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691-1-.01 Commission Organization

The State Charter Schools Commission of Georgia (SCSC) is a state-level authorizing entity working in collaboration with the Department of Education under the authority of the State Board of Education. The SCSC is appointed by the State Board of Education and is comprised of seven members recommended as provided by O.C.G.A. § 20-2-2083.

Authority: O.C.G.A. §§ 20-2-2082; 2091. Adopted: May, 29, 2013 Effective: June 23, 2013

691-1-.02 Commission Meetings

The State Charter Schools Commission of Georgia (SCSC) meets at least bimonthly at the call of the chairperson or upon the request of four members of the SCSC. Four members of the SCSC constitute a quorum for meetings.

Authority: O.C.G.A. §§ 20-2-2082; 2091. Adopted: May, 29, 2013 Effective: June 23, 2013

691-1-.03 Requests for Information

Any interested person may request information or records of the State Charter Schools Commission of Georgia (SCSC). All written requests for records shall be made to the staff member of the SCSC designated to receive requests for records under the Georgia Open Records Act (O.C.G.A. § 50-18-70 et. seq.) as identified on the SCSC website. The SCSC will respond to requests for records in accordance with the Georgia Open Records Act and in doing so may assess any administrative fee authorized by law.

Authority: O.C.G.A. §§ 20-2-2091; 50-18-70;71. Adopted: May, 29, 2013 Effective: June 23, 2013

691-1-.04 Petitions Requesting the Promulgation, Amendment, or Repeal of a Rule or for a Declaratory Ruling

Any interested person may petition the State Charter Schools Commission of Georgia (SCSC) in writing to request the promulgation, amendment or repeal of a rule or to request a declaratory ruling as to the applicability of any statutory provision or of any rule of the SCSC to the individual. The petition shall contain the name, address, phone number, and email address of the petitioner, as well as a clear and concise statement as to the rule in question, the subject matter upon which a rule is requested, and the specific outcome the petitioner requests. The SCSC or staff shall, within thirty days of the receipt of said petition, deny the petition in writing, initiate rule making proceedings in accordance with O.C.G.A. § 50-13-4, or provide a declaratory ruling in accordance with O.C.G.A. § 50-13-11 .

Authority: O.C.G.A. §§ 20-2-2091; 50-13-4. Adopted: May, 29, 2013 Effective: June 23, 2013

691-2-.01 Definitions

The following definitions shall apply to all rules and regulations of the State Charter Schools Commission:

(a) **Admission lottery** – a random selection process to ensure that all applicants that do not have an enrollment preference have an equal chance of being admitted if the number of applications exceeds the capacity of a state charter school program, class, grade level, or building.

(b) **Attendance zone** – the geographical area from which a state charter school may enroll students.

(c) **Charter** – a performance-based contract between the charter authorizer(s) and a charter petitioner. By entering into a charter, a charter petitioner and the charter authorizer(s) shall be deemed to have agreed to be bound to all the provisions of the Charter Schools Act, O.C.G.A. § 20-2-2060 et. seq., and all State Board of Education and State Charter School Commission of Georgia rules and guidelines implementing the Charter Schools Act as if such terms were set forth in the charter.

(d) **Charter petition** – a proposal or application to establish a charter school.

(e) **Charter petitioner** – the entity that submits a petition for a charter. The term “charter petitioner” does not include home study programs or schools, sectarian schools, religious schools, private for profit schools, private educational institutions not established, operated, or governed by the State of Georgia, or existing private schools.

(f) **Governing board** – the governing board of the nonprofit organization which is the charter petitioner for a state charter school and which is the same as the governing board of the state

charter school which is involved in school-level governance of the state charter school.

(g) **Local board of education** – a county or independent board of education exercising control and management of a local school system pursuant to Article VIII, Section V, Paragraph II of the Georgia Constitution.

(h) **Local Education Agency** – a local school system, school district, or state charter school.

(i) **State Board of Education (SBOE)** – the authority which defines education policy for the public K-12 education agencies in Georgia.

(j) **State charter school** – a school authorized by the State Charter Schools Commission pursuant to this article whose creation is authorized as a special school pursuant to Article VIII, Section V, Paragraph VII of the Constitution. A state charter school shall be a public school.

(k) **State Charter Schools Commission of Georgia** – the state-level charter school authorizer established by O.C.G.A. § 20-2-2082.

Authority: O.C.G.A. §§ 20-2-2081; 2091. Adopted: May, 29, 2013 Effective: June 23, 2013

691-2-.02 State Charter School Petitions

(1) **State Charter School Petitions**. The state charter school petition is a proposal to create a new charter school or to renew the charter of an existing charter school. The petition serves to describe and summarize the charter school's mission and proposed operations. The petition shall address all applicable requirements of the Charter Schools Act of 1998, as amended (O.C.G.A §§ 20-2-2060 through 20-2-2071), requirements applicable to state charter schools as provided by O.C.G.A § 20-2-2084, State Board of Education Rules applicable to charter schools, and State Charter Schools Commission of Georgia (SCSC) Rules. The petition shall also address the charter school's capacity to adhere to the responsibilities of operating as a Local Education Agency (LEA) and operating with the funding provided to state charter schools rather than the funding provided to locally-approved charter schools.

(2) **Effect of Charter School Petitions and Charters**. A charter school petition is not a charter or contract and has no binding nature or legal enforceability. The submission of a state charter petition does not guarantee that the SCSC will approve the petition or authorize the charter school. If a charter school petition is approved by the SCSC, the SCSC and charter petitioner will then execute a charter. The provisions of the charter may depart from provisions in the charter petition. The charter, rather than the petition, is the performance-based contract by which the state charter school and SCSC shall be bound.

(3) **Eligible Petitioners for State Charter Schools**. Pursuant to O.C.G.A. § 20-2-2084, a charter school petitioning for authorization by the SCSC must either:

(a) Have a state-wide attendance zone; **or**
(b) Have a defined attendance zone and demonstrate that the charter school has special characteristics, such as a special population, a special curriculum, or some other feature or features which enhance educational opportunities.

(3) **State Charter School Petition Application**. The SCSC will create and disseminate through its website a petition application for prospective charter schools to utilize in submitting a charter petition for authorization by the SCSC. The petition application shall detail the expected contents, information, assurances, and forms expected by the SCSC when considering charter school petitions. Petition applications that do not include all information requested or adhere to all technical form requirements of the application may not be considered for approval by the SCSC. The SCSC may impose a deadline by which petition applications must be submitted for consideration by the SCSC. Petition applications received after the deadline, if any, will not be considered by the SCSC.

(4) **Concurrent Submission**.

(a) Georgia law, specifically O.C.G.A. § 20-2-2084(c), requires charter schools petitioning for authorization from the SCSC to submit such petitions concurrently to local boards of education as described below.

1. A charter school that has a state-wide attendance zone that is petitioning for authorization by the SCSC shall submit its petition to the local board of education in which the school is proposed to be located concurrently with its submission of its petition to the SCSC. The submission of the charter petition to the local board of education is for informational purposes only. The SCSC may consider the charter school petition for approval without action by the local board of education.

2. A charter school that has a state-wide attendance zone that only provides virtual instruction that is petitioning for authorization by the SCSC is not required to submit a charter petition to a local board of education.

3. A charter school that has a defined attendance zone shall submit its petition to the local board of education in which the school is proposed to be located and to each local school system from which the proposed school plans to enroll students. The SCSC is prohibited from acting on the charter school's petition until the local board of education in which the school is proposed to be located denies the petition or fails to approve or deny the petition within the time allotted by O.C.G.A. § 20-2-2064.

(b) A charter school that has a defined attendance zone shall submit its petition to the appropriate local board(s) of education in accordance with the deadlines established by those local board(s) of education and the Georgia Department of Education. If required by the appropriate local board of education or the Georgia Department of Education, the charter school must also submit a letter of intent to the local board of education and the Georgia

Department of Education in accordance with the appropriate deadlines. It is not the responsibility of the local school district to inform prospective charter schools of deadlines.

(c) As a charter school that has a defined attendance zone must submit its petition concurrently to the local board of education in which the school is proposed to be located and the SCSC is prohibited from acting on the petition until the local board of education denies or fails to approve the petition, the charter school petitioner shall notify the SCSC of the local board of education's action or inaction regarding the charter school. This notification shall be in the form and manner as specified in the State Charter School Petition Application.

(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.

(a) *Legal Compliance Review*.

1. The SCSC staff shall review each petition application submitted to the SCSC for its adherence to all state and federal laws applicable to the petition and charter school. This shall include laws related to the submission of the petition and laws related to the operation of school if opened.

2. If the legal compliance review of the state charter school petition reveals that the charter school petitioner failed to adhere to the legal requirements in submitting the petition or that the charter school would be substantially noncompliant with any law in its operation, the SCSC staff shall notify the petitioner of the legal deficiencies in writing. The state charter school petitioner may remedy the identified legal deficiencies and submit a revised state charter school petition to the SCSC for review in a subsequent petition cycle.

3. If the legal compliance review did not reveal any legal deficiencies, SCSC staff shall conduct a substantive petition review.

(b) *Substantive Petition Review.*

(1) The SCSC staff shall conduct a substantive petition review of each petition application submitted to the SCSC that did not reveal any legal deficiencies in its legal compliance review. In conducting substantive petition reviews, the SCSC staff may contract with third-parties or utilize volunteers as it deems appropriate.

(2) The substantive petition review shall be an in-depth evaluation of the charter school's mission, educational program, and proposed innovation as well as an examination of the charter school's business operations. The SCSC staff shall evaluate the charter petition to ensure that it is consistent with state education goals, including enhancing public educational opportunities to meet the growing and diverse needs of students and to provide the highest academic quality to increase student achievement and positive outcomes. Additionally, the SCSC staff shall also examine the charter school's proposed budget, funding sources, business partnerships, facilities, and any other operational aspects of the school during the substantive petition review to ensure that the school, if authorized, could operate in a fiscally responsible manner that would foster a positive school environment.

(3) The SCSC staff may request additional information or documents from the charter school petitioner to assist the staff in the substantive review. The SCSC staff may impose deadlines for the charter school petitioner to submit additional information or documents if requested. The SCSC staff may request additional information or documents from the charter school petitioner as often as necessary for the SCSC staff to complete the substantive petition review.

(4) If the substantive petition review reveals significant deficiencies, including, but not limited to, that the operation of the charter school would not be consistent with state educational goals or that it is readily apparent from the charter petition that the charter school operations would not be fiscally sound, the SCSC staff shall notify the petitioner of the deficiencies in writing. The state charter school petitioner may remedy the identified significant deficiencies and submit a revised state charter school petition to the SCSC for review in a subsequent petition cycle.

(5) If the substantive petition review did not reveal any significant deficiencies, SCSC staff shall schedule an interview with the charter school's representatives.

(c) *Interviews*.

(1) The SCSC staff shall conduct interviews with the governing board of each charter school for which the legal compliance and substantive petition reviews did not reveal legal or significant deficiencies.

(2) The focus of the interview shall relate to the governing board and school leadership's capacity to operate a charter school that is consistent with state education goals, and to do so in a fiscally responsible manner that fosters a positive school environment.

(3) The SCSC staff shall schedule interviews in a manner that accounts for scheduling conflict; however, the final decision as to interview time and location is in the discretion of SCSC staff.

(4) The officers of the governing board and school leader shall attend the interview. Other representatives of the charter school that may attend the interview include, but are not limited

to, all members of the governing board, school leadership positions, and key personnel of identified school partners.

(5) The SCSC shall assemble an interview panel that may include SCSC staff, SCSC Commissioners, education experts, and any other individuals whose knowledge and expertise would assist the SCSC in its decision to authorize the charter school.

(6) All representatives of the charter school and interview panel shall attend the interview in-person; however, SCSC staff may allow representatives of the charter school or members of the interview panel to attend through communication devices in extraordinary circumstances.

(7) Members of the interview panel shall provide feedback and recommendation to the SCSC staff regarding approval or denial by the SCSC of the charter school's petition upon conclusion of the interview.

(d) *Position of the Local Board of Education*. A local board of education may express its support or opposition of a state charter school petition to the SCSC, including the reasons it chose to deny the charter petition and the specific deficiencies in the charter petition that resulted in its denial. The local board of education may express its position in its written notification of denial to the charter school petitioner or through a separate written communication to the SCSC. All written communications of the local board of education expressing its support or opposition of a state charter school petition shall be included with the state charter school petition application for consideration by the SCSC and its staff.

(6) **Information Considered**. Post-petition review actions and official action by the SCSC may be based on all available information regarding a charter school petition, including, but not limited to, the petition, the interview with the petitioner, input from the local board of education, publically available information, any supplemental information received from the petitioner in response to an SCSC staff request, or relevant information submitted by other interested parties that may affect the school's viability and operation.

(7) **Post-Petition Review Actions**. The SCSC staff may take the actions identified below at the conclusion of the petition review process.

(a) *Recommendation for Approval or Renewal*. The SCSC staff may determine that the information presented by the charter school in its petition and interview merits a recommendation to the SCSC to approve or renew the charter school petition.

(b) *Request for Information or Action*. The SCSC staff may determine that additional information, documentation, or action by the petitioner is needed to clarify certain non-substantive aspects of the charter school's petition or operations before the SCSC considers the charter petition. The determination as to whether an aspect of the charter school's petition or operation is non-substantive and can be clarified through additional information or action is in the sole discretion of SCSC staff.

1. In instances in which the SCSC requests additional information from or action by a petitioner, the SCSC staff shall notify the charter school in writing of that additional information or action is needed, the specific information or action that is requested, and a deadline by which the charter school must submit the requested information or documentation that the action is complete. The SCSC staff may request clarifications as often as necessary to make a recommendation to the SCSC.

(i) SCSC staff may determine that information provided by a petitioner in response to a request for information or action is sufficient to allow SCSC staff to formulate a recommendation of approval or denial to the SCSC in accordance with the current petition review cycle timeline.

(ii) SCSC staff may determine that information provided by a petitioner in response to a request for information or action is not sufficient to allow SCSC staff to formulate a recommendation to the SCSC and further clarification(s) is required by the petitioner. In such instances, SCSC staff may delay the issuance of a recommendation until the petitioner completes all actions requested by the SCSC or SCSC staff or petitioner fails to complete actions in accordance with the timeline provided by SCSC staff. To ensure that a charter school has sufficient time to begin operation after receiving authorization, the SCSC, in its sole discretion, may require the charter school to open in a school year later than is outlined in its petition.

2. SCSC staff shall evaluate all information and documentation provided in response to requests for clarification and make a recommendation to the SCSC. The SCSC staff may make a recommendation to the SCSC to deny or nonrenew the charter petition of the charter school if the charter school does not submit a timely response to a request for clarification. The decision by SCSC staff to request additional information or action or to delay SCSC action on a charter school does not preclude SCSC staff from later recommending that the charter school be denied.

(c) *Recommendation for Denial or Nonrenewal*. The SCSC staff may determine that the information presented by the charter school in its petition and interview merits a recommendation to the SCSC to deny or nonrenew the charter school petition.

(8) **Official Action**.

(a) The SCSC may approve, deny, renew, or nonrenew state charter school petitions.

(b) The SCSC may, in its discretion, preliminarily approve a state charter school petition before the petitioner has secured space, equipment, or personnel, if the state charter school petitioner indicates that such preliminary approval is necessary for it to raise working capital.

(c) The SCSC may condition approval of the charter school's petition on the charter school petitioner's acceptance of a charter term or opening date different than those proposed in the

state charter school petition application or on specific provisions, goals, or measures in the charter.

(d) All official actions of the SCSC when considering charter school petitions shall be by majority vote.

Authority: O.C.G.A. §§ 20-2-2083; 2084; 2091. Adopted: October 29, 2014 Effective: November 24, 2014

691-2-.03 State Charter School Monitoring

(1) **Monitoring in General**. All state charter schools will be monitored by the State Charter Schools Commission of Georgia (SCSC) to determine the charter school's attainment of its performance goals and operational compliance, which will include academic and financial performance. The SCSC staff shall prepare an annual report for the SCSC chairperson that includes details regarding each state charter school's academic performance and operational compliance.

(2) **Performance Goals**.

(a) The SCSC staff shall monitor student performance data for each state charter school to determine the school's progress towards meeting the performance goals outlined in the charter.

(b) Each state charter school must participate in Georgia's Single Statewide Accountability System (SSAS) as required by the Elementary and Secondary Education Act (ESEA), and SCSC staff shall review each state charter school's annual determinations under the SSAS.

(c) SCSC staff shall notify a charter school in writing if state charter school is materially noncompliant in meeting the performance goals of its charter. Failure of a state charter school to remedy or make progress towards meeting its performance grounds may be grounds for termination of the charter as provided in rule 691-2-.04.

(d) The SCSC staff shall include data regarding each state charter school's academic performance, attainment of performance goals, and SSAS determinations in its annual performance report.

(3) **Operational Compliance**.

(a) The SCSC staff shall monitor each state charter school for its compliance in meeting the operational requirements of its charter and law. This shall include, but not be limited to: the school's organizational goals as outlined in its charter; financial performance; revenues and expenditures; financial reporting and audit requirements; state and federal charter school laws, rules, and regulations; and any other rule or law applicable to the state charter school.

(b) SCSC staff shall notify a charter school in writing if state charter school is materially noncompliant in meeting the operational requirements of its charter. Failure of a state charter school to remedy operational noncompliance may be grounds for termination of the charter as provided in rule 691-2-.04.

(c) The SCSC staff shall detail each state charter school's operational compliance or noncompliance in its annual performance report.

(4) **Required Training**.

(a) In accordance with O.C.G.A. § 20-2-2084(f), the members of the governing board for each state charter school shall participate in annual governance training provided by the SCSC.

(b) The SCSC may require the members of a state charter school governing board, members of a state charter school's administration, or the faculty of a state charter school to attend topic-specific trainings provided by the SCSC to address deficiencies in performance or operational compliance of the charter school identified by the SCSC.

(5) **Financial Reporting**. Each state charter shall complete all financial reporting obligations in a timely manner as required by law, rule, or contract. Independent annual financial audits required by O.C.G.A. § 20-2-2065 shall be completed by an independent certified public accountant licensed in Georgia in a manner consistent with Government Auditing Standards (GAGAS). In addition to all financial reporting for state charter schools required by law, rule, or contract, a state charter school that fails to meet its contractual financial performance goals may be required to submit monthly financial reports to the SCSC Executive Director in a form an manner provided by the SCSC Executive Director.

(4) **Record Inspection**. Subject to state and federal law, each state charter school shall allow the SCSC and its staff access to all records, reports, documents, and files relating to any activity, program, or student of the charter school for the purposes of monitoring and evaluating the charter school's performance or compliance.

(5) **Onsite Inspection**. Each state charter school shall allow the SCSC and its staff to conduct onsite inspections of all facilities, property, and equipment owned or utilized by the charter school. The SCSC or its staff may conduct such onsite inspections without prior notification to the charter school.

(6) **Other Program Monitoring**. State charter schools may be subject to monitoring of its programs and activities and required reporting by agencies or entities other than the SCSC including, but not limited to: the Georgia State Board of Education or the Georgia Department of Education, the United States Department of Education, the Department of Early Care and Learning, the Department of Public Health, the Department of Labor, and the Governor's Office of Student Achievement. State charter schools shall cooperate with all program monitoring

activities as required by the respective program. State agencies may report any noncompliance of a state charter school to the SCSC or its staff. Upon receiving notification from a state agency that a state charter school is in noncompliance with one or more program activities, the SCSC staff may conduct additional monitoring activities, such as data review, record inspection, or an onsite inspection.

Authority: O.C.G.A. §§ 20-2-2083; 2091. Adopted: October 29, 2014 Effective: November 24, 2014

691-2-.04 State Charter School Charter Amendments and Termination

(1) **Charter Amendments**. The provisions of the charter between the state charter school and the State Charter School Commission of Georgia (SCSC) may be amended during the term of the charter upon agreement between the charter school and the SCSC.

(2) **Charter Termination in General**. The charter for a state charter school may be terminated for failure to adhere to any material term of the charter, including but not limited to, its performance goals, the charter school's failure to meet generally accepted standards of fiscal management, the charter school's violation of applicable federal, state, or local laws or court orders, or any other reason provided in law.

(3) **Charter Termination Initiated by the SCSC**.

(a) The SCSC shall notify the state charter school of its intention to convene a hearing for the purpose of determining whether the charter school is in violation of a provision of O.C.G.A. § 20-2-2068(a)(2). The notification shall include the specific provisions of O.C.G.A. § 20-2-2068(a)(2) that the charter school is alleged to have violated and shall contain all information required by the Georgia Administrative Procedure Act, specifically O.C.G.A. § 50-13-13(a)(2).

(b) The state charter school shall have thirty (30) days from the date of the SCSC notification to submit a written response to SCSC staff. The written response must be received by SCSC staff by close of business on the thirtieth day following the date of the SCSC notification, unless the thirtieth day falls on a weekend or state holiday, in which case the written response must be received by SCSC staff by close of business next business day.

(c) The SCSC shall conduct a hearing following the state charter school's opportunity to respond. The hearing shall be held in accordance with the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-1, et. seq.. The SCSC shall conduct the hearing and render a decision within any applicable timeframe established under the Georgia Administrative Procedure Act. The SCSC, in its sole discretion, may refer the matter for a hearing by the Office of State Administrative Hearings.

(d) In the event the SCSC determines that the charter will be terminated, the SCSC shall provide a written statement detailing the reasons for termination.

(4) **Charter Termination Initiated by the State Charter School**. The governing board of a state charter school may request that the SCSC terminate its charter. Such request shall be made in writing to the SCSC. The SCSC shall act upon the request for termination without conducting a hearing.

(5) **Charter Termination Initiated by Parents or Staff**.

(a) Pursuant to O.C.G.A. § 20-2-2068(a)(1), the majority of parents or faculty and instructional staff may request that a state charter school's charter be terminated. The group requesting the termination of a charter under O.C.G.A. § 20-2-2068(a)(1) shall submit a written petition to the SCSC that includes the following information:

1. Evidence that the group held a public meeting pursuant to O.C.G.A. § 20-2-2068(a)(1) within the thirty (30) days preceding the date of the petition.

2. A copy of the minutes of the public meeting where the request for termination was voted upon.

3. A written statement, including supporting documentation, detailing which grounds for termination, as listed under O.C.G.A. § 20-2-2068(a)(2,) the group is requesting termination.

4. Evidence that the group provided an identical copy of the materials being provided to the SCSC to request termination of the charter to the officials of the state charter school, which must, at a minimum, include the school leader and president of the governing board. A written statement signed by a member of the group requesting termination stating that such materials were provided to the officials of the state charter school may serve as evidence of such; and

5. Any other information the group requesting the termination of a charter deems pertinent.

(b) The state charter school shall have thirty (30) days from the date the charter school officials first receive the group's petition requesting termination to submit a written response to SCSC staff. The written response must be received by SCSC staff by close of business on the thirtieth day following the date of the first receipt of the petition requesting termination, unless the thirtieth day falls on a weekend or state holiday, in which case the written response must be received by SCSC staff by close of business the next business day.

(c) Upon receipt of the request for termination and following the 30-day period for the state charter school's response, and at the request of the charter school or group petitioning for the closure of the charter school, the SCSC shall conduct a hearing and render a decision in accordance with Georgia's Administrative Procedures Act. If no such request for a hearing is made, the parties waive their right to a hearing and the SCSC shall render a vote based only upon information submitted by the parties and recommendation of SCSC staff.

(d) If the SCSC votes not to terminate the charter, the SCSC shall take notice of the request for termination during the renewal process for the state charter school, if any.

Authority: O.C.G.A § 20-2-2068; 2091. Adopted: October 29, 2014 Effective: November 24, 2014

691-2-.05 State Charter School Student Admissions and Lotteries

(1) **Enrollment Eligibility**. A state charter school shall enroll any student who resides in the charter school's attendance zone and who submits a timely application for admission unless the number of applications exceeds the capacity of a program, class, grade level, or building. The attendance zone and any deadlines for submitting applications for admissions shall be specified in the school's charter. A state charter school may also provide for a single-sex educational opportunity, and in such case, the state charter school may enroll students in a manner consistent with its single-sex program provided the state charter school otherwise adheres to the requirements of this paragraph.

(2) **Enrollment Preferences**.

(a) A state charter school may utilize any enrollment preferences authorized by state law and as specified in the school's charter contract.

(b) Utilizing all enrollment preferences allowed by state law may disqualify a state charter school from being eligible for grant funding through the Federal Charter School Program. State charter schools that may seek grant funding through the Federal Charter School Program are encouraged to review the program's guidance prior to utilizing enrollment preferences.

(3) **Admission Applications**. The application for admission to the state charter school shall only request information necessary to allow the state charter school to identify the student and determine the grade to which the student will be enrolled. The application for admission may request the student's name and grade as well as basic contact information for the parent, such as a telephone number and email address. Applications for admission shall not request any information related to the student or parent's race, ethnicity, religion, or socio-economic status. Applications for admission shall not request information related to the student's previous school or academic performance, including, but not limited to: the name of the student's school, the student's transcript, the student's work product, whether the student received special education services, or whether the student received language assistance. Information needed by the state charter school to verify the student's eligibility for enrollment and appropriate placement may be obtained after the student is assured an enrollment space in the school.

(4) **Admission Lotteries**.

(a) When the number of applications exceeds the capacity of the program, class, grade level, or building of the state charter school, the state charter school shall, after granting any applicable enrollment preferences, conduct an admission lottery.

(b) When a state charter school must conduct an admission lottery, the governing board of the school shall approve a written policy detailing how the admission lottery is to be conducted. The admission lottery shall be a random selection process to ensure that all applicants that do not have an enrollment preference have an equal chance of being admitted.

(c) A state charter school shall conduct an admission lottery in accordance with its written policy.

(5) **Notification of Enrollment and Admission Procedures**. Each state charter school shall actively communicate its enrollment and admissions opportunities and procedures to parents and the community to ensure that students and parents have an equal chance to learn about and apply to the school. If the state charter school will conduct an admission lottery, the notification to parents and the community shall include information regarding the use of an admission lottery. The notification of enrollment and admission communication activities may include advertisements in newspapers or community flyers, posting information on bulletin boards or online forums, and any other method designed to disseminate information to the targeted audience. The state charter school shall conduct notification activities over a period of time, which shall begin no later than two weeks prior to the enrollment or admission opportunity.

Authority: O.C.G.A. §§ 20-2-2066; 2083; 2091. Adopted: October 29, 2014 Effective: November 24, 2014