

HOUSE RESOLUTION 1162/AMENDMENT 1

FREQUENTLY ASKED QUESTIONS

1. Do parents in Georgia currently have school choices?

Yes. Parents already have a variety of school choice options for their children's education in Georgia. Current school choice programs include public schools, which include locally approved charter schools and state-chartered special schools, private schools and home schools.

2. What public school choices do parents have in Atlanta Public Schools?

In addition to our traditional schools, Atlanta Public Schools has charter schools and a home school program. Atlanta Public Schools also offers a general administrative transfer process, an open campus high school and two single-gender schools with citywide enrollment.

3. What is a charter school?

A charter school is a public school that operates according to the terms of a charter (i.e., operating contract) and is held accountable for meeting the performance-based objectives specified in the charter. Charter schools are public schools and cannot charge tuition or fees. There are currently over 200 charter schools in Georgia.

4. Does Atlanta Public Schools support charter schools?

Yes. Not only does APS support charter schools, the district leads the state in the number of start-up charter schools. Close to 10 percent of APS students attend charters.

5. What is House Resolution 1162 (HR 1162) or Amendment 1?

House Resolution 1162 is the piece of legislation passed by the Georgia General Assembly that approved the placement of "Amendment 1" on the November 6th ballot related to charter schools. If approved by voters, a state-appointed commission would be created that has the authority to create and fund state-run charter schools.



HOUSE RESOLUTION 1162/AMENDMENT 1 FREQUENTLY ASKED QUESTIONS

6. When does Amendment 1 go to the public for a vote? What is the language of Amendment 1 on the November ballot?

Amendment 1 (HR 1162) is on the November 6, 2012 ballot. The ballot question reads, “Shall the Constitution of Georgia be amended to allow state or local approval of public charter schools upon the request of local communities?”

7. What does this language mean?

The ballot question is asking voters whether they approve changing the Georgia Constitution to allow a state government-run commission of unelected appointees, who may or may not represent the respective communities, to determine the creation, location and funding of new schools in the state.

8. Did the Georgia Charter Schools Commission once have the power to approve charters?

Yes. The Georgia Charter Schools Commission was an appointed state-level, charter-authorizing entity with the power to create and fund charter schools with similar authorities to those proposed in Amendment 1. However, in 2011, the Georgia Supreme Court ruled that the commission was unconstitutional.

The opinion stated, “No other constitutional provision authorizes any other governmental entity to compete with or duplicate the efforts of local boards of education in establishing and maintaining general K-12 schools.” The court continued, “By providing for local boards of education to have exclusive control over general K-12 schools, our constitutions, past and present, have limited governmental authority over the public education of Georgia’s children to that level of government closest and most responsive to the taxpayers and parents of the children being educated.”



HOUSE RESOLUTION 1162/AMENDMENT 1

FREQUENTLY ASKED QUESTIONS

9. What would a ‘Yes’ vote for Amendment 1 mean?

If passed, the amendment would change the state’s Constitution, reestablishing the Georgia Charter Schools Commission and giving this group of appointed individuals the power to create new schools. The funding source for these newly created charter schools as well as the exact level of oversight has not yet been determined. If the commission approves new schools at its previous approval rate, the estimated annual cost in additional state funds to support these schools is \$430 million.

10. What would a ‘NO’ vote for Amendment 1 mean?

If defeated, the current system remains in place. Locally elected boards will retain the power to authorize and create new schools in their local communities. The state board will maintain its authority to appeal charter petitions denied by local boards and to create new schools independent of local districts through state funds. Locally approved charters will continue to receive both state and local funds in accordance with state law, which ensures that these schools are funded no less favorably than traditional public schools.

11. What is the Atlanta Board of Education position on HR 1162?

The Atlanta Board of Education unanimously passed a resolution on October 1, 2012, that opposes the constitutional amendment regarding state charter schools that will be on the November 6, 2012 general election ballot. The Georgia state school superintendent also opposes this amendment.

12. Do charter schools in Georgia consistently outperform traditional public schools?

No. Charter schools in Georgia do not consistently outperform traditional public schools. For example, in 2010-11, Georgia’s traditional public schools outperformed its charter schools with 73% making AYP compared to 70% of charter schools. The value of locally authorized charter schools is to provide additional educational programs to parents and students.



HOUSE RESOLUTION 1162/AMENDMENT 1

FREQUENTLY ASKED QUESTIONS

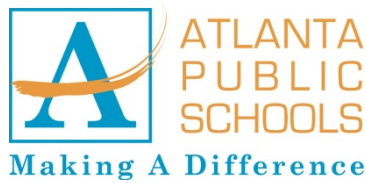
13. How are charter schools currently created in Georgia?

There is already a process in place to allow the State to create new charters. There are two methods to start a charter school in Georgia:

- A. A group of people (educators, parents, community leaders, educational entrepreneurs, or others) write the charter plan (i.e., charter contract) describing the school's guiding principles, governance structure and applicable accountability measures. This plan is presented to the local district, and if approved, the group must then send the proposal to the State Board of Education for final approval. Upon approval by the state, a charter contract is written and signed by all three parties.
- B. Charters that are denied by the local district can apply directly to the Georgia Department of Education for approval by the State Board of Education. These charters are called “state special charter schools” and are funded through state education funds. There are currently 15 schools in Georgia approved through this method.

14. Who controls and manages charter schools to make sure they are following the terms of the contract?

The school district has the responsibility to control and manage charter schools that are authorized and approved by local boards of education and state boards of education. However, if a school is a state-chartered special school, the Georgia Department of Education is responsible for ensuring that the school is following the terms of the contract.



HOUSE RESOLUTION 1162/AMENDMENT 1

FREQUENTLY ASKED QUESTIONS

15. **If Amendment 1 passes, who would provide oversight to the schools created by the commission to ensure the terms of the contracts are followed?**

Provisions for oversight have not been established. However, almost 60 percent of the previous commission's charter schools had contracts with EMOs (for-profit education, out-of-state management organizations.) This means, a portion of the \$86 million in state funds commission charter schools receive go to out-of-state companies.

16. **At what level are current state commissioned charter schools funded?**

State-commissioned charter schools receive state funding. An additional \$8.6 million dollars in new funding was placed in the FY13 budget for these schools. Currently, 40 percent of Georgia's local school systems are operating at a deficit with \$4.4 billion dollars in austerity cuts since 2008.

Note: The Fulton County Superior Court ruled October 10, 2012, that school systems can share information about the charter school amendment on websites.

October 2012