

House Bill 87 (AS PASSED HOUSE AND SENATE)

By: Representatives Erwin of the 32<sup>nd</sup>, Jones of the 47<sup>th</sup>, Dubnik of the 29<sup>th</sup>, Jasperse of the 11<sup>th</sup>, Wade of the 9<sup>th</sup>, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to  
2 elementary and secondary education, so as to revise and repeal certain provisions for  
3 alternative charter schools; to provide for the continued operation of state chartered special  
4 schools until no later than the expiration of each such school's current charter with the State  
5 Board of Education; to provide for funding of state chartered special schools; to require state  
6 chartered special schools to elect whether to be established as completion special schools or  
7 to cease operating as a state chartered special school upon the expiration of such school's  
8 current charter with the State Board of Education; to prohibit the expansion of attendance  
9 zones for state chartered special schools; to provide for the establishment of completion  
10 special schools; to provide for students enrolled in their resident school systems to attend  
11 programs at a completion special school on a part-time basis as program students, subject to  
12 certain conditions; to provide for waivers; to provide for the State Board of Education to  
13 establish policies, rules, regulations, and other requirements for the establishment, funding,  
14 and operation of completion special schools and for the dissolution and probationary  
15 dissolution of such schools; to provide for due process procedures; to provide for grants for  
16 the development of completion special schools; to provide for the governing boards of  
17 completion special schools; to allow for meetings of such governing boards by  
18 teleconference; to provide for the appointment, qualifications, and employment of

19 superintendents for completion special schools; to provide for funding of completion special  
20 schools; to provide for the Department of Education to withhold a certain percentage of funds  
21 for administrative purposes; to authorize resident school systems to use local funds to  
22 compensate completion special schools for providing education programs and services to  
23 program students enrolled in such resident school system; to provide for attendance zones  
24 for completion special schools; to revise and provide for definitions; to provide for  
25 comprehensive evaluations of completion special schools by the Department of Education;  
26 to provide for a short title; to provide for related matters; to provide for an effective date; to  
27 repeal conflicting laws; and for other purposes.

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

29 **SECTION 1.**

30 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
31 secondary education, is amended by revising subsection (l) of Code Section 20-2-154.1,  
32 relating to alternative education programs, alternative charter schools, intent, description,  
33 requirements, designation, funding, and effectiveness, as follows:

34 "(l)(1) As used in this subsection, the term:

35 (A) 'Alternative charter school' means a local charter school authorized by one or more  
36 local school systems, as provided for in Article 31 of this chapter, which provides an  
37 alternative education program, as provided for in this Code section, and which provides  
38 programs and services focused on dropout recovery or high school credit recovery.

39 (B) 'Charter petitioner' means one or more private individuals, private organizations,  
40 state or local public entities, or adult learning providers, or any group of these working  
41 in cooperation, that submits or initiates a petition to establish an alternative charter  
42 school as a local charter school pursuant to Article 31 of this chapter.

43 (C) 'System-collaborative state charter school' means a charter school previously  
 44 authorized by the State Charter Schools Commission that, until or before June 30, 2021,  
 45 provided ~~provides~~ programs and services for dropout recovery or high school credit  
 46 recovery and ~~is was~~ governed by a board of directors which may ~~include~~ have included  
 47 personnel of the local board or boards of education from the geographic region which  
 48 the charter school ~~serves~~ served.

49 (2)(A) The State Board of Education and the Department of Education, in consultation  
 50 with authorizing local school system or systems, shall establish a process to designate  
 51 alternative charter schools. Any designation process established pursuant to this  
 52 subparagraph shall, in addition to meeting the requirements provided for in Code  
 53 Section 20-2-2063, ~~shall~~ require the charter petitioner to demonstrate how the proposed  
 54 alternative charter school will increase graduation opportunities for traditional high  
 55 school students, decrease dropout rates in local school systems, and provide high school  
 56 credit recovery opportunities.

57 (B)(i) ~~Not later than July 1, 2021, each~~ Each system-collaborative charter school that  
 58 ~~has not transitioned~~ did not transition to become an alternative charter school by  
 59 July 1, 2021, shall operate as a state chartered special school, as defined in Code  
 60 Section 20-2-2062, authorized directly by the State Board of Education, subject to the  
 61 provisions of divisions (ii) through (v) of this subparagraph.

62 (ii) ~~The State Board of Education, in consultation with the State Charter Schools~~  
 63 ~~Commission and system-collaborative state charter schools, shall provide for the~~  
 64 ~~transfer and designation of existing system-collaborative state charter schools to state~~  
 65 ~~chartered special schools by July 1, 2021, except for those schools which have~~  
 66 ~~transitioned to become an alternative charter school pursuant to this subsection.~~

67 (iii) For the duration of its current charter ~~contract~~ with the State Board of Education,  
 68 each school that ~~transitions~~ transitioned from operating as a system-collaborative state  
 69 charter school to operating as a state chartered special school as provided for in

70 division (i) of this subparagraph shall be permitted to continue operating as a state  
71 chartered special school until the expiration of its current charter with the State Board  
72 of Education; provided, however, that each such school shall operate subject to the  
73 provisions of Article 31 of this chapter and other applicable laws. For the duration  
74 of its current charter with the State Board of Education, each such school shall be  
75 eligible to receive funding directly from the State Board of Education in an amount  
76 equal to the amount such school would have received pursuant to Code Section  
77 20-2-2089 had such school continued to operate as a system-collaborative state  
78 charter school, except as provided for in division (iii)(i) of subparagraph (C) of this  
79 paragraph; provided, however, that such funding eligibility shall be calculated pro rata  
80 based upon when such school ~~commences~~ commenced operating as a state chartered  
81 special school as determined by the State Board of Education. Such funding shall not  
82 increase in subsequent fiscal years. ~~A system-collaborative state charter school that~~  
83 ~~does not transition to operating as a state chartered special school by July 1, 2021,~~  
84 ~~shall not be eligible for funding available to state charter schools pursuant to Code~~  
85 ~~Section 20-2-2089 after June 30, 2021.~~

86 (iii) On or before July 1, 2023, each school that transitioned from operating as a  
87 system-collaborative state charter school to operating as a state chartered special  
88 school as provided for in division (i) of this subparagraph shall elect either to be  
89 established as a completion special school as provided for in Article 31C of this  
90 chapter or to cease operating as a state chartered special school upon the expiration  
91 of its current charter with the State Board of Education. Upon being established as  
92 a completion special school as provided for in Article 31C of this chapter, a school  
93 that transitioned from operating as a system-collaborative state charter school to  
94 operating as a state chartered special school as provided for in division (i) of this  
95 subparagraph shall no longer operate as state chartered special school or receive  
96 funding as provided for in this subsection.

97 (iv) The State Board of Education shall ~~be authorized to~~ not approve ~~an~~ any  
98 expansion of the current attendance zone for each state chartered special school  
99 provided for in this subparagraph ~~that includes one or more local school systems, or~~  
100 ~~any portion thereof, or a state-wide attendance zone.~~

101 (v) The Department of Education shall provide administrative and technical support  
102 and shall be authorized to allocate funds, including state funds, federal funds,  
103 proceeds of general obligation debt, or any other available funds, for any school that  
104 transitions from operating as a system-collaborative state charter school to operating  
105 as a state chartered special school, as provided for in division (i) of this subparagraph,  
106 for purposes directly related to such transition to and operation as a state chartered  
107 special school for the duration of such school's current charter contract; provided,  
108 however, that such funding shall not continue after the expiration of each such  
109 school's charter with the State Board of Education. The Department of Education  
110 may withhold up to 2 percent of the amount ~~determined~~ of funding provided pursuant  
111 to division ~~(iii)~~(ii) of this subparagraph for each school that transitions from operating  
112 as a system-collaborative state charter school to operating as a state chartered special  
113 school, as provided for in division (i) of this subparagraph, for use in administering  
114 the duties required pursuant to this subsection; provided, however, that any amount  
115 withheld pursuant to this subdivision shall be spent solely on expenses incurred by the  
116 Department of Education in performing the duties required by this subsection.

117 (C)(i) ~~The State Board of Education, in consultation with the authorizing local school~~  
118 ~~system or systems, the State Charter Schools Commission, and system-collaborative~~  
119 ~~state charter schools, shall provide for the transfer and designation of existing~~  
120 ~~system-collaborative state charter schools to alternative charter schools not later than~~  
121 ~~the conclusion of each such school's current charter contract.~~

122 (ii) ~~Regardless of whether it is operating as a state chartered special school pursuant~~  
123 ~~to Article 31 of this chapter or a state charter school pursuant to Article 31A of this~~

124 ~~chapter, each system-collaborative state charter school shall be eligible to petition one~~  
 125 ~~or more local school systems to become an alternative charter school.~~

126 (iii) The State Board of Education shall not provide for the expansion, extension,  
 127 renewal, or replication of former system-collaborative state charter schools as state  
 128 chartered special schools; provided, however, ~~that such schools may increase student~~  
 129 ~~enrollment by no more than 3 percent each school year and add no more than one~~  
 130 ~~school site each school year; provided, further,~~ that any school site opened after  
 131 July 1, 2021, shall be located within or contiguous to the same regional educational  
 132 service agency service area where the former system-collaborative state charter  
 133 school's headquarters were located on January 1, 2021. School sites opened by a  
 134 former system-collaborative state charter school after July 1, 2021, pursuant to this  
 135 division shall not be included in the calculation of such former system-collaborative  
 136 state charter school's funding provided for in division ~~(iii)~~(ii) of subparagraph (B) of  
 137 this paragraph; provided, however, that such school sites shall be eligible to receive  
 138 QBE formula earnings, as that term is defined in Code Section 20-2-2062.

139 ~~(iv)~~(ii) Notwithstanding any provision of the law to the contrary, ~~effective~~  
 140 ~~July 1, 2021,~~ no system-collaborative state charter school shall be eligible for the  
 141 extension or renewal of its charter with the State Charter Schools Commission, and  
 142 no state chartered special school established pursuant to subparagraph (B) of this  
 143 paragraph shall be eligible for the extension or renewal of its current charter with the  
 144 State Board of Education.

145 (3) The Department of Education, in collaboration with the Office of Student  
 146 Achievement, shall be responsible for collecting and analyzing appropriate data from and  
 147 about alternative charter schools on matters consisting of, but not limited to, alternative  
 148 charter school effectiveness.

149 (4) Pursuant to an intragovernmental agreement between a student's resident local school  
 150 system and the local school system or systems which authorized the alternative charter

151 school, alternative charter schools shall be authorized to enroll students from local school  
152 systems other than the local school system or systems which authorized the alternative  
153 charter school; provided, however, that students who reside in the authorizing local  
154 school system or systems of the alternative charter school shall be prioritized over  
155 students who reside outside of such system or systems.

156 (5) This subsection shall stand repealed on June 30, 2024."

157 **SECTION 2.**

158 Said chapter is further amended by revising subsection (a) of Code Section 20-2-167.1,  
159 relating to public meetings on proposed annual operating budget, notice, electronic copies,  
160 and exception for certain nonprofits, as follows:

161 "(a) As used in this Code section, the term:

162 (1) 'Governing body' means the local board of education, governing council, governing  
163 board, or other entity by whatever name responsible for creating and implementing the  
164 budget of a local education agency.

165 (2) 'Local education agency' means any local school system and, any charter school  
166 subject to the provisions of Article 31 or 31A of this chapter, and any completion special  
167 school subject to the provisions of Article 31C of this chapter, except this shall not  
168 include college and career academies that are charter schools; conversion charter schools,  
169 as defined in Code Section 20-2-2062, whose charter is not held by a nonprofit  
170 corporation; or system charter schools, as defined in Code Section 20-2-2062."

171 **SECTION 3.**

172 Said chapter is further amended by adding a new article to read as follows:

173 "ARTICLE 31C174 20-2-2096.175 This article shall be known and may be cited as the 'Completion Special Schools Act.'176 20-2-2096.1.177 As used in this article, the term:

178 (1) 'Collaborative operating agreement' means an agreement between a local board of  
179 education and a completion special school to provide for education programs and services  
180 focused on dropout recovery and prevention or high school credit recovery for students  
181 in grades nine through 12 residing in the local school system represented by such local  
182 board.

183 (2) 'Completion special school' means a special school provided for in this article which  
184 meets the requirements provided in Code Section 20-2-2096.3.

185 (3) 'Completion special school governing board' or 'governing board' means the board  
186 for a completion special school as provided for in Code Section 20-2-2096.4.

187 (4) 'Department' means the Department of Education.

188 (5) 'Dropout' means an individual who previously dropped out of school according to the  
189 uniform definition of 'dropout' provided for in subsection (f) of Code Section 20-14-33.

190 (6) 'Enrollment eligible student' means:

191 (A) An individual 18 years of age or older who is eligible for enrollment in appropriate  
192 education programs as provided in subsection (a) of Code Section 20-2-150, who meets  
193 the definition of dropout provided in paragraph (5) of this Code section, and who is not  
194 currently enrolled in a public school in this state; or

195 (B) An individual who is attending a United States Department of Defense Youth  
196 Challenge Academy or who is in the custody of a correctional facility, detention

197 facility, jail, prison, or other lawful place of confinement for the period of such  
198 attendance or custody.

199 (7) 'Local board' means a county or independent board of education exercising control  
200 and management of a local school system pursuant to Article VIII, Section V, Paragraph  
201 II of the Constitution.

202 (8) 'Local school system' means the system of public schools established and maintained  
203 by a local board within its limits pursuant to Article VIII, Section V, Paragraph I of the  
204 Constitution.

205 (9) 'Program student' means a student who attends a completion special school pursuant  
206 to a current collaborative operating agreement between such school and the student's  
207 resident school system but who is not enrolled in such school. Such term does not  
208 include enrollment eligible students.

209 (10) 'QBE formula earnings' means funds earned for the Quality Basic Education  
210 Formula pursuant to Code Section 20-2-161 and shall include the portion of such funds  
211 that are calculated as the local five mill share in accordance with Code Section 20-2-164.  
212 QBE formula earnings shall include the salary portion of direct instructional costs, the  
213 adjustment for training and experience, the nonsalary portion of direct instructional costs,  
214 and earnings for psychologists and school social workers, school administration, facility  
215 maintenance and operation, media centers, additional days of instruction in accordance  
216 with Code Section 20-2-184.1, and staff development, as determined by the department.

217 (11) 'Resident school system' means the local school system in which a program student  
218 attending a completion special school is enrolled.

219 (12) 'School level governance' means final decision-making authority in personnel  
220 decisions, financial decisions, curriculum, resource allocation, establishing and  
221 monitoring the achievement of school improvement goals, and school operations.

222 (13) 'Special school' means a public school whose creation is authorized pursuant to  
223 Article VIII, Section V, Paragraph VII of the Constitution.

224 (14) 'State board' means the State Board of Education.

225 (15) 'System-collaborative state charter school' means a charter school previously  
226 authorized by the State Charter Schools Commission pursuant to Article 31A of this  
227 chapter that, until or before June 30, 2021, provided programs and services for dropout  
228 recovery or high school credit recovery.

229 20-2-2096.2.

230 (a)(1) The state board shall adopt policies, procedures, regulations, and other such  
231 requirements for the establishment, funding, and operation of completion special schools  
232 under this article.

233 (2)(A)(i) No later than July 1, 2023, each school operating as a state chartered special  
234 school and having previously operated as a system-collaborative state charter school  
235 that elected to be established as a completion special school, as provided in division  
236 (1)(1)(B)(iii) of Code Section 20-2-154.1, shall be so established for the 2023-2024  
237 school year and continuing thereafter, subject to the provisions of this article and  
238 other applicable law.

239 (ii) The state board shall assign each school provided for in division (i) of this  
240 subparagraph to a single attendance zone provided for in subsection (a) of Code  
241 Section 20-2-2096.7 on the basis of each such school's current operations.

242 (iii) The state board shall be authorized to allow each school provided for in division  
243 (i) of this subparagraph to continue for part or all of the 2023-2024 school year the  
244 employment of school administrators and other school personnel who were employed  
245 by such school prior to being established as completion special schools.

246 (iv) Each student enrolled as of June 30, 2023, in a school operating as a state  
247 chartered special school and having previously operated as a system-collaborative  
248 state charter school shall be eligible to be enrolled in a completion special school  
249 notwithstanding the provisions of subsection (b) of Code Section 20-2-2096.3.

250 (B) For each state chartered special school, having previously operated as a  
251 system-collaborative state charter school, that does not timely make an election as  
252 provided in division (1)(1)(B)(iii) of Code Section 20-2-154.1, such school's current  
253 charter with the state board shall not be renewed or otherwise extended beyond its  
254 current expiration date; nor shall such school receive any state funds under Article 6 of  
255 this chapter beyond the expiration date of its current charter with the state board.

256 (3) Subject to appropriations, the state board shall be authorized to provide up to  
257 \$5 million in grant funding for the purpose of assisting and encouraging the development  
258 of new completion special schools; provided, however, that no current or former state  
259 chartered special school, having previously operated as a system-collaborative state  
260 charter school, shall be eligible for such funds.

261 (b) The state board shall adopt policies, procedures, regulations, and other such  
262 requirements for the dissolution or probationary dissolution of a completion special school  
263 upon the recommendation of the State School Superintendent for failure to comply with  
264 the requirements of this article or other applicable law or for other good cause as  
265 determined by the state board following an impartial due process procedure which shall  
266 include, but shall not be limited to, the following:

267 (1) A completion special school shall be notified in writing by the department of alleged  
268 noncompliance with provisions of this article or other applicable law, policy, rule, or  
269 regulation and shall be allowed no less than 30 days to respond in writing to such notice;

270 (2) If the department provides a corrective action plan to a completion special school,  
271 such school shall have no less than 60 days to implement such corrective action plan or  
272 reach a resolution of such corrective action plan mutually with the department;

273 (3) If a completion special school fails to timely implement a corrective action plan or  
274 reach a resolution of such corrective action plan mutually with the department, or for  
275 other good cause, the department shall submit to the State School Superintendent a  
276 written recommendation of dissolution or probationary dissolution of such school. The

277 department shall provide a copy of such recommendation to such school, and such school  
278 shall be permitted to submit to the State School Superintendent a written response to such  
279 recommendation within ten days of the date of such recommendation; and

280 (4) Upon receipt of a recommendation by the department of the dissolution or  
281 probationary dissolution of a completion special school, the State School Superintendent  
282 shall be authorized to:

283 (A) Require information from the department and such school regarding any alleged  
284 noncompliance with this article or other applicable law, any alleged noncompliance  
285 with any corrective action plan provided by the department to such school, or any other  
286 cause alleged in support of the department's recommendation;

287 (B) Allow such school additional time not to exceed 60 days to demonstrate  
288 compliance with the corrective action plan referenced in the department's  
289 recommendation;

290 (C) Determine that such school has adequately demonstrated compliance with the  
291 corrective action plan referenced in the department's recommendation;

292 (D) Make a recommendation to the state board that such school shall be placed on  
293 probationary dissolution for a period of not less than 12 months, during which period  
294 such school must demonstrate continuous compliance with this article and other  
295 applicable laws and any corrective action plan provided by the department. During any  
296 such probationary period, the State School Superintendent shall, at his or her sole  
297 discretion, be authorized to recommend that the state board revoke such school's  
298 probationary status and proceed with the dissolution of such school; and

299 (E) Make a recommendation to the state board that such completion special school  
300 shall be dissolved, effective on a date that ensures the least disruptive transition  
301 practicable for students who are enrolled or attending such school.

302 20-2-2096.3.

303 (a) Each completion special school shall be a public school and shall:

304 (1) Provide education programs and services to students in grades nine through 12,  
305 including, but not limited to:

306 (A) Nontraditional education programs and services for students who are eligible to  
307 attend a traditional public school but are more likely to succeed in a nontraditional  
308 setting such as that provided in such completion special school;

309 (B) Dropout prevention and academic intervention programs;

310 (C) Programs for high school credit recovery; and

311 (D) Opportunities for students to schedule classes on weekdays, evenings, and  
312 weekends;

313 (2) Operate under the supervision and direction of a governing board as provided for in  
314 Code Section 20-2-2096.4;

315 (3) Be treated as a single local education agency for administrative purposes, including  
316 data reporting, student enrollment counting procedures, student achievement reporting,  
317 funding allocations, and related purposes as defined by the state board and consistent with  
318 department rules and regulations; and

319 (4) Be the subject of a school report card prepared and distributed by the Office of  
320 Student Achievement as provided in Code Section 20-14-34.

321 (b) Only enrollment eligible students shall be enrolled in a completion special school.

322 (c) Students in grades nine through 12 who are enrolled in a school in their resident school  
323 system shall be permitted to attend one or more classes in a completion special school's  
324 credit recovery, dropout prevention, or academic intervention program on a part-time basis  
325 as program students, subject to the following conditions:

326 (1) The completion special school has available classroom space;

327 (2) Such student shall not be included in the count provided for in Code Section  
328 20-2-161 of the completion special school;

329 (3) Such student remains enrolled in his or her resident school system; and  
330 (4) Such student's resident school system is party to a current collaborative operating  
331 agreement with such completion special school which shall include, but shall not be  
332 limited to, provisions for the following:

333 (A) Funding to be provided by the resident school system to the completion special  
334 school for program students who attend such school as provided in this subsection,  
335 which funding shall be no less than what is required in subsection (b) of Code Section  
336 20-2-2096.6;

337 (B) The number and qualifications of student liaisons to be employed by the resident  
338 school system to provide academic support and monitoring for program students who  
339 attend such school as provided in this subsection and the relevant terms and conditions  
340 for how such liaisons will provide such support and monitoring; and

341 (C) Such other requirements as may be established by the state board consistent with  
342 this article.

343 (d) The state board shall be authorized to approve a request by a completion special school  
344 for a waiver or variance of specifically identified state rules, regulations, policies, and  
345 procedures or provisions of this chapter. The goal for each waiver and variance shall be  
346 improvement of student performance. The state board shall not be authorized to waive or  
347 approve variances on any federal, state, and local rules, regulations, court orders, and  
348 statutes relating to civil rights; insurance; the protection of the physical health and safety  
349 of school students, employees, and visitors; conflicting interest transactions; the prevention  
350 of unlawful conduct; any laws relating to unlawful conduct in or near a public school; the  
351 early intervention program provided for in Code Section 20-2-153; any reporting  
352 requirements pursuant to Code Section 20-2-320 or Chapter 14 of this title; the  
353 requirements of Code Section 20-2-210; the requirements of Code Section 20-2-211.1; or  
354 the requirements in subsection (c) of Code Section 20-2-327. A local school system that  
355 has received a waiver or variance shall remain subject to the provisions of Part 3 of Article

356 2 of Chapter 14 of this title, the requirement that it shall not charge tuition or fees to its  
357 students except as may be authorized for local boards by Code Section 20-2-133, and shall  
358 remain open to enrollment in the same manner as before the waiver request.

359 20-2-2096.4.

360 (a) Each completion special school shall be governed by a governing board which shall  
361 be responsible for the school level governance of such school; provided, however, that the  
362 day-to-day management and operations of such school shall be delegated to the school  
363 superintendent.

364 (b)(1)(A) The superintendent of each local school system that is a party to a  
365 collaborative operating agreement with the completion special school shall serve as an  
366 ex officio member of such school's governing board.

367 (B)(i) Subject to the provisions of divisions (ii) and (iii) of this subparagraph, the  
368 members of each completion special school's governing board shall elect from among  
369 themselves five members to be voting members of such governing board.

370 (ii) If fewer than five local school systems are a party to a collaborative operating  
371 agreement with the completion special school, then the superintendents of each such  
372 local school system shall serve as voting members of such school's governing board.

373 (iii) The governing board of each completion special school provided for in division  
374 (a)(2)(A)(i) of Code Section 20-2-2096.2 shall convene by January 15, 2024, to elect  
375 the voting members of such governing board who shall, thereupon, elect a  
376 chairperson.

377 (C) The voting members of each completion special school's governing board shall  
378 serve staggered terms of two years concurrent with school years beginning July 1 and  
379 ending June 30; provided, however, that voting members shall serve until their  
380 successors are elected. The state board shall adopt rules and regulations necessary to  
381 provide for such terms, including, but not limited to, rules and regulations for the initial

382 terms of each completion special school's governing board to accomplish the required  
383 staggering of terms, except as provided in subparagraph (D) of this paragraph. A  
384 voting member may serve multiple terms.

385 (D) The voting members of each completion special school's governing board shall  
386 elect a chairperson from among themselves. The first chairperson shall serve an initial  
387 term ending June 30 of the year following his or her election, and each successive  
388 chairperson shall serve terms of two years concurrent with school years beginning  
389 July 1 and ending June 30; provided, however, that chairpersons shall serve until their  
390 successors are elected. A chairperson may serve multiple terms.

391 (2) Notwithstanding the provisions of subsection (c) of Code Section 20-2-51, a local  
392 school superintendent who is qualified to serve on the governing board of a completion  
393 special school pursuant to paragraph (1) of this subsection shall not be disqualified from  
394 such service due to an immediate family member serving as a principal, assistant  
395 principal, or on the administrative staff of such school; provided, however, that such local  
396 school superintendent shall be permitted to designate another official from his or her local  
397 school system to serve on such governing board in his or her place.

398 (c) The state board shall adopt rules and regulations to provide for the filling of vacancies  
399 on the governing boards of completion special schools.

400 (d) The governing board of each completion special school shall meet quarterly at such  
401 dates and times as it may by resolution provide and may hold additional meetings upon the  
402 call of the chairperson or the written request of a majority of the members of the governing  
403 board. A simple majority of the voting members of the governing board shall constitute  
404 a quorum. Notwithstanding the provisions of subsections (f) and (g) of Code Section  
405 50-14-1, the governing boards of completion special schools shall be authorized to conduct  
406 meetings by teleconference; provided, however, that any such meeting is conducted in  
407 substantial compliance with the provisions of Chapter 14 of Title 50.

408 (e) The members of each completion special school governing board shall participate in  
409 initial training for boards of newly established completion special schools and annual  
410 training thereafter, conducted or approved by the state board. The state board shall provide  
411 for or approve such initial and annual training. The training shall include, but not be  
412 limited to, best practices on school level governance, the constitutional and statutory  
413 requirements relating to public records and meetings, and the requirements of applicable  
414 statutes and rules and regulations. The training shall also include two to three hours  
415 annually regarding sound fiscal management and monitoring the implementation of the  
416 budget in accordance with state laws and regulations which includes the following  
417 elements:

418 (1) Governing board developed policies to ensure sound fiscal management, including,  
419 but not limited to, balanced budget requirements, spending level authorizations and  
420 permissions, deficit spending restrictions, establishment of special funds, and reserve  
421 maintenance requirements;

422 (2) Holding the school superintendent accountable for the implementation of the budget  
423 in a manner consistent with the school's strategic plan;

424 (3) Establishing, through policy, the level of spending beyond the budget for which the  
425 school superintendent must seek board approval;

426 (4) Monitoring the school's audits, monthly financial reports, and additional financial  
427 reports needed to make informed decisions and to ensure execution of the budget in a  
428 manner consistent with the strategic plan and strategic goals of the school;

429 (5) Reviewing and addressing annually audited financial records and audit findings, with  
430 a goal of proactively preventing audit exceptions;

431 (6) Addressing fiscal matters in a manner consistent with state law, sound business  
432 practice, and ethical principles regarding conflicts of interest; and

433 (7) Operating in a manner such that the governing board's financial decisions and actions  
434 do not provide unfair financial or other opportunistic advantages to any member of the  
435 governing board, their family members, associates, or individual constituents.

436 20-2-2096.5.

437 (a) A superintendent shall be appointed for each completion special school by the state  
438 board upon consideration of one or more recommendations from the State School  
439 Superintendent and such school's governing board.

440 (b)(1) The superintendent for each completion special school shall be employed by the  
441 governing board of such school under a written contract for a term of not less than one  
442 year and not more than three years.

443 (2) Any provision of any such contract which provides for an extension of the duration  
444 of employment thereunder, whether automatic or contingent upon the occurrence of one  
445 or more events, shall be void if that extension would result in employment under such  
446 contract, as extended, for a period which exceeds three years.

447 (3) Such contract shall provide for a comprehensive evaluation of the superintendent by  
448 the governing board of such school at least annually.

449 (c)(1) No person shall be eligible to be appointed, employed, or to serve as the  
450 superintendent of a completion special school unless such person is of good moral  
451 character, has never been convicted of any crime involving moral turpitude, and  
452 possesses acceptable business or management experience as specified by the Professional  
453 Standards Commission or the minimum valid certificate or a letter of eligibility for said  
454 certificate required by the Professional Standards Commission.

455 (2) No person shall be eligible to be appointed, employed, or to serve as the  
456 superintendent of a completion special school who has an immediate family member  
457 sitting on the governing board of such school.

458 (d) The superintendent of a completion special school shall have such additional  
459 qualifications as may be prescribed by policies of the governing board for such school, not  
460 inconsistent with the provisions of this chapter.

461 (e) The superintendent of a completion special school may concurrently serve as a  
462 principal, teacher, or in another staff position as directed by the governing board of such  
463 school in its sole discretion and in accordance with the terms of the contract between the  
464 superintendent and the governing board.

465 (f) No substantive or procedural right regarding employment or termination of  
466 employment of a superintendent of a completion special school by the governing board of  
467 such school shall be created by this Code section. Rather, the terms and conditions of  
468 employment of the superintendent of a completion special school by the governing body  
469 of such school shall be determined exclusively by the contract between those parties and  
470 may include, without being limited to, the conditions under and procedures by which that  
471 contract may be terminated prior to the end of the term of that contract.

472 20-2-2096.6.

473 (a) The department shall pay to each completion special school an amount equal to the  
474 sum of:

475 (1) QBE formula earnings and QBE grants earned by the completion special school  
476 based on the school's enrollment, school profile, and student characteristics;

477 (2) A proportional share of earned state categorical grants, non-QBE state grants,  
478 transportation grants, school nutrition grants, and all other state grants, except state  
479 equalization grants, as determined by the department;

480 (3) A proportional share of federal funds received by the State Board of Education for  
481 purposes contained in this chapter for which the completion special school is eligible to  
482 receive; and

483 (4) An amount equal to the difference between:

484 (A) The actual QBE formula earnings amount earned by the completion special school  
485 based on such school's enrollment, school profile, and student characteristics; and

486 (B) The amount that such school's QBE formula earnings would be if the program  
487 weight for the alternative education program provided for in subsection (b) of Code  
488 Section 20-2-161 was substituted for the program weights for each respective  
489 instructional program provided for in subsection (b) of Code Section 20-2-161 with a  
490 program weight that is less than the program weight for the alternative education  
491 program.

492 (b)(1) For each program student who attends a completion special school pursuant to a  
493 current collaborative operating agreement between such completion special school and  
494 such student's resident school system, the resident school system shall pay to the  
495 completion special school an amount not less than a proportional share of QBE formula  
496 earnings, QBE grants, and federal funds earned by the resident school system. Such  
497 proportional share shall be calculated pro rata based on the number of one-sixth segments  
498 of the school day, or the block scheduling equivalent, such student attends the completion  
499 special school.

500 (2) Each resident school system which enters into a collaborative operating agreement  
501 with a completion special school shall:

502 (A) Be authorized to use local funds to supplement the state and federal funds provided  
503 for in paragraph (1) of this subsection to compensate such school for providing  
504 education programs and services to program students from such resident school system;  
505 and

506 (B) Be strongly encouraged to provide, at no charge to such school, in-kind  
507 consideration for such collaborative operating agreement, including, but not limited to,  
508 the shared use of facilities owned by the resident school system, such as office space,  
509 meeting space, storage, and parking, and appropriate use of instructional technology

510 and resources, including, but not limited to, network infrastructure, software, and other  
511 instructional materials.

512 (3) Nothing in this subsection shall prohibit a resident school system from paying a  
513 completion special school more than the amount provided for in paragraph (1) of this  
514 subsection pursuant to a collaborative operating agreement.

515 (c) The department may withhold up to 1/2 percent of the amount of funding provided  
516 pursuant to subsection (a) this subsection for each completion special school for use in  
517 administering the duties required pursuant to this article; provided, however, that any  
518 amount withheld pursuant to this subsection shall be spent solely on expenses incurred by  
519 the department in performing the duties required by this article.

520 20-2-2096.7.

521 (a) The state board shall establish the following attendance zones:

522 (1) Zone 1 shall comprise the Northwest Georgia, North Georgia, and Pioneer regional  
523 education service agency service areas;

524 (2) Zone 2 shall comprise the Metro regional education service agency service area;

525 (3) Zone 3 shall comprise the Northeast Georgia, Griffin, and Middle Georgia regional  
526 education service agency service areas;

527 (4) Zone 4 shall comprise the West Georgia and Chattahoochee-Flint regional education  
528 service agency service areas;

529 (5) Zone 5 shall comprise the Oconee, Central Savannah River, and Heart of Georgia  
530 regional education service agency service areas;

531 (6) Zone 6 shall comprise the First District and Okefenokee regional education service  
532 agency service areas; and

533 (7) Zone 7 shall comprise the Southwest Georgia and Coastal Plains regional education  
534 service agency service areas.

535 (b)(1) Except as provided in paragraph (2) of this subsection, only one completion  
536 special school may operate in each attendance zone provided for in subsection (a) of this  
537 Code section.

538 (2)(A) Except as provided in subparagraph (B) or (C) of this paragraph, upon being  
539 established as a completion special school, if such school is currently operating one or  
540 more programs outside the attendance zone assigned to such school by the state board  
541 then the state board shall be authorized to permit such school to continue to operate  
542 such program or programs until the earlier of June 30, 2028, or the establishment of a  
543 new completion special school that is assigned to the attendance zone where such  
544 program or programs are operating.

545 (B) The state board shall be authorized to permit one or more completion special  
546 schools to operate one or more programs outside the attendance zone assigned to such  
547 school; provided, however, that such permitted program exclusively provides education  
548 programs and services for students in grades nine through 12 to individuals who are  
549 attending a United States Department of Defense Youth Challenge Academy or who  
550 are in the custody of a correctional facility, detention facility, jail, prison, or other  
551 lawful place of confinement; and provided, further, that the state board shall be  
552 authorized to designate which completion special school is authorized to provide such  
553 program or programs.

554 (C) The state board shall be authorized to permit an enrollment eligible student to  
555 attend a completion special school outside of his or her attendance zone, provided that  
556 such student resides in a county that is contiguous to but outside of the attendance zone  
557 of such school; and provided, further, that such school is located closer to such student's  
558 residence than the completion special school with the attendance zone where such  
559 student's residence is located.

560 20-2-2096.8.

561 The department shall provide for a comprehensive evaluation of each completion special  
562 school regarding the success, impact, and needs, if any, of such school and shall report in  
563 writing the results of such evaluation to the state board at least once every five years such  
564 school remains in operation under this article."

565 **SECTION 4.**

566 This Act shall become effective upon its approval by the Governor or upon its becoming law  
567 without such approval.

568 **SECTION 5.**

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