



Amending a Charter Contract

Introduction

The charter contract memorializes the rights and obligations of a charter school, outlines the school's innovative features and details the performance expectations for each year of the school's charter term. Charter contracts are designed to preserve the autonomy to which state charters are accountable and to define clear and rigorous measures of performance for which state charters are accountable. Unfortunately, certain unexpected events may arise during the course of a charter term that necessitate amendments to a charter contract. The SCSC may request charter amendments so as to align charter contract terms with updated state policy requirements or to provide stakeholders with greater clarity on various contract components. Schools may request charter amendments because they recognize new ways to better serve the needs of their communities or improve their operations. State charter schools should never request charter amendments aimed at decreasing the rigor of academic, financial, or operational performance expectations. Additionally, charter contracts do not need to be amended to conform to changes in laws or regulations; however, in some cases the SCSC may request charter amendments or issue administrative clarifications to ensure all parties and stakeholders have an accurate understanding of law or regulatory modifications. State charter schools contemplating a charter amendment should consider the procedure and expectations as outlined in this guidance.

Procedure for Amending Charter Contracts

SCSC schools wishing to request an amendment for their charter contract should provide a written request from the governing board chair or his or her authorized designee to Dr. Bonnie Holliday, Executive Director of the SCSC. Requests should include details regarding the requested change with specific references to the school's charter contract, the rationale for the requested change, and proposed language for the requested change. The school should also include contact information for the designated point of contact. SCSC staff will confirm receipt of your request and begin the evaluation process.

SCSC staff often needs additional information beyond that which is included in the school's initial amendment request in order to properly evaluate and craft a recommendation to approve or deny the request. In the event SCSC staff requires more information for a complete analysis

of the amendment request, they will notify the school in writing with specific detail as to what additional information is required and when the SCSC must receive additional information from the school. Receiving information from the school in a timely manner is critical to SCSC staff’s ability to fully analyze the need for and effect of the requested charter amendment. As such, a school’s failure to provide complete, accurate, and timely information upon SCSC request will negatively impact SCSC staff’s analysis and recommendation of the requested amendment. Upon receiving all necessary information, SCSC staff will formulate a recommendation that will be submitted to the SCSC for consideration and action.

Prior to submitting the recommendation to the SCSC for consideration and action, SCSC staff will share the official recommendation with the school. If the amendment request is recommended for approval, SCSC staff will provide the school a copy of the draft charter contract amendment prior to SCSC action. The SCSC, at a public meeting, will vote on the SCSC staff’s recommendation to approve or deny the requested amendment. If the SCSC approves a charter amendment, the charter amendment must be executed by the school’s governing board and returned to the SCSC for countersignature. Please note that a charter amendment is not official until all parties have signed the amendment.

The timeline for the charter amendment process will vary depending on the nature of the charter amendment request, information provided by the school, and availability of SCSC staff. SCSC staff are committed to working as quickly as possible to meet the needs of the school; however, staff will not prioritize expediency at the expense of conducting a quality analysis. As such, schools are encouraged to plan accordingly and act proactively to ensure sufficient time for the SCSC to complete the charter amendment process in accordance with a manner that meets the school’s needs. Absent emergency and extraordinary circumstances, the SCSC is unlikely to schedule a called meeting to consider a charter amendment request. Accordingly, state charter schools should consider the SCSC meeting schedule when planning and submitting charter amendment requests.

Common Amendments and Expectations

SCSC charter contracts are streamlined to succinctly encompass authorizer expectations and applicable law as well as school operations. It is highly unlikely that the SCSC will approve charter amendments that do not align with its mission to provide students with better educational opportunities, seek to reduce accountability standards, or are inconsistent with applicable law. As a result, the provisions in charter contracts relating to school operations are more apt for amendment as they are specific to each school and amending such provisions may allow a school to increase its performance or efficiency. The following table identifies provisions in state charter school contracts that may be amended to better meet the needs of the school along with factors that drive the SCSC’s analysis of the requested amendment:

Provision	Location in Charter ¹ (by paragraph)	Common Reasons to Request an Amendment	Information to Include in the Request	Factors the SCSC will Analyze
Charter Term	2	Lengthen or reduce the charter term for a brief	The length of the extension or reduction; the proposed dates for the new charter	The school’s academic, financial, and operational performance; the extent to which factors outside

¹ Individual charters may vary slightly from the SCSC charter template.

		period of time in order to resolve or conclude operational matters.	term; strong rationale and justification for the request; a proposed budget for an extended term; a school closure plan for a reduced term.	the school's control necessitate the amendment; the continued financial viability of the school if an extension; the impact on the community of a reduction.
Grade Range	3	Successful academic gains coupled with a desire to expand the grade range upward or downward to better serve the needs of the community; resolve issues of under-enrollment through grade expansion; reduction in grades due to lack of academic gains; discovery that academic model is best suited to a particular grade band.	The number of grades to be added or subtracted; the new proposed grade range; strong rationale and justification for the request; a proposed budget for the expanded or reduced grade range; proposed performance measures for additional grades.	The school's academic, financial, and operational performance; the extent to which factors outside the school's control necessitate the amendment; the continued financial viability of the school if an expansion; strong evidence of need* if an expansion; the impact on the community of a reduction. *Schools must demonstrate strong evidence of need by providing specific, quantitative information. For example, for this amendment the school should provide information on students who wished to enroll but were foreclosed from doing so because the school did not serve a particular grade.
Number of Students Served	3	Successful academic gains coupled with a desire to expand the number of students served to better serve the needs of the community; resolve operational or financial issues related to serving too many or not enough students.	The number of students to be added or reduced; the new proposed total of students served; strong rationale or justification for the request; a proposed budget for the increase or decrease in the total number of students served.	The school's academic, financial, and operational performance; the extent to which factors outside the school's control necessitate the amendment; the continued financial viability of the school if an expansion; strong evidence of need if an expansion; the impact on the community of a reduction.
Mission	4	Desire to better-serve the needs of a growing or changing community; desire to better meet the needs of the current student population.	A redlined version of the proposed changes to the mission statement; a finalized, clean version of the mission statement with the proposed changes incorporated; strong rationale and justification for the request, new or updated mission-specific goals as applicable.	The school's academic, financial, and operational performance; the extent to which factors outside the school's control necessitate the amendment; strong evidence of need; the impact on the community of an amended mission; the degree to which the proposal deviates from the petition approved by the SCSC.
Essential or Innovative Features	5	Desire to better-serve the needs of a growing or changing community;	A redlined version showing the essential or innovative features to be changed, added or removed; a finalized, clean version of the	The school's academic, financial, and operational performance; the extent to which factors outside the school's control necessitate the amendment;

		desire to better meet the needs of the current student population; response to academic gains or losses; response to operational or financial issues.	essential or innovative features with the proposed changes incorporated; strong rationale or justification for the request; a narrative (less than 5 pages) detailing how the changes will be implemented; an updated budget demonstrating the expected fiscal impact of the changes.	strong evidence of need; the impact on the community of amended essential or innovative features the degree to which the proposal deviates from the petition approved by the SCSC..
Attendance Zone	6 or 11	Desire to serve a narrower subset of the community to better fulfill its mission; desire to expand in order to offer greater school choice options; response to under-enrollment.	A clear description of the proposed attendance zone, including a statement on which specific areas will be added or subtracted; strong rationale and justification for the change; evidence of need, including but not limited to evidence that a critical mass of students wishing to attend the school are currently unable to attend due to attendance zone limitations.	The school's academic, financial, and operational performance; the extent to which factors outside the school's control necessitate the amendment; strong evidence of need for an expansion*; the impact on the community of an expansion or reduction. *Schools must demonstrate strong evidence of need by providing specific, quantitative information. For example, for this amendment the school should provide information on students who wished to enroll but were foreclosed from doing so because the attendance zone or that too many students applying to the school is detrimental to the school's mission.
Enrollment Priorities	6 or 11	Desire to provide priorities to enhance teacher or governing board recruitment efforts; desire to promote familial enrollment; desire to encourage strict open enrollment.	A clear description of which priorities* the school wishes to add or remove; strong rationale and justification for the proposed change. *Priorities are limited to those authorized in O.C.G.A. § 20-2-2066.	The school's academic, financial, and operational performance; the extent to which factors outside the school's control necessitate the amendment; strong evidence of need*; the impact of the amendment on the community. *Schools may demonstrate strong evidence of need by providing specific, quantitative information. For example, for this amendment the school should provide information on the number of students utilizing enrollment priorities or that will utilize priorities and the effect of those students on the overall school population.
Mission-Specific Goals	8 or 9	Desire to better measure progress; remove goals that may not be applicable in	A redlined version showing mission-specific goals to be changed, added or removed; a finalized, clean version of the essential or innovative features with the proposed	The school's academic, financial, and operational performance; the extent to which factors outside the school's control necessitate the amendment; strong evidence of need; the impact of the

		practice or upon implementation	changes incorporated; strong rationale or justification for the request.	amendment on the school's accountability framework.
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Contact

Questions related to charter contract amendments or process should be directed to Morgan Felts at morgan.felts@scsc.georgia.gov.