GWINNETT COUNTY PUBLIC SCHOOLS

Gwinnett County Board of Education

Level:	Accompanying Procedure:	Descriptor Code:	Rescinds
Policy I-Instructional Programs		IBB	April 16, 2015
Descriptor Term:		Effective Date:	
Charter Schools			

Keywords:
Student Discipline:
Policy References:

~~Charter petitions shall meet provisions of Chapter 2 of Title 20 of the Office Code of Georgia Annotated (O.C.G.A.), state and local rules, regulations, policies, and procedures except for waivers from laws, rules, and regulations as permitted by O.C.G.A. 20-2-2065(a). Home study programs or schools, sectarian schools, religious schools, private for profit schools, existing private schools, or private educational institutions not established, operated or governed by the State of Georgia are prohibited by law from submitting charter petitions.~~

~~The Board shall establish timelines for submission of charter petitions for approval and post such timelines on the Gwinnett County Public Schools' website. Pursuant to O.C.G.A. 20-2-2064(b), the Board shall approve or deny a petition no later than ninety (90) days after its submission unless the petitioner consents to extend that period. Within sixty (60) days, the Board shall provide to the charter petitioner and the State Board of Education (SBOE) a written explanation setting forth its reasons for denial and a list of deficiencies in the petition. If the Board approves a charter petition, it shall within thirty (30) days provide a copy of the approved petition to the State Department of Education (SDOE) for review by the SBOE.~~

~~The Superintendent is authorized to develop and enforce administrative regulations needed to ensure compliance with state law and SBOE/SDOE requirements. Such regulations shall provide for an expedited review process for high quality charter school renewal, expansion, and replication.~~

1.1 Legislative Purpose and District Vision : The Gwinnett County Board of Education ('Local Board') recognizes public charter schools as an integral mechanism for promoting academic excellence, expanding high-quality educational options for families, and encouraging innovative instructional and organizational designs within Gwinnett County Public Schools ('GCPS'). Pursuant to the Charter Schools Act of 1998, as amended (O.C.G.A. §§ 20-2-2060 through 20-2-2071), including the Local Charter School Authorization and Support Act of 2025 (Senate Bill 82) and State Board of Education (SBOE) Rule 160-4-9-.05, the Local Board acts as a local charter school authorizer committed to fostering high-performing charter schools that meet demonstrated community needs.

1.2 Endorsement of NACSA Principles & Standards: The Local Board formally adopts and incorporates the Principles & Standards for Quality Charter School Authorizing established by the National Association of Charter School Authorizers ('NACSA') as the foundational benchmark for all district authorizing policies, practices, and decision-making. The Local Board commits to executing its authorizing stewardship in alignment with NACSA's Three Core Principles:

1. **Maintain High Standards for Schools :** Setting rigorous criteria for approving charter petitions, establishing clear performance expectations in legally binding contracts, conducting objective annual evaluations, and renewing only those charter schools that demonstrate verified student achievement and organizational viability.

2. **Uphold School Autonomy :** Honoring and protecting core school-level autonomies guaranteed by statute–specifically governing board independence, personnel selection and compensation, curriculum and instructional design, budgeting, and daily operations–while holding schools accountable for outcomes rather than dictating operational inputs.

3. **Protect Student & Public Interests:** Ensuring nondiscriminatory, open enrollment access for all eligible Gwinnett County residents; safeguarding the rights of special student populations (including Special Education and English Learners); enforcing public transparency, open governance, and sound fiscal stewardship; and maintaining ethical, conflict-free authorizer operations.

2. Full Scope and Lifecycle Role of Authorization

Authorizing is a comprehensive, multi-stage public stewardship responsibility that extends across the entire lifecycle of a charter school. In alignment with NACSA's five authorizing domains, the Local Board and GCPS administrative staff shall actively fulfill duties across each phase:

Domain I: Agency Commitment & Capacity – Maintaining dedicated, qualified personnel to coordinate charter oversight; allocating sufficient financial resources by instituting an administrative fees (3.0% authorizer fee); and ensuring ongoing professional development and board training in quality authorizing standards.

Domain II: Application Process & Decision-Making – Publishing clear guidelines, application materials, and annual review timelines; providing technical assistance to prospective petitioners; hosting informational sessions; utilizing multi-disciplinary review panels (including external charter experts); and granting charter recommendations based strictly on objective evidence of capacity and community need.

Domain III: Performance Contracting – Executing formal, legally binding charter performance contracts (separate from the charter petition) with independent non-profit governing boards for a standard initial term of five (5) operating years. Contracts shall incorporate a Comprehensive Performance Framework defining clear academic, financial, and operational targets.

Domain IV: Ongoing Oversight & Evaluation – Conducting transparent, performance-based compliance monitoring; reviewing annual independent financial audits (GAGAS/GAAP); conducting structured annual site visits that respect school autonomy; and publishing annual performance reports summarizing portfolio outcomes.

Domain V: Renewal, Intervention, & Revocation – Making merit-based renewal and termination decisions derived from multi-year longitudinal performance data; providing timely written notice of deficiencies with a standard six-month remediation window; placing persistent non-compliant schools on probation; and overseeing detailed, orderly closure protocols in the event of non-renewal or revocation to protect students and public assets.

3. Petition Review Process & Mandatory Public Hearing

3.1 Submission Eligibility and Prohibition : Petitions to establish a start-up charter school or conversion charter school shall meet all provisions of O.C.G.A. Title 20, Chapter 2, Article 31, state board rules, and local board policies. Pursuant to state law, home study programs or schools, sectarian or religious schools, private for-profit entities, or existing private educational institutions not established and governed

by the State of Georgia are strictly prohibited from submitting charter petitions.

3.2 Statutory Conflict of Interest Disqualification (O.C.G.A. § 20-2-2084(c)(4)): In accordance with the statutory conflict-of-interest protections established under Georgia law, the Local Board shall not approve, renew, or extend any local charter school petition that violates governing board independence or creates systemic conflicts of interest between local school district leadership and charter school governance. Specifically, the Local Board incorporates and enforces the statutory rule set forth in O.C.G.A. § 20-2-2084(c)(4), which mandates that authorizing bodies shall not:

> *"approve, renew, or extend a state charter school petition for any school with one or more employees, officers, or governing board members who are also an officer, member, or executive-level employee of a local board of education or an employee of a local school system from the geographic region which the state charter school serves."*

The Local Board formally applies this identical conflict-of-interest restriction to all local charter petitions submitted to Gwinnett County Public Schools. Consequently, the Local Board shall deny local authorization, renewal, or extension to any proposed charter school whose petition, governing board roster, officer slate, or operational management includes one or more individuals who are currently serving as a member or officer of the Gwinnett County Board of Education, an executive-level administrator of GCPS, or an employee of any local school system within the geographic region served by the school. This policy ensures strict governing board independence, eliminates structural conflicts of interest, aligns local practice with state standards, and safeguards public trust.

3.2 Standardized Evaluation Instrument & Expert Review: Pursuant to SB 82 and SBOE Rule 160-4-9-.05, GCPS shall evaluate all start-up and renewal charter petitions using the standardized Charter School Petition Evaluation Rubric promulgated by the State Charter Schools Commission (SCSC) Office of Charter School Compliance (OCSC). Evaluation panels shall consist of no fewer than three (3) qualified individuals with diverse expertise in education, finance, law, special education, and charter school operations, including district administrative experience and external charter experts.

3.3 Mandatory Public Hearing Step: To ensure meaningful public engagement, transparency, and alignment with community needs, the Local Board shall conduct a formal Public Hearing for every complete charter school petition submitted for local authorization. The Public Hearing requirement shall be governed by the following protocols:

Notice & Scheduling: The Public Hearing shall be scheduled during the 90-day review period, occurring after initial staff review and panel interviews but at least fourteen (14) calendar days prior to the Local Board's formal vote on the petition. Public notice stating the date, time, location, and proposed school summary shall be published on the GCPS website and in the county's legal organ.

Purpose & Scope: The Public Hearing provides a structured public forum for the petitioner to present the school's mission, academic model, governance structure, and community impact, and offers parents, community residents, local business leaders, and district stakeholders a formal opportunity to provide public comment and input regarding local educational needs.

Public Record & Board Consideration: A complete transcript or official recording of the Public Hearing, along with all written public comments received, shall be compiled into the official petition review record and submitted to the Superintendent and Local Board members prior to the final authorization vote.

4. Detailed Charter Petition Process Timeline

GCPS shall publish the official annual charter petition review timeline on the district website by September 1 of each year. The petition process incorporates state-mandated milestones under SBOE Rule 160-4-9-.05 and SB 82, structured as follows:

Process Stage	Key Milestone & Window	Statutory & Regulatory Basis
1. Letter of Intent (LOI)	Submitted to GCPS and OCSC at least six (6) months prior to state submission (typically by October 15/16).	SBOE Rule 160-4-9-.05(1)(a)
2. Orientation & Guidance	Annual district informational session held within 1-2 weeks of LOI submission; electronic guidelines issued.	GCPS Authorizer Practice
3. Petition Submission	Final petition submission deadline before Winter Break (School Holidays).	SBOE Rule 160-4-9-.05(1)(b)
4. Legal Insufficiency Review	Written notice of legal insufficiency or disqualification issued within 10 to 20 business days of submission.	SBOE Rule 160-4-9-.05(1)(d)
5. Panel Review & Interview	60 to 90-minute panel interview conducted in late February/early March using the SCSC Rubric.	SBOE Rule 160-4-9-.05(1)(d)
6. Mandatory Public Hearing	Public Hearing held in March, at least 14 days prior to Board vote, to gather community testimony.	NACSA Standard / Policy IBB
7. Recommendation & Board Vote	Staff recommendation shared 48 hrs/1 week prior; Local Board majority vote within 90 days (by April/May).	O.C.G.A. § 20-2-2064(b)

5. Board Decisions, Denial Statements, & District Accountability

5.1 90-Day Decision Window: Pursuant to O.C.G.A. § 20-2-2064(b), the Local Board shall, by majority vote, approve or deny a complete charter petition no later than ninety (90) days after its formal submission, unless the petitioner and Local Board mutually agree in writing to a specific, reasonable extension for revising or clarifying the petition. Extensions shall not extend the vote beyond June 30 without advance written approval from the OCSC.

5.2 Written Statement of Denial (20 Business Days): If the Local Board denies a petition, the district shall, within twenty (20) business days of the denial vote, provide a detailed written statement of denial to the charter petitioner, the State Board of Education, and the OCSC. Pursuant to O.C.G.A. § 20-2-2064(d)(2) (SB 82), the denial statement shall specifically state the reasons for denial, list all deficiencies under O.C.G.A. § 20-2-2063, detail existing access to school choice options within GCPS, and assess the academic performance of surrounding traditional public schools.

5.3 Post-Approval Transmittal & Incentive Grants: If the Local Board approves a charter petition, GCPS shall transmit a copy of the approved petition to the OCSC within thirty (30) days for SBOE review. Pursuant to O.C.G.A. § 20-2-2064.2 (SB 82), for each new local charter school authorized after June 30, 2025, GCPS shall be eligible to receive an annual state authorizer incentive grant of $250,000 per year for the first three (3) years of the charter term, to be utilized exclusively for authorizing operations, oversight, compliance monitoring, and staff training.

5.4 District Accountability & SWSS Protection: The Local Board acknowledges the accountability provisions of O.C.G.A. § 20-2-2064(d)(4)(B) (SB 82), which stipulate that if a school system with

enrollment over 60,000 students denies three (3) or more local charter petitions that are subsequently approved by the SCSC during the same Strategic Waiver School System (SWSS) contract term, the district risks losing eligibility to renew its SWSS contract flexibility for up to three (3) years. To safeguard GCPS's SWSS flexibility and ensure high authorizing standards, the Superintendent shall maintain rigorous, fair, and evidence-based review processes that ensure high-quality petitions demonstrating clear capacity earn local approval.

6. Performance Contracting & Administrative Implementation

6.1 Formal Charter Contract Required : Upon local board approval of a charter petition, the Local Board and the charter school's independent non-profit governing board shall execute a formal, performance-based charter contract. The contract shall define material terms, operational autonomies, 0.0% administrative pass-through funding, LEA special education responsibilities, oversight site visit protocols, a six-month remediation window for deficiencies, and a $75,000 dissolution escrow requirement.

6.2 Administrative Regulations & Expedited Review: The Superintendent is authorized to develop, enforce, and update administrative regulations and standard operating procedures to ensure faithful execution of this policy and full compliance with state law and state board rules. Such regulations shall establish an expedited, streamlined review process for high-performing charter school renewals, grade expansions, and network replications.