

MAXIMIZING THE USE OF CHARTER FLEXIBILITY

INFORMATION ADAPTED FROM MATERIALS DEVELOPED
BY GEORGIA DEPARTMENT OF EDUCATION

HOW DOES BEING A CHARTER SYSTEM HELP YOU TO RELENTLESSLY INNOVATE?

Charter Systems can INNOVATE without approval from the state because they can ignore the waived portions of Georgia Education Law (Title 20), State Board Rule, and GaDOE Guidelines

WHAT FREEDOM DO YOU HAVE TO INNOVATE?

What does your Charter System contract waive?

Your charter system contract waives everything in Title 20 and related SBOE rules that is not “non-waivable.

What does GA law say about MAXIMUM FLEXIBILITY in a Charter System contract?

Maximum Flexibility Allowed by Law

In exchange for the Charter System's agreement to meet or exceed the performance-based goals and measurable objectives set forth in the charter system contract, the State Board shall grant the maximum flexibility allowed by law to the Charter System.

Pursuant to O.C.G.A. § 20-2-2065(a), the Charter System shall be entitled to the maximum flexibility allowed by state law from the provisions of Title 20 of the Official Code of Georgia Annotated and from any state or local rule, regulation, policy, or procedure established by the Local Board, State Board or the Georgia Department of Education ("Department").

Notwithstanding this maximum flexibility, the Charter System and each Charter System School shall comply with the terms of this Charter, the Charter Schools Act, including the provisions set forth in Section 18 below, and any rules, regulations, policies, or procedures established by the State Board consistent with the Charter Schools Act.

What does GA law say about **MAXIMUM FLEXIBILITY** in a Charter System contract?

O.C.G.A. § 20-2-2065. Waiver of provisions of this title; requirements for operating; control and management

(a) Except as provided in this article or in a charter, a charter school, or for charter systems, each school within the system, shall not be subject to the provisions of this title or any state or local rule, regulation, policy, or procedure relating to schools within an applicable school system regardless of whether such rule, regulation, policy, or procedure is established by the local board, the state board, or the Department of Education; provided, however, that the state board may establish rules, regulations, policies, or procedures consistent with this article relating to charter schools. A waiver granted pursuant to this Code section for a charter system shall apply to each system charter school within the system. [...]

Examples of Allowable Title 20 Waivers in Charter Systems

Academic Program Flexibility Examples

- Graduation Requirements for the purpose of substitution of equivalent or higher level requirements which will assist students in acquiring the knowledge and skills necessary to be successful as they continue their education at the postsecondary level and/or enter the workforce (SBOE Rule 160-4-2-.48, 160-4-2-.47)
- Middle School Program Criteria (O.C.G.A. § 20-2-290)
- General and Career Education Programs (O.C.G.A § 20-2-151)
- Early Intervention Program (O.C.G.A § 20-2-153)
- Remedial Education Program (O.C.G.A. § 20-2-154, O.C.G.A. § 20-2-154.1)
- Language Assistance: Program for Limited English Proficient (LEP) Students (O.C.G.A. § 20-2-156)

Examples of Allowable Title 20 Waivers in Charter Systems

Academic Program Flexibility Examples

- Education Program for Gifted Students except to the extent it relates to funding (O.C.G.A. § 20-2-151)
- School Day and School Year for Students and Employees (O.C.G.A. § 20-2-151, O.C.G.A. § 20-2-160(a), O.C.G.A. § 20-2-168(c), SBOE Rules 160-4-2-.16, 160-5-1-.10, 160-5-1-.01, and 160-5-1-.02)
- Comprehensive Health and Physical Education Program except as prohibited by O.C.G.A. § 20-2-82(e) (SBOE Rule 160-4-2-.12)
- Promotion and Retention (O.C.G.A. § 20-2-283)
- Instructional Extension (O.C.G.A. § 20-2-184.1)
- School Attendance, Compulsory Attendance as it relates to the attendance protocol (O.C.G.A. § 20-2-690.2)

Examples of Allowable Title 20 Waivers in Charter Systems

Human Resources Flexibility Examples

- Class size/Staffing (O.C.G.A. § 20-2-182)
- Certification Requirements (O.C.G.A. § 20-2-200)
- Personnel Required (SBOE Rule 160-5-1-.22)
- Employment/Conditions of Employment (O.C.G.A. § 20-2-218)
- School Day and Year for Students and Employees (O.C.G.A. §20-2-151, §20-2-160(a), §20-2-168(c), SBOE Rule 160-5-1-.02)

Examples of Allowable Title 20 Waivers in Charter Systems

Finance Flexibility Examples

- Minimum Direct Classroom Expenditures/Expenditure Controls (O.C.G.A. § 20-2-171 and 20-2-168, SBOE Rule 160-5-1-.29)
- Scheduling for Instruction/Program Enrollment & Appropriations (except to the extent it relates to funding) (O.C.G.A. § 20-2-160)
- QBE Financing except to the extent it relates to funding (O.C.G.A. § 20-2-161)
- Categorical Allotment Requirements, Article 6 of Chapter 2 of Title 20 (O.C.G.A. § 20-2-167, O.C.G.A. § 20-2-183 to 20-2-186)

WHAT ARE THE LIMITS ON YOUR FREEDOM TO INNOVATE?

What is NOT waivable?

Assessment and Accountability requirements are NOT
“Waivable”

Charter Systems are subject to:

- All **state accountability and assessment requirements** set forth within Title 20 of the Official Code of Georgia Annotated and any corresponding State Board Rules
- The use of **Teacher and Leader Effectiveness Systems**, including **Student Learning Objectives**.
- All **federal accountability requirements** under the Elementary and Secondary Education Act, subject to any amendment, waiver or reauthorization

What is NOT waivable?

- Civil Rights, Insurance, Health and Safety and Conflicting Interests.
- Asbestos Remediation.
- Unlawful Conduct.
- Student Conduct and Discipline.
- Prohibition on Discrimination.
- Reporting Requirements.
- Tuition.
- Brief Period of Quiet Reflection.
- Individual Graduation Plans.
- Family Educational Rights and Privacy Act.
- QBE Formula Earnings.
- Funding.

**ARE YOU USING YOUR
FLEXIBILITY
TO INNOVATE?**

Examples of Innovations Implemented in Charter Systems

ACADEMIC PROGRAM FLEXIBILITY

College and Career Readiness

- Expansion of Dual Enrollment opportunities
- Creation of a College and Career Academy
- Embedding employability skills (soft skills) into CTAE and academic courses
- Developing courses that are specific to workforce development needs of the region/community

Examples of Innovations Implemented in Charter Systems

ACADEMIC PROGRAM FLEXIBILITY

Education Programs

- Alternatives to retention for students who have not mastered the grade-level standards by the end of the traditional grading period by bridging students across grade levels, including greater use of online learning.
- Developing courses that are specific to student needs and interests
- Increased fine arts opportunities including enhanced foreign language programs in elementary schools

Examples of Innovations Implemented in Charter Systems

ACADEMIC PROGRAM FLEXIBILITY

Graduation Requirements

- Alternative ways for students to earn credit
- Expanded pathways to graduation through BYOT and technology integration, blended learning with FTE awarded for virtual learning, credit bearing internships and alternative graduation programs
- Creation of credit recovery programs
- Opportunities for accelerated instruction

Examples of Innovations Implemented in Charter Systems

ACADEMIC PROGRAM FLEXIBILITY

Flexible Scheduling

- Use of intervention periods and extended day opportunities to enhance curricular offerings, help students remain grade appropriate, and give students the opportunity to accelerate their learning
- Develop the serve by 'need not label' model of support
- Hybrid-block, blended scheduling
- Implement alternative schedules and calendars to tailor instruction to each students rate of learning
- Utilize Flexible Service Models

Examples of Innovations Implemented in Charter Systems

HUMAN RESOURCES FLEXIBILITY

- Compensation alignment
- School and district calendars designed for collaborative planning, professional development, and instructional enrichment
- Certification requirements
- Utilization of 49% positions (superintendent, principal, media specialist, counselor, etc)

Examples of Innovations Implemented in Charter Systems

FINANCIAL FLEXIBILITY

- Allocations based on needs and not expenditure controls
- Authority at school level to budget and spend all QBE Charter System funds.
- Resource management (i.e., using school governance teams to set budget priorities);
- Class-size requirements
- School day and year for students and employees

Examples of Innovations Implemented in Charter Systems

OTHER

- Increased effectiveness in the use of community partnerships
 - Community and local business on school governance teams
 - Work with local business to provide industry instructors, teacher externships, student apprenticeships, and student internships

INNOVATE RELENTLESSLY

1. Be innovative

- (What do we need to do for our students?)

2. Use your flexibility

- (How can we make it happen?)

District Flexibility and Charter Schools-GADOE

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