

## PROPOSED POLICY

### Policy IBB: Charter Schools

The DeKalb County Board of Education (“Board”), by the authority granted to it pursuant to O.C.G.A. 20-2-2060, et seq., seeks to authorize high quality charter schools with innovative, unique, and effective academic programs that align to the strategic priorities of the District in order to increase student performance and achievement. The DeKalb County School District will enforce clear expectations for its charter schools and hold them accountable to the terms of their charter contracts. All locally approved start-up charter schools, conversion charter schools, and/or high school charter clusters, are subject to the control and management of the Board, pursuant to O.C.G.A. 20-2-2065(b)(2).

#### **I. Submitting a Petition for DeKalb’s Charter Application Process.**

- a. **Timeframe.** The Board shall consider complete charter petitions for approval that are submitted in accordance with the Charter Schools Act of Georgia, O.C.G.A. 20-2-2060, et seq.; State Board Rule 160-4-9-.05; the State Board Charter Schools Petition Process Guidelines; DeKalb Charter School Petition Guidelines; and this policy.
- b. **Recommendation to Approve or Deny.** After the District Charter Office and charter review committee conduct the initial review and examination of the charter petition, including the capacity interview and clarification meeting, their findings on the charter petition shall be provided to the Superintendent, who will then use them to formulate a recommendation to approve or deny the petition to present to the Board for their consideration.
- c. **Capacity.** The charter petitioner, Founding Board, and Governing Board must demonstrate the capacity to operate a high quality charter school. If contracting with an education management organization to operate all or parts of the proposed charter school, the charter petitioner, Founding Board, or Governing Board must demonstrate the ability to operate at arms’ length from this external organization.
- d. **Charter Authorization.** The Board shall review the Superintendent’s recommendation and related materials and shall by majority vote approve or deny a properly submitted petition within ninety (90) days after the petitioner’s timely submission. The Board shall not approve a charter petition unless the petition meets all legal requirements, and the Board deems the petition to be in the public interest. The Board shall only approve charter terms for five (5) years in length.
- e. **Assurances and Required Statements.** For a charter petition to be considered complete, an authorized representative from the charter petitioner must sign the DeKalb Assurances and Required Statements to be included with the submitted petition, which will assure the District and Board that the petitioner and proposed charter school will abide by all non-waivable legal requirements and certain required district policies and procedures. The District reserves the right to require its locally approved charter schools to sign updated Assurances and Required

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Statements as federal or state law or district policy changes, or as the District deems necessary.

### II. Funding.

- a. **Funding for Locally Approved Charter Schools.** Funding for a charter school's instructional and administrative programs will comply with the Georgia Charter Schools Act, State Board Rules, and District policies.
- b. **3% Withhold Fee.** The District will withhold a 3% management fee from the total state and local funds earned by each of its locally approved charter schools to reimburse the District for administrative services and technical support provided to its charter schools.

### III. Basis for Termination and/or Non-Renewal of Charter Authorization.

- a. **Termination.** Pursuant to O.C.G.A. 20-2-2068(a)(3), the Board may request in writing that the State Board terminate a locally approved charter school if, after providing reasonable notice to the charter school and an opportunity for a hearing, the Board finds that:
  - i. A failure to adhere to any material term of the charter, including but not limited to the performance goals set forth in the charter;
  - ii. A failure to meet generally accepted standards of fiscal management;
  - iii. A violation of applicable federal, state, or local laws, rules, district procedures, policies, or court orders;
  - iv. The existence of competent substantial evidence that the continued operation of the charter school or charter system would be contrary to the best interests of the students or the community;
  - v. A failure to comply with any provision of Code Section 20-2-2065; or
  - vi. A failure to comply with the terms of this policy and corresponding regulation or District procedure and guidance, or the DeKalb Assurances and Required Statements.
- b. **Non-Renewal.** Upon the review of the renewal petition for a locally approved charter school, the Superintendent may make a recommendation to the Board to deny the charter school's renewal based upon the findings of the charter review committee, the contents of the renewal petition, and the historical documented performance of the charter school. The Superintendent may recommend non-renewal according to the Charter Schools Act of Georgia, related State Board Rules and guidance, and this policy and corresponding guidance if it is determined that the charter school has met any of the grounds listed above for termination, grounds for denial of a petition, or if the charter school is no longer in the public interest.