

CHARTER FOR MAIN STREET ACADEMY

This Charter for Main Street Academy ("Charter") is entered into by and between TMSA, Incorporated ("Petitioner"), the Fulton County Board of Education ("Local Board") and the State Board of Education ("State Board") (collectively referred to as "the parties").

WHEREAS, the Petitioner submitted a petition to the Local Board proposing to establish a start-up charter school pursuant to O.C.G.A. § 20-2-2060 *et seq.*, the Charter Schools Act of 1998 ("Charter Schools Act"), and the Local Board approved the petition;

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

WHEREAS, pursuant to O.C.G.A. §20-2-2064.1, the State Board grants this Charter to permit Petitioner to operate Main Street Academy ("the Charter School") 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. Charter Term. The State Board grants this Charter to Petitioner to operate the Charter School for a five-year term beginning on July 1, 2010, and expiring on June 30, 2015.
2. Grade Range. The Charter School shall serve students in grades K through 8. The Charter School shall serve students in grades K through 6 in its first year of operation, and in each subsequent year of operation, the Charter School shall enroll another cohort of kindergarten students so that the Charter School will be a full capacity by the third year of operation.
3. Mission Statement. The mission of the Charter School is to provide a world class learning opportunity to the children of College Park, East Point, Hapeville and the Fulton County Schools service area, empowering these students to become critical thinkers, well-rounded individuals, and world citizens, while developing their intellect in a nurturing environment with ties to the community.
4. Essential Innovative Features. The Charter School's curriculum will be aligned with the Georgia Performance Standards and will focus on literature, language arts and social studies, mathematics and science, character and ethics, and physical fitness and health. The Charter School will offer a Spanish language program and an extended day program in accordance with the schedule set by the Charter School.
5. Specific Waivers. In exchange for the Charter School's agreement to meet or exceed the performance-based goals and measurable objectives set forth in Section 6 below,

the State Board shall grant flexibility to the Charter School in the form of specific waivers.

- a. Pursuant to O.C.G.A. § 20-2-2065(a), the Charter School shall be entitled to have flexibility from the following specific laws, rules, regulations, policies and/or procedures established by the Local Board, State Board or the Georgia Department of Education (“Department”):
 - i. Curriculum – O.C.G.A. §§ 20-2-140 through 20-2-147
 - ii. Program for limited-English-proficient students – O.C.G.A. § 20-2-156
 - iii. Expenditures – O.C.G.A. § 20-2-167
 - iv. Personnel Matters – O.C.G.A. §§ 20-2-200 through 20-2-204, 20-2-216, 20-2-218, 20-2-210, 20-2-211, 20-2-850 through 20-2-853, 20-2-880 through 20-2-925
 - v. Student Learning Environment and Student Code of Conduct – O.C.G.A. §§ 20-2-735 through 20-2-738
 - vi. Consolidation of County Schools; Organization of Schools – O.C.G.A. §§ 20-2-60 and 20-2-290
 - vii. Professional Standards – O.C.G.A. §§ 20-2-981 through 989.1
 - b. Notwithstanding these specific waivers, the Charter School shall comply with the terms of this Charter, the provisions of the Charter Schools Act, including those specific provisions set forth in Section 14 below, and any rules, regulations, policies, or procedures established by the State Board consistent with the Charter Schools Act.
6. Performance-based Goals and Measurable Objectives. In exchange for the flexibility granted in Section 5 above, the Charter School agrees to meet or exceed the following performance-based goals and measurable objectives that are designed to result in improvement of student achievement:

a. State Assessments:

<u>Student Achievement Goal</u>	<u>Grades</u>	<u>Subject Area(s)</u>	<u>Year One Goal</u>	<u>Subsequent Years Goal</u>
Increase % of students meeting standards on CRCT	Grades 3, 4 and 5 (computed for each grade level)	Reading/ Language Arts	80% of students meet/exceed standards	The percentage of students who meet/exceed standards on CRCT will either increase 3% each subsequent year, or will increase at a rate to meet NCLB mandates (currently mandated that 100% of students will meet/exceed standards by 2013-14); whichever is greater.
Increase % of students meeting standards on CRCT	Grade 3, 4 and 5 (computed for each grade level)	Mathematics	80% of students meet/exceed standards	The percentage of students who meet/exceed standards on CRCT will either increase 3% each subsequent year, or will increase at a rate to meet NCLB mandates (currently mandated that 100% of students will meet/exceed standards by 2013-14); whichever is greater.
Increase % of students meeting standards on Elementary Grades Writing Assessment (EGWA)	Only Grades 3 and 5 (computed for each grade level)	Writing Assessment	Will exceed the average percentage achieved by the local district in that same year.	The percentage of students who meet/exceed standards on EGWA will either increase 3% each subsequent year, or will increase at a rate to meet NCLB mandates; whichever is greater.
Increase % of students meeting standards on CRCT	Grade 3, 4, 5 (computed for each grade level)	Science	Will exceed the average percentage achieved by the local district in that same year.	The percentage of students who meet/exceed standards on CRCT will either increase 3% each subsequent year, or will increase at a rate to meet NCLB mandates; whichever is greater.
Increase % of students meeting standards on CRCT	Grade 3, 4, and 5 (computed for each grade level)	Social Studies	Will exceed the average percentage achieved by the local district in that same year.	The percentage of students who meet/exceed standards on CRCT will either increase 3% each subsequent year, or will increase at a rate to meet NCLB mandates; whichever is greater.
Increase % of students meeting standards on CRCT	Grade 6, 7 and 8 (computed for each grade level)	Reading/ Language Arts	80% of students meet/exceed standards	The percentage of students who meet/exceed standards on CRCT will either increase 3% each subsequent year from the first-year goal of 80%, or will increase at a rate to meet NCLB mandates (currently mandated that 100% of students will meet/exceed standards by 2013-14); whichever is greater.

<u>Student Achievement Goal</u>	<u>Grades</u>	<u>Subject Area(s)</u>	<u>Year One Goal</u>	<u>Subsequent Years Goal</u>
Increase % of students meeting standards on CRCT	Grade 6, 7 and 8 (computed for each grade level)	Mathematics	80% of students meet/exceed standards	The percentage of students who meet/exceed standards on CRCT will either increase 3% each subsequent year, or will increase at a rate to meet NCLB mandates (currently mandated that 100% of students will meet/exceed standards by 2013-14); whichever is greater.
Increase % of students meeting standards on CRCT	Grade 6, 7 and 8 (computed for each grade level)	Science	Will exceed the average percentage achieved by the local district in that same year.	The percentage of students who meet/exceed standards on CRCT will either increase 3% each subsequent year, or will increase at a rate to meet NCLB mandates; whichever is greater.
Increase % of students meeting standards on CRCT	Grade 6, 7 and 8 (computed for each grade level)	Social Studies	Will exceed the average percentage achieved by the local district in that same year.	The percentage of students who meet/exceed standards on CRCT will either increase 3% each subsequent year, or will increase at a rate to meet NCLB mandates; whichever is greater.
Increase % of students meeting standards on Middle Grades Writing Assessment (MGWA)	Grade 8	Writing Assessment	Will exceed the average percentage achieved by the local district in that same year.	The percentage of students who meet/exceed standards on MGWA will either increase 3% each subsequent year, or will increase at a rate to meet NCLB mandates; whichever is greater.
Increase % of students exceeding standards on CRCT	Grade 3, 4, and 5 (computed for each grade)	Reading/ Language Arts	Will exceed the average percentage achieved by the local district in that same year.	The percentage of students who exceed standards on CRCT will increase each subsequent year from the first-year goal.
Increase % of students exceeding standards on CRCT	Grade 3, 4, and 5 (computed for each grade)	Mathematics	Will exceed the average percentage achieved by the local district in that same year.	The percentage of students who exceed standards on CRCT will increase each subsequent year from the first-year goal.
Increase % of students exceeding standards on Elementary Grades Writing Assessment (EGWA)	Grade 3 and Grade 5	Writing Assessment	Will exceed the average percentage achieved by the local district in that same year.	The percentage of students who exceed standards on EGWA will increase each subsequent year from the first-year goal.
Increase % of students exceeding standards on CRCT	Grade 3, 4, and 5 (computed for each grade)	Science	Will exceed the average percentage achieved by the local district in that same year.	The percentage of students who exceed standards on CRCT will increase each subsequent year from the first-year goal.

<u>Student Achievement Goal</u>	<u>Grades</u>	<u>Subject Area(s)</u>	<u>Year One Goal</u>	<u>Subsequent Years Goal</u>
Increase % of students exceeding standards on CRCT	Grade 3, 4, and 5 (computed for each grade)	Social Studies	Will exceed the average percentage achieved by the local district in that same year.	The percentage of students who exceed standards on CRCT will increase each subsequent year from the first-year goal.
Increase % of students exceeding standards on CRCT	Grade 6, 7 and 8 (computed for each grade level)	Reading/ Language Arts	Will exceed the average percentage achieved by the local district in that same year.	The percentage of students who exceed standards on CRCT will increase each subsequent year from the first-year goal.
Increase % of students exceeding standards on CRCT	Grade 6, 7 and 8 (computed for each grade level)	Mathematics	Will exceed the average percentage achieved by the local district in that same year.	The percentage of students who exceed standards on CRCT will increase each subsequent year from the first-year goal.
Increase % of students exceeding standards on the Middle Grades Writing Assessment (MGWA)	Grade 8	Writing Assessment	Will exceed the average percentage achieved by the local district in that same year.	The percentage of students who exceed standards on MGWA will increase each subsequent year from the first-year goal.
Increase course enrollment	Grade 8 only	Math I	Baseline Year	The percentage of 8 th grade students enrolled in Math I will increase by 5% each year from baseline target set during the first year of enrollment.
Increase student performance on EOCT	Grade 8 only	Math I	Baseline Year: Will exceed the average percentage achieved by the local district in that same year.	The percentage of 8 th grade students passing the EOCT in Math I / total number of students on active roll at time of assessment will increase each year from the baseline set during the first year of enrollment.

- b. ITBS Performance: Every year, each student in grade 1 and above will be evaluated based on a longitudinal profile of that student's success by testing on the Iowa Test of Basic Skills (ITBS) in the fall and again in the spring of the same school year. From year two and beyond, the average academic growth rates for all students will meet or exceed the national average academic growth rates in reading, language arts and mathematics as evidenced by the gain on scale scores from the fall to the spring administrations of the ITBS across all grade levels tested.
- c. Student Attendance: The Charter School shall maintain an average daily attendance rate of not less than 95% each year of the charter term.

- d. Parent Satisfaction: The Charter School will use the Harris Interactive customer satisfaction survey to assess parent satisfaction with the school and its work with their students. Satisfaction on this survey is rated on a scale of A to F. 80% of the Charter School parents will rate their school an A or B each year of the school's operation, a rate that is 10% higher than national averages.
7. Assessment and Accountability. Notwithstanding Sections 5 and 6 above, the Charter 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 § 20-14-41. The Charter School further is subject to all federal accountability requirements under No Child Left Behind.
8. Annual Report. The Charter School shall submit an annual report by October 1 of each year following the first year of operation 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 School's progress towards the goals and objectives stated in Section 6 above and all state-mandated assessment and accountability scores from the previous year.
9. Open Enrollment and Admissions. The Charter 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, which is defined as the Fulton County School System.
 - b. Application. To be eligible for enrollment at the Charter School, students residing in the attendance zone must submit a timely application to the Charter School in accordance with the deadline set by the Charter School. The Charter School may not use admissions criteria or applications that would not otherwise be used at a traditional public school, including 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. The Charter School may use applications for the purpose of verifying the student's residence within the school's attendance zone. The Charter School may gather relevant information from students after enrollment is determined.
 - c. Random Lottery. If the number of timely applicants received by the Charter School exceeds the capacity of a program, class, grade level or building, the Charter School shall ensure that such applicants have an equal chance of being admitted through a random lottery.
 - d. Statutory Enrollment Priorities. In accordance with O.C.G.A. § 20-2-2066(a)(1)(A), the Charter School may elect to give enrollment preference to the following categories of applicants and in the following priority:

- i. Siblings of students enrolled in the Charter School; and
 - ii. Students whose parent or guardian is a member of the Governing Board of the Charter School or is a full-time teacher, professional, or other employee at the Charter School.
10. Withdrawal without Penalty. The Charter School shall comply with the provisions of O.C.G.A. § 20-2-2066(d) for withdrawing students. The Local Board and the Charter School agree that a student may withdraw without penalty from the Charter School at any time and enroll in another public school in the Fulton County School System or in a public school in the system in which the student resides, pursuant to the rules and regulations of that school system.
11. State and Federally Mandated Educational Services.
 - a. Students with Disabilities. The Charter 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.
 - b. English Language Learners. The Charter 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 School shall provide supplemental education services in required cases pursuant to State Board of Education Rule 160-4-5-.03 and No Child Left Behind.
 - d. Remediation. The Charter School shall provide remediation in required cases pursuant to State Board of Education Rule 160-4-5-.01 and No Child Left Behind.
12. Governance Structure.
 - a. Governing Board. The Charter School shall utilize a governing body in the form of a Governing Board, which shall operate in accordance with its bylaws and which shall be responsible for complying with and carrying out the provisions of this Charter, including compliance with all applicable law.
 - b. Control and Management by Local Board. The Governing Board shall be subject to the control and management of the Local Board.
 - c. Function. It shall be the function of the Governing Board to uphold the Charter School's mission and vision, to set policy for the Charter School, to ensure effective organizational planning, and to ensure financial stability of the Charter School.

- d. Public Meetings. The Governing Board is subject to and shall comply with the Open and Public Meetings Act, O.C.G.A. § 50-14-1 *et seq.* The Governing Board shall conduct regular meetings consistent with principles of transparency and avoidance of actual or apparent conflicts of interest in the governance of the Charter School.
- e. Public Records. The Governing Board is subject to and shall comply with the Georgia Open Records Act, O.C.G.A. § 50-18-70 *et seq.* The Governing Board shall maintain its adopted policies, budgets, meeting agendas and minutes and shall make such documents available for public inspection.
- f. Conflicts of Interest. The Governing Board shall establish a formal policy to prevent and disclose conflicts of interest. Members of the Governing Board and Charter School employees shall abide by such conflicts of interest policy.
- g. Public Status. Petitioner assures that the Charter School shall be a public, nonsectarian, nonreligious, nonprofit school organized and operated under the laws of the State of Georgia. Petitioner further assures that the Charter School shall not be home based.
- h. Nonprofit Status. Petitioner assures that the Charter School is organized and will be operated as a nonprofit corporation under the laws of the State of Georgia. The Charter School shall at all times maintain itself as a Georgia not-for-profit corporation in good standing capable of exercising the functions of the Charter School under the laws of the State of Georgia.

13. Fiscal Control.

- a. Annual Audit. The Charter School shall be subject to an annual financial audit conducted by an independent certified public accountant licensed in the state of Georgia.
- b. Chief Financial Officer. The Charter School shall designate a Chief Financial Officer, who shall possess the following minimum qualifications:
 - i. A baccalaureate or higher degree in business, accounting, or finance from an accredited college or university and a minimum of four (4) years experience in a field related to business or finance; or
 - ii. Documented experience of ten (10) or more years in the field of business and financial management.
- c. Federal Monitoring Requirements. The Charter School shall comply with all federal monitoring requirements related to the receipt of federal funds.

- d. Charter School Program Grant Funds Eligibility. The Charter School shall satisfy all federal eligibility requirements as a prerequisite to applying for and receiving grants funds under the federal Charter School Program.
 - e. Insurance. Prior to opening, the Charter School shall secure adequate insurance coverage, and the Charter School shall maintain such coverage throughout the Charter term in accordance with the laws of the State of Georgia.
14. Compliance with Other Laws, Rules, and Regulations. The Charter 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 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. Unlawful Conduct. The Charter School shall be subject to all laws relating to unlawful conduct in or near a public school.
 - c. Student Conduct and Discipline. The Charter School shall maintain and implement a written policy regarding student discipline, which policy shall be consistent with due process.
 - d. State Board Rules. The Charter 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 5 above.
 - e. Prohibition on Discrimination. The Charter School shall not discriminate against students on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status, the need for special educational services or any other characteristic protected by local, state or federal law.
 - f. Reporting Requirements. The Charter School shall 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.
 - g. Tuition. The Charter 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.

