

The House Committee on Education offers the following substitute to HB 964:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 31A of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to state charter schools, so as to provide for charter-schools-in-the-workplace and  
3 charter-schools-in-a-municipality; to provide for legislative intent; to provide for enrollment  
4 priorities for state charter schools; to provide for petitions for charter-schools-in-the  
5 workplace and charter-schools-in-a-municipality; to provide for related matters; to repeal  
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 SECTION 1.

9 Article 31A of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to  
10 state charter schools, is amended by revising Code Section 20-2-2080, relating to legislative  
11 findings and intent, as follows:

12 "20-2-2080.

13 (a) The General Assembly finds that:

- 14 (1) State charter schools can serve as a complement to the educational opportunities
- 15 provided by local boards of education in the state's system of public education; and
- 16 (2) State charter schools do not supplant public schools operated by local boards of
- 17 education but provide options to enhance public educational opportunities.

18 (b) It is the intent of the General Assembly that there be established a state-level  
19 commission under the authority of the State Board of Education whose primary focus is the  
20 development and support of state charter schools in order to better meet the growing and  
21 diverse needs of students in this state and to further ensure that state charter schools of the  
22 highest academic quality are approved and supported throughout the state in an efficient  
23 manner.

24 (c) It is further the intent of the General Assembly that in order to increase business  
25 partnerships in education, to reduce school and classroom overcrowding throughout the  
26 state, and to offset the high costs of educational facilities construction, the General

27 Assembly intends to encourage the formation of business partnership schools or satellite  
 28 learning centers and municipal operated schools through charter school status."

29 **SECTION 2.**

30 Said article is further amended by revising paragraph (1) of subsection (c) of Code Section  
 31 20-2-2083, relating to the powers and duties of the State Charter Schools Commission, as  
 32 follows:

33 "(c)(1) The commission shall establish rules and regulations requiring each state charter  
 34 school to provide adequate notice of its enrollment procedures; ~~including any provision~~  
 35 ~~for the use of a random selection process where all applicants have an equal chance of~~  
 36 ~~being admitted in the event that the number of applications to enroll in the school exceeds~~  
 37 ~~the capacity of the program, grade, or school. A state charter school shall enroll any~~  
 38 student who resides in the charter attendance zone as specified in the charter and who  
 39 submits a timely application as specified in the charter unless the number of applications  
 40 exceeds the capacity of a program, class, grade level, or building. In such case, all such  
 41 applicants shall have an equal chance of being admitted through a random selection  
 42 process unless otherwise prohibited by law; provided, however, that a state charter school  
 43 may give enrollment preference to applicants in any one or more of the following  
 44 categories in the order of priority specified in the charter:

45 (A) Students who reside in a specified political subdivision within the charter  
 46 attendance zone. For purposes of this subparagraph, the term 'political subdivision'  
 47 means a local school system, county, municipal corporation, consolidated city-county  
 48 government, or other political subdivision of the state created by or pursuant to the  
 49 Constitution of Georgia or any general, local, or special Act of the General Assembly  
 50 or any community improvement district of the state;

51 (B) A sibling of a student enrolled in the state charter school;

52 (C) A sibling of a student enrolled in another local school designated in the charter;

53 (D) A student whose parent or guardian is a member of the governing board of the state  
 54 charter school or is a full-time teacher, professional, or other employee at the state  
 55 charter school;

56 (E) Students matriculating from a local school designated in the charter;

57 (F) Children who matriculate from a pre-kindergarten program which is associated  
 58 with the state charter school, including, but not limited to, programs which share  
 59 common facilities or campuses with the school or programs which have established a  
 60 partnership or cooperative efforts with the school; and

61 (G) A student who is the child of:

- 62 (i) For a charter-school-in-the-workplace, an employee of the business partner or a  
 63 resident of the municipality in which such charter-school-in-the-workplace is located;  
 64 or  
 65 (ii) For a charter-school-in-a-municipality, a resident of the municipality in which  
 66 such charter-school-in-a-municipality is located."

67 **SECTION 3.**

68 Said article is further amended by revising subsections (b) and (c) of Code Section  
 69 20-2-2084, relating to petition for charter schools, requirements of school, governing board  
 70 membership, and annual training, as follows:

71 "(b) The commission shall be authorized to approve a petition for a state charter school that  
 72 meets the following requirements:

73 (1) Has a state-wide attendance zone; ~~or~~

74 (2)(A) Has a defined attendance zone; and

75 (B) Demonstrates that it has special characteristics, such as a special population, a  
 76 special curriculum, or some other feature or features which enhance educational  
 77 opportunities, which may include the demonstration of a need to enroll students across  
 78 multiple communities or an alternative delivery system; provided, however, that the  
 79 petitioner shall demonstrate a reasonable justification for any proposed special  
 80 curriculum that has a narrow or limited focus;

81 (3) Is a charter-school-in-the-workplace which operates in a school facility provided by  
 82 one or more business partners and enrolls students who are children of employees of such  
 83 business partner or partners; or

84 (4) Is a charter-school-in-a-municipality which is operated by one or more municipalities  
 85 and enrolls students who are children of residents of such municipality or municipalities.

86 (c)(1) For petitions for state charter schools with a state-wide attendance zone, the  
 87 petitioner shall submit such petition to the commission and concurrently to the local  
 88 board of education in which the school is proposed to be located for information  
 89 purposes; provided, however, that this shall not apply to a proposed state charter school  
 90 which will solely provide virtual instruction.

91 (2) For petitions for state charter schools with a defined attendance zone, the petitioner  
 92 shall concurrently submit such petition to the commission, to the local board of education  
 93 in which the school is proposed to be located, and to each local school system from which  
 94 the proposed school plans to enroll students. The commission shall not act on a petition  
 95 unless the local board of education in which the school is proposed to be located denies  
 96 the petition; provided, however, that such local board shall approve or deny the petition  
 97 no later than 60 days after its submission, as required pursuant to subsection (b) of Code

98 Section 20-2-2064, unless the petitioner requested an extension. Failure to approve or  
99 deny such petition by such local board, in violation of Code Section 20-2-2064, shall be  
100 deemed a denial for purposes of this paragraph. A local board that has denied a petition  
101 for a state charter school shall be permitted to present to the commission in writing or in  
102 person the reasons for denial and the deficiencies in such petition resulting in such denial.  
103 (3) The commission may take into consideration any support or opposition by the local  
104 board of education or local boards of education on the start-up charter school petition  
105 when it votes to approve or deny a corresponding state charter school petition."

106

**SECTION 4.**

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