuant to this Code section unless the local board of education  
90 that authorizes the charter school has voted to terminate or nonrenew the charter contract  
91 or otherwise fails to renew the charter contract by a date established by the State Board of  
92 Education. Upon the existing charter school's request, a local board of education or the  
93 State Board of Education in the case of a state chartered special school may agree to

94 rescind or waive the obligations of a current charter to allow a petition to be submitted by  
95 an existing charter school pursuant to this Code section. An existing charter school that is  
96 established as a state charter school pursuant to this Code section shall be allowed to  
97 continue the use of all facilities, equipment, and other assets it used prior to the expiration  
98 or rescission of its charter with a local board of education; provided, however, that the local  
99 board of education shall be authorized to charge or continue to charge a reasonable fee for  
100 use of the facilities."

101 **SECTION 4.**

102 Said chapter is further amended in said article by revising subsection (b) of Code  
103 Section 20-2-2088.1, relating to ownership and maintenance of state charter school records,  
104 as follows:

105 "(b) In the event that a state charter school ceases operations for any reason, including, but  
106 not limited to, the termination, nonrenewal, or abandonment of the state charter school's  
107 charter, the nonprofit entity which held the charter contract shall retain ownership,  
108 including all incumbent responsibilities of an operational state charter school, of all records  
109 for a period of ~~one-year~~ 180 days from the later of the date the charter contract expired, the  
110 date the charter contract was terminated, or the date the state charter school ceased  
111 operations. Incumbent responsibilities include, but are not limited to, transferring student  
112 records to public or private schools, schools operated by the Department of Juvenile  
113 Justice, and the local school system or schools from which the records are requested. After  
114 the ~~one-year~~ 180 day period, the nonprofit entity which held the charter contract shall  
115 transfer all records, including student records, to the commission in the format and manner  
116 specified by the commission."

117 **SECTION 5.**

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