

Bond Case Briefs

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CHARTER SCHOOLS - GEORGIA

DeKalb County School District v. DeKalb Agriculture Technology and Environment, Inc.

Court of Appeals of Georgia - November 2, 2023 - S.E.2d - 2023 WL 7210307

Charter schools brought action against school district and related parties, alleging breach of charter agreements and certain provisions of Charter Schools Act.

The trial court granted plaintiffs' summary judgment motion as to liability, and denied defendants' cross-motion for summary judgment. Defendants appealed.

The Court of Appeals held that:

- Claims sounded in contract and, thus, were not barred by sovereign immunity;
- Language in renewed charter contracts unambiguously imposed on school district a per-pupil funding floor, and thus e-mails concerning possible meaning of provision were immaterial parol evidence;
- There was no evidence suggesting that condition precedent, if any, in charter school contracts relevant to charter schools being funded at relevant per-pupil rate, was not, in fact, satisfied;
- Charter Schools Act required defendants to calculate and distribute federal allotments to charter schools;
- Defendants were only entitled to reimbursement for administrative services actually provided to charter schools;
- Defendants breached mandate in Charter Schools Act to treat charter schools no less favorably than non-charter schools; and
- Provision in Charter Schools Act applicable to newly-formed charter schools did not apply to established charter schools.