

House Bill 23

By: Representative Mitchell of the 88th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 31 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
2 relating to charter schools, so as to provide for certain accountability requirements for charter
3 schools; to provide for legislative findings; to provide for disfavored practices with respect
4 to assessments; to provide for transparency regarding assessments; to provide for related
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 31 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
9 charter schools, is amended by adding a new Code section to read as follows:

10 "20-2-2064.2.

11 (a) The General Assembly finds that:

12 (1) The original intent of charter schools was to create within the public school sector
13 incubators for school reform that were motivated by legitimate educational and
14 pedagogical objectives and maintained;

15 (2) At the same time that increased standards and accountability are taking hold in public
16 schools, many states are adopting laws that exempt charter schools from state standards,
17 state assessments, and state requirements for public reporting;

18 (3) Although state achievement tests are imperfect, it is next to impossible to compare
19 the performance of charters and similar public schools without the use of a common
20 measure; and

21 (4) Charter schools must be public schools not only in name but in their accountability
22 to students, educators, families, communities, and taxpayers for quality, equity, and
23 transparency.

24 (b) A charter petitioner, local board of education, and the State Board of Education are
25 discouraged from:

26 (1) Including in the charter petition the exemption of state-wide required assessments;

27 (2) Including in the accountability system of a charter school the administration of state
28 developed or standardized assessments to students enrolled in kindergarten, first grade,
29 or second grade for any reason other than diagnostic purposes; or

30 (3) Using state-wide required assessments for purposes for which they are not
31 demonstrably valid and reliable.

32 (c) In determining the assessments to be administered in a charter school, the charter
33 petitioner, local board of education, and the State Board of Education shall review the
34 content and design of standardized assessments; the time and money expended to prepare
35 for standardized assessments as measured against the purpose of the assessment; and
36 parent, student, and educator perceptions of the level and intensity of standardized
37 assessments.

38 (d) After an assessment is administered by a charter school, a student's parent or guardian
39 shall have the right to inspect and review the student's assessment booklet, answer or
40 response sheets, surveys, instructions or directions to the student, and any other
41 supplemental materials utilized to administer the assessment. A parent or guardian shall
42 direct a request for inspection or review of assessments to the charter school, and the
43 school shall comply with such request within 45 days of its receipt. This access shall
44 provide parents and guardians with no fewer rights accorded to them under the Family
45 Educational and Privacy Rights Act, 20 U.S.C. Section 1232g."

46 **SECTION 2.**

47 All laws and parts of laws in conflict with this Act are repealed.