



Guidance for the Submission of Documents related to the Federal Funding In-Kind Services Agreement between Local Board of Education and Local Charter School

To: Local Authorizers
From: Yoshana Hill, Staff Attorney
CC: Tiffany Taylor, Deputy Superintendent – Policy, Flexibility, and External Affairs
Allen Mueller, Director, District Flexibility and Charter Schools Division
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What is Senate Bill 59?

Section 6 of Georgia Senate Bill 59 from the 2021 legislative session (now codified as O.C.G.A. § 20-2-2068.1) references the distribution of federal funds and the provision of in-kind services to local charter schools by their local board of education (LBOE).

Georgia Senate Bill 59 states that “a local charter school and a local board of education may mutually collaborate and agree upon specific ways for some or all of the charter school’s proportionate amount of federal funds to be provided by the local school system through in-kind services, with the terms of such mutual agreement to be included in the charter.” To meet the requirement of including this agreement in the charter, the GaDOE District Flexibility & Charter Schools Division must present each of these agreements as contract amendments to be approved by the State Board of Education. To facilitate this process, GaDOE will take all agreements of in-kind services of federal funds between the local charter school and its authorizing LBOE to the State Board of Education (SBOE) as charter contract amendments at the December 2021 SBOE meeting.

What changes must the local board and charter school make to the charter school contract?

The following changes must be made to the local charter school contracts:

1. Addition of “Federal Funding – Proportionate Share and In-Kind Services” section;
2. Addition of clause in the “Entire Agreement” section of the contract specifying that the in-kind services agreement is a two-party agreement between the local board and charter school; and

3. Addition of an appendix outlining the federal funding in-kind services agreement between the local board and the charter school.

*Please reference the attached Appendix C template and Contract Amendment form for the federal funding in-kind services language that will be added to the charter school contract. If you have any questions about the documents or process, please contact Yoshana Hill (yoshana.hill@doe.k12.ga.us).

When must all federal funding in-kind services agreements and amendment forms be submitted to the Department of Education?

Please submit the Appendix C (Federal Funding In-kind Services Agreement between the Local Board and Charter School) along with the Contract Amendment form to Yoshana Hill (yoshana.hill@doe.k12.ga.us) no later than **November 30, 2021**.

As a reminder, both Appendix C and the Contract Amendment form must be formally approved by your local board of education prior to submission to the Department.