

House Bill 206

By: Representative Mitchell of the 88<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 31 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to the "Charter Schools Act of 1998," so as to provide for certain accountability  
3 requirements for charter schools; to provide for legislative findings; to provide for  
4 discouraged practices with respect to assessments; to provide for transparency regarding  
5 assessments; to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 31 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the  
9 "Charter Schools Act of 1998," is amended by adding a new Code section to read as follows:  
10 "20-2-2064.2.

11 (a) The General Assembly finds that:

12 (1) The original intent of charter schools was to create within the public school sector  
13 incubators for school reform that were motivated by legitimate educational and  
14 pedagogical objectives and maintained;

15 (2) At the same time that increased standards and accountability are taking hold in public  
16 schools, many states are adopting laws that exempt charter schools from state standards,  
17 state assessments, and state requirements for public reporting;

18 (3) Although state achievement tests are imperfect, it is next to impossible to compare  
19 the performance of charter schools and similar public schools without the use of a  
20 common measure; and

21 (4) Charter schools must be public schools not only in name but in their accountability  
22 to students, educators, families, communities, and taxpayers for quality, equity, and  
23 transparency.

24 (b) A charter petitioner, a local board of education, and the State Board of Education are  
25 discouraged from:

26 (1) Including in the charter petition the exemption of state-wide required assessments;

27 (2) Including in the accountability system of a charter school the administration of state  
28 developed or standardized assessments to students enrolled in kindergarten, first grade,  
29 or second grade for any reason other than diagnostic purposes; or

30 (3) Using state-wide required assessments for purposes for which they are not  
31 demonstrably valid and reliable.

32 (c) In determining the assessments to be administered in a charter school, the charter  
33 petitioner, local board of education, and State Board of Education shall review the content  
34 and design of standardized assessments; the time and money expended to prepare for  
35 standardized assessments as measured against the purpose of the assessment; and parent,  
36 student, and educator perceptions of the level and intensity of standardized assessments.

37 (d) After an assessment is administered by a charter school, a student's parent or guardian  
38 shall have the right to inspect and review the student's assessment booklet, answer or  
39 response sheets, surveys, instructions or directions to the student, and any other  
40 supplemental materials utilized to administer the assessment. A parent or guardian shall  
41 direct a request for inspection or review of assessments to the charter school, and the  
42 school shall comply with such request within 45 days of its receipt. This access shall  
43 provide parents and guardians with no fewer rights afforded to them under the federal  
44 Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g."

45 **SECTION 2.**

46 All laws and parts of laws in conflict with this Act are repealed.