



Introduction:

This legislative summary provides an overview of the 2021 Georgia General Assembly legislative changes that impact state charter schools. The State Charter Schools Commission of Georgia (SCSC) may monitor for any of the following items during annual monitoring and/or throughout the year. State charter schools are encouraged to consult independent legal counsel for questions regarding the impact and implementation of these changes.

Legislative Changes Impacting State Charter School Governance:

Provide conditions for meetings and public hearings held by teleconference during emergency conditions. The Open Meetings Act currently permits public meetings by teleconference in emergency conditions. HB 98 clarifies that local, state, or federal states of emergency qualify as emergency conditions, however, a state of emergency is not required for a state agency to find that an emergency condition exists. In addition, members of the public must be afforded the means to participate fully in teleconference meetings in the same manner as if physically present.

Effective: Upon Gov. Kemp's Signature

Reference: [HB 98](#)

Legislative Changes Impacting State Charter School Operations:

Exempts certain personal records of state and federal employees. SB 32 exempts public employees' cell numbers from disclosure under the Open Records Act.

Effective: Upon Gov. Kemp's Signature

Reference: [SB 32](#)

Home-Study participation in extracurricular activities and interscholastic activities; Student discipline data. SB 42 allows home-study students in grades 6-12 to participate in extracurricular

activities and interscholastic activities under the sponsorship, direction, and control of the resident school or resident school system, provided that the student enrolls in a qualifying course facilitated by the resident school or school system. Additionally, SB 42 requires that the Governor's Office of Student Achievement include student discipline data and information in its annual elementary and secondary education report submitted to the Education Coordinating Council and local school systems to prominently electronically publish and make available a free print copy of the disciplinary and placement action data that it annually submits to the Department of Education.

Effective: Upon Gov. Kemp's Signature

Reference: [SB 42](#)

System-Collaborative Charter Schools. SB 153 establishes a designation process for alternative charter schools, defined as locally approved charter schools. System-collaborative schools authorized by the State Charter Schools Commission may now petition local boards of education for authorization as an alternative charter school. System-collaborative schools that have not transitioned to an alternative charter school by July 1, 2021 will operate as a state chartered special school authorized by the State Board of Education. The State Board of Education (SBOE) shall not allow former system-collaborative schools to expand, extend, replicate, or renew, except such schools may annually increase enrollment by 3 percent and add one school site in an eligible area. Additionally, SB 153 prohibits state charter school employees, officers or governing board members from being an officer, member or executive-level employee of a local board of education or an employee of a local school system within the state charter school's attendance zone. Governing board members of state charter schools may also not be an employee of a local school system.

Effective: Upon Gov. Kemp's Signature

Reference: [SB 153](#)

Student Transportation. SB 159 clarifies that motor vehicles with a capacity of eight persons or less that are marked for transportation of school children to and from school and school related activities are subject to the State Board of Education's minimum vehicle specifications. In addition, local boards of education may authorize vehicles other than school buses to transport students with an Individualized Education Program or who lack a fixed, regular and adequate nighttime residence to and from school and school related activities, although such vehicles must comply with State Board of Education requirements, which requirements must be established separate from school bus requirements.

Effective: Upon Gov. Kemp's Signature

Reference: [SB 159](#)

Additional QBE Funding for Local Charter Schools; State Health Insurance Plan; Early Intervention Program. SB 59 prohibits State Board of Education waivers of early intervention programs and provides additional QBE funding for each additional full-time equivalent student within a local charter school. SB 59 also allows a local or state charter school to elect to participate in the state health insurance plan upon renewal of its charter. SB 59 further states that local and state charter schools are unable to waive early intervention program requirements. SB 59 also requires local school systems to distribute federal funds proportionally to local charter schools.

Effective: July 1, 2021, except additional QBE funding for local charter schools is effective July 1, 2022

Reference: [SB 59](#)

Legislative Changes Impacting State Charter School Academics:

Vaping and Human Trafficking Education. HB 287 adds instruction on vapor products to required health and physical education for all grades and requires a course of study in human trafficking awareness for grades six through 12. The State Board of Education must ensure these updated requirements are ready for implementation by July 1, 2021 and implemented by local boards of education by December 31, 2021.

Effective: Upon Gov. Kemp's Signature

Reference: [HB 287](#)

Personal Finance Literacy. SB 220 requires the State Board of Education to prescribe a personal finance literacy course of study for high school students. Local boards of education must implement the new course beginning in the 2021-2022 school year.

Effective: Upon Gov. Kemp's Signature

Reference: SB 220