



GCSA

**GEORGIA CHARTER
SCHOOLS ASSOCIATION**

2023 Legislative Update

Bonnie Holliday, Chief Strategy Officer

Order of Presentation

- Important Context
- Policy Priorities
- Policy Channels
- Policy Initiatives
- Policy Cycle (Timeline)
- Next Steps
- Stay Connected!

Important Context: 2023 Legislative Session

NEW MEMBERS & NEW LEADERS!

NOVEMBER ELECTION RESULTS	
Governor	Brian Kemp
Lieutenant Governor	Burt Jones
State Supt. of Schools	Richard Woods
Senate (18% New!)	33 R's (6 new); 23 D's (4 new)
House (24% New)	101 R's (19 new); 79 D's (25 new)
Speaker of the House	Jon Burns
Senate Pro Tem	John Kennedy
House Ed Comm. Chair	Chris Erwin
Senate Ed Comm Chair	Clint Dixon
House Ed Approps Chair	Matt Dubnik
Senate Ed Approps Chair	Billy Hickman

18% of Senate = New Members

24% of House = New Members

New Leadership in both House and Senate.

New Education Committee Chairmen in both House and Senate.

New Education Appropriation Sub-Committee Chairmen in Both House and Senate

2023 Policy Agenda

- Policy Priorities
- Policy Channels
- Policy Initiatives

Policy Priorities



- **Autonomy**: Charter schools are entitled to operate autonomously and should remain free of undue state and local regulation.
- **Equity**: Charter schools are public schools and should receive funding and resources at a level comparable to that of traditional schools.
- **Access**: Quality charter school applications should be approved, and successful charter schools should be renewed.
- **Quality**: The “charter bargain” requires increased accountability in exchange for increased flexibility and autonomy.

Policy Channels

- Legislation
- Appropriations
- Rule
- Organization-Level

State-Level Policy Cycle



SPRING:

- Communicate legislative and policy changes to schools.

SUMMER:

- Survey schools to identify issues in need of resolution

FALL:

- Vet policy agenda with key policymakers, state-level partners, and charter schools
- Present GCSA policy agenda to the board of directors for approval
- Identify and meet with bill sponsors

WINTER:



- Legislature in session January-April

House Bill 318 (GCSA's Bill)



Sponsor:

Scott Hilton (House Ed. Vice Chair);
Shelly Echols (Senate carry)

Signers:

Jan Jones (House Speaker Pro Tem)
Matt Dubnik (House Ed Approps Chr)
Mesha Mainor
Brad Thomas
Todd Jones.

Provisions:

1. Letters of Assurance
2. Administrative Withhold Fees
3. Local Charter School Funding
4. Charter School Oversight

HB 318: *Letters of Assurance*

Proposed Policy Change	Rationale
<p data-bbox="46 268 730 539">The bill clarifies that Letters of Assurance may be issued to charter schools for informational purposes, but LOAs do not represent an addendum to the charter contract.</p> <p data-bbox="46 615 730 768">The bill also provides charter schools a 30-day review period when LOAs are issued.</p>	<p data-bbox="730 268 1825 482">Some charter school authorizers use Letters of Assurance as de facto contracts containing measures, metrics and requirements beyond those outlined in the executed charter contract.</p> <p data-bbox="730 558 1825 1340">Common examples of inappropriate LOA provisions include: requiring charter schools to follow the district-wide school calendar, requiring charter schools to use a district-approved vendor list, requiring schools to alter valid facility agreements, requiring schools to provide a full continuum of Special Education services to the same extent as an LEA, requiring charter schools to use specific enrollment processes that aren't legally mandated, and restricting a charter school's fundraising abilities. Additionally, charter schools are often given inadequate time (1-2 days) to review and sign authorizer-issued letters of assurance, and if they fail to sign by the deadline, they put their charter status and continued school operations at risk.</p>

HB 318: *Administrative Withhold*

Proposed Policy Change	Rationale
<p>The bill increases financial transparency around the administrative withhold fee collected from charter schools (by local districts for local charter schools and by the State Charter Schools Commission).</p> <ol style="list-style-type: none">1. Clarifies that any administrative fee collected from a charter school by a local school system must be used to provide administrative services to the charter school.2. Increases financial transparency by requiring local districts to itemize and value any administrative services provided to a charter school.3. Ensures equity by requiring any unspent funds to be annually refunded to local charter schools (on a pro rata basis).	<p>Currently, authorizers may withhold up to 3% of each charter school's budget; however, authorizers are not required to disclose how those funds are spent. As a result, many charter schools are unable to determine if they are receiving administrative support at a level equal to the withhold percentage collected by the district. This policy shift would increase financial transparency by requiring local district authorizers and the state authorizer to itemize how they spend the administrative withhold fees they receive from charter schools.</p>

HB 318: *Local Charter School Funding*

Proposed Policy Change	Rationale
<p>The bill clarifies issues related to local charter school funding and enrollment.</p> <ol style="list-style-type: none">1. Requires local districts to fund charter schools based on schoolwide enrollment (as officially reported to the state) as long as the school has not exceeded its contractual enrollment cap.2. Clarifies that local charters are not entitled to local funding for enrollment that exceeds the contractual schoolwide enrollment cap.3. Clarifies that a local charter school may exceed its contractual enrollment cap by no more than 2% without being in breach of the charter agreement.	<p>Rationale: Some local authorizers have refused to fund charter schools based on enrollment if/when certain grade levels have more students than originally projected (even if the school has not exceeded its overall contractual enrollment cap). This funding approach severely limits a charter school’s ability to adapt to community need and adjust for natural enrollment variances between class cohorts from year to year.</p> <p>EX: A local charter school’s 1st, 2nd, and 3rd grade cohort estimates were each off by 6 students (because of student retentions and/or other natural variances in cohort sizes). Despite having 18 additional students in 1-3 grades, the entire school (K-5) is still not exceeding the schoolwide enrollment cap outlined in the charter contract. [THERE HAVE BEEN INSTANCES WHERE DISTRICTS HAVE ATTEMPTED TO WITHHOLD LOCAL FUNDING FOR THE 18 “ADDITIONAL” STUDENTS IN GRADES 1-3.)</p>

HB 318: *Charter School Oversight*

Proposed Policy Change	Rationale
<p data-bbox="59 247 917 515">The bill shifts the Office of Charter School Compliance (currently housed in GaDOE) to the State Charter Schools Commission and streamlines the office to focus solely on state and local charter schools.</p> <p data-bbox="59 594 884 743">The responsibilities of the Office of Charter School Compliance—as they relate to state and local charter schools—remain the same.</p> <ol data-bbox="59 768 908 1210" style="list-style-type: none"><li data-bbox="59 768 807 861">1. Nothing changes about local charter school contracts.<li data-bbox="59 882 801 975">2. Nothing changes about local district obligations/operations.<li data-bbox="59 996 908 1210">3. SCSC staff will report to the SBOE on local charter school matters, and they will report to SCSC Commissioners on state charter school matters.)	<p data-bbox="944 247 1835 461">Shifts all charter school oversight responsibilities to a single agency (specifically—to the SCSC; the state agency solely focused on charter school authorization and oversight).</p> <p data-bbox="944 536 1827 743">This shift will also ensure local boards receive the enhanced support required to perform well on the SBOE approved charter authorizer standards.</p> <p data-bbox="944 822 1831 1150">The shift will ensure increased transparent and timely communications with the SBOE so that appropriate interventions, mediation and other strategies can be employed if and when issues arise between local charter schools and district authorizing offices.</p>

Appropriations:

Charter School Facility Grants

GCSA's Request	Rationale
<p>Fully fund the charter school facility grant.</p> <p>(Increase fund to provide each school an annual allocation of \$100K to offset facility costs).</p>	<p>This request is aligned with the legislative intent of HB 430 of 2017 which sought to provide every charter school \$100K in facility grant funds every year. After 5 years, the grant fund is still only 75% funded.</p> <p>Why this matters: On average, charter schools receive less per-pupil capital funding than traditional public schools, and charter schools often lack access to low-cost district-owned facilities.</p> <p>Charter schools dedicate between 12%-18% of their operating budgets to rent and/or facility-specific debt-service payments, yet—unlike traditional public schools—they lack access to affordable capital for facility financing (i.e., local ESPLOST dollars and state capital outlay grants).</p>

GCSA has successfully advocated for incremental increases (totaling \$6M) to the charter facility over the last 4 years. Prior to FY20, the grant fund had an annual appropriation of \$1.5M which was allocated to a limited number of schools on a competitive basis.

BILL TRACKING: *NON-CHARTER CHOICE BILLS*

BILL	SUMMARY	STATUS
HB 87; Chris Erwin <i>Creates a new category of non-traditional schools.</i>	<p>Transitions a subset of state chartered special schools (not to be confused with state charter schools) to “nontraditional special schools” as of July 1, 2023. The schools will focus on drop-out prevention and credit recovery.</p> <p>The bill designates oversight authority to SBOE and provides a funding formula for schools (effective upon expiration of their current state special school contracts).</p>	PASSED HOUSE
SB 233: Greg Dolezal	<p>Creates state-funded promise scholarships in the amount of \$6,000.00 per year (per student). Bill was amended to limit scholarship eligibility to students in the bottom 25 percent of schools of lowest performing schools.</p>	PASSED SENATE
HB 101: Clint Crowe	<p>Increases the cap for SSO donations from \$120M to \$130M per year (starting in 2024).</p>	PASSED HOUSE

BILL TRACKING: *HEALTH AND SAFETY*

(*NON-WAIVABLE*)

BILL	SUMMARY	STATUS
HB 338: Chris Erwin	Requires LBOEs and charter school governing bds to annually submit acceptable-use policies and technology protection measures to SBOE.	PASSED HOUSE
HB 402: Scott Hilton	Requires public schools to provide water safety education to parents and guardians.	PASSED HOUSE
SB 32: Jason Anavitarte	“Alyssa's Law” requires school districts to implement a mobile panic alert system that connects emergency services to ensure real-time coordination between local and state law enforcement and first responders by July 1, 2024.	PASSED SENATE
SB 169: Chuck Payne	Limits extensions of hearing dates for discipline tribunals; requires school systems to provide grade-level instructional materials to any suspended student (in-school, short/long-term)	PASSED SENATE

BILL TRACKING: ALL HOUSE (EDUCATION)

BILLS	
HB 3: Sandra Scott; Provides SBOE grants to LUAs to support students living in poverty.	HB 141: Mesha Mainor; Requires local school systems to conduct suicide screenings on all students 8-18;
HB 8: Sandra Scott; Requires school attendance policies to take into mental and behavioral health into account.	HB 148: Carolyn Hugley; Provides grant funds to be paid by public schools to student teachers who successfully complete their student teaching requirements;
HB 32: Demetrius Douglas; Prohibits high schools from participating in football championship games if instant replay is not utilized.	HB 152: Sandra Scott; Adopts the Interstate Teacher Mobility Compact.
HB 51: Clay Pirkle; Authorizes LBOEs to use vehicles other than school buses for the transport of all students to and from school and school activities. PASSED HOUSE	HB 173: Gregg Kinnard; Mandates Pre-K and kindergarten for all children prior to entering into first grade; lowers the age of compulsory school attendance to four years old;
HB 65; Mandisha Thomas; Creates a pilot program to develop learning recovery programs for at-risk students to mitigate COVID-19 related lost instructional time.	HB 174: Patty Bentley; Requires GaDOE to provide to parents and guardians of sixth grade students with information regarding adolescent vaccinations.
HB 81: John Corbett; Revises the eligibility criteria for certain capital outlay grants for low-wealth school system. PASSED HOUSE	HB 177: Jasmine Clark; Provides that the prescribed course of study in sex education and HIV prevention instruction is age appropriate
HB 87: Chris Erwin; Creates "Completion Special State Schools" (covers Mountain Ed, Coastal Plains, and Foothills Schools). Clarifies funding mechanism and expansion parameters PASSED HOUSE	HB 202: Kim Schofield; Provides that student performers shall not be counted absent from school due to performing in certain productions.
HB 111; Sandra Scott; Creates a pilot program to implement the student based funding recommendations of the 2015 Education Reform Commission	HB 236: Sandra Scott; Exempts from DECAL coverage childcare providers licensed by a branch of the armed services of the United States
HB 101: Clint Crowe; Increases SSO donation cap to \$130M/year (starting in 2024). PASSED HOUSE	HB 238: Roger Bruce; Establishes a 5-year pilot program to incentivize LUAs to utilize school bus monitors
HB 127: Mesha Mainor; Requires local school systems to conduct outreach efforts about ESOL program	

BILL TRACKING: ALL HOUSE (EDUCATION)

BILLS	
HB 297: Yasmin Neal; Revises the minimum base salary for cert. professional personnel with bachelor's degrees	HB 443: Mitchell Horner; Provides for a printed copy of the US Constitution to be provided to every public school student
HB 318: Scott Hilton (GCSA Bill) – PASSED HOUSE	HB 457: Bethany Ballard; Removes the needs development rating from the group of evaluation ratings which may adversely impact an educator's ability to obtain a renewable certificate from the GaPSC
HB 320: Sandra Scott; Requires all certificated public school personnel to receive annual training in depression and suicide awareness and prevention	HB 469: Penny Houston; Requires public schools to cooperate with local law enforcement agencies to ensure detailed school building plans, site plans, and crisis response mapping data are shared.
HB 338: Chris Erwin; Requires LBOEs and charter school governing bds to annually submit acceptable-use policies and tech. protection measures to SBOE. PASSED HOUSE	HB 504: Matt Hatchett; Excludes amounts attributable to level 1 freeport exemptions for purposes of calculating LFMS. PASSED HOUSE.
HB 340: John Corbett; Provides for daily duty-free planning periods for teachers in grades six through 12. PASSED HOUSE	HB 506: Ginny Ehrhart; Provides for the recognition of certain accrediting agencies as reliable authorities as to the quality of education offered in public secondary schools in this state.
HB 341: Sandra Scott: the "Blind Persons' Braille Literacy Rights and Education Act"; requires an evaluation of a blind or visually impaired student to determine such student's need for Braille instruction.	HB 510: Imani Barnes; Provides for free breakfast and lunch programs for all public school students in this state who qualify for FRL
HB 356: Debra Bazemore; Prohibits the use of corporal punishment by school administrators, teachers, and other school personnel with any public school student	HB 513: Jasmine Clark; Requires sex education and HIV prevention instruction is age appropriate
HB 367: Sandra Scott; Provides for up to \$500,000 in matching grants by the SBOE to LUAs for the purpose of providing home reading programs for students in	HB 527; Imani Barnes; Provides for the inclusion of certain visual safety devices in minimum facility requirements
HB 402: Scott Hilton; Requires public schools to provide water safety education to parents and guardians. PASSED HOUSE	HB 535; Mandisha Thomas; Issues information to all certified unaccompanied homeless youth

BILL TRACKING: *ALL HOUSE (EDUCATION)*

BILLS	
HB 537: Becky Evans; Requires DECAL to provide for age-appropriate evidence-based literacy instruction training requirements for certain childcare providers	HB 579: Carter Barrett; Revises provisions for expedited completion of a student's first Individualized Education Program; to revise the requirement that students who previously qualified for the scholarship have an Individualized Education Program or Section 504 plan
HB 538: Bethany Ballard; Requires the SBOE to approve high-quality instructional materials to be used for teaching students in K-3. PASSED HOUSE	HB 646: Kim Schofield; prohibits public schools and local school systems that receive state funding from using Native American names, symbols, or images as school mascots, logos, or team names.
HB 562: Todd Jones; provide for the recognition of certain accrediting agencies as evaluators of the quality of education offered in public schools in this state	HB 652: Mesha Mainor; requires public schools to disseminate through multiple methods its school report card each year to the parent, guardian, conservator, or other person having lawful control of each student at the school; to require public school governing bodies to adopt procedures for parents to submit written requests for the Professional Standards Commission to investigate certain allegations
HB 578: David Wilkerson; Requires the development and distribution of an educational fact sheet that provides information concerning the use and misuse of opioid drugs in the event that a student athlete is prescribed an opioid for a sports related injury	HB 668: Phil Olaleye: add a QBE program weight for students living in poverty

BILL TRACKING: ALL SENATE (EDUCATION)

BILL	
<p>SB 4: Gail Davenport; Requires an evaluation of a blind or visually impaired student to determine the need for Braille instruction requires Braille instruction in the IEP of a blind or visually impaired student as appropriate. PASSED SENATE.</p>	<p>SB 98: Jason Anavitarte; Prohibits LBOE members from discussing individual personnel matters with school officials except under certain circumstances provided by law</p>
<p>SB 18: Donzella James; Allows students to go to any school within the same high school cluster as the original school as long as they continue to live in the district. Siblings are also allowed to attend the same school.</p>	<p>SB 123: Jason Anavitarte; Requires the state to fund a nationally recognized CCR assessment and an assessment leading to a nationally recognized workforce credential to students in grades 11 and 12 who choose to participate</p>
<p>SB 32: Jason Anavitarte; “Alyssa's Law” requires school districts to implement a mobile panic alert system that connects emergency services to ensure real-time coordination between local and state law enforcement and first responders by July 1, 2024. PASSED SENATE.</p>	<p>SB 147: Shawn Still; Permits student transfers between local school systems without contracts between the student’s resident district and the enrolling district. TABLED.</p>
<p>SB 50: Max Burns; Allows high schools to provide instruction in lifeguarding and aquatic safety for Carnegie unit curriculum credits. PASSED SENATE.</p>	<p>SB 154: Greg Dolezal; relating to sale or distribution of harmful materials to minors, so as to provide that the provisions of Code Section 16-12-103 shall be applicable to libraries operated by schools</p>
<p>SB 58: Clint Dixon; Senate mirror bill to HB 87 re: the recategorization of schools like Mountain Ed and Foothills.</p>	<p>SB 169: Chuck Payne; Limits extensions of hearing dates for discipline tribunals; requires school systems to provide grade-level instructional materials to any suspended student (in-school, short/long-term) PASSED SENATE</p>
<p>SB 88: Carden Summers; Prohibits certain actions by an adult acting in loco parentis with respect to child privacy</p>	<p>SB 170: John Albers: Allows for the selection of students to advise the SBOE and LBOEs PASSED SENATE</p>
<p>SB 96; Jason Anavitarte; Requires PSC procedures for certification programs to be neutral with respect to whether such programs are provided by for profit, not for profit, and out of state entities</p>	<p>SB 202: Sheikh Rahman; provide for an outdoor learning spaces pilot program</p>

BILL TRACKING: ALL SENATE (EDUCATION)

BILLS	
<p>SB 204: Greg Dolezal; Provides for the recognition of certain accrediting agencies as evaluators of the quality of education offered in public schools in this state.</p> <p>PASSED SENATE</p>	<p>SB 250: Clint Dixon; Revises the definition of "energy cost savings measures".</p>
<p>SB 207: Jason Esteves; Revises the minimum base salary for certificated professional personnel with bachelor's degrees.</p>	<p>SB 252: Jason Anavitarte; Authorizes the SBOE to establish a program to assist with home study programs through the use interactive online learning modules for instruction of students in grades 6-12 in US History.</p>
<p>SB 208: Greg Dolezal; provides for development impact fees for education.</p>	<p>SB 261: Greg Dolezal: Prohibits postsecondary educational institutions, local school systems, and elementary and secondary schools from passing certain tests or meeting certain qualifications as a condition of admission into, or promotion within, any public educational institution of the state, as teacher, employee, or student.</p>
<p>SB 211: Billy Hickman; Provides for consultation with subject matter experts and requires local school systems to develop and implement five-year literacy plans and individual literacy plans for students K-5.</p> <p>PASSED SENATE.</p>	<p>SB 268: Nabilah Islam; Removes the requirement that local school systems requesting flexibility must select at least one waiver or variance request from a prescribed list of options</p>
<p>SB 233; Greg Dolezal: Creates state-funded promise scholarships in the amount of \$6,000.00 per year (per student). (Bill was amended to limit scholarship eligibility to students in the bottom 25 percent of schools of lowest performing schools.) PASSED SENATE</p>	<p>SB 284: Jason Esteves; Add a program for students living in poverty to the table of quality basic education instructional programs with weights and student-teacher ratios</p>
<p>SB 241: Billy Hickman; Lowers the starting age for compulsory education from 6 to 5 years of age.</p>	

STATE BUDGET

Rationale

Amended FY23 Budget: (PASSED)

- K-12 education received an increase in several key areas.
- Fully funds QBE (\$12.4B)
- \$138M for school security grants (\$60K/school)
- Mid-term adjustment (\$128.2M)
- \$5M to encourage paraprofessionals with bachelor's degrees to become certified teachers

FY 24 Budget: (PASSED HOUSE) -- \$32.5B

- Education funding increases overall by \$1.2B (or 11%) over the FY23 amount.
- \$290M for another \$2K state salary schedule increase for certified teachers and employees (effective Sept 1, 2023). \$1K salary increase for nutrition workers, bus drivers, and custodians
- \$155M (enrollment growth & T/E for teachers)
- \$27 million to fully fund one school counselor for every 450 students.
- SCSC supplement: \$43.8M REDUCTION to State Charter Supplement funds (reflects the expiration of state charter contracts for Mountain Education and Coastal Plains and the shift of Foothills to a state chartered special school.)
- **\$1.7M (new)/ 9.2M (total) recommended by House for Charter Facility Grant Funds.**

STATE BUDGET: SHBP INCREASES

Rate Increase Summary

Amended FY23

- In AFY23 the employer contribution is increasing from \$945 to \$1,580 for certified employees effective January 1, 2023. (\$420,250,950 is provided in the QBE program to cover the increase.)
- In AFY23 local five mill share is not adjusted to provide a hold harmless to districts (including state charter schools)

Note:

- The Employer Contribution Rate for cert. employees has not increased since FY2014.
- Projections indicate that expenses for this group will increase 11% over the next 2-3 fiscal years
- *Non-SHBP schools still get the increase in funding.*

Fiscal Year 24

- The certified employer contribution remains \$1,580. (\$840,105,000 is provided in the QBE program to cover the increase.)
- The **non-certified** employer contribution increases to the same \$1,580 rate effective Jan. 1, 2024. (Local school systems and state charters absorb this cost)
- Increases for non-cert. employees haven't occurred since FY 2018.

Note:

- Projections indicate that expenses for non-certified employees will increase 7% over the next 2-3 fiscal yrs

State-Level Policy Cycle



SPRING:

- Communicate legislative and policy changes to schools.

SUMMER:

- Survey schools to identify issues in need of resolution

FALL:

- Vet policy agenda with key policymakers, state-level partners, and charter schools
- Present GCSA policy agenda to the board of directors for approval
- Identify and meet with bill sponsors

WINTER:



- Legislature in session January-April

Next Steps

SPRING (Post-Legislative Session)

Webinar with member schools to review important policy changes and the impact of those changes on charter schools.

SUMMER/EARLY FALL

Listening sessions with charter schools

Stay Engaged and Informed!

- Get regular updates through our weekly newsletter and monthly information calls.
- Text the word “CHARTER” to 25994 to receive key advocacy alerts. (Message and data rates may apply; Text STOP to opt out or HELP for help).

QUESTIONS?

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A large, faint version of the stylized orange 'G' logo with a green leaf-like shape is positioned in the lower-left quadrant of the slide.