

Senate Bill 82

By: Senators Dixon of the 45th, Gooch of the 51st, Anavitarte of the 31st, Payne of the 54th, Brass of the 6th and others

**AS PASSED**

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, the  
2 "Charter School Act of 1998," so as to enact the "Local Charter School Authorization and  
3 Support Act of 2025"; to provide for the State Board of Education in collaboration with the  
4 State Charter Schools Commission to establish a program for the purposes of promoting and  
5 supporting the approval of new local charter school petitions by local boards of education  
6 and to provide incentive grants to local boards of education that approve new local charter  
7 school petitions; to provide for the award and use of such incentive grants; to provide for the  
8 Department of Education to implement and administer such incentive programs and for the  
9 Office of Charter School Compliance to provide technical assistance to local school systems;  
10 to require local boards of education to provide certain written statements to the State Board  
11 of Education and the Office of Charter School Compliance upon denying a local charter  
12 school petition whereupon the corresponding state charter school petition is approved by the  
13 State Charter Schools Commission, subject to an exception; to provide for accountability for  
14 local boards of education that deny two or more local charter school petitions whereupon the  
15 corresponding state charter school petition is approved by the State Charter Schools  
16 Commission during a certain period; to provide for local boards of education to reconsider  
17 the denial of local charter school petitions; to require the Office of Charter School  
18 Compliance to prepare guidelines for local boards of education for the evaluation of charter

19 school petitions; to revise reporting; to provide for legislative findings and intent; to provide  
20 for automatic repealers; to provide for related matters; to provide for an effective date; to  
21 repeal conflicting laws; and for other purposes.

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

23 **SECTION 1.**

24 (a) The General Assembly finds that charter schools, including locally authorized charter  
25 schools, provide innovative and effective educational opportunities for students in Georgia.

26 (b) It is the intent of the General Assembly to:

27 (1) Encourage local school systems to serve as local authorizers of charter schools;

28 (2) Provide financial incentives to local school systems that authorize and oversee charter  
29 schools; and

30 (3) Ensure accountability for local school systems that consistently deny charter petitions  
31 that are subsequently approved by the State Charter Schools Commission.

32 **SECTION 2.**

33 This Act shall be known and may be cited as the "Local Charter School Authorization and  
34 Support Act of 2025."

35 **SECTION 3.**

36 Article 31 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the "Charter  
37 School Act of 1998," is amended by revising Code Section 20-2-2064, relating to approval  
38 or denial of petition relative to the "Charter Schools Act of 1998," as follows:

39 "20-2-2064.

40 (a) A charter petitioner seeking to create a conversion charter school ~~must~~ shall submit a  
41 petition to the local board of the local school system in which the proposed charter school

will be located. The local board ~~must~~ shall by a majority vote approve or deny a petition no later than 90 days after its submission unless the petitioner requests an extension; provided, however, that a denial of a petition by a local board shall not preclude the submission to the local board of a revised petition that addresses deficiencies cited in the denial; and provided, further, that the local board shall not act upon a petition for a conversion charter school, including, but not limited to, a conversion charter for a high school cluster, until such petition:

(1)(A) Has been freely agreed to, by secret ballot, by a majority of the faculty and instructional staff members of the petitioning local school at a public meeting called with two weeks' advance notice for the purpose of deciding whether to submit the petition to the local board for its approval; and

(B) Has been freely agreed to, by secret ballot, by a majority of the parents or guardians of students enrolled in the petitioning local school present at a public meeting called with two weeks' advance notice for the purpose of deciding whether to submit the petition to the local board for its approval; or

(2) If for a high school cluster, has been approved by a majority of the school councils in the high school cluster and has been freely agreed to, by secret ballot, by at least 60 percent of the combined vote of the faculty and instructional staff members of the high school cluster and the parents or guardians of students who reside in the attendance zone of such high school cluster present at a public meeting called with two weeks' advance notice for the purpose of deciding whether to submit the petition to the local board for its approval. Each school council within the high school cluster shall appoint two representatives to a committee that shall conduct the vote.

(3) The provisions of this ~~This~~ subsection shall not apply to a system charter school petitioning to be a conversion charter school.

(b) A charter petitioner seeking to create a start-up charter school ~~must~~ shall submit a petition to the local board of the local school system in which the proposed charter school

will be located. The local board ~~must~~ shall by a majority vote approve or deny a petition no later than 90 days after its submission unless the petitioner requests an extension. A denial of a petition by a local board shall not preclude the submission ~~to the local board~~ of a revised petition to the local board that addresses deficiencies cited in the denial.

(c) A system charter school's school council or governing council, as applicable, may petition to become a conversion charter school. The petition shall be submitted to the local board of the charter system in which the school is located. The local board ~~must~~ shall by a majority vote approve or deny a petition no later than 90 days after its submission unless the petitioner requests an extension; provided, however, that a denial of a petition by a local board shall not preclude the submission ~~to the local board~~ of a revised petition to the local board that addresses deficiencies cited in the denial.

(d)(1) A local board shall approve a petition that complies with the rules, regulations, policies, and procedures promulgated in accordance with Code Section 20-2-2063 and the provisions of this title and is in the public interest.

(2) If a local board denies a petition, it ~~must~~ shall within ~~60~~ 20 business days provide a written statement of denial to the charter petitioner, the state board, and the Office of Charter School Compliance specifically state stating the reasons for the denial, list and listing all deficiencies with respect to Code Section 20-2-2063, detailing existing access to school choice options for students in the local school system, and assessing the academic performance of existing local schools in the area the charter school proposed to serve. Within three days of such written statement being received by the Office of Charter School Compliance, such written statement shall be published on the public website of the Office of Charter School Compliance and provide a written statement of the denial to the charter petitioner and the state board.

(3) If a local board denies a local charter school petition with a single-school system attendance zone and the corresponding state charter school petition with single-school

95 system attendance zones is subsequently approved by the State Charter Schools  
96 Commission as provided in Code Section 20-2-2084:

97 (A) The Office of Charter School Compliance shall notify the local board of such  
98 approval; and

99 (B) The state board and the Office of Charter School Compliance may, upon review  
100 of the local school system's written statement of denial provided for in paragraph (2)  
101 of this subsection and the State Charter Schools Commission's rationale for approving  
102 the charter petition, provide guidance to or recommend authorizer training for the local  
103 school system, as appropriate.

104 (4)(A) Except as provided for in subparagraph (B) of this paragraph, if the local board  
105 of a local school system with enrollment of 10,000 to 60,000 students based on such  
106 local school system's full-time equivalent program count calculated as provided for in  
107 subsection (b) of Code Section 20-2-160, denies two or more local charter school  
108 petitions with single-school system attendance zones, and the corresponding state  
109 charter school petitions with single-school system attendance zones are subsequently  
110 approved by the State Charter Schools Commission as provided in Code  
111 Section 20-2-2084 during the same term of such local school system's charter system  
112 contract or strategic waivers school system contract, such local school system shall not  
113 be eligible or authorized to renew its charter system status granted under Code  
114 Section 20-2-2063.2 or any strategic waivers granted under Article 4 of this chapter for  
115 up to three years following the termination or expiration of its current charter system  
116 contract or strategic waivers school systems contract, or until the state board determines  
117 the local school system has demonstrated its commitment to increasing student  
118 performance and encouraging innovation through high quality local charter petition  
119 authorizations.

120 (B) Except as provided for in subparagraph (C) of this paragraph, if the local board of  
121 a local school system with enrollment of more than 60,000 students, based on such

local school system's full-time equivalent program count calculated as provided for in subsection (b) of Code Section 20-2-160, denies three or more local charter school petitions with single-school system attendance zones, and the corresponding state charter school petitions with single-school system attendance zones are subsequently approved by the State Charter Schools Commission as provided in Code Section 20-2-2084 during the same term of such local school system's charter system contract or strategic waivers school system contract, such local school system shall not be eligible or authorized to renew its charter system status granted under Code Section 20-2-2063.2 or any strategic waivers granted under Article 4 of this chapter for up to three years following the termination or expiration of its current charter system contract or strategic waivers school systems contract, or until the state board determines the local school system has demonstrated its commitment to increasing student performance and encouraging innovation through high quality local charter petition authorizations.

(C) The provisions of subparagraphs (A) and (B) of this paragraph shall not apply to a local school system with a charter system contract or strategic waivers school system contract that, according to the terms of such contract in place on January 1, 2025, will expire on or before July 1, 2025, until the term of such local school system's new or renewed charter system contract or strategic waivers school system contract begins.

(5) This paragraph and paragraphs 3 and 4 of this subsection shall stand automatically repealed on July 1, 2035.

(e) The state board or the Charter Advisory Committee, if directed by the state board to do so, may mediate between the local board and a charter petitioner whose petition was denied to assist in resolving issues which led to denial of the petition by the local board."

#### SECTION 4.

Said article is further amended by adding a new Code section to read as follows:

148 "20-2-2064.2.

149 (a) The State Board of Education in collaboration with the State Charter Schools  
150 Commission shall establish a program for the purposes of promoting and supporting the  
151 approval of new local charter school petitions by local boards of education and to provide  
152 incentive grants to local boards of education that approve new local charter school  
153 petitions. The State Charter Schools Commission shall promulgate such rules and  
154 regulations as it deems necessary to carry out the provisions and intent of this Code section.

155 (b)(1) Subject to appropriations, for each new local charter school petition approved by  
156 a local board of education after June 30, 2025, such local board of education shall receive  
157 an incentive grant of \$250,000.00 by August 1 of each of the three years following such  
158 approval, provided that such local charter school remains authorized by such local board  
159 of education. In the event that available appropriations are not sufficient to cover the  
160 total amount of such incentive grants provided for in this subsection, the amount of each  
161 such grant shall be reduced proportionally, providing incentive grants in equal amounts  
162 to each such local board of education.

163 (2) Incentive grants provided for in paragraph (1) of this subsection shall be provided  
164 only for the approval of new local charter school petitions and not for the approval or  
165 renewal of an existing local charter school.

166 (c) Incentive grants awarded pursuant to subsection (b) of this Code section may be used  
167 by the receiving local board of education for expenses incurred by the local board of  
168 education in its role as a local charter school authorizer, which may include, but shall not  
169 be limited to, hiring qualified personnel and providing for oversight, compliance  
170 monitoring, and professional development related to local charter school authorization.

171 (d) The Department of Education shall implement and administer the incentive grant  
172 program provided for in subsection (b) of this Code section and the Office of Charter  
173 School Compliance shall provide technical assistance necessary to local school systems in  
174 support of compliance with the requirements of this Code section.

175 (e) This Code section shall stand automatically repealed on July 1, 2035."

176 **SECTION 5.**

177 Said article is further amended in Code Section 20-2-2069, relating to the Office of Charter  
178 School Compliance and the Office of District Flexibility, by revising subsection (a) as  
179 follows:

180 "(a) There is established within the State Charter Schools Commission an Office of Charter  
181 School Compliance, which shall be staffed with personnel as provided for in  
182 subsection (d.1) of Code Section 20-2-2082, who shall report directly to the State Board  
183 of Education for purposes of this subsection. The responsibilities of such office shall be  
184 to:

- 185 (1) Prepare charter school guidelines to be approved by the state board;
- 186 (2) Distribute charter school petition information to inquiring parties;
- 187 (3) Process all charter school petitions and coordinate with the Charter Advisory  
188 Committee established pursuant to Code Section 20-2-2063.1 to facilitate its review and  
189 recommendations to the state board;
- 190 (4) Administer any state or federal charter school implementation grant program;
- 191 (5) Contract with an independent party to evaluate the performance of charter schools,  
192 as such performance relates to fulfilling the terms of their charters;
- 193 (6) Compile information necessary to produce the annual report required by Code  
194 Section 20-2-2070, which shall include, but shall not be limited to, information regarding  
195 the effectiveness of the incentives and the adherence of local school systems to the  
196 requirements provided for in Code Sections 20-2-2064 and 20-2-2064.2; and
- 197 (7) Prepare guidelines for local boards of education for the evaluation of charter school  
198 petitions. Such guidelines shall be published on the public website of the Department of  
199 Education and shall include:



200 (A) Criteria for evaluating the academic, operational, and financial plans of the charter  
201 petitioner;  
202 (B) Best practices for conducting a thorough and objective review of charter petitions;  
203 (C) Procedures for public hearings and community input on charter petitions; and  
204 (D) A standardized evaluation rubric for use by local boards of education during the  
205 evaluation of charter petitions; and  
206 (8) Provide technical assistance to Assist local school systems as charter school  
207 authorizers ~~as challenges arise~~, support local school systems as needed to implement best  
208 practices in charter school authorization, and regularly engage with local school systems  
209 to promote charter school authorization at the local level."

210 **SECTION 6.**

211 Said article is further amended by revising Code Section 20-2-2070, relating to annual report  
212 to General Assembly, as follows:

213 "20-2-2070.

214 ~~No The state board shall report to the General Assembly no later than December 31 of each~~  
215 ~~year, the state board shall submit a report~~ on the status of the charter school program to the  
216 Speaker of the House of Representatives; the President of the Senate; the chairpersons of  
217 the House Committee on Education, the Senate Education and Youth Committee, the  
218 House Committee on Appropriations, and the Senate Appropriations Committee; and the  
219 Office of Planning and Budget."

220 **SECTION 7.**

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

223

**SECTION 8.**

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