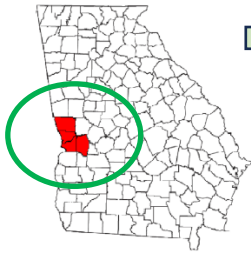


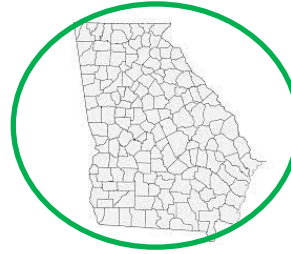
ATTENDANCE ZONES

Petitioners to the State Charter Schools Commission must select an attendance zone and comply with concurrent submission requirements. The petition must include documentary evidence of community interest to support selection of an attendance zone.



Defined Attendance Zone

- Evidence of community interest in, and a plan to recruit students from, less than a majority of Georgia school districts.
- May only enroll students from districts in the attendance zone.



Statewide Attendance Zone

- Evidence of community interest in, and a plan to recruit students from, a majority of Georgia school districts.
- Must enroll students from any school district in Georgia.

CONCURRENT SUBMISSION means submission of a petition to the local board of education (LBOE) and the State Charter Schools Commission during each entity's petition cycle that contemplates approved charter schools operationally starting the same school year. Requirements depend on attendance zone.

Defined Attendance Zone

- Petition submitted for action to the LBOE where you intend to locate; and
- Petition submitted for informational purposes to the LBOE(s) where you plan to enroll students.
- SCSC cannot act on the petition until the LBOE where you intend to locate denies¹ the petition.

Statewide Attendance Zone

- Petition submitted for informational purposes to the LBOE where you intend to locate.

Statewide Attendance Zone (Virtual Only)

- No concurrent submission requirements.

¹ Denial means the local board (i) voted to deny the petition or (ii) failed to approve or deny the petition within 90 days of submission and the petitioner did not request an extension. See O.C.G.A. § 20-2-2084. A request for an extension means (i) the Petitioner offered to extend the local board's time to act on the petition (SBOE Rule 160-4-9-.05(b)(2)) or (ii) the Petitioner granted the local board additional time to act on the petition in response to the local board's clarification or revision request (SBOE Rule 160-4-9-.05(b)(4)).

DEFINED ATTENDANCE ZONE REQUIREMENTS

- ⇒ Petitions submitted concurrently cannot differ in substance, except that the SCSC petition will also address local education agency (LEA) obligations and a financial plan that accounts for state charter school funding.
- ⇒ Local petitions must be submitted for action consistent with the local board's technical requirements and timeline.
- ⇒ SCSC will withdraw a petition from consideration if it failed to adhere to the local board's technical requirements or timeline or if the local board rejects the petition for legal insufficiency.
- ⇒ The petitioner must work through the local petition process in good faith seeking approval.

DEFINED ATTENDANCE ZONE TIMELINE CONSIDERATIONS

Local board of education (LBOE) petition timelines can affect the SCSC's decision timeline and an approved state charter school's pre-opening year. Petitioners must understand the local district petition process and all implications stemming from the petitioner's decisions regarding local district and SCSC timelines. Below is a fictional scenario to help illustrate what petitioners should consider relating to a LBOE's petition timeline.

SCENARIO EXAMPLE

- The LBOE's petition deadline is February 8th.
- SCSC's petition deadline is March 15th and contemplates recommendations to the SCSC Board in July 2023.
- School ABC, seeking a defined attendance zone, applies to the LBOE on February 8th and to the State Charter Schools Commission on March 15th. According to State Board of Education Rule 160-4-9-.05, the LBOE must act on the petition within 90 days (May 9, 2023) unless School ABC offers to extend the time or grants additional time in order to revise or clarify its petition.

If the LBOE will not vote on the petition by May 9, 2023, School ABC must decide whether it will offer the LBOE additional time to consider and vote on the petition!

OPTION 1: SCHOOL ABC GRANTS THE LBOE ADDITIONAL TIME. Offering additional time for the LBOE to act on a petition will delay SCSC's petition decision. SCSC can only vote on School ABC's petition if the LBOE failed to act in 90 days *and* the School ABC did not request an extension. Giving additional time to the LBOE will result in either:

(1) The LBOE approves School ABC during the extended time.

• School ABC then proceeds as a local charter school and its petition process with SCSC ends.

or

(2) The LBOE denies School ABC during the extended time. SCSC then approves School ABC.

• School ABC proceeds as a state charter school. However, due to a delayed SCSC approval caused by the extension, School ABC will have a shorter pre-opening year to receive SCSC-funded support and meet planning year milestones.

or

(3) The LBOE denies School ABC during the extended time. SCSC then denies School ABC.

• School ABC's petition process ends, and it must wait until the following year to reapply.

OPTION 2: SCHOOL ABC DOES NOT GRANT THE LBOE ADDITIONAL TIME. If the LBOE fails to act in 90 days and School ABC does *not* give the LBOE additional time to act, then SCSC can act on School ABC's petition upon School ABC's submission of a Certification of Local Board of Education Denial form. Not giving the LBOE additional time to act will result in either:

(1) SCSC Approving School ABC.

• School ABC can proceed as a state charter school.

or

(2) SCSC Denying School ABC.

• School ABC's SCSC petition ends; it may reapply next year. In addition, School ABC may no longer have an opportunity for local approval if the LBOE determines it lacks authority to act because School ABC did not grant additional time.

****DISCLAIMER**** This document is intended to provide general considerations about the relationship between LBOE charter petition processes and the SCSC petition process. However, this document does not suggest or imply that a petitioner should make a particular decision relating to its petition. Petitioners must evaluate all outcomes relating to the local district and SCSC petition process and make the best decision based on individual circumstances.