

160-4-9-.04 CHARTER SCHOOLS DEFINITIONS.

(1) DEFINITIONS.

(a) Charter – a performance-based contract between the charter authorizer(s) and a charter petitioner. By entering into a charter, a charter petitioner and the charter authorizer(s) shall be deemed to have agreed to be bound to all the provisions of the Charter Schools Act, O.C.G.A. § 20-2-2060 et. seq., and all State Board of Education rules and guidelines implementing the Charter Schools Act as if such terms were set forth in the charter.

(b) Charter Advisory Committee – a committee established by the State Board of Education (SBOE) pursuant to O.C.G.A. §20-2-2063.1 to make recommendations to the SBOE regarding approval or denial of charter petitions, charter policy, and the disbursement of planning grants for charter systems.

(c) Charter attendance zone – may include all or any portion of the local school system in which the charter school is located and may include all or any other portion of other local school systems if the charter school is jointly authorized pursuant to O.C.G.A. § 20-2-2063(c), or is authorized pursuant to O.C.G.A. § 20-2-2085(b).

(d) Charter authorizer– an entity authorized under the Charter Schools Act to review applications, decide whether to approve or deny applications, enter into charter contracts with petitioners, oversee public charter schools, or decide whether to renew, not renew or revoke charter contracts. For example, local charter schools are authorized by the local board(s) and the State Board of Education. State chartered special schools are authorized only by the State Board of Education.

(e) Charter petitioner – a local school, local board of education, private individual, private organization, or state or local public entity that submits a petition for a charter. The term “charter petitioner” does not include home study programs or schools, sectarian schools, religious schools, private for profit schools, private educational institutions not established, operated, or governed by the State of Georgia, or existing private schools.

(f) Charter school – a public school that is operating under the terms of a charter.

(g) Charter system – a local school system that is operating under the terms of a charter pursuant to O.C.G.A. §20-2-2063.2.

(h) College and Career Academy- a specialized charter school established by a partnership which demonstrates collaboration between business, industry and community stakeholders to advance workforce development between one or more local boards of education, a private individual, a private organization, or a state or local public entity in cooperation with one of more postsecondary institutions and approved by the State Board of Education in accordance with the Charter Schools Act.

(i) Conversion charter school – a charter school that existed as a local school prior to becoming a charter school.

(j) Faculty and instructional staff members – all personnel, including paraprofessionals, assigned to the school on a full-time basis. The term “paraprofessional” shall have the same meaning as set out in O.C.G.A. § 20-2-204.

(k) Fiscal agent – the public entity responsible for the financial control and management of the charter school or schools.

(l) Full-Time Equivalent Program Count (FTE) – a student count consisting of six state funded segments per student authorized under O.C.G.A. § 20-2-161.

(m) Governing board – a school-level decision-making body at a charter school that is a party to the charter contract and is responsible for ensuring the implementation and compliance of the contract.

(n) Governing council – a school-level council of parents, teachers, administrators, and others at a system charter school who are involved in school-level governance within a charter system.

(o) High school cluster – a public high school and all of the public middle and public elementary schools which contain students who matriculate to such high school. The schools in a high school cluster may include charter schools, local schools, or a combination of both.

(p) Jointly authorized charter school – a local charter school authorized by more than one local board and operating under the financial oversight of a designated fiscal agent.

(q) Local board – a county or independent board of education exercising control and management of a local school system pursuant to Article VIII, Section V, Paragraph II of the Georgia Constitution.

(r) Local charter school – a start-up charter school or a conversion charter school that is operating under the terms of a charter between the charter petitioner, the local board(s), and the SBOE.

(s) Local revenue – local taxes budgeted for school purposes in excess of the local five mill share, combined with any applicable equalization grant and budgeted revenues from any of the following: investment earnings, unrestricted donations, and the sale of surplus property; but exclusive of revenue from bonds issued for capital projects, revenue to pay debt service on such bonds, and local option sales tax for capital projects. Nothing in this paragraph shall be construed to prevent a local board from including a local charter school in projects specified in the ballot language of a local option sales tax or bond referendum.

(t) Local school – a public school in Georgia that is under the management and control of a local board.

(u) Local school system – the system of public schools established and maintained by a local board within its limits pursuant to Article VIII, Section V, Paragraph I of the Georgia Constitution.

(v) Merged charter school – a charter school created by combining two (2) or more start-up charter schools and operating under the terms of a single charter between the charter petitioner, the local board(s) and the SBOE.

(w) The Office of College and Career Transitions - a division of the Technical College System of Georgia established by O.C.G.A. § 20-4-37, that coordinates the efforts by the State Board of Education, the University System of Georgia, the Technical College System of Georgia and other not for profit postsecondary institutions accredited by the Southern Association of Colleges and Schools in the professional development, curriculum support, and development and establishment of college and career academies.

(x) Petition – a proposal or application to establish a charter school or a charter system.

(y) QBE formula earnings – funds earned for the Quality Basic Education Formula pursuant to O.C.G.A. § 20-2-161, including the portion of such funds that are calculated as the local five mill share in accordance with O.C.G.A. § 20-2-164.

(z) Qualified charter school contributions – the donation of funds by a taxpayer to a qualified charter school organization for the purchase of real property and for capital outlay for a charter school.

(aa) Qualified charter school organization – for the purposes of the capital outlay program, a charitable organization in this state that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code which is approved by the SBOE to provide funds for the purchase of real property for capital outlay for charter schools in this state.

(bb) School-level governance – charter governing boards at charter systems or councils at system charter schools which demonstrate decision-making authority in personnel decisions, financial decisions, curriculum and instruction, resource allocation, establishing and monitoring the achievement of school improvement goals, and school operations for the school.

(cc) Special school – a school whose creation is authorized pursuant to Article VIII, Section V, Paragraph VII of the Georgia Constitution.

(dd) Start-up charter school – a charter school that did not exist as a local school prior to becoming a charter school.

(ee) State Board of Education (SBOE) – the constitutional authority which defines education policy for the public K-12 education agencies in Georgia.

(ff) State-chartered special school – a charter school created as a special school

that is operating under the terms of a charter between the charter petitioner and the SBOE. State chartered special schools shall act as their own public Local Education Agency for accountability purposes.

(gg) System charter school – a school within a charter system.

(hh) Virtual charter school – a charter school that does not serve students at a physical facility but delivers instruction primarily through computer technology and the internet.

Authority: O.C.G.A. §§ 20-2-161, 20-2-240, 20-2-2062, 20-2-2063, 20-2-2063.1, 20-4-37

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