

CHARTER FOR ATLANTA PUBLIC SCHOOLS

This Charter for Atlanta Public Schools County Schools (“Charter”) is entered into by the Atlanta Public Schools Board of Education (“Local Board”) and the State Board of Education (“State Board”) (collectively referred to as “the parties”).

WHEREAS, the Local Board approved the petition proposing to establish a charter system pursuant to O.C.G.A. § 20-2-2060 *et seq.*, the Charter Schools Act of 1998 (“Charter Schools Act”);

WHEREAS, the State Board finds that the petition complies with the provisions of the Charter Schools Act, and the rules, regulations, policies, and procedures promulgated in accordance with O.C.G.A. § 20-2-2063 and further finds that the petition is in the public interest and promotes school level governance; and,

WHEREAS, pursuant to O.C.G.A. § 20-2-2063.2, the State Board grants this Charter to permit the Local Board to establish a charter system as defined in O.C.G.A. § 20-2-2062 (“Charter System”) in accordance with the terms and conditions of this Charter.

NOW THEREFORE, in consideration of the promises, mutual agreements, and covenants contained herein and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Definitions. The terms below will be interpreted in accordance with the following definitions, unless and until federal or state law, or the state accountability system, is amended otherwise:
 - a. Elementary and Secondary Education Act as Amended (“ESEA as Amended”): The federal education statute, originally passed by the U.S. Congress in 1965, that defines the role of the federal government in public education and authorizes many of the major federal education programs, including Title I. This Act was reauthorized by Congress in 2015 as the Every Student Succeeds Act (“ESSA”).
 - b. College and Career Academy: A specialized school established as a charter school or pursuant to a contract for a strategic waivers school system or charter system, which formalizes a partnership that demonstrates a collaboration between business, industry, and community stakeholders to advance work force development between one or more local boards of education, a private individual, a private organization, or a state or local public entity in

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cooperation with one or more postsecondary institutions.

- c. College and Career Ready Performance Index (“CCRPI”): A comprehensive school improvement, accountability, and communication platform for all educational stakeholders that will promote college and career readiness for all Georgia public school students.
 - d. Georgia Department of Education (“GaDOE” or “Department”): The Georgia Department of Education is the state agency charged with the fiscal and administrative management of certain aspects of K – 12 public education, including the implementation of federal and state mandates. Such management is subject to supervision and oversight by the State Board of Education.
 - e. Local Educational Agency (“LEA”): A Local Educational Agency is the public authority legally constituted by the state as an administrative agency to provide control of and direction for kindergarten through Grade 12 public education institutions.
 - f. Material term or provision: A material term or provision is an important or substantial aspect in the Charter. A change to a material term or provision in the Charter gives a legal effect different from that which it originally intended. A change to a material term alters the rights, obligations, interests, or relations of the parties.
 - g. State Board of Education (“SBOE” or “State Board”): The State Board of Education is the constitutional authority, which defines education policy for public K – 12 education agencies in Georgia.
 - h. State Performance Target: The state performance target is set using all students with the goal of decreasing the percentage of students who are not proficient.
2. Charter Term. The State Board grants this Charter to the Local Board to operate a Charter System for a 5-year term beginning on July 1, 2021 and expiring on June 30, 2026.
 3. Responsibility. The Local Board shall ultimately be responsible for all duties to be performed by the Charter System and the schools within the Charter System under this Charter.
 4. Charter System Schools.

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- a. Except as expressly indicated herein, all schools with a CCRPI designation, including new schools opening during the term of this charter, within the approved Charter System shall be Charter System Schools.
- b. The Charter System shall notify the Department of any new Charter System Schools prior to obtaining a School Code.
- c. Locally approved start-up charter schools, conversion charter schools with separate charters and schools with admissions criteria, including but not limited to alternative education centers and magnet schools, shall be excluded from the Charter System.
- d. The following schools are not part of the Charter System:
 - i. Atlanta Classical Academy
 - ii. Atlanta Neighborhood Charter Schools – Elementary and Middle
 - iii. Centennial Academy
 - iv. Drew Charter School – Elementary, Junior and Senior Academies
 - v. Kindezi School – Westlake and Old Fourth Ward
 - vi. KIPP Atlanta Charter Schools (all primaries, academies and high schools)
 - vii. Latin Academy
 - viii. Wesley International Academy
 - ix. Westside Atlanta Charter School
- e. Any College and Career Academy (“CCA”) opened by or any existing CCA included in the Charter System must meet the definition of a College and Career Academy as defined in State Board Rule 160-4-9.04. The Charter System must notify the Department and the Technical College System of Georgia of the opening, and the College and Career Academy must meet the following requirements related to College and Career Academies:
 1. If an existing CCA is included in the Charter System, then the current CCA’s governing board would continue as the governing board of the College and Career Academy, using its current by-laws for operation and procedures for electing members;
 2. Provide a Roles and Responsibilities Chart between the College and Career Academy governing board, the charter system, and the CCA’s higher education and business partners that includes the following:

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- Information on the CCA’s decision making authority regarding personnel decisions, financial decisions, curriculum and instruction resource allocation, establishing and monitoring the achievement of school improvement goals, and school operations;
 - Information on how the CCA will be funded by the District and other strategic partners; and
 - Information on the services and supports to be provided to the CCA by the local district; and
3. The district’s charter system contract shall include the College and Career Academy as an Essential or Innovative Feature.
5. Mission Statement. The Charter System mission is: “Through a caring culture of equity, trust, and collaboration, every student will graduate ready for college, career, and life.”
6. Essential or Innovative Features. The Charter System shall implement, but is not limited to, the following innovations:
- a. The build-out and developing work of the new Center for Equity and Social Justice
 - b. Full implementation of the College and Career Academy in partnership with Atlanta Tech
 - c. Full implementation of positive behavior support approach and restorative justice strategies
 - d. The district will implement School and District Accountability Reviews
7. 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 Section 9 below, 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.
8. Accreditation. The district’s accreditation pursuant to O.C.G.A. § 20-3-519(6)(A)(i) shall be

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maintained for the duration of the charter term.

9. Performance-Based Goals and Measurable Objectives. In exchange for the flexibility granted in Section 7 above, the Charter System agrees to meet or exceed the performance-based goals and measurable objectives that are designed to result in improvement of student achievement as set forth in **Appendix A** attached to this Charter.
10. Organizational Goals and Measurable Objectives. In exchange for the flexibility granted in Section 7 above, the Charter System agrees to meet or exceed the organizational goals and measurable objectives that are designed to result in improvement of organizational efficiency and school-level governance as set forth in **Appendix A** attached to this Charter.
11. Assessment and Accountability. Notwithstanding Sections 7 and 9 above, each Charter System School is subject to all accountability and assessment requirements set forth within Title 20 of the Official Code of Georgia Annotated and any corresponding State Board Rules, including but not limited to the accountability provisions of O.C.G.A. § 20-14-30 through § 20-14-49, O.C.G.A. § 20-2-73, and the use of Teacher and Leader Effectiveness Systems, including Student Learning Objectives. The Charter System Schools are also subject to all federal accountability requirements under the Elementary and Secondary Education Act, subject to any amendment, waiver or reauthorization thereof.
12. Annual Report. The Charter System shall submit an annual report by November 1 of each year to the Georgia Department of Education that complies with all requirements set forth in O.C.G.A. § 20-2-2067.1(c), including but not limited to an indication of the Charter System's progress towards the goals and objectives stated in Section 9 above and all state-mandated assessment and accountability scores from the previous year, if available.
13. Open Enrollment and Admissions. The Charter System shall enroll students in its Charter System Schools per the terms of this Charter and in accordance with State Board rules. Each Charter System School shall comply with the open enrollment and admissions provisions set forth in O.C.G.A. § 20-2-2066. Enrollment shall be open to any student in accordance with the following criteria:
 - a. Attendance Zone. Enrollment shall be open to any student who resides within the attendance zone for the Atlanta Public School's System. The attendance zone for each Charter System School shall be determined by the Atlanta Public School's System.
 - b. Admissions. Charter System Schools may not use admissions criteria or applications that would not otherwise be used at a traditional public school,

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including but not limited to, requests for letters of recommendation, essays, resumes, or information regarding a student's school or community activities, grades, test scores, attendance record, or disciplinary history. Charter System Schools may use applications for verifying students' residence within the Charter System School's attendance zone. Charter System Schools may gather supplemental information from students after enrollment is determined.

14. Withdrawal Without Penalty. The Charter System and each Charter System School shall comply with the provisions of O.C.G.A. § 20-2-2066(d).

15. State and Federally Mandated Educational Services.

a. Students with Disabilities. The Charter System and each Charter System School shall comply with all federal special education laws and regulations, including Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Individuals with Disabilities Education Act. Special education teachers must have a bachelor's degree and must either be certified in special education or hold a special education license in Georgia.

b. English Language Learners. The Charter System and each Charter System School shall comply with all applicable state and federal laws and regulations relating to the provision of educational services to English Language Learners.

c. Supplemental Education. The Charter System and each Charter System School shall provide supplemental education services in required cases pursuant to State Board of Education Rule 160-4-5-.03 and Elementary and Secondary Education Act, subject to any amendment, waiver or reauthorization thereof.

d. Remediation. The Charter System and each Charter System School shall provide remediation in required cases pursuant to State Board of Education Rule 160-4-5-.01 and the Elementary and Secondary Education Act, subject to any amendment, waiver or reauthorization thereof.

16. Governance Structure.

a. Governing Body. Each Charter System School shall utilize a Governing Council as its governing body, which shall operate with the intent and purpose of maximizing school-level decision making. The Governing Councils shall be responsible for complying with and carrying out the provisions of this Charter, including compliance with all applicable law. For the purposes of the Appendices

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attached to this Charter, the Governing Councils shall be designated as the School Governance Teams (“SGTs”).

- b. School-Level Governance. The Governing Councils shall maximize school-level governance, which is defined as 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.
- c. Control and Management by Local Board. The Governing Council at each Charter System School shall be subject to the control and management of the Local Board.
- d. Function. It shall be the function of the Governing Councils to maximize school-level governance, uphold the Charter System’s mission and vision, set policy for each Charter System School, ensure effective organizational planning, and ensure that Performance-based Goals and Measurable Objectives set forth in Sections 9 and 10 are met.
- e. Decision-Making Authority. The decision-making authority of the principal of each Charter System School, the School Governing Council of each Charter System School, and the Local Board in personnel decisions, including hiring school principals and teachers; financial decisions; curriculum and instruction; resource allocation; establishing and monitoring the achievement of school improvement goals; and school operations shall be implemented.
- f. Annual Training. The Local Board shall adopt an annual training program that includes, at a minimum, an explanation of charter system culture and expectations. All Local Board members, all Governing Council members, the Superintendent, key Local District staff, and principals of Charter System Schools shall be trained.
- g. Public Meetings. The Governing Councils are subject to and shall comply with the Open and Public Meetings Act, O.C.G.A. § 50-14-1 *et seq.*, and any subsequent amendment thereof. The Governing Councils shall conduct regular meetings consistent with principles of transparency and avoidance of actual or apparent conflicts of interest in the governance of each Charter System School.
- h. Public Records. The Governing Councils are subject to and shall comply with the Georgia Open Records Act, O.C.G.A. § 50-18-70 *et seq.*, and any subsequent amendment thereof. The Governing Councils shall maintain their adopted

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policies, budgets, meeting agendas and minutes and shall make such documents available for public inspection.

- i. Conflicts of Interest. The Charter System shall establish a formal policy to prevent and disclose conflicts of interest. Members of the Governing Councils and Charter System School employees shall abide by such conflicts of interest policy.
- j. Public Status. The Local Board assures that each Charter System School shall be a public, nonsectarian, nonreligious, nonprofit school organized and operated under the laws of the State of Georgia. The Local Board further assures that the Charter System Schools shall not be home based.
- k. Governance Council Compensation. The Charter System shall not compensate Governance Council members in excess of reasonable expenses incurred in connection with actual attendance at council meetings or with performance of duties associated therewith.

17. Fiscal Control.

- a. Annual Audit. The Charter System shall be subject to an independent annual financial audit conducted by the Georgia Department of Audits and Accounts or an independent CPA licensed in Georgia as required by law.
- b. Federal Monitoring Requirements. Each Charter System School shall comply with all federal monitoring requirements related to the receipt of federal funds.
- c. Charter School Program Grant Funds Eligibility. In the event the Charter System seeks grant funds under the federal Charter School Program, the Charter System must satisfy all federal eligibility requirements as a prerequisite to applying for and receiving such funds.
- d. Insurance. Prior to opening, the Charter System shall secure adequate insurance coverage, and the Charter System shall maintain such coverage throughout the Charter term in accordance with the laws of the State of Georgia. Prior to execution of this Charter, the Charter System shall secure adequate insurance coverage and the Charter System shall maintain such coverage throughout the Charter term in accordance with the laws of the State of Georgia.
- e. Responsibility for Debts. The Charter System is solely responsible for all debts

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incurred by the Charter System and its governing body. Except as agreed hereto, the State Board shall not be contractually bound to the Charter System or to any third party with whom the Charter System has a contract or from whom the Charter System has purchased goods or services.

18. Compliance with Other Laws, Rules, and Regulations. The Charter System and each Charter System School shall operate in accordance with the United States Constitution, the Constitution of the State of Georgia and all applicable federal, state and local laws that may not be waived pursuant to O.C.G.A. § 20-2-2065, including the following, which are listed by way of example and not by way of limitation.
- a. Civil Rights, Insurance, Health and Safety and Conflicting Interests. The Charter System and each Charter System School shall operate in accordance with all applicable federal, state, and local rules, regulations, court orders and statutes relating to civil rights; insurance; the protection of the physical health and safety of students, employees, and visitors; conflicting interest transactions and the prevention of unlawful conduct.
 - b. Asbestos Remediation. The Charter System and each Charter System School shall comply with the terms of any applicable asbestos remediation plan.
 - c. Unlawful Conduct. The Charter System and each Charter System School shall be subject to all laws relating to unlawful conduct in or near a public school.
 - d. Student Conduct and Discipline. The Charter System and each Charter System School shall maintain and implement a written policy regarding student discipline, which policy shall be consistent with due process.
 - e. State Board Rules. The Charter System and each Charter System School shall operate in accordance with all State Board Rules promulgated in accordance with O.C.G.A. § 20-2-240 during the term herein that are not subject to any waiver granted in Section 7 above.
 - f. Prohibition on Discrimination. The Charter System and each Charter System School shall not discriminate against students on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status, academic ability, the need for special educational services or any other characteristic protected by local, state or federal law.
 - g. Reporting Requirements. The Charter System and each Charter System School shall

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be subject to all reporting requirements of O.C.G.A. §§ 20-2-160, 20-2-161(e), 20-2-320 and 20-2-740.

- h. Tuition. The Charter System and each Charter System School shall not charge tuition or fees to its students except as may be authorized for local boards pursuant to O.C.G.A. § 20-2-133.
 - i. Brief Period of Quiet Reflection. The Charter System and each Charter System School shall comply with O.C.G.A. § 20-2-1050, which requires a brief period of quiet reflection.
 - j. Individual Graduation Plans. The Charter System and each Charter System School shall comply with O.C.G.A. § 20-2-327 related to Individual Graduation Plans.
 - k. Family Educational Rights and Privacy Act. The Charter System and each Charter System School are subject to all provisions of the federal Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g. In the event a Charter System School closes, it shall transmit all official student records in the manner prescribed by the State Board.
 - l. QBE Formula Earnings. The Charter System acknowledges that criteria used to calculate Quality Basic Education (“QBE”) funding may not be waived.
 - m. Funding. The Charter System acknowledges that, although becoming a Charter System provides a district maximum flexibility, waivers cannot be used to generate additional funding.
 - n. Early Intervention Programs. The Charter System shall comply with O.C.G.A. § 20-2-153 related to early intervention programs.
19. Compliance with Rules, Practices, Policies, and Procedures of the Department. The Charter System shall operate in accordance with the rules, practices, policies, and procedures established by the Department under the authority granted by O.C.G.A. § 20-2-2063 *et seq.*
20. Employment Matters. Employees at each Charter System School shall not be considered employees of the State Board or Department.
- a. Background Checks. Each Charter System School shall adopt background check procedures and shall ensure that all prospective staff members undergo a fingerprinting and background check prior to beginning employment at the Charter System School.

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- b. Teachers Retirement System. All teachers at each Charter System School shall be members of the Georgia Teachers Retirement System (“TRS”) and subject to its requirements unless otherwise provided by law.
21. Record Inspection. Subject to state and federal laws, the Local Board, the State Board, its agents, and the state auditor’s office shall have the right to examine and copy all records, reports, documents, and files relating to any activity, program, or student at each Charter System School.
22. Facilities.
 - a. Should the Charter System choose to participate in capital outlay pursuant to O.C.G.A. §§ 20-2-260 through 20-2-262, the Charter System shall meet with all applicable Law, Rules, and Regulations.
 - b. Should the Charter System choose to not participate in capital outlay pursuant to O.C.G.A. §§ 20-2-260 through 20-2-262, the Charter System shall meet the following requirements:
 - i. Approval of Site and/or Facility. The Charter System shall obtain proper approval for all sites and/or facilities prior to committing to any certificate of lease or ownership, prior to commencing any construction and prior to student occupation. The Charter System shall contact the Georgia Department of Education’s Facilities Services Division regarding the following:
 1. Site Approval. No less than nine (9) months prior to proposed occupation, the Charter System shall contact the Facilities Services Division and obtain site approval. Once site approval has been granted, the Charter System will be issued a site code. The Charter System shall not commit to any certificate of lease or ownership, allow any construction to commence, nor allow student occupation prior to site approval.
 2. Architectural Review. The Charter System shall submit and have approved by the Facilities Services Division all architectural plans for any facility that will house the Charter System during the charter term. The Charter System shall not commit to any certificate of lease or ownership, allow any construction to commence nor allow student occupation prior to architectural review.
 3. School Code Approval. After securing both site approval and architectural

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review approval a school code shall be obtained. The Charter System shall properly obtain a school code prior to occupancy of the site and/or facility.

- ii. Prior to the beginning of the charter term, the Charter System shall obtain documentation from the Facilities Services Unit that the Department is in possession of the following documents for each Charter System School:
 1. Documentation of Ownership or Lease Agreement. The Charter System shall obtain documentation of ownership or the lease agreement for each Charter System School.
 2. Certificate of Occupancy. The Charter System shall obtain a Certificate of Occupancy for each Charter System School.
 3. Emergency Safety Plan. The Charter System shall prepare a safety plan in accordance with O.C.G.A. § 20-2-1185. This plan for every Charter System School shall be submitted to the local emergency management agency and the local law enforcement agency for approval.
 - c. The Charter System further agrees that the list of requirements with regard to Facilities contained herein may not be exhaustive to the extent that they impact student health and safety and therefore the Charter System should approach the Facilities Services Unit prior to committing to any certificate of lease or ownership, allowing any construction to commence or allowing student occupation of a facility.
23. Grant Programs. To the extent that the Charter System wishes to participate in a state or federal grant program, the Charter System hereby acknowledges that the requirements of the grant program may not be waivable.
24. Transportation. The Charter System and each Charter System School shall comply with all applicable laws governing transportation of students.
25. Food Services. The Charter System and each Charter System School shall comply with all applicable laws governing food service for students.
26. Agreements with Local Board. This Charter shall not preclude any Charter System School from entering into an agreement with the Local Board, provided no such agreement supersedes, overrides or conflicts with any provision of this Charter.
27. Termination of Charter.

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- a. Termination Procedures. The parties acknowledge and agree that this Charter may be terminated following the procedures set forth in O.C.G.A. § 20-2-2068 and the accompanying State Board Rule.
- b. Requests for Termination. The termination of this Charter may be requested by any School Governing Council following the procedures set forth in O.C.G.A. § 20-2- 2068 (b) and the accompanying State Board Rule.
- c. Termination Grounds. In accordance with Sections 27(a) and (b), the State Board may terminate this Charter based on any of the following grounds:
 - i. The Charter System's failure to comply with any recommendation or direction of the State Board with respect to O.C.G.A. § 20-14-41;
 - ii. The Charter System's failure to adhere to any material term of this Charter, including but not limited to the performance goals set forth in Section 9 above;
 - iii. The Charter System's failure to meet generally accepted standards of fiscal management;
 - iv. The Charter System's violation of applicable federal, state, or local laws, or court orders;
 - v. The Charter System's failure to comply with any provision of O.C.G.A. § 20-2-2065;
 - vi. The existence of conditions that place the health, safety or welfare of students or staff of the Charter System in danger; or
 - vii. Other sufficient grounds the State Board finds appropriate to terminate the Charter as a result of evidence presented at the hearing on a request for termination.

28. Suspension.

- a. Pre-Opening Suspension. In the event the Charter System fails to comply with any provision set forth in this Charter that requires compliance prior to the opening of any Charter System School, the conversion to a Charter System may

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be suspended until a time after all requirements have been fulfilled by the Charter System and as determined by the Department. Suspension shall not result in an extension of the Charter term set forth above in Section 2.

- b. Emergency Suspension. In the event of an emergency, as solely determined by the State Board, the State Board, through a regular or special-called meeting, may suspend the operations of the Charter System until a termination hearing can be conducted, as set forth in O.C.G.A. § 20-2-2068 and the accompanying State Board Rule.

29. Renewal, Non-Renewal and Probationary Status.

- a. Renewal. The Charter may be renewed by agreement of the parties following the procedures set forth in the Charter Schools Act and accompanying State Board Rule.
- b. Non-Renewal. Any grounds for termination stated in Section 27(c) above may also be grounds for non-renewal. In addition, the State Board may elect not to renew the Charter if the petition for renewal does not comply with the Charter Schools Act and the rules, regulations, policies and procedures promulgated in accordance with the Charter Schools Act or if the State Board deems that the Charter System or a Charter System School has not sufficiently increased student achievement or is no longer in the public interest.
- c. Probationary Term. In the event the State Board determines that the Charter System has failed to comply with any provision of this Charter, the State Board may elect to grant a renewal for a probationary term, within which term the Charter School must come into compliance satisfactory to the Department.

30. Interventions and Sanctions. The State Board shall impose one or more of the interventions or sanctions identified in O.C.G.A. § 20-14-41 and O.C.G.A. § 20-14-45 through § 20-14-49 for the Charter System and Charter System Schools that receive an unacceptable rating on student achievement, achievement gap closure, student progress, or any combination thereof.

31. Temporary Extension. At the discretion of the Department and the local Superintendent, a Charter System may be extended for a grace period not exceeding sixty (60) days.

32. Amendments to Charter. Any material term of this Charter, to be determined by the Department, may be amended in writing upon the approval of the Local Board and the State

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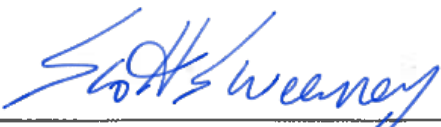
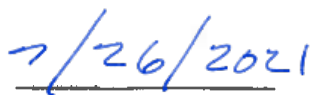

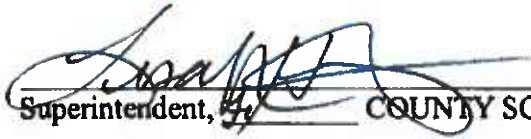
Board. Any proposed amendment shall be made in accordance with O.C.G.A. § 20-2-2067.1 and the accompanying State Board Rule.

33. Administrative Clarifications. Any request for a clarification to a non-material term of this Charter, to be determined by the Department, shall be submitted in writing to the Department for review. Any non-material term of this Charter may be clarified upon written approval of the Department.
34. Non-Agency. Nothing in the Charter shall be construed as creating or constituting the relationship of a partnership, joint venture, (or other association of any kind or agent and principal relationship) between the parties thereto. No party to the Charter has the authority to enter into any contract or create an obligation or liability on behalf of, in the name of, or binding upon another party to the Charter.
35. Delegation. The parties agree and acknowledge that the functions and powers of each party may be exercised only by each party and may not be delegated to a third party without written agreement by the Local Board and the State Board.
36. Application of Amended Law. This Charter is subject to applicable state and federal laws and shall be deemed amended to reflect applicable changes to those laws upon the effective date of any such change.
37. Non-Waiver. No waiver of any breach of this Charter shall be held as a waiver of any other or subsequent breach.
38. Severability. If any provision of the Charter is determined to be unenforceable or invalid for any reason, the remainder of the Charter shall remain in full force and effect.
39. Governing Law and Venue. This Charter shall be governed by, subject to, and construed under the laws of the State of Georgia. This Charter shall be interpreted in accordance with O.C.G.A. § 20-2-2060 *et seq.*, as amended within the term of this Charter. Any action brought by one party to this Charter against another party shall be brought in the Superior Court of Fulton.
40. Contradicting or Conflicting Provisions. If any provision of the Charter is determined to contradict or conflict with any other provision of the Charter, the contradiction or conflict shall be resolved in favor of the broad flexibility guaranteed pursuant to O.C.G.A. § 20-2-2065 *et seq.*
41. Entire Agreement. This Charter sets forth the entire agreement between the Local Board and

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the State Board with respect to the subject matter of this Charter. All prior contracts, representations, statements, negotiations, understandings, and undertakings between the Local Board and the State Board are superseded by this Charter. The petition submitted to and approved by the Local Board serves only as the formal application for a Charter System and does not constitute a contract between the State Board and the Local Board. This Charter supersedes any conflicting provision contained in the petition.

42. Counterparts. The Parties agree that this Agreement may be executed in one or more counterparts which, when taken together, shall constitute one Agreement. All faxed or scanned and emailed counterpart signature copies of this Agreement shall be as effective and binding as original signatures.

 _____ Chairperson, STATE BOARD OF EDUCATION	 _____ (Date)
 _____ Chairperson, LOCAL BOARD OF EDUCATION	6-9-2021 _____ (Date)
 _____ Superintendent, COUNTY SCHOOLS	6-9-2021 _____ (Date)

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Appendices to Charter for Atlanta Public Schools

Appendix A – Charter Accountability and Interventions

The State Board shall hold the Charter System accountable for the full performance of each of the academic goals listed below.

Note: Accountability for the last year of the charter term will occur during the first year of a renewal charter, if granted.

Goal 1: During each year of its charter term, the percentage of Charter System Schools that achieve at least one of the following five measures shall increase by at least 10% of the gap between 100% and the previous year's percentage of Charter System Schools that achieve at least one of the following five measures.

- a. Increase the CCRPI Content Mastery score each year while Content Mastery is below 90.
- b. Increase the CCRPI Progress score each year while Progress is below 90.
- c. Increase CCRPI by 4% of the gap between 100 and the previous year's CCRPI while CCRPI is below 90.

Goal 2: During each year of its charter term, the total number of Charter System Schools that achieve a School Climate Star Rating of 4 or 5 stars will increase by 5% of the gap between 100% and the previous year's percentage of schools with a School Climate Star Rating of 4 or 5 stars.

Goal 3: The Charter System will operate in a fiscally sound manner as measured by not being designated a financial high-risk system as determined by the Department of Audits and Accounts (DOAA) and GaDOE.

Goal 4: The Charter System will foster individual school-level governance.

Measure 1: All School Governing Team members will complete annual governance training.

Measure 2: All School Governing Teams will meet a minimum of six times each school year.

Measure 3: All School Governing Teams will have representation from a variety of stakeholders, such as teachers, parents and community leaders.

Measure 4: The charter system will create a spreadsheet listing the decisions being made by each School Governing Team in the areas of personnel, finances and resource allocation, curriculum and instruction, and establishing and monitoring the achievement of school improvement goals and school operations. This spreadsheet must be updated quarterly and maintained through the duration of the charter term. In addition to submitting the spreadsheet with its Annual Report, the district shall also submit it upon GaDOE's request.

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Interventions

1. The Charter System will implement the following consequences at all Charter System Schools not meeting Goal 1:

- a. A Charter System School that did not meet Goal 1 by the end of Year 1 of the charter will implement a targeted school improvement plan (by August of Year 2 of the charter) that addresses its specific achievement deficiencies, if data is available. The targeted school improvement plan will be approved and monitored by the district throughout the academic year.
- b. In a Charter System School that did not meet Goal 1 for three consecutive years during the charter term, the Charter System will apply direct school management support and intensive teacher development support as outlined in a jointly developed school improvement plan between the school leadership and district leadership staff. Implementation will begin in the school year beginning in the following calendar year.

2. The Charter System will implement the following consequences at all Charter System Schools not meeting Goal 2:

- a. A Charter System School that did not meet Goal 2 by the end of Year 1 of the charter will implement a targeted school climate plan (by August of Year 2 of the charter) that addresses the specific school climate deficiencies, if data is available. The targeted school climate plan will be approved and monitored by the district throughout the academic year. If the school is subject to a targeted school improvement plan for failure to meet Goal 1, the targeted school climate plan will be embedded within the targeted school improvement plan.
- b. In a Charter System School that did not meet Goal 2 for three consecutive years during the charter term, the Charter System will apply direct school management support and intensive school climate support as outlined in a jointly developed school climate plan (or targeted school improvement plan if the school also failed Goal 1) between the school leadership and district leadership staff. Implementation will begin in the school year beginning in the following calendar year.

3. The Charter System will implement the following consequences if it does not meet Goal 3.

- a. The Charter System will submit to DOAA and/or GaDOE for approval a written corrective action plan.
- b. The Charter System will implement the approved corrective action plan.
- c. The Charter System will participate in annual trainings offered or required by DOAA and/or GaDOE to address the risk.

4. The Charter System will implement the following consequences at all Charter System Schools

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not meeting Goal 4.

- a. A Charter System School that did not meet Goal 4 by the end of Year 1 of the charter will implement a targeted school governance team plan (by August of Year 2 of the charter) that addresses the specific school governance team deficiencies, if data is available. The targeted school governance team plan will be approved and monitored by the district throughout the academic year. If the school is subject to a targeted school improvement plan for failure to meet Goal 1, the targeted school governance team plan will be embedded within the targeted school improvement plan.
 - b. In a Charter System School that did not meet Goal 4 for three consecutive years during the charter term, the Charter System will apply direct school management support and intensive school climate support as outlined in a jointly developed school governance team plan (or targeted school improvement plan if the school also failed Goal 1) between the school leadership and district leadership staff. Implementation will begin in the school year beginning in the following calendar year.
5. In a Charter System School that did not meet Goal 1, Goal 2, or Goal 4 for four consecutive years during the charter term, the Charter System will apply consequences from O.C.G.A. § 20-14-41 as approved by the State Board of Education.

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Appendix B - School-Level Governance Decision-Making Matrix

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School Level Governance Decision-Making Matrix				
System Name:	Minimum LSGT Authority	<i>How and When</i> Minimum Authority will be Implemented	Additional LSGT Authority*	<i>How and When</i> Additional Authority will be Implemented
Personnel Decisions	LSGTs shall have input into the recommendation of the principal or school leader for selection by the Superintendent/BOE	<p>How: When a vacancy exists for principal, the Associate Superintendent, school GO Team Chairperson and a representative from the Office of Human Resources will identify six (6) individuals from the applicant pool to participate in the Tier 3 interview process. The six candidates will be invited to Tier 3 interviews. One or more cluster team principals, district personnel, and/or external partners may also assist with the selection. The appropriate Associate Superintendent, HR Staffing Director, and Local School Governance Team (LSGT/"GO Team") ** members will meet to develop interview questions. This panel will interview Tier 3 candidates (5-6 from Tier 2) and provide input on each candidate's strengths and areas to probe. In addition, the panel will also select 3 candidates who will be invited to a Tier 4 interview with the Superintendent and designees. When: Beginning of Charter Renewal Term Year 1 for all elected and trained LSGTs.</p>	<p>1) Provide annual feedback on principal's performance for incorporation into the evaluation of the principal; 2) Receive reporting on staffing patterns, vacancies, and teacher retention to inform school strategic plan as it relates to hiring. 3) Input into preferred qualifications for principal and for staff positions created through the school-based solutions process.</p>	<p>1) How: LSGTs will annually assess the principal on the principal's performance in relation to LKES Standards 2 and 8 for incorporation into the LKES evaluation by the associate superintendent. When: Charter Term Year 1. 2) How: LSGTs will receive information on staffing patterns to inform the school strategic improvement planning process as well as the school-based solutions process in order to craft school-based solutions customized for their school's personnel needs. When: Charter Term Year 1. 3) How: LSGTs will create a list of preferred qualifications for newly created staff positions aligned with the school improvement plan/strategic plan created through the schoolbased solutions process. When: Charter Term Year 1. 4) How: LSGTs will have input into the selection of professional development opportunities for staff aligned to school improvement plan/strategic plan and secured through the school-based solutions process. When: Charter Renewal Term Year 1.</p>

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School Level Governance Decision-Making Matrix

System Name:	Minimum LSGT Authority	<i>How and When</i> Minimum Authority will be Implemented	Additional LSGT Authority*	<i>How and When</i> Additional Authority will be Implemented
Financial Decisions and Resource Allocation	LSGTs shall have input into the final recommendations for the school budget, including number and type of personnel, curriculum costs, supply costs, equipment costs and maintenance and operations costs	How: LSGTs shall receive budget and finance training. LSGTs will then participate in the budget and resource allocation process by making recommendations for use of discretionary school funds aligned to the school improvement plan/strategic plan and to support approved LSGT school-based solutions for implementation. When: Charter Renewal Term Year 1.	1) Provide input on development of requests for funding to support approved LSGT school-based solutions; 2) Monitor use of funds received to support approved LSGT school-based solutions; 3) Monitor school budget; 4) Form standing Budget and Resource Allocation Committee for LSGT	1)-2) How: After the LSGT develops and receives approval for school-based solutions aligned to their school strategic improvement plan, the school leader or district personnel will work with LSGT on developing requests for funding and implementation support. After receipt of funds to support approved school-based solutions, the LSGT will monitor usage of those funds. When: Charter Renewal Term Year 1. 3)-4) How: The LSGT will monitor the school's annual budget through use of a standing Budget and Resource Allocation Committee and periodic reporting by the Principal. When: Charter Renewal Term Year 1.
Curriculum and Instruction	LSGTs shall have input into the selection of the curriculum and accompanying materials consistent with the district's Essential and Innovative Features as included in the charter contract.	How: LSGTs will complete a school strategic improvement plan that aligns with their cluster plan. After completion of the school strategic improvement plan, LSGTs will make recommendations through the school-based solutions process to customize curriculum and accompanying materials to meet strategic goals. When: Charter Renewal Term Year 1	1) Approval of instructional delivery innovations that require a waiver; 2) Approval of instructional programs and materials consistent with innovations; 3) Approval of new courses and subjects; 4) LSGTs will have additional authority through the school-based solutions process over: graduation requirements, opportunities for student acceleration/remediation, and other Curriculum and Instruction related solutions; 5) Receive information on student achievement results and the implementation of innovations; 6) Align school's curriculum offerings and modes of delivery to cluster theme.	1)-4) How: After the LSGT develops its school strategic improvement plan, it will develop and vote on recommendations to implement curriculum and instruction based innovations through the school-based solutions process. When: Charter Term Year 1. 5) How: The LSGT will receive periodic reporting on student academic performance and the implementation of LSGT-approved innovations and school-based solutions. When: Charter Term Year 1. 6) How: During the LSGT's strategic planning process, the LSGT will create a school improvement plan/strategic plan that aligns the school's curriculum and instruction to the cluster strategic plan. When: Charter Renewal Term Year 1.

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School Level Governance Decision-Making Matrix

System Name:	Minimum LSGT Authority	<i>How and When</i> Minimum Authority will be Implemented	Additional LSGT Authority*	<i>How and When</i> Additional Authority will be Implemented
Establishing and monitoring the achievement of school improvement goals	LSGTs shall approve the school improvement plan and provide oversight of its implementation	How: The LSGTs will be elected and trained before entering a school strategic improvement planning process (incorporating aspects of both the school improvement planning process along with a proactive, forward-centered strategic planning process). The LSGT will then approve the plan, which will last for three years, and monitor its implementation on a regular basis. The plan will be updated annually every summer. When: Charter Renewal Term Year 1.	1) LSGT development and approval of innovations aligned with the school strategic improvement plan that would traditionally require a waiver of state law; 2) Receive reports from the principal on implementation of school improvement initiatives and progress towards school improvement goals.	1) How: After completion and approval of the school strategic improvement plan, the LSGT will develop and vote on school-based solutions aligned with their strategic improvement plan. When: Charter Term Year 1. 2) How: The LSGT will receive periodic reporting from the Principal. When: Charter Term Renewal Term Year 1.
School Operations	LSGTs shall have input into school operations that are consistent with school improvement and charter goals	How: After the LSGT concludes its strategic school improvement planning process, it will develop and approve school-based solutions that implicate school operations consistent with the school strategic plan. When: Charter Renewal Term Year 1.	1) Develop school-community communication strategies and create Parent & Community engagement plan; 2) Provide input on School Board policies and district-wide initiatives under public review to share at Cluster Advisory Team meetings; 3) Provide input and recommendations on school system calendar to share at Cluster Advisory Team meetings. 4) Provide input into dress codes.	1) How: The LSGT will work on an engagement plan alongside their strategic planning efforts and throughout the school year to increase LSGT interaction with its stakeholders. When: Planning and Charter Term Year 1; 2)-3) How: LSGTs will weigh in on district-wide initiatives and communicate their suggestions through the LSGT representative on the Cluster Advisory Team. When: Planning Year and Charter Term Year 1; 4) How: After conclusion of the strategic planning process, the LSGT will propose operational innovations through the school-based solutions process. When: Charter Term Year 1; 5) How: During the strategic planning process, LSGTs can adopt student dress codes and student handbooks. When: Charter Renewal Term Year 1.

*The LBOE retains its constitutional authority