

160-7-1-.02 ACCREDITING AGENCIES.

(1) DEFINITIONS.

(a) **Accrediting agency** – a governmental organization or a person, firm, association, partnership, corporation, or other entity, whether for profit or not for profit, which purports to be a reliable authority as to the quality of education offered in public schools in Georgia.

(b) **Georgia Department of Education (GaDOE)** – the state agency charged with the fiscal and administrative management of certain aspects of K-12 public education, including the implementation of federal and state mandates.

(c) **Local Educational Agency (LEA)** – a public authority legally constituted by the state as an administrative agency to provide control of and direction for kindergarten through grade 12 public educational institutions.

(d) **Public school** – any school under the control and management of a county, independent, or area board of education supported by public funds; any school subject to the provisions of Article 31 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated and supported by public funds; or any school under the control and management of the State Board of Education or a department or agency thereof supported by public funds.

(e) **Recognized accrediting agency** – an accrediting agency that meets the requirements of Article 3 of Chapter 14 of Title 20 of the Official Code of Georgia Annotated for recognition as an evaluator as to the quality of education offered in public schools in Georgia by any office, agency, department, board, bureau, commission, institution, or other entity of the state government.

(f) **State Board of Education** – the constitutional authority which defines education policy for the public K-12 education agencies in Georgia.

(2) REQUIREMENTS.

(a) **CRITERIA FOR IDENTIFICATION AS A RECOGNIZED ACCREDITING AGENCY.** To be deemed a Recognized Accrediting Agency, an accrediting agency must satisfy the following criteria:

1. Meet the evaluation criteria established by the State Board of Education.
2. Demonstrate the ability and experience to operate as a Recognized Accrediting Agency in Georgia.

3. Have as its principal purpose the accreditation of public schools and school systems in Georgia.
 4. Have a voluntary membership of public schools, school systems, and programs.
 5. Consistently apply and enforce evaluation criteria to ensure the courses or programs of instruction, training, or study offered by a public school or school system are of sufficient quality to achieve the stated objective for which the courses or programs are offered during the duration of the accreditation period.
 6. Consistently adhere to procedures throughout the accreditation process that comply with due process, including evaluation and withdrawal procedures.
 7. Notify the State School Superintendent within 30 days of the accreditation of a public school or school system.
 8. Notify the State School Superintendent within 30 days of any final denial, withdrawal, suspension, probation, or termination of accreditation of a public school or school system. This notification shall include information regarding any other adverse or remedial action recommended with respect to such public school or school system.
 9. Does not offer or agree, directly or indirectly, to provide any services or materials for an additional fee or other consideration intended to assist a public school or school system with addressing any requirement or deficiency or other issue raised by the Recognized Accrediting Agency at the time of the evaluation for accreditation of such public school or school system.
 10. Upon request, make available to the public and the State School Superintendent:
 - (i) A summary of any evaluation resulting in a final decision involving the approval, denial, termination, withdrawal, suspension, or probation of a public school or school system's accreditation, along with the comments of such public school or school system; and
 - (ii) A copy of any complaint or report upon which the Recognized Accrediting Agency initiates, or provides notice to a public school or school system of the intent to initiate, any intervention, investigation, or evaluation of such public school or school system's accreditation status.
- (b) EVALUATION CRITERIA FOR ACCREDITING AGENCIES.**
1. A Recognized Accrediting Agency must meet the evaluation criteria established by the State Board of Education. Such criteria shall include, but not be limited to:
 - (i) Evaluation criteria used by regional and national accrediting agencies.

(ii) Rigorous and appropriate measures of the quality of learning and teaching in public schools or school systems.

(I) Measures of the quality of learning and teaching in public schools or school systems shall count as no less than 65 percent of the evaluation results.

(II) Measures of the quality of learning and teaching in public schools or school systems shall include all students regardless of ethnicity, sex, disability, language proficiency, and socioeconomic status, and be disaggregated by all subgroups as required under the federal Elementary and Secondary Education Act, as amended.

(iii) Rigorous and appropriate measures of the financial efficiency of a public school or school system, including an analysis of how federal and state funds spent by the public school or school system impact the quality of learning and teaching.

2. An accrediting agency shall not apply any standards, measures, or evaluation criteria not in compliance with state law.

(i) The State Board of Education is authorized to determine whether an accrediting agency is in compliance with section (b)(2) of this rule. The State Board shall notify such accrediting agency upon making such determination and shall allow no more than 30 days for such accrediting agency to demonstrate compliance with such provisions.

(c) DUE PROCESS PROCEDURAL REQUIREMENTS FOR RECOGNIZED ACCREDITING AGENCIES.

1. Recognized Accrediting Agencies must consistently adhere to procedures throughout the accreditation process, including evaluation and withdrawal procedures that comply with due process. These procedures must include:

(i) Adequate specification of requirements and deficiencies at the public school or school system being evaluated.

(I) All requirements or deficiencies specified by Recognized Accrediting Agency must be directly related to measures of the quality of learning and teaching and financial efficiency.

(II) Any findings, comments, or notes included in an evaluation that are not directly related to the quality of learning and teaching or financial efficiency shall not provide the basis for any adverse action against a public school or school system by a Recognized Accrediting Agency, including, but not limited to denial, withdrawal, suspension, placement on probationary status, or termination of accreditation of a public school or school system.

(ii) Notice of an opportunity for a hearing by a public school or school system.

(iii) The right to appeal any adverse action against a public school or school system.

(iv) The right to representation by counsel for a public school or school system.

(d) ACCREDITATION DISPUTE RESOLUTION.

1. In the event of a dispute between an accrediting agency and a public school or school system regarding the findings and recommendations of an assessment by the accrediting agency of such public school or school system, the public school or school system shall have the right to appeal as follows:

(i) Within 70 days, the public school or school system may appeal the findings and recommendations to the accreditation committee established by State Board of Education and may provide evidence in support of such appeal.

(ii) The accrediting agency's findings and recommendations which are the subject of such appeal shall be suspended from public access or disclosure during the pendency of such appeal and any mediation or appeal following therefrom.

(iii) The accreditation committee established by the State Board of Education shall work with both the accrediting agency and the appealing public school or school system to seek a resolution.

(iv) Should the parties fail to agree to a resolution, the appealing public school or school system shall have the right to submit the dispute to mediation under the provisions of Chapter 17 of Title 9, relating to the Georgia Uniform Mediation Act.

(I) The public school or school system and the accrediting agency shall be the parties to such mediation.

(II) The accrediting agency shall be responsible for the costs of such mediation.

(III) Notwithstanding any other provision of law to the contrary, a mediator's decision may be appealed by either party to the State Board of Education. The ruling of the State Board of Education shall be binding on the parties.

2. Failure by an accrediting agency to comply without appeal to a decision under section (d) of this rule or failure to comply with a final ruling of the State Board of Education under section (d)(1)(iv) of this rule shall disqualify the accrediting agency from accrediting public schools or school systems in Georgia.

3. Failure of a public school or public school system to comply with a final ruling of the State Board of Education under section (d)(4)(iii) of this rule shall cause such public school or school system to be placed on probationary accreditation status until compliance is achieved.

(e) STATE BOARD OF EDUCATION ACCREDITATION COMMITTEE.

1. The State Board of Education shall establish an accreditation committee comprised of members of the State Board of Education and local, state, regional or national education professionals. Such committee shall be tasked with:

(i) Establishing evaluation criteria for Recognized Accrediting Agencies.

(ii) Working with both the accrediting agency and the appealing public school or school system to seek a resolution, if there is an appeal.

(iii) Providing a final ruling on an appeal of a mediator's decision.

2. Upon the failure of an accrediting agency to comply without appeal to a decision under section (d) of this rule or a final ruling under section (d) of this rule, the accreditation committee is authorized to:

(i) Create general accreditation standards applicable to all parties before it; and

(ii) Grant accreditation directly to a public school or school system appealing under the provisions of section (d) of this rule.

(f) The provisions of this rule shall not apply to any initial or renewal agreement by and between any Georgia public school or school system and any accrediting agency entered into before July 1, 2023.

Authority: O.C.G.A. §§ 20-14-96, 20-14-97

Adopted: March 27, 2025

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