

# Petition Review Process

State Charter Schools  
Commission of Georgia



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# Overview

- What to Expect
- Attendance Zone
- Local Board of Education Submission Requirements
- Submission to the SCSC
- Petition Contents
- SCSC Review
  - Legal Compliance Review
  - Substantive Review
  - Interview
  - Post-Interview Actions
- SCSC Staff Recommendation
- SCSC Vote

# Expect...

- A time-consuming and stringent process.
- Demonstrating that you can build a start-up multi-million dollar business from scratch and have it ready to open in 6-9 months.
- Telling us how you'll provide a better educational option, not just what you'll do.
- Having one opportunity to present your case.
- The real possibility of disappointment.

# Attendance Zone

- A state charter school may have a:
  - Statewide Attendance Zone
    - Or
  - Defined Attendance Zone
- The requirements to submit a petition to a local board of education depend on the proposed state charter school's attendance zone.

# Schools with Statewide Attendance Zones

- A charter school that has a statewide attendance zone that is petitioning for authorization by the SCSC must submit its petition to the local board of education in which the school is proposed to be located.
- The submission of the charter petition to the local board of education is for informational purposes only.
- If the charter school will have a statewide attendance zone and only provides virtual instruction, the school does not need to submit a charter petition to a local board of education.

# Schools with Statewide Attendance Zones

- A charter school should not claim a statewide attendance zone to circumvent submitting its petition to the local board of education.
- The SCSC is committed to ensuring that state charter schools that designate a statewide attendance zone genuinely serve students from across the state or a large geographic area.
- SCSC staff will closely examine the petition of each school for demonstration of its capacity and infrastructure to serve students from across the state.

# Schools with Defined Attendance Zones

- A charter school that has a defined attendance zone must 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 charter school must submit the petition to the local boards of education in accordance with the deadlines established by those local boards of education.

# Schools with Defined Attendance Zones

- It is incumbent on the charter petitioner to identify the appropriate deadlines.
- Local Boards of Education (LBOE) may have deadlines to submit a Letter of Intent (LOI) as well as a petition.
- While LBOE deadlines vary, many LOIs must be submitted by February 1<sup>st</sup>.
- For schools authorized by the State Board of Education (i.e. locally-approved schools) the school must submit an LOI to the Georgia Department of Education and LBOE by February 1<sup>st</sup>.
- Bottom Line – Though the SCSC does not require an LOI, you must submit an LOI to the LBOE if required by the LBOE and you must submit an LOI to both the LBOE and GaDOE to be locally-approved.

# Schools with Defined Attendance Zones

- When you submit a petition to the local board of education, you must do so in the application package (form) required by the local board of education.
- Often (but not always) the application package will be the same as the Georgia Department of Education.
  - <http://www.gadoe.org/External-Affairs-and-Policy/Charter-Schools/Pages/Charter-Petition-Application.aspx>
- The SCSC cannot act on a charter school 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.

# Submitting to the SCSC

- The SCSC is planning to release its application for its 2016 Petition Review Cycle in February 2016.
- **Schools planning to open in the 2017-2018 school year or later may apply.** (While a petitioner may apply with the intent of opening in a specific year, the SCSC may require the school to delay that opening to a later school year.)
- The SCSC is planning that the submission deadline for petitions will be May 2016.

# Submitting to the SCSC

- If you submitted your petition to the LBOE and have yet to receive an approval or denial, and you wish to be considered by the SCSC, you should submit your petition to the SCSC by the SCSC deadline.
- Part of the petition application requires you to acknowledge that you will notify the SCSC of the LBOE action regarding your petition.

# Petition Contents

- The petition submitted to the SCSC must be substantively the same as the petition submitted to the LBOE.
  - The form of the petition may differ and the petition to the SCSC should address the school's plan to operate as an LEA, but the substance of the petition, such as mission, organization, and governance should remain the same.
- The petition will consist of:
  - Narrative (less than 100 pages)
  - Budget Template (SCSC budget template)
  - Required Appendices
    - Certificate of Incorporation
    - Board member resumes and conflict of interest forms
    - Agreements with EMO/CMOs

# Practical Petition Submission DON'Ts

## ■ DO NOT:

- Designate a statewide attendance zone to circumvent the local school district petition process.
- Fail to submit your petition to the appropriate local board of education.
- Fail to submit a letter of intent or adhere to all other local requirements if you designate a defined attendance zone.
- Submit a petition to the SCSC that is not substantively the same petition you submitted to the local board of education.
- Submit a petition to the SCSC in a form other than that of the current SCSC application.
- Attempt to submit revisions or additional documents after the submission deadline.

# SCSC Review

- There are four stages of SCSC review:
  - Legal Compliance Review
  - Substantive Review
  - Interview
  - Post-Interview Actions
- This process takes several months and you will hear very little from the SCSC.

# SCSC Review: Legal Compliance Review

- SCSC staff reviews each petition for its adherence to all state and federal laws applicable to the petition and the charter school.
- This includes laws related to the submission of the petition and laws related to the operation of school if opened.
- Technical requirements (such as the inclusion of all required appendices) of the petition are also reviewed.
- SCSC staff will notify any petitioner of the legal deficiencies in the petition.
- The 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.

# SCSC Review: Substantive Review

- SCSC staff conducts 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.
- SCSC staff also evaluates 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, SCSC staff examines the charter school's proposed budget, funding sources, business partnerships, facilities, and any other operational aspect of the school.

# SCSC Review: Substantive Review

- Examples of what the SCSC looks for:
  - Does the proposed charter school present an academic program (curriculum, learning model, etc.) that will enable the charter school to meet rigorous performance expectations?
  - Does the petitioner articulate a plan for addressing identified student weakness to encourage constant student growth and achievement?
  - Does the proposed charter school present a plan that will ensure the school will be fiscally sound?
  - Has the petitioner provided evidence that the community will support the school with student enrollment?
  - Does the proposed charter school leverage partnerships, including building relationships with other schools, universities, or nonprofit entities?

# Practical Petition Contents DON'Ts

## ■ DO NOT:

- Fail to address all requested topics in your petition.
- Fail to include all required appendices.
- Fail to describe HOW you will implement your program.
- Simply state that you will comply with applicable law.
- Have any implication that the school is religious or sectarian.
- Delegate the responsibility of managing school operations to someone (or entity) other than the governing board.
- Expect personnel to work for free or substantially less than that provided by the LBOE.
- Submit the same petition as previous years without addressing the concerns of the SCSC.

# SCSC Review: Interview

- SCSC staff will conduct interviews with the governing board and school leader of each charter school for which the legal compliance and substantive petition reviews did not reveal legal or significant deficiencies.
- The focus of the interview will 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.
- The interview panel will include SCSC staff, SCSC Commissioners, and state and national education experts.

# Practical Interview DON'Ts

## ■ DO NOT:

- Prepare a statement or presentation.
- Respond to questions by stating that the answer is in the petition.
- Allow your partners or EMO to dominate the discussion.
- Overly emphasize your passion.
- Bring everyone ever associated with the petition.

# SCSC Review: Position of LBOE

- As part of its review SCSC staff seeks feedback from the LBOE regarding each proposed state charter school.
- LBOEs are invited to express support or opposition of a proposed state charter school.
- The LBOE may express its position in writing, by addressing the interview panel, or both.

# SCSC Review: Post-Interview Actions

- Following interviews SCSC staff may determine that additional information, documentation, or action by the petitioner is needed to clarify certain nonsubstantive aspects of the charter school's petition or operations.
- Examples:
  - Please clarify the relationship between your school's governing board and the proposed charter school network.
  - Please revise your proposed budget to reflect a recent reduction in state funding.

# SCSC Review: Post-Interview Actions

- If you are asked for clarifications or complete specific actions:
  - SCSC staff will notify you in writing of what is needed.
  - You will be provided a deadline by which to provide the clarification or evidence that the requested action is complete.
  - It is highly unlikely that SCSC staff will extend deadlines.
- If you decline to provide requested clarification or complete specific actions, your petition will be considered as it was originally submitted.
- SCSC staff may request clarifications or actions as often as necessary to make a recommendation to the SCSC.

# SCSC Review: SCSC Staff Recommendations

- SCSC staff will recommend that the SCSC approve or deny each petition.
- SCSC staff will base its recommendation on all available information regarding the charter petition including:
  - The charter petition;
  - The petition interview;
  - Input from the LBOE;
  - Supplemental information requested by SCSC Staff
  - Information submitted by other stakeholders
  - Publically available information that would affect the school (e.g. news reports, public complaints, court documents).

# SCSC Review: SCSC Votes

- The SCSC will vote on SCSC staff recommendations to approve or deny each petition.
- The vote will occur at a public meeting in late summer or early fall.
- Petitioners that are not approved are encouraged to revise the petition and reapply in the next petition cycle.
- The State Board of Education may overrule the approval of a school within 60 days of the SCSC decision.
- Absent SBOE action, an approved school will work closely with the SCSC, Georgia Department of Education, and other stakeholders to begin operation.

# Takeaways

- Follow LBOE submission procedures.
- Meet all local and state deadlines.
- Prepare for all authorizing avenues – prepare to be a locally approved school and SCSC school.
- Be as complete and ready-to-open as possible.
- Use the petition and process as a demonstration of the school's potential.
- Treat the petition like a grant application – you have one chance to prove your case that your school would be a needed high-quality charter.
- As an authorizer, the SCSC evaluates petition viability and school capacity. As such, the SCSC must:
  - Refrain from providing substantive information and support (We will help you understand the petition process, but we cannot provide advice as to the contents of the petition.)
  - Treat all petitioners equally.

# Common Pitfalls

- Academic program confusion
  - Standards v. Curriculum v. Academic Model
- Staff recruitment
  - Recruitment challenges on a lean budget.
- Budget Missteps
  - Inaccuracies and unrealistic expenditures
- Phantom Partnerships
  - Include evidence!
- Facilities
  - Reasonable timeline

# Questions

