

STATE CHARTER SCHOOLS COMMISSION MEETING

August 26, 2015, 10 a.m.

**Georgia Department of Early Care and Learning Conference Room
East Twin Tower, Room 854, Atlanta, Georgia 30334**

Meeting Minutes

1. The meeting was called to order by Chairman Jennifer Rippner. Chairman Rippner verified that a quorum existed. Commissioners Paul Williams and Tom Lewis participated via telephone. Commissioner Suzanne Werner was not present.
2. Also present were Commission staff members Gregg Stevens—Deputy Director and General Counsel, Terence Washington – Finance and Operational Accountability Manager, Morgan Felts – Deputy Counsel and Petitions Manager, Lauren Holcomb – Director of Organizational and Resource Development, and Katie Manthey – Business and Operations Manager.
3. Approximately 50 members of the public also attended the meeting including charter school staff and representatives, charter school business representatives, and charter school petitioners. Representatives from the Georgia Charter Schools Association were also present.
4. After calling the meeting to order, Chairman Rippner called for approval of the meeting minutes from the July 29th SCSC meeting. Commissioner Perez made a motion to approve the minutes, and Commissioner Lowden provided a second. There was no discussion, and the minutes were unanimously approved by those present.
5. Chairman Rippner then asked Deputy Director Stevens to review the portion of the agenda pertaining to agency-wide updates. Deputy Director Stevens noted upcoming quarterly visits to state charter schools in 2015:
 - 3rd Quarter Visit: August 27, 2015, Ivy Prep Young Men’s Leadership Academy in Atlanta
 - 4th Quarter Visit: November 16, 2015, Utopian Academy for the Arts in Riverdale
6. Deputy Director Stevens next provided an update on school openings. SCSC staff and Commissioners were invited and have attended some new school openings, including ICS Atlanta, Foothills, and Scintilla. The SCSC now has authorized 20 schools that are operating in the 2015-2016 school year. 11 of those schools are in Metro Atlanta, 3 are statewide virtual schools, and the remaining 6 are across all corners of the state – Mountain Ed and Foothills in North Georgia, Georgia School for Innovation and the Classics in East Georgia, Pataula in the Southwest, CCAT in the Southeast, and Scintilla in Valdosta.
7. Chairman Rippner then asked Lauren Holcomb for an update on organizational development. Ms. Holcomb noted that two TKES/LKES credentialing trainings have taken place in August. Ms. Holcomb also noted that the SCSC will host two governance training sessions in the 2015-16 year. The first session is November 5-6 at Little Ocmulgee State Park and the second is February 10-11 at the Atlanta Evergreen Marriott Stone Mountain. Ms. Holcomb reminded attendees that governing board members and administrators are required to receive annual governance training.

For FY16, the SCSC is piloting a program to allow governing board members to attend trainings from providers approved by the SBOE to provide governance training to charter schools if that training is consistent with the time and topics of training provided by the SCSC. Specific guidance is available on the SCSC website.

8. Chairman Rippner then asked for an update on academic accountability. Deputy Director Stevens shared that SCSC staff held an in-person training session on the Comprehensive Performance Framework for schools on July 29th. The overview, Performance Framework, and FAQs are posted on the SCSC website. The proposed timeline for adoption is the September meeting.
9. Next, Terence Washington provided an update on financial and operational accountability. Mr. Washington noted the SCSC hosted the first in a series of web meetings to facilitate the dissemination of fiscal best practices among charter schools. Mr. Washington also shared that the SCSC was able to closeout FY15 after satisfying its remaining obligations from the close of the year. Because of its financial efficiencies and dedication to returning as much funding as possible to schools for use in the classroom, the SCSC returned \$ 1,414,642 to schools. Together with the reduction of its administrative withhold at the beginning of the fiscal year from the authorized 3% to 2% and the return of the midterm adjustment to state charter schools, the SCSC provided a total of \$2,936,693 in additional funding to state charter schools.
10. Chairman Rippner then asked Morgan Felts to explain the first SCSC Process Item on the agenda, the Provost Academy request to change the name of the school to Graduation Achievement Center High School. Ms. Felts explained that Provost recently terminated its relationship with its educational service provider, Edison Learning, which has trademarked the Provost Academy name, therefore the school has requested to change its name to Graduation Achievement Center High School. SCSC staff recommends approval of the amendment. Chairman Rippner called for a motion and Commissioner Hogg provided a motion to approve the amendment with Commissioner Williams providing a second. Commissioners Rippner, Williams, Hogg, Lewis, and Perez voted in favor of the motion. Commissioner Lowden abstained. The motion was approved.
11. Chairman Rippner then asked Ms. Felts to discuss the staff recommendations for approval or denial of new schools that applied to the SCSC during the 2015 petition cycle. Ms. Felts began and explained that the first petition for consideration, Bloomfield Preparatory Academy formally withdrew its petition. Therefore, the SCSC does not need to take action on this petition.
12. Next, Ms. Felts discussed the staff recommendation to approve the petition for Brookhaven Innovation Academy. The Brookhaven Innovation Academy Board Chair, Bates Mattison, provided a comment on behalf of the school. Commissioner Perez made a motion to approve the staff recommendation and Commissioner Lowden provided a second. The motion was unanimously approved.
13. Ms. Felts next discussed the staff recommendation to deny Challenge Preparatory Academy. Dr. Mayreather Willis, the school founder, provided a comment on behalf of the school and addressed questions from commissioners. Commissioner Hogg made a motion to approve the

staff recommendation and Commissioner Lowden provided a second. The motion was unanimously approved.

14. Then, Ms. Felts summarized the staff recommendation to deny Columbia County School for the Arts. Rob Fortson, legal counsel for the school, provided a comment on behalf of the school. Commissioner Lowden made a motion to approve the staff recommendation and Commissioner Hogg provided a second. The motion was unanimously approved.
15. Ms. Felts explained that the Georgia Family Academy Multimedia Charter School of Filmmaking and Journalism, the IFE Academy for Teaching and Technology, and LEAD Academy petitioners all withdrew their petitions from consideration and, therefore, the SCSC does not need to take action on these petitions.
16. Next, Ms. Felts summarized the staff recommendation to approve Liberty Tech Charter School. Christi McCully provided comments on behalf of the school. Commissioner Lowden made a motion to approve the staff recommendation and Commissioner Perez provided a second. The motion was unanimously approved.
17. Ms. Felts then discussed the staff recommendation to deny Lula Lake Academy. The school representatives were not present to provide comment. Commissioner Hogg provided a motion to approve the staff recommendation and Commissioner Lowden provided a second. The motion was unanimously approved.
18. Ms. Felts next explained that Sims-Fayola International Academy Atlanta withdrew their petition from consideration and, therefore, the SCSC does not need to take action on this petition.
19. Lastly, Ms. Felts summarized the staff recommendation to approve Southwest Georgia STEM. Joyce Blanton, school leader, provided comments on behalf of the school. Commissioner Lowden provided a motion to approve the staff recommendation and Commissioner Perez provided a second. The motion was unanimously approved.
20. Chairman Rippner then asked that Deputy Director Stevens explain the next item on the agenda, the Declaratory Ruling regarding a request for an off-cycle petition review. Director Stevens explained that Columbia County School for the Arts requested an off-cycle petition review and that SCSC staff recommends denial of this request. Rob Fortson, legal counsel for the school, provided comments. Commissioner Lewis made a motion to approve the staff recommendation to deny the request and Commissioner Hogg provided a second. The motion was unanimously approved.

21. Chairman Rippner then called for public comment. Sheldon Hart, Board Chair for Cirrus Academy, provided updates on the school's progress toward opening in the 2016-17 school year and introduced the school's newly hired leader, Melody Graham.
22. Chairman Rippner asked for additional items from commissioners. Chairman Rippner recognized Commissioner Lewis for receiving the "Superintendent's Hero Award" from Dr. Howard Hinsley with the Cartersville City Board of Education.
23. There being no further business before the SCSC, Chairman Rippner asked for a motion to adjourn. Commissioner Lowden offered a motion, and Commissioner Perez provided a second. The motion was unanimously approved by those present, and the meeting was adjourned at approximately 11:35 a.m.

Request for a Declaratory Ruling

Disposition

State Charter Schools Commission of Georgia

Background: As required by O.C.G.A. 50-13-11, the State Charter Schools Commission of Georgia (SCSC) provides any interested person the opportunity to petition the SCSC to request a declaratory ruling as to the applicability of any statutory provision or of any rule of the SCSC to the individual through SCSC Rule 691-1-.04. Columbia County School for the Arts (CCSFTA) filed a request for a declaratory ruling to determine the applicability of SCSC Rule 691-2-.02(5), which states, in pertinent part:

The SCSC may establish multiple petition review cycles and limit a cycle to a specific type of petitioner, including, but not limited to petitioners seeking to replicate or expand an existing school.

Ruling: SCSC Rule 691-2-.02 applies to the SCSC and all state charter school petitioners, including CCSFTA. SCSC Rule 691-2-.02(5) governs the SCSC petition review process and allows the SCSC discretion to utilize multiple petition review cycles. That discretion is vested in the SCSC as the rule provides that the SCSC “may establish” multiple petition review cycles. The SCSC declines to exercise that discretion to provide an expedited review for a revised charter petition for CCSFTA.

Statement of

Facts: CCSFTA originally petitioned the SCSC for approval of its charter petition during the SCSC 2014 petition review cycle. The SCSC did not approve the school’s petition as the school did not demonstrate that it would provide students in Columbia County a better educational opportunity than they otherwise have with their traditional school district as is consistent with the SCSC’s mission. SCSC staff provided CCSFTA the feedback of the review panel that reviewed the proposed school’s petition and interviewed the school’s governing board. (Letter to Schafer, August 18, 2014, is attached hereto as Exhibit A). While the letter detailing this feedback stated that weaknesses the letter identified may not be exhaustive, the letter identified that the school presented a lack of governance capacity, the lack of an identified plan for implementing its program, and the lack of a strategy for obtaining a facility in an achievable timeframe as the primary concerns of the SCSC review panel. CCSFTA submitted a revised a petition to the SCSC for approval during the SCSC 2015 petition review cycle. The review panel recommended to the SCSC that petition be denied. SCSC staff again provided CCSFTA the feedback of the review panel that reviewed the proposed school’s petition and interviewed the school’s governing board. (Letter to Schafer, August 14, 2015, is attached hereto as Exhibit B). The feedback provided by the SCSC review panel enumerates more specific issues related to the governance capacity of the school, the implementation of its academic program, and the construction of its facility.

CCSFTA states that it should receive the benefit of an expedited review outside the SCSC's established annual review process since the petitioner acted in good faith to respond to the SCSC review panel's feedback from the 2014 Petition Review Cycle and the 2015 SCSC review panel identified deficiencies that were not previously noted in the 2014 Petition Review Cycle. This is not a correct characterization of the feedback, however, as the feedback from the 2015 Petition Review Cycle is consistent with the feedback from the 2014 Petition Review Cycle. Rather, the additional weakness that were identified as part of the 2015 Petition Review Cycle are simply a more specific identification of the deficiencies noted during the 2014 Petition Review Cycle. In its request for a declaratory ruling, CCSFTA states:

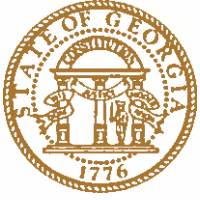
For example, the 2015 recommendation identifies concerns regarding academic programming, teacher recruitment, and community partnerships. None of these items were identified as causes for concern last year, despite the fact that the 2015 petition was substantially the same, if not improved, in these areas.

(Letter to Stevens, August 24, 2015 is attached hereto as Exhibit C). Despite this protest, the feedback from the 2014 Petition Review Cycle did in fact identify those same areas of concern. Specifically, the 2014 feedback discussed the lack of an identified plan for implementing its program and explicitly cited the need to develop each aspect of its academic program, strategies to recruit staff, and establish and implement governing, personnel, and student policies. It is precisely that the 2015 petition submitted by CCSFTA was substantially the same in these areas that required the SCSC review panel to provide more specific feedback.

In further support of its request to benefit from an expedited review outside the SCSC's established annual review process, CCSFTA states that a denial in the 2015 Petition Review Cycle is "debilitating to this effort and to the 768 students whose families have pre-enrolled their children in this school." This omits that CCSFTA has had two opportunities to present its case and establish its ability to operate a high-quality charter school, and it has not yet been able to demonstrate that the school will provide the students of Columbia County a better educational opportunity. The SCSC petition review process is rigorous and thorough with the use of independent educational policy and finance experts that scrutinize the charter's educational, operational, and financial plan as well as interview the school's governing board and leadership. In each of the 2014 Petition Review Cycle and the 2015 Petition Review Cycle, the SCSC review panel determined that the petition presented by the proposed school needed significant improvement over an extended period of time.

Pursuant to SCSC Rule 691-2-.02 the SCSC has the discretion to establish multiple petition review cycles. To date, the SCSC has established one annual petition review cycle for new start-up charter schools given the significant investment of staff time and agency resources needed to conduct a diligent and thorough petition review. The SCSC has also established a more streamlined expedited petition review process for existing schools whose extant academic, financial, and operational data allow for a more direct analysis of a school's possible success than the proposals of a new start-up school. CCSFTA requests an additional expedited review of a revised petition based on its good-faith effort to improve from its first

petition review cycle and the potential harm it may experience in its continued chartering effort as it works to improve its petition over the next year until the 2016 Petition Review Cycle. The rationale presented by CCFSTA for its request for an expedited review of a revised petition is not persuasive. The proposed school's lack of success in two petition review cycles is not compelling justification for the need for an expedited review as a third opportunity. Accordingly, the SCSC declines to exercise its discretion provided in SCSC Rule 691-2-.02(5) to provide an expedited petition review to CCSFTA.



State Charter Schools Commission of Georgia

Bonnie Holliday, Executive Director

August 18, 2014

Via U.S. Mail and Electronic Mail

Todd Shafer
Principal/Co-Founder
Columbia County School for the Arts
403 McCormick Road
Martinez, Georgia 30907

Re: State Charter Schools Commission Petition for Columbia County School for the Arts

Dear Mr. Shafer:

I regret to inform you that staff of the State Charter Schools Commission of Georgia (SCSC) will recommend the denial of the petition for Columbia County School for the Arts to the SCSC at its meeting on August 27, 2014. The final decision to approve or deny petitions for a state charter school will be made by the SCSC.

In accordance with O.C.G.A. § 20-2-2083, the SCSC is committed to approving high-quality state charter schools that meet the educational needs of the state. Unfortunately, the petition review process did not establish the school's potential to operate as a high-quality state charter school at this time. I know that this is extremely disappointing as you and your colleagues undoubtedly committed countless hours to the development of Columbia County School for the Arts. I strongly encourage you to continue to improve your petition and submit a revised petition to the SCSC in a subsequent petition cycle. Please be aware that there is no process to appeal the decision of the SCSC.

While your petition clearly evidences a passion for education and desire to serve Georgia's children through an exciting instructional model, the petition did not establish Columbia County School for the Arts will meet the standards of a high-quality charter school. Specifically, weaknesses in the proposed school plan include, but are not limited to:

1. The proposed school did not demonstrate that the governing board possesses adequate governing capacity to operate a charter school that operates as its own Local Education Agency (LEA) and hold the school leaders accountable. The legal and operational requirements of operating an LEA necessitate broad knowledge as well as specialized expertise in a variety of areas. The proposed school governing board, while passionate about education and the school, did not establish its ability to hold school leadership accountable for the implementation of the educational plan and adherence to all legal requirements. The school leaders proved knowledgeable regarding the requirements for operating a state charter school; however, the

governing board did not demonstrate that it would be able to assert authority, management, and oversight over the school leaders. To improve this aspect of the proposed school in future petitions, the proposed school should seek board members with experience or knowledge of operating an LEA or the governing board should participate in in-depth training relating to the governance of a charter school.

2. The proposed school did not have a clear strategy to begin operation by the 2015-2016 school year. Preparing to operate a state charter school is a time-consuming task that requires serious commitment and dedication. Among many obligations the governing board and school leader must complete prior to a school's opening are to establish and manage a budget; acquire facilities; develop each aspect of its instructional program; hire teachers and support staff; establish and implement governing, personnel, and student policies. The leaders of the school, however, are under contract to work full time in the school's proposed planning year, and it was not clear how the school leaders propose to balance the conflicting obligations. Any future petition should include a written plan detailing how the school will prepare and allocate responsibility for the opening of the school after executing a charter.
3. The proposed school did not articulate a strategy for locating the school or obtaining a facility in an achievable timeframe to begin operation by the 2015-2016 school year. Planning the location of a school is critical to the success and sustainability of the school. Any future petition should identify a specific location and be near the final stages of identifying a facility. Ideally, when submitting a revised petition, the proposed school would submit a proposed lease on a facility that is contingent on the charter school's approval.

In accordance with Georgia Open Meetings requirements, SCSC staff will publish its recommendations on August 20, 2014. In the past, some petitioners expressed their desire to withdraw their petitions prior to receiving a public recommendation for denial. Please let me know if you prefer to withdraw your petition prior to August 20, 2014.

I greatly appreciate and admire your dedication and fortitude to undertake establishing a charter school. I encourage you to continue your hard work to address the items listed above and submit a revised petition in later petition cycles. Additionally, I encourage you to work with your local board of education as well as other potential partners and stakeholders to foster relationships that will ultimately strengthen the capacity of the prospective charter school and increase student achievement.

Sincerely,



Bonnie Holliday,
Executive Director



State Charter Schools Commission of Georgia

Bonnie Holliday, Executive Director

August 14, 2015

Via U.S. Mail and Electronic Mail

Todd Shafer
Principal/Co-Founder
Columbia County School for the Arts
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Dear Mr. Shafer:

I want to thank you for your ongoing passion and commitment in your pursuit of authorization of Columbia County School for the Arts (CCSFTA) as a state charter school. However, I regret to inform you that the staff of the State Charter Schools Commission of Georgia (SCSC) will recommend the denial of the petition for Columbia County School for the Arts to the SCSC at its meeting on August 26, 2015. The final decision to approve or deny petitions for a state charter school will be made by the SCSC. Please be aware that there is no process to appeal the decision of the SCSC.

In accordance with O.C.G.A. § 20-2-2083, the SCSC is committed to approving high-quality state charter schools that meet the educational needs of the state. While your petition displayed some improvements that align with the recommendations the SCSC made for your petition last year, the petition for CCSFTA did not effectively address the concerns the SCSC articulated in the last petition cycle in a manner that demonstrates that the school will fulfill its obligations as a Local Education Agency (LEA) while meeting the SCSC's expectation of offering students a better educational opportunity than their traditional schools. The SCSC is committed to authorizing only those schools whose level of quality fully embodies the mission of the SCSC to provide students with better educational opportunities than they would otherwise receive in the traditional schools to which they are zoned.

The passion and resolve exhibited by both you and your team for CCSFTA is undeniable. Thus, I urge you to return in a subsequent petition cycle with a petition that embodies a charter school of the highest quality. I encourage you to retool your petition to encompass the recommendations detailed below.

The panel that reviewed the CCSFTA petition and interviewed its governing board identified the following areas of concern in the school's educational, operational, and financial plan:

- 1) The academic program lacks substantial plans for implementation. The petition states that the arts will be integrated into core subject areas, but does not articulate how that arts integration

will be incorporated into core subject areas to form a seamless and cohesive educational program. Further, the school did not establish the alignment of its arts-infused components with the required state performance standards. While the school provided some examples of arts integration in the petition and interview, future petitions should formulate a comprehensive set of implementation strategies beyond the informal collaboration between fine arts and core subject area instructors. Additionally, SCSC staff recommends that CCSFTA refine its plan for ensuring alignment between state performance standards and its proposed arts-infusion model. One method the petitioner may utilize to strengthen its plan for ensuring curriculum alignment is to establish a committee of instructional personnel that will review the school's curriculum and instructional techniques to promote alignment. Specific details addressing the committee makeup, expertise, accountability arrangement, and frequency of committee meetings would help substantiate the plan.

- 2) The petition does not convey an adequate teacher recruitment plan. The school did not demonstrate its ability to recruit highly-qualified teachers in a high-performing school district operating within a competitive market. While the petitioner contends that the school has received numerous resumes from prospective teachers, the petition does not detail how the school will ensure it obtains and retains appropriately-skilled personnel, and the budget does not account for recruitment efforts. As CCSFTA teachers will receive a substantially lower salary compared to district counterparts, future petitions must evidence a strong recruitment plan for teachers as well as corresponding resources within its budget.
- 3) The governing board conflates governance and management duties in a way that signifies lack of clarity regarding roles. During its interview the school did not establish a well-developed understanding of the role of the governing board. In future petition cycles, the school must demonstrate its understanding of clear and delineated responsibilities and expectations for each of the school leaders and elaborate upon the performance evaluation process by which the governing board will hold the school leader accountable.
- 4) The school proposes partnerships with a variety of community organizations and stakeholders through the C7 Collaborative Framework, but the lack of written memorialization substantiating these partnerships raises concerns about the school's ability to leverage these relationships in a way that bolsters implementation of the academic program. Since the school maintains that these relationships are central to the efficacy of the proposed arts-integration model, it is critical that the school provide evidence of their existence as well as a plan for managing the partnerships in a manner that will ensure they contribute to increased student achievement.
- 5) The school plan is not sufficiently clear as to how the school will serve its special education population. The petition adequately describes the requirements of special education law, but the school did not demonstrate its ability to implement the requirements of special education as an LEA during its interview. The budget also severely underestimates special education allocations thus raising questions about the school's commitment and capacity to serve this population. The plan may be strengthened by providing greater detail regarding how it will provide proper oversight to ensure compliance with relevant regulations and mandates as an LEA.
- 6) The budget submitted by the petitioner raises concerns regarding the school's ability to secure the necessary facility financing and the ability of the school to meet ongoing facility costs. The SCSC is particularly concerned with the absence of sufficient contingencies given the frequency

at which state charter schools experience difficulty obtaining, constructing, and/or financing facilities.

- 7) The petitioner did not demonstrate an adequate understanding of the purchasing process, inventory management, or internal controls in the petition or during the interview. The petitioner's amortization of instructional expenditures and its underestimation of expenditures in the petition budget indicated a lack of understanding amongst current board members with regard to the fiscal management capacity needed to operate as a state charter school in Georgia.

In accordance with Georgia Open Meetings requirements, SCSC staff will publish its recommendations on August 19, 2015. In the past, some petitioners expressed their desire to withdraw their petitions prior to receiving a public recommendation for denial. Please let Morgan know if you prefer to withdraw your petition prior to August 19, 2015. She can be reached via email at morgan.felts@scsc.georgia.gov.

Please note that the SCSC review panel strongly believes in CCSFTA's ability to improve its petition in the coming months, and the feedback and suggestions outlined in this letter are intended to assist the CCSFTA governing board as it continues to develop the requisite capacity to operate a high performing state charter school in Columbia County. The SCSC holds your ongoing commitment and passion in the highest regard and urges you to build upon the strong foundation you have established for CCSFTA in a way that addresses the aforementioned issues.

Sincerely,



Gregg Stevens,
Deputy Director

August 24, 2015

VIA FIRST CLASS AND ELECTRONIC MAIL

Georgia State Charter Schools Commission
c/o Gregg Stevens, Deputy Director
State Charter Schools Commission of Georgia
1470B Twin Towers East
205 Jesse Hill Jr. Drive
Atlanta, Georgia 30334
Email: gregg.stevens@scsc.georgia.gov

**Re: State Charter Schools Commission Denial of Columbia County
School for the Arts**

Dear Mr. Stevens:

Please accept this letter as my client, Columbia County Schools for the Arts' ("CCSFTA"), response to the State Charter Schools Commission staff's recommendation letter dated August 14, 2015 (attached as Exhibit "A"). We respectfully request that the Commission delay its decision and allow CCSFTA the opportunity to respond to the identified concerns, the majority of which were not raised during the 2014 petition cycle.

Alternatively, in the event that the Commission accepts the staff's recommendation for denial, we would like to pre-file this request for a declaratory ruling by the Commission pursuant to SCSC Rule 691-1-.04. Below is the information required to submit this request:

Contact Information: Columbia County School for the Arts
c/o Jason Troiano, Board Chair
403 McCormick Road
Martinez, Georgia 30907
(706) 821-3800
jasontroianolaw@gmail.com

Applicable Rule

SCSC Rule 691-2-.02(5): State Charter School Petition Review Process. The SCSC staff shall review each state charter school petition that is submitted to ensure that all state charter schools authorized by the SCSC are consistent with

state education goals. The SCSC may establish multiple petition review cycles and limit a cycle to a specific type of petitioner, including, but not limited to, petitioners seeking to replicate or expand an existing charter school. The SCSC review process includes a review for legal compliance, a substantive petition review, and an interview with charter school's representatives. A local board of education may also express opposition or support for the charter petition during the state charter school petition review process. (Emphasis added)

Position Statement:

CCSFTA's Governing Board submitted a petition for the second year in a row because it persists in its goal of establishing an arts-infused educational model for the students of Columbia County, an option that is transparently lacking in the Columbia County School District. The Georgia General Assembly made clear in its 2010 legislative findings establishing the Commission that state charter schools are intended to complement and enhance educational opportunities provided by the local school district. O.C.G.A. § 20-2-2080(a). That is exactly the goal of this charter petition.

In its 2014 letter (attached as Exhibit "B"), the Commission staff recommended denial of Petitioner based on three identified deficiencies – (a) Failure to demonstrate the capacity of the CCSFTA's governing board to operate as a Local Education Agency; (b) Lack of a start-up strategy to initiate operations with school leaders who planned to continue working in the school district during the transition year; and (c) Failure to articulate a facilities plan that would permit the school to open in the 2015-15 academic year. In response, Petitioner devoted significant time, effort, and resources addressing these deficiencies with the good faith understanding that these areas of concern would be the focal points in the 2015 Petition Review. CCSFTA's efforts included paying out of pocket for several of its board members to attend the Commission's LEA Board training. Equally significant, CCSFTA's co-founder Todd Shafer terminated his employment (and his tenure rights) with the Columbia County School District this spring as a direct response to the Commission staff's concern from last year.¹

CCSFTA's Board trusted that the Commission staff's identified concerns in 2014 were a guide map towards approval in 2015. What the Board has instead discovered through the 2015 process is an entirely different set of deficiencies to address, many of which were conspicuously absent last year. For example, the 2015 recommendation identifies concerns regarding academic programming, teacher recruitment, and community partnerships. None of these items were identified as causes for concern last year, despite the fact that the 2015 petition was substantially the same, if not improved, in these areas.

¹ While he understood that the Commission approval was not guaranteed, Mr. Shafer was forced to choose between his financial security and a charter school that has become his life's passion. He chose the latter because he firmly believed that CCSFTA would be able to provide sufficient answers to the Commission's other identified concerns and did not want his district employment to be the final barrier to approval.

Requested Outcome:

Petitioner requests a ruling from the Commission that it is eligible to be considered as a "specific type of petitioner" and allowed a petition review cycle prior to 2016 to address the deficiencies identified in the Commission letter dated August 14, 2015. CCSFTA was the only returning petitioner that was denied this ability to provide additional information during the 2015 petition cycle.

Petitioner should be given the opportunity to address the Commission staff's newly identified concerns in advance of the 2016 petition cycle so that it can make a firm and final determination as to whether it can be successful in its quest to establish a school choice option for the students of Columbia County. Petitioner understands and accepts that, based on these newly identified concerns, the Commission staff cannot approve a 2016 opening date for the school and that any further consideration of CCSFTA's charter application would necessarily contemplate a 2017 opening. However, given the level of animosity Petitioner faces from the Columbia County School District and its advocates, a flat denial by the Commission for a second year in a row would be debilitating to this effort and to the 768 students whose families have pre-enrolled their children in this school. Additionally, because CCSFTA proposes to construct a new school facility, the additional time provided by an early approval would greatly enhance its ability to obtain the necessary zoning and architectural approvals. For all these reasons, we respectfully request the chance to respond in detail to each of these identified concerns.

We greatly appreciate your consideration of this request and look forward to your reply. Please do not hesitate to contact me if you have any questions.

Sincerely,

McGuireWoods LLP



Robert L. Fortson

RLF/jm

Cc: Jason Troiano, CCSFTA Board Chair



State Charter Schools Commission of Georgia

Bonnie Holliday, Executive Director

August 14, 2015

Via U.S. Mail and Electronic Mail

Todd Shafer
Principal/Co-Founder
Columbia County School for the Arts
403 McCormick Road
Martinez, Georgia 30907

Re: State Charter Schools Commission Petition for Columbia County School for the Arts

Dear Mr. Shafer:

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In accordance with O.C.G.A. § 20-2-2083, the SCSC is committed to approving high-quality state charter schools that meet the educational needs of the state. While your petition displayed some improvements that align with the recommendations the SCSC made for your petition last year, the petition for CCSFTA did not effectively address the concerns the SCSC articulated in the last petition cycle in a manner that demonstrates that the school will fulfill its obligations as a Local Education Agency (LEA) while meeting the SCSC's expectation of offering students a better educational opportunity than their traditional schools. The SCSC is committed to authorizing only those schools whose level of quality fully embodies the mission of the SCSC to provide students with better educational opportunities than they would otherwise receive in the traditional schools to which they are zoned.

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- 2) The petition does not convey an adequate teacher recruitment plan. The school did not demonstrate its ability to recruit highly-qualified teachers in a high-performing school district operating within a competitive market. While the petitioner contends that the school has received numerous resumes from prospective teachers, the petition does not detail how the school will ensure it obtains and retains appropriately-skilled personnel, and the budget does not account for recruitment efforts. As CCSFTA teachers will receive a substantially lower salary compared to district counterparts, future petitions must evidence a strong recruitment plan for teachers as well as corresponding resources within its budget.
- 3) The governing board conflates governance and management duties in a way that signifies lack of clarity regarding roles. During its interview the school did not establish a well-developed understanding of the role of the governing board. In future petition cycles, the school must demonstrate its understanding of clear and delineated responsibilities and expectations for each of the school leaders and elaborate upon the performance evaluation process by which the governing board will hold the school leader accountable.
- 4) The school proposes partnerships with a variety of community organizations and stakeholders through the C7 Collaborative Framework, but the lack of written memorialization substantiating these partnerships raises concerns about the school's ability to leverage these relationships in a way that bolsters implementation of the academic program. Since the school maintains that these relationships are central to the efficacy of the proposed arts-integration model, it is critical that the school provide evidence of their existence as well as a plan for managing the partnerships in a manner that will ensure they contribute to increased student achievement.
- 5) The school plan is not sufficiently clear as to how the school will serve its special education population. The petition adequately describes the requirements of special education law, but the school did not demonstrate its ability to implement the requirements of special education as an LEA during its interview. The budget also severely underestimates special education allocations thus raising questions about the school's commitment and capacity to serve this population. The plan may be strengthened by providing greater detail regarding how it will provide proper oversight to ensure compliance with relevant regulations and mandates as an LEA.
- 6) The budget submitted by the petitioner raises concerns regarding the school's ability to secure the necessary facility financing and the ability of the school to meet ongoing facility costs. The SCSC is particularly concerned with the absence of sufficient contingencies given the frequency

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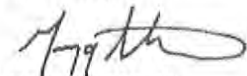
at which state charter schools experience difficulty obtaining, constructing, and/or financing facilities.

- 7) The petitioner did not demonstrate an adequate understanding of the purchasing process, inventory management, or internal controls in the petition or during the interview. The petitioner's amortization of instructional expenditures and its underestimation of expenditures in the petition budget indicated a lack of understanding amongst current board members with regard to the fiscal management capacity needed to operate as a state charter school in Georgia.

In accordance with Georgia Open Meetings requirements, SCSC staff will publish its recommendations on August 19, 2015. In the past, some petitioners expressed their desire to withdraw their petitions prior to receiving a public recommendation for denial. Please let Morgan know if you prefer to withdraw your petition prior to August 19, 2015. She can be reached via email at morgan.felts@scsc.georgia.gov.

Please note that the SCSC review panel strongly believes in CCSFTA's ability to improve its petition in the coming months, and the feedback and suggestions outlined in this letter are intended to assist the CCSFTA governing board as it continues to develop the requisite capacity to operate a high performing state charter school in Columbia County. The SCSC holds your ongoing commitment and passion in the highest regard and urges you to build upon the strong foundation you have established for CCSFTA in a way that addresses the aforementioned issues.

Sincerely,



Gregg Stevens,
Deputy Director



State Charter Schools Commission of Georgia

Bonnie Holliday, Executive Director

August 18, 2014

Via U.S. Mail and Electronic Mail

Todd Shafer
Principal/Co-Founder
Columbia County School for the Arts
403 McCormick Road
Martinez, Georgia 30907

Re: State Charter Schools Commission Petition for Columbia County School for the Arts

Dear Mr. Shafer:

I regret to inform you that staff of the State Charter Schools Commission of Georgia (SCSC) will recommend the denial of the petition for Columbia County School for the Arts to the SCSC at its meeting on August 27, 2014. The final decision to approve or deny petitions for a state charter school will be made by the SCSC.

In accordance with O.C.G.A. § 20-2-2083, the SCSC is committed to approving high-quality state charter schools that meet the educational needs of the state. Unfortunately, the petition review process did not establish the school's potential to operate as a high-quality state charter school at this time. I know that this is extremely disappointing as you and your colleagues undoubtedly committed countless hours to the development of Columbia County School for the Arts. I strongly encourage you to continue to improve your petition and submit a revised petition to the SCSC in a subsequent petition cycle. Please be aware that there is no process to appeal the decision of the SCSC.

While your petition clearly evidences a passion for education and desire to serve Georgia's children through an exciting instructional model, the petition did not establish Columbia County School for the Arts will meet the standards of a high-quality charter school. Specifically, weaknesses in the proposed school plan include, but are not limited to:

1. The proposed school did not demonstrate that the governing board possesses adequate governing capacity to operate a charter school that operates as its own Local Education Agency (LEA) and hold the school leaders accountable. The legal and operational requirements of operating an LEA necessitate broad knowledge as well as specialized expertise in a variety of areas. The proposed school governing board, while passionate about education and the school, did not establish its ability to hold school leadership accountable for the implementation of the educational plan and adherence to all legal requirements. The school leaders proved knowledgeable regarding the requirements for operating a state charter school; however, the



governing board did not demonstrate that it would be able to assert authority, management, and oversight over the school leaders. To improve this aspect of the proposed school in future petitions, the proposed school should seek board members with experience or knowledge of operating an LEA or the governing board should participate in in-depth training relating to the governance of a charter school.

2. The proposed school did not have a clear strategy to begin operation by the 2015-2016 school year. Preparing to operate a state charter school is a time-consuming task that requires serious commitment and dedication. Among many obligations the governing board and school leader must complete prior to a school's opening are to establish and manage a budget; acquire facilities; develop each aspect of its instructional program; hire teachers and support staff; establish and implement governing, personnel, and student policies. The leaders of the school, however, are under contract to work full time in the school's proposed planning year, and it was not clear how the school leaders propose to balance the conflicting obligations. Any future petition should include a written plan detailing how the school will prepare and allocate responsibility for the opening of the school after executing a charter.
3. The proposed school did not articulate a strategy for locating the school or obtaining a facility in an achievable timeframe to begin operation by the 2015-2016 school year. Planning the location of a school is critical to the success and sustainability of the school. Any future petition should identify a specific location and be near the final stages of identifying a facility. Ideally, when submitting a revised petition, the proposed school would submit a proposed lease on a facility that is contingent on the charter school's approval.

In accordance with Georgia Open Meetings requirements, SCSC staff will publish its recommendations on August 20, 2014. In the past, some petitioners expressed their desire to withdraw their petitions prior to receiving a public recommendation for denial. Please let me know if you prefer to withdraw your petition prior to August 20, 2014.

I greatly appreciate and admire your dedication and fortitude to undertake establishing a charter school. I encourage you to continue your hard work to address the items listed above and submit a revised petition in later petition cycles. Additionally, I encourage you to work with your local board of education as well as other potential partners and stakeholders to foster relationships that will ultimately strengthen the capacity of the prospective charter school and increase student achievement.

Sincerely,



Bonnie Holliday,
Executive Director