

## Applications: Scintilla Charter Academy

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**Implementation Budget Requested**

\$1,000,000.00

**Planning Budget Requested**

\$0.00

**Total Budget Requested**

\$1,000,000.00

**Planning Reimbursements**

\$0.00

**Implementation Reimbursements**

\$265,424.98

**Total Reimbursements**

\$265,424.98

**Remaining Budget**

\$734,575.02

**Profile**

Scintilla Charter Academy

**Changes Requested**

**Eligibility for CSP Subgrant**

Expansion

**Expansion: Are you requesting an implementation grant?**

Yes

**Are you requesting a supplement?**

Yes

**Expansion: Are you requesting the rural/priority community supplement?**

Yes

**Expansion: Are you requesting the high school supplement?**

Yes

### Narrative

Provide responses in the text boxes provided. Attachments will not be accepted for this part of the application.

**Please describe how the autonomy and flexibility granted to a charter school is consistent with the definition of a charter school in ESEA § 4310 (2).**

The mission of Scintilla Charter Academy is to provide a deeper learning experience in which each child is empowered through creativity, collaboration, inquiry, and critical thinking to achieve his or her unique potential and acquire a love of learning, along with a strong sense of community and character. Scintilla Charter Academy guides all students to reach their full potential through social, emotional, and academic growth in an engaging and innovative learning environment. Scintilla Charter Academy's educational approach uses a deeper learning model which includes a focus on problem-solving, critical thinking, written and oral communication, research, and collaboration. Deeper learning experiences will incorporate projects, case studies, and service learning opportunities to expose students to aspects of the community that expand their life experiences. Student-engaged assessment practices are used to empower students to be leaders of their own learning. Scintilla Charter Academy offers a variety of elective opportunities and a set of character standards are used school-wide, creating a school culture based on intrinsic motivation, helpfulness, problem-solving, and connection.

Scintilla Charter Academy is a free public school open to any student who resides in the attendance zone outlined by the charter. Each year, if more students apply to attend Scintilla Charter Academy than there are available spaces, Scintilla utilizes a random lottery process to offer spaces for enrollment. Scintilla operates under the terms of its charter as established by its authorizer, the State Charter Schools Commission (SCSC). Scintilla Charter Academy is held accountable by the authorizing agency in the areas of high student academic achievement, sound financial management, and organizational stability – the Comprehensive Performance Framework (CPF).

**Please briefly describe how the applicant school/network will utilize CSP Subgrant funds and why these funds are necessary to meet the school's goals. Separate activities by Planning and Implementation subgrant periods.**

Scintilla Charter Academy will use funds provided through the CSP Implementation Grants and related Supplements for allowable activities including providing professional development to support Scintilla's innovative educational approach utilizing a deeper learning model that incorporates projects, case studies, experts, service-learning, and fieldwork experiences. Funds will also be used to provide professional development designed to support Scintilla's mission-specific goal focused on character development. Scintilla Charter Academy's facility growth goals include facility expansion to add high school classrooms and specialized instructional spaces to support academic programming for grades 9-12 as well as the addition of a kitchen and dining space to serve middle and high school. Funding provided through the CSP Implementation Grants and related Supplements will allow Scintilla to purchase classroom furniture, furniture for specialized spaces, cafeteria equipment, and cafeteria furniture. Curriculum and instructional materials, books, and technology will be purchased utilizing CSP Subgrant funding to support the implementation of Scintilla Charter Academy's mission-specific goals. Scintilla will use grant funds for the recruitment and outreach to strategically invest in marketing and advertising efforts, enhancing the school's website, hosting informational events and workshops, engaging with the local community, collaborating with local media, developing recruitment materials, providing professional development for staff, implementing digital marketing strategies, participating in education conferences, and establishing evaluation and feedback mechanisms to assess the impact of outreach efforts. This comprehensive plan for recruitment and outreach will allow Scintilla to effectively communicate the school's innovative model, inform stakeholders, and ensure future success. Grant funds will also be used for comprehensive research and development to support Scintilla's innovative model. This involves investing in curriculum development, integrating technology resources, providing professional development for educators, conducting research studies and surveys, implementing data analysis tools, acquiring additional learning resources, establishing collaborative partnerships, conducting pilot programs and testing, exploring innovative teaching methods, and incorporating feedback mechanisms. Scintilla's goal is to continuously enhance and refine the school's innovative model to ensure effectiveness and alignment with Scintilla's mission-specific goals.

**Please describe how the applicant school/network is responding to community need and will use effective parent, family, and community engagement strategies. Include information on the needs analysis the school completed and the results. Also, include a description of how the school is soliciting and considering input from parents and members of the community and how the school will use effective parent, family, and community engagement strategies.**

Scintilla Charter Academy conducts an annual comprehensive needs assessment used to create a school improvement plan. Surveys, focus groups, and forums are used to gather input from parents and members of the community. This analysis helps inform the development of programs and services. During this process, input is gathered from parents, families and community members. Over 95% of Scintilla families feel that Scintilla effectively communicates with families based on FY23 survey data. Scintilla uses a variety of communication methods to effectively communicate with parents and families including a scholar communication folder, weekly newsletter, website, social media, and a family messaging system. Family members and community members are encouraged to volunteer at Scintilla and a variety of opportunities available are shared throughout the year with family members. At the beginning of the year, small group open house sessions are held in each classroom to provide a more personalized experience and contribute to the development of a positive relationship. Parent Universities are held during the year to provide families with information to support their child's learning. Twice a year, Celebrations of Learning are held in all grade levels and family and community members are invited to attend. Celebrations of Learning provide an opportunity for scholars to share the process of learning and the high-quality work they have produced with an authentic audience of peers, family members, and community members.

Two years ago, Scintilla developed a Portrait of a Graduate committee. Scintilla's Portrait of a Graduate committee is composed of parents and family members of scholars at Scintilla Charter Academy as well as a variety of community members. SCA acknowledges and seeks to act on the reality that post-secondary opportunities require individuals to create, innovate, network, and build as ever-increasing technologies pave the way for more seamless and efficient acquisition of information. SCA has a vision and a commitment to ensuring that all graduates are 21st Century Life Ready. To increase the likelihood that scholars will exit the school setting as "life-ready" individuals, SCA is using a Portrait of a Graduate process. Through the input of members of the Portrait of a Graduate committee, a list of competencies was developed and coursework and other school-specific tasks are aligned to the competencies represented in our graduate profile. The competencies included in Scintilla's Portrait of a Graduate profile were created in response to the needs identified by the Portrait of a Graduate committee members of skills scholars need to possess to truly be prepared for life.

**Please explain how the applicant school/network will demonstrate a growth mindset throughout the subgrant term.**

Scintilla Charter Academy will demonstrate a growth mindset by being open to feedback and actively participating in technical assistance opportunities provided throughout the subgrant term. With a strong commitment to continuous improvement and learning, Scintilla Charter Academy has developed a culture that encourages all members of our school community to embrace innovation, view challenges as an opportunity to respond and learn and use feedback to grow and improve. Through the wide variety of professional development opportunities provided over the past nine years, Scintilla Charter Academy's staff has consistently approached new initiatives and the implementation of innovative programming with an open mind and growth mindset. Every week, Scintilla's faculty and staff consistently demonstrate a commitment to continuous improvement and innovation during planning and professional development meetings. Most recently, Scintilla Charter Academy's leadership staff, key personnel, and all staff members serving scholars in middle and high school participated in training offered by the International Baccalaureate Organization designed to support the implementation of the Middle Years Programme (MPY) at Scintilla Charter Academy.

**Please explain how the applicant school/network will commit to the CSP subgrant agreement and meet the requirements and objectives of the CSP subgrant. Identify the person(s) or position(s) who will be responsible for CSP subgrant activities, including reporting, procurement/purchasing, bookkeeping, accounting, and recordkeeping of expenditures.**

To commit to the CSP subgrant agreement and meet the requirements of the CSP subgrant, Scintilla Charter Academy will assign the responsibilities of CSP subgrant activities to faculty members experienced with federal grant management. This cohesive team will collaborate to ensure the successful implementation of the CSP subgrant. Amanda Miller, Assistant Superintendent and Director of Federal Programs, will lead the implementation of the CSP subgrant. Amanda Miller will work closely with Angela Chastain Director of Finance, who oversees Scintilla's Finance Department, to ensure all requirements and objectives of the CSP grant and federal grant guidelines are met for reporting, procurement and purchasing, bookkeeping, accounting, and recordkeeping of expenditures. Kay Hardesty, Director of Student Information Systems, will be responsible for reports needed involving student information, staffing, etc.

**Please explain the applicant school/network's readiness for opening, replicating, or expanding. Briefly describe how the applicant school/network is assembling a team and ensuring the school is prepared.**

SCA currently serves approximately 870 students K-9. SCA's current waitlist is over 600. In preparation for a formal request to the SCSC last year to expand to add grades 9-12, Scintilla conducted a survey of all grade-level parents which indicated that 97.5% of respondents said if SCA offered a high school their student would attend. There has been traditional high demand for a high school and the SCA board has long considered a high school a part of its strategic plan. The formal request was approved by the SCSC last year and Scintilla will continue to expand to add grades 10-12, one year at a time over the next three years.

SCA has completed master planning for full expansion to serve grades K-12 on our current property. SCA intends to expand its 30-acre campus with a high school/middle school addition. SCA's current facilities will allow space to serve tenth grade in the 2024-2025 school year. Plans have been finalized and construction will begin in January 2024 for a student center to serve middle and high school scholars. The student center will include a kitchen, dining space, spaces for specialized learning experiences, and administrative offices. Food service will continue to operate under the National School Lunch program. The design of a high school building with additional classrooms and specialized learning spaces are currently being completed and is phased for opening no later than August 2024. In addition to the current site, the school is exploring off-site options for recreational fields; however, all core academic activities and maximized programming, staffing, and space utilization is addressed on the current site master plan.

With the addition of grades 9-12, SCA will continue to expand our educational approach using a deeper learning model which includes a focus on problem-solving, critical thinking, written and oral communication, research, and collaboration. Our inquiry-based approach encourages deeper learning and motivates scholars by connecting learning targets to student interest and real-world application. Deeper learning experiences will incorporate projects, case studies, and service learning opportunities to expose students to aspects of the community that expand their life experiences. SCA has completed the consideration phase for pursuing candidacy and authorization of the International Baccalaureate (IB) Middle Years Programme (MYP) and is now entering the candidacy phase. The International Baccalaureate (IB) vision to develop inquiring, knowledgeable, and caring young people who are motivated to succeed is closely aligned with SCA's mission. The Middle Years Programme (MYP) supports students to make connections between their education and the real world through interdisciplinary and inquiry-based learning. The MYP encourages students to build confidence in managing their own learning and develop a personal understanding of global challenges and responsibilities within their community while building a sense of self and greater awareness. The MYP allows students to learn professional and vocational skills in preparation for the IB Diploma Programme (DP).

Student-engaged assessment practices are used to empower students to be leaders of their own learning. Instead of reporting on learning in the form of percentages in traditional categories such as homework, quizzes, and tests, Scintilla uses standards-based and competency-based grading at the elementary level to more clearly assess, track and inform student learning. SCA will continue to use Navy Education for standards-based assessments in available content areas and will continue to design standards-based assessments with test security in courses where Navy assessments are not available. Performance-based assessments will also be used to allow scholars the opportunity to demonstrate proficiency of standards and/or competencies through the application of their knowledge in a real-world based task.

SCA uses a set of character standards school-wide to create a school culture based on intrinsic motivation, helpfulness, problem-solving, and connection. In addition to SCA's Habits of Character, SCA will prepare our scholars for a rapidly changing world by embedding the development of skills that will empower our scholars to be productive citizens of a global community and successful in the workforce of the future. The competencies included in SCA's Portrait of a Graduate profile were developed in collaboration with a variety of stakeholders included families, local businesses, community members, educators, scholars, and SCA leadership.

**Please describe how the applicant school/network will establish and maintain a racially and socio-economically diverse student population and endeavor to recruit faculty and staff who are similarly diverse.**

Scintilla Charter Academy will establish and maintain a racially and socio-economically diverse student population by continuing to establish a culture that respects a diverse school community. Pursuing the approval for IB Middle Years Programme candidacy supports this commitment. The International Baccalaureate aims to develop inquiring, knowledgeable and caring young people who help to create a better and more peaceful world through intercultural understanding and respect. To this end, the International Baccalaureate Organization works with schools, governments and international organizations to develop challenging international education programs and rigorous assessment. These programs encourage students worldwide to become active, compassionate and lifelong learners who understand that other people, with their differences, can also be right. Scintilla Charter Academy uses a lottery system for enrollment that promotes a racially and socio-economically diverse student population. Scintilla will continue to recruit faculty and staff who are similarly diverse to Scintilla's student population.

**Provide details about how the applicant school/network will maintain financial sustainability after the end of the subgrant period.**

To ensure financial sustainability beyond the subgrant period, Scintilla Charter Academy will use a multifaceted approach. Scintilla will continue to explore grants, private donations, partnerships with local entities, and strategic fundraising initiatives. Simultaneously, Scintilla will maintain financial sustainability by utilizing the Board approved budget. The budget is created by reviewing previous expenditures along with anticipated needs to determine current expected spending. The budget includes federal, state, and local revenues. Scintilla will continue to annually develop and approve a realistic budget that prioritizes essential expenses, ensuring efficient resource allocation without compromising quality. Continuing to involve key stakeholders in decision-making processes will allow Scintilla to foster a collective commitment to financial sustainability, ensuring the school's ongoing success beyond the subgrant period.

## Other Information - Uploads

Please provide the following documents/information by uploading them here.

**Please upload the applicant school/network's recruitment and enrollment policy and procedures. If the school is proposing use of a weighted lottery, please include the weighted lottery policy. All weighted lottery policies must be approved by the SCSF and the U.S. Department of Education as a condition of any CSP Subgrant.**

SCA FY24 Recruitment and Enrollment Policies and Procedures.pdf

**If necessary, please upload a second document.**

**Please upload the applicant school's retention and discipline policy.**

SCA FY24 Retention-Discipline-Handbooks.pdf

**Please upload how the applicant school has/will meet the educational needs of all students, including children with disabilities and English learners. For replication and expansion applicants, upload the percentage of students with disabilities and English learners who have been served over the last three (3) years by the applicant school.**

SCA FY24 Services for All Students.pdf

**Please upload the charter contract with the authorizer and/or other document that includes the performance measures agreed to by the authorizer and school.**

Scintilla Charter Academy Charter Contract.executed.pdf

**Please upload the applicant school's transportation plan.**

SCA FY24 Transportation Policy.pdf

## Relationship with CMO/EMO

**Does the school have a relationship with CMO/EMO?**

No

## Additional Information for Replication & Expansion Applicants

Please describe how the applicant school meets the federal definition of "high-quality charter school" as described under ESEA § 4310 (8). Evidence of a high-quality charter school includes one or more of the following.

Choose yes for the one that applies and leave any that do not blank.

**State charter school has met expectations in all areas under the State Charter Schools Commission's Comprehensive Performance Framework (CPF) for at least three (3) of the four (4) previous years.**

Yes

**Locally-commissioned charter school has met authorizer expectations as described in the charter contract for academics and operations for at least three (3) of the four (4) previous years. The applicant must upload evidence of meeting authorizer standards, which may include copies of reports, screenshots of performance matrices, and/or a letter from the authorizer.**

Yes

**Locally-commissioned charter school has CCRPI metrics and/or Milestones results demonstrating high-quality academics for students. The SCSF must approve the evidence submitted and may request additional information.**

Yes

Please upload evidence for meeting the definition of a "high-quality charter school."

Please verify that the applicant school has not received a subgrant under this CSP grant (through the SCSF) for a 5-year period unless the applicant can prove three (3) years of improved educational results for enrolled students. Evidence of improved educational results may be uploaded.

The school/network has not received a subgrant under this CSP in the last 5 years.

Please upload policies for compliance with Georgia Open Meetings Act (O.C.G.A. § 50-14-1 et. Seq) and Open Records Act (O.C.G.A. § 50-18-70 et. seq) requirements. Provide links to the applicant school's website for meeting information and instructions for making open records requests.

SCA FY24 Open Meetings and Records.pdf

## Priorities

### Priorities Claimed

Location, High School

**Provide details of the location or proposed location of the applicant school.**

Scintilla Charter Academy is located in Valdosta, GA. The closest State Commissioned Charter School is Baconton Community Charter School which is located 78 miles from Scintilla Charter Academy.

**Please upload a map showing proximity to other charter schools, evidence of a rural designation, and/or other evidence to meet the definition of a priority community as described in Definitions.**

SCA SCSC Map of Proximity to Charter Schools.png

**Indicate if the applicant school will offer high school during the term of this subgrant (up to 36 months).**

Scintilla Charter Academy will offer high school during the term of this subgrant. Scintilla Charter Academy has been authorized by the SCSC to expand to add grades 9-12, one year at a time, beginning in FY24. Scintilla Charter Academy added ninth grade this year and will add one grade level at a time to fully expand to serve grades K-12.

## Assurances

The applicant charter school/network must agree to assurances related to the CSP SE Grant program and requirements set forth by the State Charter Schools Foundation of Georgia. The board chair must sign this document, and it should be uploaded below.

[Link to the Georgia CSP Subgrant Assurances](<https://drive.google.com/file/d/1MMz7OJ1UbTqfE6giNove2JBtWAdDqjD-/view?usp=sharing>)

### File Upload: CSP Subgrant Assurances

CSP Subgrant Assurances.pdf

### Submission Date

01/04/2024

## Applications: File Attachments

**Please upload the applicant school/network's recruitment and enrollment policy and procedures. If the school is proposing use of a weighted lottery, please include the weighted lottery policy. All weighted lottery policies must be approved by the SCSF and the U.S. Department of Education as a condition of any CSP Subgrant.**

SCA FY24 Recruitment and Enrollment Policies and Procedures.pdf

**Please upload the applicant school's retention and discipline policy.**

SCA FY24 Retention-Discipline-Handbooks.pdf

**Please upload how the applicant school has/will meet the educational needs of all students, including children with disabilities and English learners. For replication and expansion applicants, upload the percentage of students with disabilities and English learners who have been served over the last three (3) years by the applicant school.**

SCA FY24 Services for All Students.pdf

**Please upload the charter contract with the authorizer and/or other document that includes the performance measures agreed to by the**

**authorizer and school.**

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**Please upload the applicant school's transportation plan.**

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SCA FY24 Open Meetings and Records.pdf

**Please upload a map showing proximity to other charter schools, evidence of a rural designation, and/or other evidence to meet the definition of a priority community as described in Definitions.**

SCA SCSC Map of Proximity to Charter Schools.png

**File Upload: CSP Subgrant Assurances**

CSP Subgrant Assurances.pdf



## **Admission Procedures**

In accordance with O.C.G.A. 20-2-2066 (1)(A), SCA will admit scholars of any race, color, nationality and ethnic origin, religion, sexual orientation, or gender. SCA shall enroll an eligible scholar, as defined by GADOE, who resides within the attendance zone and submits a timely application unless the number of applications exceeds the capacity of a program, class, grade level, or building. In such cases, all applicants shall have an equal chance of being admitted through a random lottery process. Scholars who live outside of SCA's attendance zone may apply/enter SCA's lottery, so long as they are residents of Lowndes or Brooks County at the time of enrollment.

SCA 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 scholar's school or community activities, grades, test scores, attendance record, or disciplinary history. SCA may use applications to verify the scholar's residence within the school's attendance zone.

Priority for enrollment will be given in accordance with the approved charter petition:

1. Currently enrolled scholars
2. Siblings of currently enrolled scholars. A sibling is considered any child who shares a legal parent or guardian with an enrolled scholar and who otherwise meets enrollment requirements. Siblings (older or younger) are admitted without going into the lottery, provided there is space available.
3. Children of faculty, staff, and governing board members. Children of faculty and staff and governing board members who have served at least one year on the board will receive enrollment priority.
4. All other eligible scholars.

To attend Scintilla, scholars must be entering grades Kindergarten through 8th grade at the beginning of the 2022-2023 school year.

Kindergarten scholars must be 5 years old on or before September 1, 2023.

**You and your child must live in Valdosta, Lowndes, or Brooks County.** Scholars who live outside of SCA's attendance zone may apply/enter SCA's lottery, so long as they are residents of Valdosta/Lowndes or Brooks County at the time of enrollment. If enrolled families move outside of the attendance zone, they will not be allowed to continue attending at SCA.

SCA does not discriminate on the basis of race, sex, religion, disability, national origin, or socioeconomic status. We want our academy to reflect the diversity of our attendance zone.

Scintilla is a free public school. For complete information regarding the school, please click through our website.

### **Lottery**

The lottery process shall be published in advance and articulated prior to the commencement of the lottery.

The lottery will be drawn in the following manner: Kindergarten, 1st grade, and so on until all spots are filled.

The lottery shall be observed and certified by a third-party individual. That third party will confirm that all names that were received during the new scholar application window are included in the lottery. The third party will then draw from those names to fill available spots and to create waiting lists where applicable.

The school shall maintain a written/electronic waiting list of scholars who were not offered enrollment in the school due to lack of space. The school may accept new applications for the waiting list outside of the New Scholar Application period. The school shall follow the same preferences stated above for placing those applications outside of the annual application period on the waiting list. Openings created during the school year shall be filled from the waiting list.

Scholars who are offered the opportunity to enroll according to the above-stated procedures must complete all enrollment paperwork and provide all required documentation by the date given. Failure to enroll by the date and time provided will forfeit the child's spot, and that spot will be offered to the next scholar on the waiting list.

If a child is selected to enroll at SCA through the lottery, families will receive an email on the evening of the lottery with the information and procedure for enrolling and securing their scholar's spot. If a child is placed on the waiting list, families will receive an email on the evening of the lottery to that effect and may call the school to inquire about placement on the list.

SCA may gather relevant information from scholars after enrollment is determined.

To enroll a scholar at SCA, parents/guardians must provide the following documentation:

- Copy of original birth certificate
- Immunization certificate (or religious exemption)
- Certificate of vision, hearing, dental, and nutrition exam
- Social security card or waiver form (provided by SCA)
- Copy of parent/guardian driver's license
- Proof of legal guardianship (if applicable)
- Proof of legal custody (if applicable)
- Mortgage or lease statement
- Two additional current proofs of residency

It is imperative that we have updated and accurate contact information on file at all times, so please be sure to call the school if phone numbers or addresses change.

## **Waiting List Procedures**

Lottery positions and waitlist positions will not be secured from year to year. Those offered the opportunity to enroll from the waitlist will have three days to complete the enrollment process before the opening is offered to the next scholar on the waitlist.

Siblings of new scholars offered enrollment will be given priority upon full completion of the enrollment packet by the designated date. Siblings will be given priority on the waitlist in an order that matches where they were drawn in the lottery. It is the waitlisted parent or guardian's responsibility to provide information regarding siblings as well as updated contact information, including a phone number and address, and an email if possible.

Any scholars who apply after the lottery has taken place will complete a post-lottery application. Submission to the waitlist will be accepted on a first-come-first-served basis. If a scholar from the post-lottery waiting list is offered enrollment, their sibling will be given priority upon full completion of the enrollment packet by the designated date.

Please be sure to provide an emergency contact person in the event you cannot be reached regarding an opening. Failure to keep updated information throughout the school year resulting in an inability to notify the parent of an opening waives the scholar's placement on the waitlist.

A school designee shall contact the next person on the waitlist if a slot becomes available. Contact may be made by phone. Every effort will be made to reach the individual in person; however, a detailed message will be left if this is not possible. The parents/guardians will be given 72 hours to accept the opening and complete the required enrollment packet. If contact and/or an effort to provide enrollment paperwork is not made within this time frame, the next scholar on the waitlist is extended the offer.

If it becomes necessary to pull from the waitlist within the week before school starting or after school has begun, the first 3 applicants on the waitlist will be contacted, and the first one to respond (within 24 hours) will be given the opportunity to enroll – to speed up enrollment.

### **SCA Lower School Promotion/Retention Policy (from handbook)**

The following criteria will be utilized to determine promotion/retention for each scholar. If a parent/guardian disagrees with SCA's decision to retain, a committee will be formed consisting of the parent/guardian, teachers, and administration. The committee's decision to promote should be unanimous, if not the scholar will be retained. If a unanimous decision is made to place a scholar in the next grade, the decision should be based solely on the team's consideration that given appropriate interventions (and the implementation of a plan) the scholar should master the next grade-level standards by the end of the following year.

#### Mandatory Requirements:

- 80% mastery of ELA standards
- 80% mastery of Math standards
- Teacher recommendation

#### Additional information considered as applicable:

- Benchmark Assessments
- GMAS scores showing at least proficiency level for 3rd Grade (ELA) and 5th grade (ELA and Math)
- Attendance
- Age, grade, current placement

Scholars who fail to meet the promotion criteria listed above will be recommended for retention.

### **SCA Upper School Promotion and Retention Policy (from handbook)**

In addition to any grade-specific [state-mandated requirements](#), SCA: Middle/Upper School scholars will be *promoted* based on the following criteria:

#### **Promotion/Retention – Grades 6-8**

- Students must pass ALL academic classes (this is an SCA policy).
  - Minimum of 70% mastery of grade level standards in all academic courses
  - Minimum of 70% mastery in all *required* elective courses
- Parents may appeal the retention by submitting a letter to the counselor within 5 days after the last school day. The counselor will convene the Placement Committee comprised of a grade level teacher, the counselor and an administrator; will review all records for the school year and meet with the parent to determine the best placement for the scholar.
- Scholars must have no more than 15 unexcused absences for the school year. (8 for semester long courses).
- Scholars in grade 8 will be required to meet Milestone Test criteria for promotion.
- Additionally, scholars who are in the Special Education Program who do not meet the promotion criteria will have an IEP meeting scheduled with the IEP team.

**Promotion/Retention Grades 9-12**

- Students must pass ALL academic classes (this is an SCA policy).
  - Minimum of 70% mastery of grade level standards in all academic courses
  - Minimum of 70% mastery in all *required* elective courses
- Scholars must have no more than 15 unexcused absences for the school year. (8 for semester long courses).
- Additionally, scholars who are in the Special Education Program who do not meet the promotion criteria will have an IEP meeting scheduled with the IEP team.

To be promoted to the 10 <sup>th</sup> grade and classified as a Sophomore:	Student must have earned a total of 6 Carnegie units.	Of the 6 Carnegie units earned, 3 units must have been earned in required academic courses (English, Math, Social Studies, Science)	In addition to the 3 units earned in academic courses, the student must also have earned at least 3 additional units in any other courses (academic or elective)
To be promoted to the 11 <sup>th</sup> grade and classified as a Junior:	Student must have earned a total of 12 Carnegie units.	Of the 12 Carnegie units earned, 6 units must have been earned in required academic courses (English, Math, Social Studies, Science)	In addition to the 6 units earned in academic courses, the student must have also earned at least 6 additional units in any other courses (academic or elective)
To be promoted to the 12 <sup>th</sup> grade and classified as a Senior:	Student must have earned a total of 18 Carnegie units.	Of the 18 Carnegie units earned, 9 units must have been earned in required academic courses (English, Math, Social Studies, Science)	In addition to the 9 units earned in academic courses, the student must also have earned at least 9 additional units in any other courses (academic or elective)

Scholars who fail to meet the promotion criteria listed above will be recommended for *retention*.

Additional factors may contribute to the promotion/retention decision including, but not limited to, attendance, evaluation on Spartan 10: Habits of Character, and age/grade/current placement. In the event that a scholar is placed in the next grade level, SCA faculty will provide standard-specific recommendations for support prior to the start of the subsequent school year. The parent/guardian is encouraged to create opportunities for remediation within the window prior to the next school year.

If a parent/guardian disagrees with SCA's decision to retain, a committee will be formed consisting of the parent/guardian, teachers, and administration. Following a discussion of relevant documentation, the committee will vote to determine whether the child will be retained, promoted, or placed into the next grade level. The decision to *promote* must be unanimous or the scholar will be retained. If a unanimous decision is made to *place* a scholar in the next grade level, the decision must be based on documentation suggesting that, given appropriate interventions via strategic implementation of a plan, the scholar would be likely to master the next grade-level standards by the end of the following year.

## SCA Lower School Discipline Expectations (from Student Handbook)

### Behavior Expectations/Code of Conduct

Our goal is to teach scholars the value and importance of following established rules and procedures in order to maintain a safe, orderly, and respectful environment both in our school and in the community. To that end, we will positively reinforce honorable conduct and good behavior as often as possible and will balance this with appropriate consequences for misconduct. We will continually provide encouragement and support to our scholars in self-management of behavior and control of actions.

- Be polite and attentive both inside and outside of class.
- Attend school consistently, be punctual, and take responsibility for making up any work when absent.
- Comply with the uniform and dress code.
- Be prepared for class.
- Follow directions.
- Follow all reasonable requests made by adults on the premises with a positive attitude, and show respect for self, others, and property.
- Cooperate with and demonstrate respect for the faculty and staff, including administrators, teachers, secretaries, custodians, and any other people working at the school.
- Communicate in an acceptable tone of voice using an acceptable choice of words.
- Follow the dining room, playground, hallway, and individual classroom rules.
- Not use threats or intimidation against any other person.
- Respect the health and safety of others, safety rules, and not bring tobacco, alcohol, or any illegal substances to school.
- Not bring anything to school that could be used to harm another or that is illegal.

SCA uses Habits of Character and our Scintilla Standards to teach scholars the behavior that is expected at SCA.

#### Habits of Character

##### Perseverance

- I can set goals and work towards meeting those goals.
- I can stick with a task until completion.
- I can use feedback to produce high-quality work.

##### Responsibility

- I can be responsible for my learning and work.
- I can be responsible for my attitudes and actions.

##### Respect

- I can be respectful towards members of my school community.
- I can listen to my classmate's diverse opinions and remain open-minded.
- I can contribute to my group in a positive way.

##### Service

- I can have a positive impact on my school.
- I can have a positive impact on my community.
- I can have a positive impact on my environment.



The Scintilla Standards are the foundation on which our school's culture is built. These standards are taught and modeled daily so that these fundamentals become second nature.

Scintilla Standards:

1. When speaking to someone, make eye contact and be a good listener.
2. It's always polite to respond when someone is speaking to you.
3. Respect others' opinions, ideas, and suggestions.
4. Always be a good winner and have a positive attitude if you don't win.
5. Always be respectful to others and don't roll your eyes or use disrespectful gestures.
6. It's okay to be happy when you do something well, but remember to not ask for a reward.
7. Saying thank you is one of the most important things you can say!
8. Use good manners in the hallway by being quiet and respecting other scholars' learning.
9. People feel important when you are able to remember their names.
10. Use your good manners in the restroom... wash your hands and remember to throw away your trash.
11. When someone is being reprimanded, remember it is not polite to stare.
12. Make sure to always clean up after yourself no matter where you are.
13. When someone introduces you to a new person, make sure to shake their hand and say "nice to meet you."
14. It's always polite to hold the door open for someone who is close behind you.
15. Use your best manners and be respectful at Community Circle and any other assembly.
16. Everyone makes mistakes!! When you do, use them as an opportunity to learn and make better choices next time.
17. Being honest is always for the best in every situation.
18. It is NEVER okay to pick on or meanly tease anyone!
19. Always do your best!
20. Try to see the positive things in all situations..look for the bright side and you will find it.

### Crew

Each morning, scholars will start their day in their homeroom with a crew meeting. The purpose of this time is to build community in the classroom. Elements of crew meetings include news and announcements, preparing for a successful day of learning, greetings, and focus on Scintilla Standards and Habits of Character.

### Community Circle

Community Circle is an opportunity for the entire SCA school family to come together and celebrate the week. Each Friday morning we meet in the Dining Room to highlight learning and character accomplishments from the week. Grade levels rotate in leading our weekly Community Circle. SCA families are always welcome to attend Community Circle.

### Learning Environment

Establishing a safe and orderly learning environment requires all members of the school community, teachers, support staff, scholars, and parents to model behaviors that show respect for each other and persons in authority. Personal responsibilities or standards of conduct for our scholars, teachers/staff, parents and families are listed below:

### Teacher/Staff Responsibilities

Teachers/staff are expected to model behaviors that are consistent with SCA's policies and school performance standards. Teachers/Staff are responsible to support the learning environment by exemplifying the following standards of conduct:

- Teachers and staff shall promote mutual respect between scholars and adults

- Teachers and staff shall be prepared to meet professional responsibilities associated with their respective positions
- Teachers and staff shall develop and use cooperative discipline strategies and a restorative approach, including the appropriate language of learning techniques and a consistent school-wide procedure to address conflicts and problem-solve with scholars
- Teachers and staff shall promote a sense of pride and community as evidenced by a friendly and inviting atmosphere, encouraging actions, and service in the school and community
- Teachers/administrators shall contact a scholar's parents/guardians in cases of serious infractions of the school code of conduct

#### Parent/Family/Guardian Responsibilities

Parents, families, and guardians of scholars are expected to participate in their child's education in the following ways:

- Communicate often and routinely with their child's teacher
- Participate in their child's development by attending scheduled conferences
- Keep informed about school policies and requirements of their child's academic program, including homework and projects
- Ensure the child attends school regularly and is appropriately prepared
- Participate in school events for home reinforcement of study skills and specific instructional objectives
- Communicate concerns to school staff concerning specific problems or difficulties that may impede the child's learning or well-being
- Provide positive support to your scholar(s) as well as the school and its faculty and staff

#### Offenses and Levels of Disciplinary Action

While SCA intentionally supports the responsive classroom model and employs alternative discipline strategies, there may be instances where students require redirection and/or consequences to address inappropriate behaviors. Though suspension is a widely used disciplinary technique, research has raised serious questions about its long-term adverse effects on students (Hannigan & Hannigan, 2022). Frequent use of suspension can result in undesirable and unintended outcomes, including a less healthy school environment, lower academic achievement, higher levels of disruptive or antisocial behavior, and higher school dropout rates.

In an effort to keep scholars in their classrooms so that learning is not disrupted, SCA incorporates alternative discipline techniques including strategies such as reverse suspension as an initial step. If student behavior requires an administrative consequence, SCA may recommend reverse suspension rather than the consequence of a traditional suspension. Reverse suspension requires the scholar's parent to attend school with the child for the assigned period. Additional examples are included below which align with the alternative discipline approach. This list serves as an example of alternative discipline strategies which may be used - but does not represent an exhaustive list of strategies. SCA reserves the right to assign more traditional forms of discipline (e.g., suspension) when the behavior warrants such a consequence.

## Student Code of Conduct

SCA administration cannot foresee every situation that may come up during the school year. However, if behavior interrupts the operation of the classroom, the hallway, or the school in general, the results could be as simple as a warning or as serious as an expulsion.

### Tier I Misconduct

This level of correction is used when the behavior engaged is of a minor but consistent action warranting intervention on the part of the teacher or other school staff. These actions negatively impact the learning and safety of our scholars. The consequence for any infraction is left to the discretion of the administrator based on variables involved in the incident.

Examples of these actions might be but are not limited to the following:

- Violations of classroom rules
- Uniform issues (failure to follow the uniform policy)
- Bringing toys or items from home to school that are a distraction or against classroom rules
- Loud talking, loud laughing, or use of a tone that disrupts the learning process in the classroom, hallway, dining room, etc.
- Arguing with another scholar or the teacher interrupts the learning environment
- Failure to follow directions given by an adult
- Violation of cell phone policy
- Putting hands on another scholar – pushing, shoving, kicking, biting, pinching, slapping, etc.

Tier I disciplinary actions may include but are not limited to the following:

- Immediate removal of the scholar from the classroom or area where the infraction occurs and a request made for the parent to come to the school to pick up the child
- A written or verbal warning by the teacher, counselor, custodian, lunchroom staff, support staff, or administrator
- Teacher conference scheduled with the scholar and the parent
- Scholar placed on a behavior contract
- Any other disciplinary action deemed appropriate by the assigned administrator

Parents, please remember: We do not tolerate scholar disruptions during class time. Regardless of the age of the child, a scholar who disrupts class by blurting out repeatedly, moving about the classroom so as to remove the attention of the scholars from the teacher, failing to follow classroom rules, arguing or belittling other scholars, throwing things, hitting, pushing or shoving others will be removed from class and the parent will be called to come and get the child.

### Tier II Misconduct

This level of correction is used when the behavior engaged is persistent and repeated and negatively impacts the learning and/or safety of our scholars. These actions can occur in the classroom, in the gym, in the dining room, outside of the school building, or at school-sanctioned or even non-school events. These behaviors may include, but are not limited to, repeated acts of minor misconduct as seen in Tier I; of actions of a scholar against another scholar, adult or SCA property, that does not seriously endanger the health, safety, or well-being of others but does disturb the learning environment and the school culture. The consequences for any infraction are left to the discretion of the administrator.

Examples of these actions might be but are not limited to the following:

- Repeated violations of Tier I misconduct
- Disruption and interference with the normal operation of the school
- Continued failure to follow the uniform policy
- Academic dishonesty
- Taking items that belong to another scholar or adult
- Violation of cell phone policy
- Destruction of school property
- Tampering with school technology
- Visiting any inappropriate site on school technology
- Disrespectful or demeaning language directed at another scholar or adult
- Disrespectful behavior to a staff member or any adult
- Public displays of affection-kissing, hugging, or touching one another inappropriately (1st offense)
- Threatening another scholar or adult either by word or behavior (this includes pushing, shoving, tripping, etc.)
- Bullying on the first offense, harassment, cyber-bullying, or intimidation as defined in Georgia law O.C.G.A. § 20-2-2751.4
- Second cell phone violation
- Skipping class
- Throwing an item at an individual that could potentially cause harm
- Any act that negatively impacts the learning and safety of our scholars

Tier II disciplinary actions may include but are not limited to the following:

- Immediate removal of the scholar from the classroom or area where the infraction occurs and the parent is required to come to the school to pick up the child
- Restitution of stolen or broken items
- Confiscation of cell phone
- Student placed on a behavior contract
- Any other intervention or consequence deemed appropriate by the teacher, counselor, or administrator
- Possible suspension from school
- Possible referral for expulsion

### Tier III Misconduct

This level of correction is used when the scholar's misbehavior is repeated but the offenses may not be related; however, the actions negatively impact the learning and safety of our scholars. These actions can occur in the classroom, in the gym, in the dining room, outside of the school building, or at school-sanctioned or even non-school events. Actions may include but are not limited to repeated acts of misconduct as seen in Tier I and Tier II; actions of a scholar against another scholar, adult, or SCA property that could endanger the health, safety, or well-being of others and may also disturb the learning environment or the school climate. These behaviors are of a serious nature and may result in a scholar's suspension from school and school activities. The consequences for any infraction are left to the discretion of the administrator based on factors involved in the incident.

Examples of these actions might be but are not limited to the following:

- Instigating/provoking any altercations between or among scholars while on campus or at a school activity

- Any behaviors from Tier I or Tier II that are repeated and are not corrected by consequences administered
- The fourth failure to comply with the uniform policy
- Second infraction involving academic dishonesty
- Possession of a vaping device
- Refusing to follow directives given by an administrator involving a disciplinary consequence
- Lying, falsifying, omitting information, misrepresenting, or erroneously reporting information regarding instances of alleged inappropriate behavior by any SCA scholar toward another scholar in regard to an incident that has occurred
- Bullying on the second offense, harassment, cyber-bullying, or intimidation as defined in Georgia law O.C.G.A. § 20-2-2751.4
- General Sexual Misconduct/Sexual Harassment to include:
  - Displays of affection (including but not limited to: hand-holding, frontal hug, kissing, or inappropriate touching in the hallways, classrooms, locker rooms, bathrooms, or anywhere on the SCA campus. This includes snapping of one another with towels in locker rooms, taking videos in locker rooms, peering over stalls in locker rooms or bathrooms, etc.)
  - Inappropriate or unwanted touching of another scholar or adult.
  - Grabbing, touching, pinching, or slapping a scholar or faculty member while on campus, at school-sponsored events, including athletic fields.
  - Exposing of body parts, intimate or otherwise, lewd behavior (showing personal parts of the body to others, i.e. pulling down pants/shorts/skirt).
  - Making sexual remarks or unwelcome advances towards other scholars, staff, or faculty; asking for sexual favors explicitly, via social media, or online format
  - Using vulgar/profane, racially derogatory, sexually derogatory, or aggressive language toward another scholar or adult including disrespectful language or behavior directed at a teacher, administrator or any SCA school personnel.
- Fighting/shoving/pushing another scholar or adult in an aggressive manner
- Hitting another scholar, teacher, or faculty/staff member in an aggressive manner
- Defacing, damaging, or destroying the property of another individual
- Defacing, damaging, or destroying the property of SCA
- Encouraging others to become involved in acts that are prohibited or disrupt the learning environment or the school environment at large
- Bringing any item related to a weapon, or that could be construed as a weapon, on campus or to a school event
- Bringing any medication to school without consulting with the nurse and leaving the medication in the clinic; carrying medication, in particular prescribed medication, on the scholar's person; bringing any legal or illegal medication or substance onto school property
- Tampering in any way with a scholar or a faculty/staff member's food or drink
- Taking still or video pictures of any individual while on school property with or without their clear and expressed permission. This includes taking pictures of other scholars and/or staff members
  - Recording a video in a bathroom that involves other scholars
  - Videoing any kind of illicit activities and posting on any social media platform
  - Videoing teachers or other scholars during the school day
- Visiting any site that includes pornography, profane music and/or lyrics, indecent pictures of individuals, graphic behaviors including fighting, etc.
- Posting comments or videos via social media, websites, chat rooms, etc. about the school, teachers, scholars, or parents of a disparaging, rude, or vulgar nature
- Soliciting sexually inappropriate pictures

- Placing vulgar or inappropriate pictures on websites and encouraging scholars to visit those websites either at school or at home
- Sending vulgar texts, Instagram posts, etc. to any individual at SCA including scholars, teachers, or other personnel
- Having vulgar, profane, or sexual pictures, texts, etc. in possession or sharing such with any other scholar
- Using sexual or explicit language with any other scholars or in the presence of scholars, particularly younger scholars
- Sexting or the sending of any type of sexually explicit or implicit message using a cell phone or other technological device
- Placing pictures of other individuals on social media with derogatory commentary about their personal characteristics, sexual orientation, ethnicity, etc.
- Third violation of cell phone policy incident
- Having any type of cigarette, (nicotine, marijuana, or CBD), lighter, matches, rolling papers, drug paraphernalia, or any smoking/vaping device on campus or at a school-related event/trip
- Being in possession of liquor/alcohol; providing liquor/alcohol to other scholars; imbibing in liquor/alcohol on the school campus or at a school event
- Being in possession of any CBD/THC product on the school campus or at a school event
- Creating any disturbance that disrupts or distracts from the learning environment and potentially inhibits the smooth operation of the school/classroom
- Disrupting the testing environment
- Second infraction of tampering with school technology in any form or fashion
- Tampering with technology so as to remove evidence of inappropriate online activity
- Engaging in larceny/theft of school property regardless of the value
- Engaging in larceny/theft of another scholar's property regardless of the value
- Accessing/altering school/teacher records
- Compromising test security of any standardized test
- Referring to a staff member in a negative, sexual, or racist fashion or making threatening or aggressive comments via any social media platform
- Obtaining access to another scholar's username and password
- Obtaining access to another scholar's ID number and using that number to purchase meals
- Inappropriate use of the SCA logo
- Violation of the Acceptable Use Policy (Technology)
- Leaving the building without permission; leaving campus without permission

Tier III disciplinary actions may include but are not limited to the following:

- Immediate removal of the scholar from the classroom or area where the infraction occurs and the parent will be required to pick up the child from school
- Restitution to individuals or to the school
- Suspension from school of no less than 3 days and no more than 10 days.
- School service assignments as determined by the administrator.
- Cell phone confiscated and loss of cell phone privileges
- Referral for expulsion.
- Possible involvement of local law enforcement.
- Any other intervention or consequence deemed appropriate by the teacher, counselor, or administrator.

## Tier IV Misconduct

This level of correction is used with behavior that is of a serious nature. Tier IV Misconduct is of such a serious nature that the scholar will be removed from the classroom or the area where the act takes place immediately and will be subject to long-term suspension or expulsion as well as possible involvement of local law enforcement.

In the event misconduct warrants a possible referral for expulsion, the scholar will be granted a hearing as per O.C.G.A. 20-2-753. The Disciplinary Hearing Officer will hold the hearing within 10 days of the incident.

The Georgia State Board of Education rule 160-4-8-.15 provides that individuals selected by the LEA to be the Disciplinary Hearing Officer must have experience as a teacher, counselor, or administrator in a public school system. In addition, all qualified Disciplinary Hearing Officers have the initial and ongoing Tribunal training course that meets the requirements of the SBOE rule prior to the individual servicing in such capacity.

Examples of these actions might be but are not limited to the following:

- Making oral or written communication, creating a document, or making a symbolic gesture or contact of a threatening, undermining, or provoking nature to any scholar or school employee at SCA
- Tampering, defacing, or disturbing staff, scholar, or visitor vehicles parked on campus at any time
- Hate speech of any kind directed at SCA teachers, administrators, staff, or any employee of SCA or contracted by SCA including dining hall staff, custodial staff, construction staff, landscaping staff, etc.
- Any act of violence that impacts the climate, culture, and morale of the scholar body and the faculty/staff
- Verbal assault including the threatening of violence to other scholars or staff of SCA as well as to any individual on the SCA campus
- Physical assault/fighting directed at or to other scholars or staff of SCA as well as to any individual on the SCA campus
- Trespassing on the SCA campus after hours or when suspended from school
- Defacing SCA campus
- Third act of bullying, harassment, cyber-bullying, or intimidation as defined in Georgia law O.C.G.A. § 20-2-2751.4.
- Fighting or physical violence towards another scholar whether it causes harm or otherwise
- Sexual harassment in any form
- Having possession of, sharing, or distributing obscene or pornographic material in print or computer, flash drive, CD, DVD, etc.
- Engaging in any type of behavior in the community that requires placement at a YDC facility or requires the use of a monitoring device
- Engaging in any type of behavior or conduct that is punishable as a felony or is a delinquent act that would be a felony if committed by an adult including:
  - Selling, giving, delivering to another person, or possessing, using, or being under the influence of marijuana (including but not limited to marijuana suckers, candy, etc), any controlled substance, any medication not prescribed to the taker, or any dangerous drug while on campus or at any school function.
  - Selling, giving, or delivering to another person an alcoholic beverage; committing a serious act or offense while under the influence of alcohol; possessing, using, or under the influence of alcohol prior to attending school or while at school; possessing, using, or under the influence of alcohol prior to or during a school-related activity.

- Engaging in conduct that contains the elements of an offense relating to abusing glue or aerosol paint, or relating to volatile chemicals.
- Engaging in conduct that contains the elements of public lewdness
- Engaging in sexual conduct on campus or at a school-sponsored activity
- Entering the restroom of the opposite sex
- Engaging in conduct that contains the elements of the offense of criminal damage to property in the first or second degree, either on or off campus
- Stealing, extorting, gambling, or possessing stolen property
- Using, exhibiting, or possessing a firearm
- Using, exhibiting, or possessing another weapon
- Using, exhibiting, or possessing fireworks of any kind whether homemade or purchased
- Discharging or participating in the discharge of a fire extinguisher
- Discharging or participating in the discharge of a fire alarm anywhere within or on the SCA school campus
- Engaging in serious and persistent offenses that disrupt or materially interfere with the orderly process in the classroom, the school, or any school-related activity.
- Fighting will not be tolerated. Any scholars involved in a fight may be suspended for up to 10 days of school and will possibly be referred for a disciplinary hearing.

Tier IV Disciplinary Actions may include but are not limited to the following:

- Suspension
- Long-Term Suspension
- Expulsion
- Referral to Law Enforcement

### Disciplinary Hearings

A scholar accused of committing a Level IV offense as defined in the SCA: Code of Conduct and Discipline plan may be referred for a Disciplinary Hearing for a determination as to whether a long-term suspension or expulsion is appropriate. A long-term suspension means denial to a scholar of the right to attend school and take part in any school function for period ten (10) or more school days. Expulsion shall mean the removal of the scholar from enrollment at SCA for the remainder of the school year or longer. A long-term suspension or expulsion will normally follow a short-term suspension. There are exceptions, however, that could prompt the school administrator to move forward with the immediate dismissal of a scholar. Examples of such violations include, but are not limited to, bringing a weapon to school, assault on a scholar or school personnel, or other chargeable offenses.

A disciplinary hearing officer shall employ the tribunal process to hold hearings in any of the instances previously described, as required by O.C.G.A. § 20-2-753. Per O.C.G.A. § 20-2-759, the disciplinary hearing officer shall have initial training prior to serving as a disciplinary hearing officer, undergo continuing education so as to continue to serve in such capacity, and function as an independent, neutral arbiter. Per SBOE rule 160-4-8-.15, individuals selected by SCA to serve as disciplinary hearing officers must either be: 1) in good standing with the State Bar of Georgia; 2) have experience as a teacher, counselor, or administrator in a public school system; or 3) actively serving as a hearing officer under an existing contact/agreement with a Georgia school system and completed an approved Georgia Department of Education (GaDOE) tribunal training course. SCA will ensure that its disciplinary hearing policies and practices align to state law and corresponding SBOE rules. A comprehensive description of the disciplinary hearing process is available, by request.

## Policy Prohibiting Bullying, Cyberbullying, Harassment, and Intimidation

SCA believes that all scholars have a right to a safe and healthy school environment. SCA has an obligation to promote mutual respect, tolerance, and acceptance among scholars, staff, and volunteers. Behavior that infringes on the safety of any scholar will not be tolerated. A scholar shall not bully, harass, or intimidate another scholar through words or actions. Such behavior includes but is not limited to: direct physical contact such as hitting or shoving; verbal assaults such as teasing or name-calling; the use of electronic methods to harass, threaten or humiliate, and social isolation and/or manipulation.

This policy applies to scholars on school grounds, while traveling on a school bus during a school-sponsored activity, by use of data or software that is accessed through a computer, computer system, computer network, or other electronic technology of a local school system or acts of cyberbullying which occur through the use of electronic communication, whether or not such electronic act originated on school property or with school equipment.

Any form of electronic bullying (cyberbullying) using school equipment, school networks, email systems or committed at school is strictly prohibited. Cyberbullying includes but is not limited to: electronic communication directed specifically at scholars or school personnel, an electronic communication that is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school, and/or any electronic communications that create a reasonable fear of harm to the scholars' or school personnel's person or property or has a high likelihood of succeeding in that purpose.

The following actions will be taken when bullying is reported:

1. *Investigate*: Upon receipt of any report of bullying, SCA will direct an immediate investigation involving appropriate personnel. The investigation will begin no later than the following school day. The investigation shall include interviewing the alleged perpetrator(s) and victim(s), identified witnesses, teacher(s) and staff members and reviewing video surveillance if available. School resource officers, school counselors, and/or other support staff should be utilized for their expertise as determined by the circumstances of the matter.
2. *Notify*: At an appropriate time during or after the investigation, the parent, guardian, or any other person who has control or charge of the accused and the victim will be notified. If the incident involves an injury or similar situation, appropriate medical attention should be provided and the parent/guardian will be notified immediately.
3. *Discipline*: Upon confirming that bullying has occurred, the accused scholar should be charged with bullying and given an age-appropriate consequence which shall include, at a minimum and without limitation, disciplinary action or counseling as appropriate under the circumstances. SCA will clearly communicate to all parties that retaliation following a report of bullying is strictly prohibited and may result in strong disciplinary action. Upon a finding by the disciplinary hearing officer, panel, or tribunal, if a scholar in grades 6-12 is found to have committed the offense of bullying three times during the school year, SCA will assign the scholar to an alternative setting that fulfills the requirements of an alternative program under state law.
4. *Follow Up*: Follow-up is important to the accused and the victim. After-care and follow-up will occur.

All scholars and/or staff shall immediately report incidents of bullying, cyberbullying, harassment and intimidation to the Superintendent or designee. School staff members are expected to immediately intervene when they see a bullying incident occur. Each complaint of bullying shall be promptly investigated.

The procedures for intervening in bullying behavior include, but are not limited, to the following:

- All staff, scholars, and their parents will receive a summary of this policy prohibiting bullying at the beginning of the school year as part of the scholar code of conduct.
- The school shall keep a report of bullying and the results of an investigation confidential.
- Staff are expected to immediately intervene when they see a bullying incident occur or upon receipt of any report of bullying.
- People witnessing or experiencing bullying are encouraged to report the incident to the school principal designee.

SCA's policy prohibiting bullying includes but is not limited to the following:

- Scholars are expected to immediately report incidents of bullying to the Superintendent or designee.
- Scholars can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.
- If the complainant scholar or the parent of the scholar feels that an appropriate resolution of the investigation or complaint has not been reached after consulting the Superintendent, the scholar or the parent of the scholar should contact the local superintendent or his or her designee.
- SCA prohibits retaliatory behavior against any complainant or any participant in the complaint process.

Disciplinary action will be taken after each incident of bullying and upon a finding of guilt. Disciplinary action after the first incident of bullying may include consequences as defined in SCA's Code of Conduct.

If necessary, counseling and other interventions should also be provided to address the social/emotional, behavioral, and academic needs of scholars who are victims of bullying and scholars who commit an offense of bullying.

Scholars, parents/guardians, and other stakeholders may report incidents of bullying to an administrator, teacher, counselor, or other staff members by using the school district's complaint procedures or by calling the Georgia Department of Education's 1-877 SAY-STOP (1-877-729-7867) School Safety Hotline.

## **SCA Upper School Discipline Expectations (from Student Handbook)**

### **Parent and Family Code of Conduct**

**Purpose and Scope** The purpose of the Parent Code of Conduct is to provide a mutual understanding to all parents/guardians and visitors to our school about conduct expectations while on school property, at school events, and when interacting with school employees and/or scholars.

**General Expectations** We expect parents/guardians and visitors to have a fundamental understanding and commitment to the following general propositions:

- Teachers, administrators, and parents/guardians want all children to learn in a safe environment
- All children deserve a safe, positive, and joyful learning environment
- Teachers, administrators, and parents/guardians must work together for the benefit of all scholars
- All parents/guardians and visitors, as well as all members of the school community, deserve to be treated with respect
- The school should be provided an opportunity to resolve issues of concern before public criticism.

### **Prohibited Behaviors**

To provide a peaceful and safe school environment, the school prohibits the following behaviors by parents/guardians and visitors:

- Disrespectful, abusive, threatening, profane, elevated tone, or harassing communication, either in person, by e-mail or text/voicemail/phone, or other written or verbal communication
- Disruptive behavior that interferes or threatens to interfere with school operations, including the effective operation of a classroom, conferences, an employee's office or duty station, a campus lobby, or school grounds, including sporting events, parking lots, and car-pickup
- Threatening to do bodily harm to a school employee, visitor, fellow parent/guardian, or scholars
- Threatening to damage the property of a district employee, visitor, fellow parent/guardian, or scholar.
- Damaging or destruction of school property
- Inappropriate gifts
- Threats of posting negative comments on social media
- Demands for meetings at unreasonable times and or unreasonable lengths, without prior notice
- Attempts to dictate management decisions ● Frequent or repetitive meetings about an issue that has already been addressed
- To incite other parents to join or make a complaint

- Excessive unscheduled campus visits, e-mails, text/voicemail/phone messages, or other written or oral
  - School staff and administration may not always be immediately available to speak with you. The only way to ensure that you can speak with a staff member or administrator is to schedule an appointment. Staff and administrators have a practice of attempting to return all phone calls/emails within 24 hours with great success. Your calls and visits will be responded to consistent with this practice if someone is not immediately available to speak with you.
- Defamatory, offensive, or derogatory comments regarding the school, school staff, other scholars made publicly to others
  - Any concerns that you have should be made through the appropriate channels so they can be dealt with fairly, appropriately, and effectively
  - This includes the use of any social media medium, including but not limited to websites, blogs, wikis, and social networking sites such as Google, Facebook, Instagram, Snapchat, LinkedIn, Twitter, etc.

### **Consequences**

Depending upon the severity of the incident, parents/guardians or visitors may be ejected from or otherwise banned from campus and the ability to attend or participate in school-sponsored events under the criminal trespass laws. In situations involving lesser infractions or where remediation is viable, a warning will be provided, either verbal or in writing, before the filing of trespass and issuance of a formal ban. Should a parent/guardian or visitor fail to heed the direction issued in the warning, a ban or other restrictions designed to deter the conduct will follow. No restriction, however, will prevent the parent/guardian from working collaboratively with the school to meet the child's educational needs, nor will a parent/guardian be excluded from a child's IEP meeting. Scintilla does not have ISS (In-school Suspension) or an alternative school. As stated in the SCA Student Code of Conduct, if a child's behavior negatively impacts the learning or safety of other scholars, the parent will be notified and may be required to schedule a conference or pick up the child from school. By signing the Parent Code of Conduct, the parent/guardian acknowledges this expectation and agrees to partner with SCA. If a parent repeatedly refuses to communicate with his/her child's teacher/school administrator or pick up their child if their child violates the Student Code of Conduct, the scholar will not be allowed to return to school until the parent/guardian follows through with expectations indicated in the Parent Code of Conduct. These absences will be unexcused.

### **Contacting Scholars**

If a parent/guardian needs to reach a scholar during the school day, in the case of an emergency, the parent/guardian can contact the front office and the scholar will be pulled out of class and given the message. However, classrooms will not be disrupted for non-emergency messages.

### **SCA Volunteer Program**

Volunteers play a critical role in the mission and vision of SCA. Parents/Guardians and families are encouraged to volunteer in school-wide opportunities communicated throughout the year-

via school messaging. Parents/Guardians and families may also contact the Parent Teacher Organization (PTO) or specific teachers to offer to assist in the classroom/school setting.

While the SCA PTO is a separate and distinct organization from SCA, all parents are encouraged to join the PTO. Membership dues are \$10.00. Membership allows PTO to support SCA by providing resources and support to our school community. The purpose of the SCA PTO shall be to support the mission statement of SCA. This may include advocacy and educational support, in addition to collaborative efforts deemed necessary by the scholars, parents, faculty, administration, and the governing board of SCA. PTO Bylaws and Executive Board information can be found on the school's website: [www.scintillacharteracademy.com/pto](http://www.scintillacharteracademy.com/pto).

### **Behavioral Expectations**

SCA aims to equip learners with “life ready” skills to increase the likelihood of long-term success. Within the middle/upper school setting, faculty, teachers, and administration will explicitly teach social emotional learning (SEL) competencies. As a next step, scholars will be held accountable for following established norms, rules, and procedures in order to maintain a safe, orderly, and respectful environment. SCA recognizes that middle school scholars need a balance of affirmation for positive choices and redirection in instances where unacceptable behavior is observed. Through self-evaluation of the Spartan 10: Habits of Character, SCA faculty, teachers, and administration employ a proactive approach to effectively support scholars in working toward positive outcomes.

### **Advising**

As middle school scholars move into young adolescence and begin to experience rapid and significant developmental change, SCA will intentionally support scholars in navigating this process. Similar to the K-5 notion of a crew meeting, middle/upper school scholars will participate in a dedicated advising block where they will engage in goal setting, receive explicit instruction in social emotional learning (SEL) skills, and receive support in self-evaluation of the Spartan 10: Habits of Character. The purpose of this instructional block is to build community and equip scholars with the soft skills necessary for long-term success.

### **Spartan Showcase**

Spartan Showcase is an opportunity for the SCA: Middle/Upper School to come together in celebration of learning and growth. On Friday of each week at a designated time, middle school scholars will meet in a dedicated location to highlight progress across academics, character development, extracurriculars, and/or sports. The SCA Middle/Upper school staff will ensure that all grades and scholars are represented throughout the year. A portion of this time will also serve as a pep rally to encourage/motivate Scintilla Spartan teams and build comradery as we prepare for competition outside of the school setting.

### **Student Code of Conduct**

SCA administration cannot foresee every situation that may come up during the school year. However, if behavior interrupts the operation of the classroom, the hallway, or the school in general, the results could be as simple as a warning or as serious as an expulsion.

### **Tier I Misconduct**

This level of correction is used when the behavior engaged is of a minor but consistent action warranting intervention on the part of the teacher or other school staff. These actions negatively impact the learning and safety of our scholars. The consequence for any infraction is left to the discretion of the administrator based on variables involved in the incident.

Examples of these actions might be but are not limited to the following:

- Violations of classroom rules
- Uniform issues (failure to follow the uniform policy)
- Bringing toys or items from home to school that are a distraction or against classroom rules
- Loud talking, loud laughing, or use of a tone that disrupts the learning process in the classroom, hallway, dining room, etc.
- Arguing with another scholar or the teacher interrupts the learning environment
- Failure to follow directions given by an adult
- Violation of cell phone policy
- Putting hands on another scholar – pushing, shoving, kicking, biting, pinching, slapping, etc.

Tier I disciplinary actions may include but are not limited to the following:

- Immediate removal of the scholar from the classroom or area where the infraction occurs and a request made for the parent to come to the school to pick up the child
- A written or verbal warning by the teacher, counselor, custodian, lunchroom staff, support staff, or administrator
- Teacher conference scheduled with the scholar and the parent
- Scholar placed on a behavior contract
- Any other disciplinary action deemed appropriate by the assigned administrator

Parents, please remember: We do not tolerate scholar disruptions during class time. Regardless of the age of the child, a scholar who disrupts class by blurting out repeatedly, moving about the classroom so as to remove the attention of the scholars from the teacher, failing to follow classroom rules, arguing or belittling other scholars, throwing things, hitting, pushing or shoving others will be removed from class and the parent will be called to come and get the child.

### **Tier II Misconduct**

This level of correction is used when the behavior engaged is persistent and repeated and negatively impacts the learning and/or safety of our scholars. These actions can occur in the classroom, in the gym, in the dining room, outside of the school building, or at school-sanctioned or even non-school events. These behaviors may include, but are not limited to,

repeated acts of minor misconduct as seen in Tier I; of actions of a scholar against another scholar, adult or SCA property, that does not seriously endanger the health, safety, or well-being of others but does disturb the learning environment and the school culture. The consequences for any infraction are left to the discretion of the administrator.

Examples of these actions might be but are not limited to the following:

- Repeated violations of Tier I misconduct
- Disruption and interference with the normal operation of the school
- Continued failure to follow the uniform policy
- Academic dishonesty
- Taking items that belong to another scholar or adult
- Violation of cell phone policy
- Destruction of school property
- Tampering with school technology
- Visiting any inappropriate site on school technology
- Disrespectful or demeaning language directed at another scholar or adult
- Disrespectful behavior to a staff member or any adult
- Public displays of affection-kissing, hugging, or touching one another inappropriately (1st offense)
- Threatening another scholar or adult either by word or behavior (this includes pushing, shoving, tripping, etc.)
- Bullying on the first offense, harassment, cyber-bullying, or intimidation as defined in Georgia law O.C.G.A. § 20-2-2751.4
- Second cell phone violation
- Skipping class
- Throwing an item at an individual that could potentially cause harm
- Any act that negatively impacts the learning and safety of our scholars

Tier II disciplinary actions may include but are not limited to the following:

- Immediate removal of the scholar from the classroom or area where the infraction occurs and the parent is required to come to the school to pick up the child
- Restitution of stolen or broken items
- Confiscation of cell phone
- Student placed on a behavior contract
- Any other intervention or consequence deemed appropriate by the teacher, counselor, or administrator
- Possible suspension from school
- Possible referral for expulsion

### **Tier III Misconduct**

This level of correction is used when the scholar's misbehavior is repeated but the offenses may not be related; however, the actions negatively impact the learning and safety of our scholars. These actions can occur in the classroom, in the gym, in the dining room, outside of the school

building, or at school-sanctioned or even non-school events. Actions may include but are not limited to repeated acts of misconduct as seen in Tier I and Tier II; actions of a scholar against another scholar, adult, or SCA property that could endanger the health, safety, or well-being of others and may also disturb the learning environment or the school climate. These behaviors are of a serious nature and may result in a scholar's suspension from school and school activities. The consequences for any infraction are left to the discretion of the administrator based on factors involved in the incident.

Examples of these actions might be but are not limited to the following:

- Instigating/provoking any altercations between or among scholars while on campus or at a school activity
- Any behaviors from Tier I or Tier II that are repeated and are not corrected by consequences administered
- The fourth failure to comply with the uniform policy
- Second infraction involving academic dishonesty
- Possession of a vaping device
- Refusing to follow directives given by an administrator involving a disciplinary consequence
- Lying, falsifying, omitting information, misrepresenting, or erroneously reporting information regarding instances of alleged inappropriate behavior by any SCA scholar toward another scholar in regard to an incident that has occurred
- Bullying on the second offense, harassment, cyber-bullying, or intimidation as defined in Georgia law O.C.G.A. § 20-2-2751.4
- General Sexual Misconduct/Sexual Harassment to include:
  - Displays of affection (including but not limited to: hand-holding, frontal hug, kissing, or inappropriate touching in the hallways, classrooms, locker rooms, bathrooms, or anywhere on the SCA campus. This includes snapping of one another with towels in locker rooms, taking videos in locker rooms, peering over stalls in locker rooms or bathrooms, etc.)
  - Inappropriate or unwanted touching of another scholar or adult.
  - Grabbing, touching, pinching, or slapping a scholar or faculty member while on campus, at school-sponsored events, including athletic fields.
  - Exposing of body parts, intimate or otherwise, lewd behavior (showing personal parts of the body to others, i.e. pulling down pants/shorts/skirt).
  - Making sexual remarks or unwelcome advances towards other scholars, staff, or faculty; asking for sexual favors explicitly, via social media, or online format
  - Using vulgar/profane, racially derogatory, sexually derogatory, or aggressive language toward another scholar or adult including disrespectful language or behavior directed at a teacher, administrator or any SCA school personnel.
- Fighting/shoving/pushing another scholar or adult in an aggressive manner

- Hitting another scholar, teacher, or faculty/staff member in an aggressive manner
- Defacing, damaging, or destroying the property of another individual
- Defacing, damaging, or destroying the property of SCA
- Encouraging others to become involved in acts that are prohibited or disrupt the learning environment or the school environment at large
- Bringing any item related to a weapon, or that could be construed as a weapon, on campus or to a school event
- Bringing any medication to school without consulting with the nurse and leaving the medication in the clinic; carrying medication, in particular prescribed medication, on the scholar's person; bringing any legal or illegal medication or substance onto school property
- Tampering in any way with a scholar or a faculty/staff member's food or drink
- Taking still or video pictures of any individual while on school property with or without their clear and expressed permission. This includes taking pictures of other scholars and/or staff members
  - Recording a video in a bathroom that involves other scholars
  - Videoing any kind of illicit activities and posting on any social media platform
  - Videoing teachers or other scholars during the school day
- Visiting any site that includes pornography, profane music and/or lyrics, indecent pictures of individuals, graphic behaviors including fighting, etc.
- Posting comments or videos via social media, websites, chat rooms, etc. about the school, teachers, scholars, or parents of a disparaging, rude, or vulgar nature
- Soliciting sexually inappropriate pictures
- Placing vulgar or inappropriate pictures on websites and encouraging scholars to visit those websites either at school or at home
- Sending vulgar texts, Instagram posts, etc. to any individual at SCA including scholars, teachers, or other personnel
- Having vulgar, profane, or sexual pictures, texts, etc. in possession or sharing such with any other scholar
- Using sexual or explicit language with any other scholars or in the presence of scholars, particularly younger scholars
- Sexting or the sending of any type of sexually explicit or implicit message using a cell phone or other technological device
- Placing pictures of other individuals on social media with derogatory commentary about their personal characteristics, sexual orientation, ethnicity, etc.
- Third violation of cell phone policy incident
- Having any type of cigarette, (nicotine, marijuana, or CBD), lighter, matches, rolling papers, drug paraphernalia, or any smoking/vaping device on campus or at a school-related event/trip
- Being in possession of liquor/alcohol; providing liquor/alcohol to other scholars; imbibing in liquor/alcohol on the school campus or at a school event
- Being in possession of any CBD/THC product on the school campus or at a school event
- Creating any disturbance that disrupts or distracts from the learning environment and potentially inhibits the smooth operation of the school/classroom

- Disrupting the testing environment
- Second infraction of tampering with school technology in any form or fashion
- Tampering with technology so as to remove evidence of inappropriate online activity
- Engaging in larceny/theft of school property regardless of the value
- Engaging in larceny/theft of another scholar's property regardless of the value
- Accessing/altering school/teacher records
- Compromising test security of any standardized test
- Referring to a staff member in a negative, sexual, or racist fashion or making threatening or aggressive comments via any social media platform
- Obtaining access to another scholar's username and password
- Obtaining access to another scholar's ID number and using that number to purchase meals
- Inappropriate use of the SCA logo
- Violation of the Acceptable Use Policy (Technology)
- Leaving the building without permission; leaving campus without permission

Tier III disciplinary actions may include but are not limited to the following:

- Immediate removal of the scholar from the classroom or area where the infraction occurs and the parent will be required to pick up the child from school
- Restitution to individuals or to the school
- Suspension from school of no less than 3 days and no more than 10 days.
- School service assignments as determined by the administrator.
- Cell phone confiscated and loss of cell phone privileges
- Referral for expulsion.
- Possible involvement of local law enforcement.
- Any other intervention or consequence deemed appropriate by the teacher, counselor, or administrator.

#### **Tier IV Misconduct**

This level of correction is used with behavior that is of a serious nature. Tier IV Misconduct is of such a serious nature that the scholar will be removed from the classroom or the area where the act takes place immediately and will be subject to long-term suspension or expulsion as well as possible involvement of local law enforcement.

In the event misconduct warrants a possible referral for expulsion, the scholar will be granted a hearing as per

O.C.G.A. 20-2-753. The Disciplinary Hearing Officer will hold the hearing within 10 days of the incident.

The Georgia State Board of Education rule 160-4-8-.15 provides that individuals selected by the LEA to be the Disciplinary Hearing Officer must have experience as a teacher, counselor, or administrator in a public school system. In addition, all qualified Disciplinary Hearing Officers

have the initial and ongoing Tribunal training course that meets the requirements of the SBOE rule prior to the individual servicing in such capacity.

Examples of these actions might be but are not limited to the following:

- Making oral or written communication, creating a document, or making a symbolic gesture or contact of a threatening, undermining, or provoking nature to any scholar or school employee at SCA
- Tampering, defacing, or disturbing staff, scholar, or visitor vehicles parked on campus at any time
- Hate speech of any kind directed at SCA teachers, administrators, staff, or any employee of SCA or contracted by SCA including dining hall staff, custodial staff, construction staff, landscaping staff, etc.
- Any act of violence that impacts the climate, culture, and morale of the scholar body and the faculty/staff
- Verbal assault including the threatening of violence to other scholars or staff of SCA as well as to any individual on the SCA campus
- Physical assault/fighting directed at or to other scholars or staff of SCA as well as to any individual on the SCA campus
- Trespassing on the SCA campus after hours or when suspended from school
- Defacing SCA campus
- Third act of bullying, harassment, cyber-bullying, or intimidation as defined in Georgia law O.C.G.A. § 20-2-2751.4.
- Fighting or physical violence towards another scholar whether it causes harm or otherwise
- Sexual harassment in any form
- Having possession of, sharing, or distributing obscene or pornographic material in print or computer, flash drive, CD, DVD, etc. Engaging in any type of behavior in the community that requires placement at a YDC facility or requires the use of a monitoring device
- Engaging in any type of behavior or conduct that is punishable as a felony or is a delinquent act that would be a felony if committed by an adult including:
  - Selling, giving, delivering to another person, or possessing, using, or being under the influence of marijuana (including but not limited to marijuana suckers, candy, etc), any controlled substance, any medication not prescribed to the taker, or any dangerous drug while on campus or at any school function.
  - Selling, giving, or delivering to another person an alcoholic beverage; committing a serious act or offense while under the influence of alcohol; possessing, using, or under the influence of alcohol prior to attending school or while at school; possessing, using, or under the influence of alcohol prior to or during a school-related activity.
  - Engaging in conduct that contains the elements of an offense relating to abusing glue or aerosol paint, or relating to volatile chemicals.
- Engaging in conduct that contains the elements of public lewdness

- Engaging in sexual conduct on campus or at a school-sponsored activity
- Entering the restroom of the opposite sex
- Engaging in conduct that contains the elements of the offense of criminal damage to property in the first or second degree, either on or off campus
- Stealing, extorting, gambling, or possessing stolen property
- Using, exhibiting, or possessing a firearm
- Using, exhibiting, or possessing another weapon
- Using, exhibiting, or possessing fireworks of any kind whether homemade or purchased
- Discharging or participating in the discharge of a fire extinguisherDischarging or participating in the discharge of a fire alarm anywhere within or on the SCA school campus
- Engaging in serious and persistent offenses that disrupt or materially interfere with the orderly process in the classroom, the school, or any school-related activity.
- Fighting will not be tolerated. Any scholars involved in a fight may be suspended for up to 10 days of school and will possibly be referred for a disciplinary hearing.

Tier IV Disciplinary Actions may include but are not limited to the following:

- Suspension
- Long-Term Suspension
- Expulsion
- Referral to Law Enforcement

### **Disciplinary Hearings**

A scholar accused of committing a Level IV offense as defined in the SCA: Middle/Upper Grades Scholar Code of Conduct and Discipline plan may be referred for a Disciplinary Hearing for a determination as to whether a long-term suspension or expulsion is appropriate. A long-term suspension means denial to a scholar of the right to attend school and take part in any school function for period ten (10) or more school days. Expulsion shall mean the removal of the scholar from enrollment at SCA for the remainder of the school year or longer. A long-term suspension or expulsion will normally follow a short-term suspension. There are exceptions, however, that could prompt the school administrator to move forward with the immediate dismissal of a scholar. Examples of such violations include, but are not limited to, bringing a weapon to school, assault on a scholar or school personnel, or other chargeable offenses.

A disciplinary hearing officer shall employ the tribunal process to hold hearings in any of the instances previously described, as required by O.C.G.A. § 20-2-753. Per O.C.G.A. § 20-2-759, the disciplinary hearing officer shall have initial training prior to serving as a disciplinary hearing officer, undergo continuing education so as to continue to serve in such capacity, and function as an independent, neutral arbiter. Per SBOE rule 160-4-8-.15, individuals selected by SCA to serve as disciplinary hearing officers must either be: 1) in good standing with the State Bar of Georgia; 2) have experience as a teacher, counselor, or administrator in a public school system; or 3) actively serving as a hearing officer under an existing contact/agreement with a Georgia school system and completed an approved Georgia Department of Education (GaDOE) tribunal training course. SCA will ensure that its disciplinary hearing policies and practices align to state

law and corresponding SBOE rules. A comprehensive description of the disciplinary hearing process is available, by request.

### **Middle/Upper School Discipline Procedure**

Level I infractions (see previous description) will be tracked using a 4-step discipline plan. Each teacher will track the behavior of a student in his/her classroom only. Infractions in one class will not be carried over into another classroom. Level I infractions will be documented in the classroom. In the event that a student commits a level I infraction, the following steps will take place:

- Step 1: Verbal Warning
- Step 2: Parent Phone Call (Logged in Infinite Campus)/Break Detention/Reflection Sheet
- Step 3: Parent Phone Call (Logged in Infinite Campus)/Break Detention/Reflection Sheet
- Step 4: Office Referral

### **Policy Prohibiting Bullying, Cyberbullying, Harassment, and Intimidation**

SCA believes that all scholars have a right to a safe and healthy school environment. SCA has an obligation to promote mutual respect, tolerance, and acceptance among scholars, staff, and volunteers. Behavior that infringes on the safety of any scholar will not be tolerated. A scholar shall not bully, harass, or intimidate another scholar through words or actions. Such behavior includes but is not limited to: direct physical contact such as hitting or shoving; verbal assaults such as teasing or name-calling; the use of electronic methods to harass, threaten or humiliate, and social isolation and/or manipulation.

This policy applies to scholars on school grounds, while traveling on a school bus during a school-sponsored activity, by use of data or software that is accessed through a computer, computer system, computer network, or other electronic technology of a local school system or acts of cyberbullying which occur through the use of electronic communication, whether or not such electronic act originated on school property or with school equipment.

Any form of electronic bullying (cyberbullying) using school equipment, school networks, email systems or committed at school is strictly prohibited. Cyberbullying includes but is not limited to: electronic communication directed specifically at scholars or school personnel, an electronic communication that is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school, and/or any electronic communications that create a reasonable fear of harm to the scholars' or school personnel's person or property or has a high likelihood of succeeding in that purpose.

The following actions will be taken when bullying is reported:

1. *Investigate*: Upon receipt of any report of bullying, SCA will direct an immediate investigation involving appropriate personnel. The investigation will begin no later than the following school day. The investigation shall include interviewing the alleged perpetrator(s) and victim(s), identified witnesses, teacher(s) and staff members and

reviewing video surveillance if available. School resource officers, school counselors, and/or other support staff should be utilized for their expertise as determined by the circumstances of the matter.

2. *Notify*: At an appropriate time during or after the investigation, the parent, guardian or any other person who has control or charge of the accused and the victim will be notified. If the incident involves an injury or similar situation, appropriate medical attention should be provided and the parent/guardian will be notified immediately.
3. *Discipline*: Upon confirming that bullying has occurred, the accused scholar should be charged with bullying and given an age-appropriate consequence which shall include, at a minimum and without limitation, disciplinary action or counseling as appropriate under the circumstances. SCA will clearly communicate to all parties that retaliation following a report of bullying is strictly prohibited and may result in strong disciplinary action. Upon a finding by the disciplinary hearing officer, panel, or tribunal, if a scholar in grades 6-12 is found to have committed the offense of bullying three times during the school year, SCA will assign the scholar to an alternative setting that fulfills the requirements of an alternative program under state law.
4. *Follow Up*: Follow-up is important to the accused and the victim. After-care and follow-up will occur.

All scholars and/or staff shall immediately report incidents of bullying, cyberbullying, harassment and intimidation to the Superintendent or designee. School staff members are expected to immediately intervene when they see a bullying incident occur. Each complaint of bullying shall be promptly investigated.

The procedures for intervening in bullying behavior include, but are not limited, to the following:

- All staff, scholars, and their parents will receive a summary of this policy prohibiting bullying at the beginning of the school year as part of the scholar code of conduct.
- The school shall keep a report of bullying and the results of an investigation confidential.
- Staff are expected to immediately intervene when they see a bullying incident occur or upon receipt of any report of bullying.
- People witnessing or experiencing bullying are encouraged to report the incident to the school principal designee.

SCA's policy prohibiting bullying includes but is not limited to the following:

- Scholars are expected to immediately report incidents of bullying to the Superintendent or designee.
- Scholars can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.
- If the complainant scholar or the parent of the scholar feels that an appropriate resolution of the investigation or complaint has not been reached after consulting the

Superintendent, the scholar or the parent of the scholar should contact the local superintendent or his or her designee.

- SCA prohibits retaliatory behavior against any complainant or any participant in the complaint process.

Disciplinary action will be taken after each incident of bullying and upon a finding of guilt. Disciplinary action after the first incident of bullying may include consequences as defined in SCA's Code of Conduct.

If necessary, counseling and other interventions should also be provided to address the social/emotional, behavioral, and academic needs of scholars who are victims of bullying and scholars who commit an offense of bullying.

Scholars, parents/guardians, and other stakeholders may report incidents of bullying to an administrator, teacher, counselor, or other staff members by using the school district's complaint procedures or by calling the Georgia Department of Education's 1-877 SAY-STOP (1-877-729-7867) School Safety Hotline.



# **Scintilla Charter Academy (SCA): K-5 2023-2024 Family and Student Handbook**

2171 East Park Avenue  
Valdosta, Georgia 31602

*Phone: 229.244.5750*

*Fax: 229.333.0283*

[www.scintillacharteracademy.com](http://www.scintillacharteracademy.com)

# Welcome to the 2022-2023 School Year!

Dear Scintilla Charter Academy Family,

As we begin the school year, we are honored to partner with you in your child's education. The SCA Board, staff, and families, share the belief that education should inspire children to seek answers, to continually question, and to love learning for the sake of acquiring knowledge to better themselves and their community. My personal belief is that a child will not be successful academically until their social and emotional needs are met.

Our very talented faculty and staff are eager to develop a relationship with your child and help them reach their full potential. At the same time, the most essential aspect of scholar success is an effective partnership between school and family. That's where YOU come in!

We want every family to be actively engaged in their child's education; and to that end, we ask that you do three things:

- Read this handbook and refer to it often, as it outlines our policies and procedures
- Take every opportunity to learn more about our innovative programs and approaches
- Get involved, whether, in the classroom or school-wide initiatives

When a child enrolls at SCA, the whole family becomes part of our school community. This community of dedicated teachers, staff, volunteers, parents, and families all work together to ensure the success of every scholar. We look forward to working with you and your input, involvement, and support are greatly appreciated. Please know that you can reach out to me anytime with questions or concerns. My goal is to see your scholar thrive and have a positive experience at SCA.



Mandy Brewington, Superintendent  
mbrewington@scintillacharteracademy.com

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# School Background

## **Mission**

The mission of Scintilla Charter Academy is to provide a deeper learning experience in which each child is empowered through creativity, collaboration, inquiry, and critical thinking to achieve his or her unique potential and acquire a love of learning, along with a strong sense of community and character.

## **Vision**

By providing a deeper learning experience in which each child is empowered through creativity, collaboration, inquiry, and critical thinking, each child who attends SCA will achieve his or her unique potential and acquire a love of learning, along with a strong sense of community and character.

## **Scintilla Beliefs**

At SCA we believe every child should be encouraged, motivated, and challenged daily. Our unique mixture of innovations will provide challenges while also providing intensive support to all scholars. As scholars experience success, a passion for learning will develop. School-wide character development goals and cultural practices will prepare our scholars to be successful both at SCA and in future school settings. We know that given the right environment, children can achieve at high levels but we also know the development and implementation of an innovative and blended curriculum that will enable these results must be focused and strategic. Our curriculum will facilitate scholars in their learning because it is developmentally appropriate at all levels and seeks to meet the naturally inquisitive nature that all children possess.

## **What is a Charter School?**

Charter schools are public schools of choice that have greater flexibility in implementing different teaching methods and philosophies. A charter school operates according to the terms of a charter, or contract, that have been approved by, in SCA's case, Georgia's State Charter Schools Commission. The charter school may request waivers from certain provisions of Georgia state law and any state or local rule, regulation, policy, or procedure relating to schools in the school district. In exchange for this flexibility, the charter school is bound by contract to be held accountable for meeting the performance-based objectives specified in the charter. Please visit our website at [www.scintillacharteracademy.com](http://www.scintillacharteracademy.com) to view the complete charter agreement.

## **SCA Governing Board**

The SCA Governing Board of Directors is charged with the oversight of the affairs of SCA and shall pursue such policies and principles as shall be in accordance with law and any written charter entered into by the Board. The Board is responsible for carrying out the following duties and obligations:

- The Board shall uphold SCA's mission and vision and ensure effective organizational planning on the part of the school through an annual strategic planning and review process that will review and update SCA's short-term, mid-term, and long-range goals, and evaluate the effectiveness of the implementation of the mission and plans.
- The Board shall ensure the financial stability of SCA through regular monthly review of financial statements and reports and direct oversight of major financial commitments and decisions.
- The Board shall take an active role, either directly or through a Board committee, in resolving grievances and conflicts which may arise within the school community involving scholars, parents, staff, administration, and Board members.
- Board Members will confirm annually that they have no inappropriate conflicts that would preclude them from serving SCA with fidelity.

- The Board will adhere to the Georgia Open Meetings Act based on the current requirements of this law.

### **SCA Board Members**

*Chairman Zachary R. Cowart:* Zachary R. Cowart was born in Valdosta and attended Valdosta City Schools, graduating from Valdosta High School in 1996. He attended the University of Georgia for undergraduate and law school. He is a partner at Cowart and Perry, LLP law firm and wants the parents in our community to have public school options for their children.

*Vice-Chairman Jeremy Baker:* Jeremy Baker is a native of Lowndes County. Jeremy graduated from Valdosta State University and St. Mary's School of Law. He is an attorney who serves as the Municipal Court Judge for the City of Valdosta.

*Secretary Enid Santana:* Enid Santana has been a resident of Valdosta for 30 years. She is a licensed real estate agent and is employed as a Marketing/Leasing Manager at Valdosta Mall. As the mother of two boys, she has become a passionate advocate for school choice.

*Treasurer Eric Tillman:* Eric Tillman was born and raised in Valdosta, Georgia. Eric graduated from Valdosta High School and Valdosta State University. Eric is a third-generation CPA and is a partner of Tillman & Tillman, LLP.

*Jerry Jennett:* Jerry Jennett came to Valdosta 40 years ago to run a small subsidiary of an agricultural chemical firm. He bought the subsidiary and eventually added three other companies. He currently is the president and Chief Executive Officer at Georgia Gulf Sulfur Corporation. Thanks to the generosity of Jerry and his partners at Georgia Gulf Sulfur, many significant gifts have been made to Valdosta State University including Langdale College of Business Administration and several athletic programs.

*Garrett Copeland:* Garrett Copeland was born and raised in Valdosta and is a graduate of Lowndes High School and Valdosta State University. Garrett is the Executive Vice President of Synovus Bank's Main Office.

*William Whitesell:* William Whitesell is a life-long Valdosta resident. He graduated from Presbyterian College in 1996 and Florida State University College of Law in 2000. William manages his own law firm where he handles a variety of civil/criminal litigation and transactional work. He first visited Scintilla several years ago through a local civic club and was very impressed with the school's atmosphere.

## **Faculty & Staff Directory**

Click [Here](#) for a complete list of SCA's Faculty and Staff

## **Calendar**

Click [Here](#) for SCA's 2023-2024 Academic Calendar.

# Admissions & Enrollment

**Attendance Zone:** Valdosta, Lowndes County, and Brooks County, Georgia

**Admissions and Enrollment:** In accordance with O.C.G.A. 20-2-2066 (1)(A), SCA will admit scholars of any race, color, nationality and ethnic origin, religion, sexual orientation, or gender. SCA shall enroll an eligible scholar, as defined by GADOE, who resides within the attendance zone and submits a timely application unless the number of applications exceeds the capacity of a program, class, grade level or building. In such cases, all applicants shall have an equal chance of being admitted through a random lottery process. Scholars who live outside of SCA's attendance zone may apply/enter SCA's lottery, so long as they are residents of Lowndes County at the time of enrollment.

To be eligible for enrollment at SCA, scholars residing in the attendance zone must submit a timely application to SCA in accordance with the deadline set by the school. SCA 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 scholar's school or community activities, grades, test scores, attendance record, or disciplinary history. SCA may gather relevant information from scholars after enrollment is determined.

In order to enroll a scholar at SCA, parents/guardians must provide the following documentation:

- Mortgage or lease statement
- Two additional current proofs of residency
- Copy of original birth certificate
- Immunization certificate (or religious exemption)
- Certificate of vision, hearing, and dental exam
- Social security card or waiver form (provided by SCA)
- Copy of parent/guardian driver's license
- Proof of legal guardianship (if applicable)
- Proof of legal custody (if applicable)

If the number of timely applicants received by SCA exceeds the capacity of a program, class, grade level or building, SCA shall ensure that such applicants have an equal chance of being admitted through a random lottery.

SCA shall hold a registration period (for the following school year) in January of each year. Parents seeking to enroll their children who do not currently attend SCA must register during the registration period. Parents of existing scholars must sign and return the Intent to Return & Sibling Enrollment letter each year. Registered scholars shall be enrolled for the following school year subject to the following process and in the following priority:

- Scholars who attended SCA during the previous school year;
- Statutory Priority includes: Siblings of scholars who attended SCA during the previous school year; scholars of teachers and staff at SCA; and
- Scholars of Governing Board Members;

Within each category listed above, if the number of registered scholars exceeds the available space, then the school shall hold a lottery to determine which scholars shall be enrolled in the school.

The school shall maintain a waiting list of registered scholars who were not enrolled in the school due to lack of space. The school may accept new applications for the waiting list outside of the enrollment period. The school shall follow the same preferences stated above for placing on the waiting list those applications received outside of the enrollment period. Openings created during the school year shall be filled from the waiting list.

Scholars who are offered the opportunity to enroll according to the above-stated procedures must complete all enrollment paperwork and provide all required documentation by the date given. Failure to enroll by the date and time provided will forfeit the child's spot and that spot will be offered to the next scholar on the waiting list.

# General Information

## **Attendance, Tardy, and Early Checkout Policies**

Attendance is an essential component of a child's academic success. When a scholar is absent or arrives late, they lose important opportunities to learn. Excessive tardies and absences can significantly affect a child's ability to succeed academically and socially.

### **Instructional Day**

School Hours:

K-5th Grade - 7:50-3:05

Office Hours: 7:15 am - 4:15 pm

The instructional day for elementary grade scholars will be from 7:50 am - 3:05 pm. SCA attendance policy stipulates that any scholar who arrives at SCA after 7:55 am will be considered tardy. Scholars arriving after 7:55 must be escorted into the front office and signed in by an adult at the main desk. All scholars must arrive at school on time and be picked up promptly at the end of the school day. The elementary school regular school day ends at 3:05 pm. Elementary school scholars are expected to be picked up on time: between 3:05 pm and 3:45 pm. We encourage parents to enroll their child(ren) in the after-school program if they cannot make the 3:45 pm deadline. If a child is not picked up by 3:50 pm, parents/guardians will be charged a \$20.00 late fee to allow his/her child to participate in the after-school program until arrival for pick-up. This policy does not apply to children participating in scheduled after-school activities (e.g., sports, extracurriculars) under the supervision of an adult.

Upon a scholar's 7th tardy/early checkout, the parent/guardian is notified. Upon a scholar's 10th tardy/early checkout and notification by letter, the parent/guardian is to contact the school designee to discuss the scholar's attendance. Subsequent tardies/early checkouts may include but are not limited to: Referral to the Truancy Intervention Program, Juvenile court CHINS complaint, or DFCS referral. If the parent or guardian has previously attended TIP, a second referral to the program may be forfeited and criminal prosecution may be initiated. Grades 9-12: Scholars checking out during the school day will need to provide a doctor's note in order to return to school.

## **ABSENCE FROM CLASS/SCHOOL**

As permitted under Georgia state law and Georgia State Board of Education policies, a scholar's absence, tardiness, or early checkout may be excused for the following reasons: Personal illness or when attendance in school would endanger a student's health or the health of others; Serious illness or death of an immediate family member; Mandated absence by order of governmental agencies, including pre-induction physical examinations for service in the armed forces; Observing religious holidays, necessitating absence from school; Conditions that render attendance impossible or hazardous to one's health or safety; Registering to vote or voting, for a period not to exceed one day; and Reuniting of families between military deployments, not to exceed five days. NOTE: For school attendance purposes, scholars shall be counted present when they are in attendance at least one-half of the instructional day or serving as pages of the Georgia General Assembly.

## **ABSENCES REQUIRING MEDICAL DOCUMENTATION**

In the event that a scholar's personal illness or attendance at school endangers a student's health or the health of others, the school may require the scholar to present appropriate medical documentation upon return to school for the purpose of validating that the absence is an excused absence. In the event that a scholar has 5 or more absences for health reasons without a physician's excuse, the school requires a physician's excuse in order to consider the absence as an excused absence. Parents are encouraged to be proactive in communicating with their child's school when there is an unusual attendance pattern expected. The following procedures will be utilized in addressing an accumulation of unexcused and/or excused scholar absences and/or tardies/early checkouts: System-approved letters are mailed that include the Georgia Compulsory Attendance Law (**O.C.G.A. 20-2-690.1**). Instructions are included in each letter. Upon the generation of each letter, the Dean will be notified.

Absences do not accumulate beyond the current school year. School days missed as a result of out-of-school suspensions will not count as unexcused absences for the purpose of determining truancy. NOTE: SCA complies with the Lowndes County Juvenile Court Protocol Agreement for Truancy in Schools. A referral to the Truancy Intervention Program (TIP), juvenile court, state court, magistrate court, and/or the Department of Family and Children Services (DFCS) may be made in lieu of the outlined procedures. Protocol changes that occur during the school year will be posted on the website

## **UNEXCUSED SCHOLAR ABSENCES**

Scholars are required to provide written excuses for absences in accordance with Scintilla's policy. The Director of scholar Information Systems will maintain a record of students' excused and unexcused absences. Written notes explaining the reason for the student's absence are to be retained until the end of the school term. Teachers will maintain timely and accurate attendance records that reflect absences as excused or unexcused. For an absence to be excused, a dated and signed note from the physician or parent/guardian or an e-mail from a verified parent/guardian account must be sent to the student's homeroom teacher explaining the reason for the absence within three (3) school days of returning to school. Scintilla will notify the parent, guardian, or another person who has control or charge of the scholar when such scholar has five unexcused absences. The notice will outline the penalty and consequences of such absences and that each subsequent absence will constitute a separate offense. Prior to commencing judicial proceedings to impose a penalty for violating compulsory school attendance law, the school system shall send a notice by certified mail return receipt requested. By September 1st or within 30 school days of a student's enrollment, the parent, guardian, or other person having control or charge of the scholar must sign a statement indicating receipt of the written statement of possible consequences and penalties. After two reasonable attempts by the school to secure such signatures, the school shall be considered in compliance with this requirement. In addition, students age ten or older by September 1st must sign a statement indicating receipt of a written statement of possible consequences for non-compliance to the local system's policy. After a scholar has five or more unexcused absences, the school designee or SRO may refer a parent to the Magistrate Court for a warrant and to the Solicitor General for prosecution under the Georgia Compulsory School Attendance statute if it is suspected that the parent or guardian is the cause of the student's absence. At the State Court's discretion, parents may receive a fine of not more than \$100, up to 30 days confinement in jail, community service, or any combination for each offense. Additional actions may include but are not limited to: Referral to the Truancy Intervention Program, Juvenile court CHINS complaint, or DFCS referral. If the parent or guardian has previously attended TIP, a second referral to the program may be forfeited and criminal prosecution may be initiated.

## **EXCUSED/UNEXCUSED COMBINED ABSENCES**

Upon a student's 10th absence, whether excused or unexcused, a parent or guardian will be notified. The school district attendance officer or their designee may also make contact with the scholar and the parent or guardian at home. Medical documentation is required for any additional absences. Upon a student's 15th absence, whether excused or unexcused, a referral may be made to TIP or DFCS unless extenuating medical conditions exist.

### **Early Checkout**

Parents/guardians may not check scholars out after 2:30 pm, please go through the car line. If the person picking up the child does not go through the car line, they will be required to wait until all scholars are called to the front lobby area at the end of pick-up. **Checkouts prior to 11:30 am will be counted as an all-day absence.**

### **Afternoon Car Line**

Scintilla Charter Academy has always considered the safety of our staff and students our top priority. We have recently taken additional measures to further secure our campus, including enhanced communication systems and renewed safety plans. We believe it is crucial to implement strict access control measures to avoid unauthorized campus entry and to allow emergency vehicles to access our campuses without obstruction. With this in mind, in collaboration with the Lowndes County Sheriff's Office, we will no longer allow cars to arrive on our campus early for afternoon pick up. Vehicles will not be allowed to line up on school property prior to 15 minutes before school dismissal. **You may not enter our campus to get in the car line for afternoon dismissal before 2:45 pm Monday-Thursday and 1:15 pm on Friday.** School resources officers will enforce this as it is illegal to loiter in school safety zones per **O.C.G.A. 20-2-1180**. SROs will also ensure roadways around the school remain passable as is required by law.

### **Friday Mandatory Early Dismissal**

Every Friday a Mandatory Early Dismissal will begin at 1:30 pm and all scholars should be picked up by 2:15 pm. Late pick-ups on early dismissal days will be treated the same as a full school day. Scholars picked up after 2:20 will be charged a \$20.00 late fee. Ignite (SCA's After School Program) will be available on Friday.

### **Makeup Work**

Scholars who have an excused absence shall have the opportunity to make up work. It is the responsibility of the parent and scholar to contact the teacher(s) involved to determine make-up assignments and establish mutually agreeable terms for daily work and test makeup. Scholars will be granted the amount of time they were absent to make up work. Major projects or assessments missed during suspensions will be made up within the same number of days as the length of the suspension.

### **IGNITE - Before & After School Program**

SCA offers an in-house before and after school program, IGNITE. IGNITE hours are Monday-Thursday from 6:30-7:30 am & 4:00-6:00 pm and 4:00-5:00 pm on Fridays. The goal of IGNITE is to build on the school's focus on interactive, hands-on projects that spark curiosity, promote active learning, encourage teamwork, build character, and capitalize on children's innate spirit of exploration. IGNITE stands for Inspiring Greatness by Nurturing Innovation, Talent & Exploration!

Click [here](#) for more information and pricing for our Ignite Program.

## **Transportation Expectations**

It is the responsibility of the parent/ guardian to ensure that scholars have transportation to and from school daily. SCA *does not* provide transportation for scholars. Parents/Guardians should drop off elementary school scholars between 7:15 am and 7:50 am (unless the scholar is participating in the IGNITE: Early Care Program). If a parent/guardian arrives before 7:15 am, his/her child should remain in the car until SCA staff are outside the building and accepting scholars. Drop off does *not* begin until SCA staff are present. The tardy bell rings at 7:55 am. Scholars will enter the building through the back of B, C, D, & E wings. Scholars arriving after 7:55 must be escorted into the front office and signed in by an adult at the main desk.

## **Drop off and Pick Up Procedures**

Drivers will enter the school and follow the direction of the staff on duty. For drop off, cars will follow a pathway to the back of the school for students to enter the building. For pick up, each SCA scholar/family is assigned a number which is displayed on a green placard. Upon entry into the car line, the staff member on duty enters the assigned number into a program called *Safe Dismissal*. Once the number is entered in the system, the corresponding child's name appears on the board in his/her classroom along with the name of a color (e.g. John Smith-Red). At that time, the child is dismissed and will go to the cone that corresponds to the color he/she was assigned.

The SCA Elementary Green Placard is required for release of the student(s) and must be displayed on the car's dashboard or windshield. Scholars will not be loaded unless the placard is present. If the placard is not present, the parent/guardian will be required to park and come into the front office to complete check out procedures. Parents/Guardians must not leave vehicles unattended in any dismissal lane during pick-up/d dismissal. The safety of SCA scholars is of utmost importance- which is why pickup/d dismissal policies will be strictly enforced. Additional placards are available in the front office.

## **Communication with Families**

SCA is committed to promoting communication between the school and those we serve (parents/guardians, families, scholars, and the community). Parents/Guardians are encouraged to ask questions and to communicate concerns directly with school staff so that information provided remains relevant and useful. Listed below are some of the formal ways SCA will communicate with parents/guardians, scholars, and other stakeholders regarding important announcements.

- Intercom Messaging
- Fliers/Handouts/Posters
- Mailings
- Newsletters
- Web Page: [www.scintillacharteracademy.com](http://www.scintillacharteracademy.com)
- Weekly SCA Email Newsletter
- Social Media (Facebook, Twitter, Instagram)
- Elementary Grades: Monday Communication Folder

## **Scholar Records**

School permanent records include all educational and disciplinary materials directly related to a scholar. SCA will maintain scholar records in a confidential manner and comply with all state and federal laws regarding the privacy of these records, including the Family Educational Rights and Privacy Act (FERPA).

### **Change of Address and/or Phone Number**

Parents/guardians must complete a change of address form or log in to the Parent Portal and make changes immediately if an address or telephone number change occurs during the school year. Parents/Guardians will also be required to show valid proof of new residence - as previously defined. To ensure the safety of students, it is critical for parents/guardians to keep updated records of address/phone number on file with SCA.

### **Transfer or Withdrawal of Scholars**

When scholars transfer or withdraw from school, parents/guardians are required to come to the school and sign the necessary forms. Parents/guardians may also send a formal email to Kay Hardesty at [kharesty@scintillacharteracademy.com](mailto:kharesty@scintillacharteracademy.com) to withdraw students.

### **School Supplies**

Scholars are required to buy their own school supplies as determined by their teachers. Please refer to your child's grade level supply list for specific school supplies needed. The list is available on our website under the parent resources tab.

### **School Visitors**

All scholars, parents, and visitors must enter through the front lobby, sign in at the front desk, present a government issued ID and wear a visitor badge at all times. We encourage family involvement at SCA and want families to feel welcome. We recognize that instructional time is critical and must be protected. Parents/Guardians should communicate with their child's teacher(s), at least 3 days in advance, to schedule a school visit. Parents/Guardians will not be permitted to "drop-in" on their child's class (unless previously agreed upon by the parent/guardian and the classroom teacher as related to a specific need) or to interrupt instructional time to speak with the teacher. Parent/Teacher conferences will be held by appointment only. Families are always invited to join their scholar(s) for lunch. Lunch visits do not have to be scheduled in advance.

### **Celebration Procedures**

SCA's charter agreement with the state is very clear that instructional time will be highly protected. Parents may bring a small snack to celebrate a child's birthday. Please be sure to coordinate with your scholar's teacher well in advance. Individual birthday parties will be asked to happen outside of the SCA academic day. If you choose to distribute party invitations at SCA, all scholars in the child's homeroom must be included.

### **Emergency Procedures**

Your child's safety is paramount! We are required by law to hold fire, lockdown, and inclement weather drills on a regular basis and have an up-to-date school safety plan. Our school safety plan is reviewed each year by our local FEMA representatives and The Lowndes County Sheriff's Office.

#### **Inclement Weather:**

In the event of inclement weather, SCA will announce delayed start times, early dismissal, or school closing via local news outlets and all in-house communication vehicles including our website, email, text, and social media.

#### **Fire:**

If the emergency is a fire, classroom teachers will escort their scholars to the emergency assembly area (outside the open area) and follow all emergency procedures as outlined in our school safety plan.

Lockdown:

In the event of an emergency lockdown Scintilla will immediately implement its state and locally approved safety action plan.

**Interviewing, Photographing, and Videotaping of Scholars by Staff or Media**

Scholars may be photographed, videotaped, or interviewed by school officials or the media at school or school-related activities/events. Such photographs, videotapes, and interviews may be published, including internet publication. If a parent/guardian objects to his/her scholar being photographed, videotaped, or interviewed, or objects to the display of his/her work, the objection must be presented in writing to the Superintendent within 10 school days after the first day of enrollment.

**School Telephone Usage**

Scholars may use classroom or front office telephones for emergency purposes only with approval from their teacher or administration.

**Money and Other Valuables**

Scholars should not bring money, property, or other valuables to school, except to purchase milk, breakfast, lunch, or for other special circumstances. Money should be sent in a sealed and labeled envelope or Ziploc bag. If money is required for other reasons, scholars and parents will be notified. **The school will not assume responsibility for any lost or stolen items.**

**Lost and Found**

Any article that has been lost and returned may be claimed in the front office. Items that are not claimed after every nine weeks will be donated.

# School Nutrition

The mission of Scintilla Charter Academy School Nutrition is to provide quality, nutritious and balanced meals every day to increase student satisfaction and participation in the Scintilla Charter Academy Nutrition Program. Scintilla Charter Academy participates in the National School Breakfast and Lunch Programs. These programs are regulated and funded by the United States Department of Agriculture with the School and Community Nutrition Unit of the Georgia Department of Education overseeing the program administration.

Menus are available online [Here](#). Lunch brought from home should be clearly marked with your child's name. For health reasons, such as allergic conditions, children may not share lunches.

The Scintilla Charter Academy Nutrition staff members are available to scholars and parents for any food-related questions, allergy concerns, or menu suggestions.

The following Meal Charge Policies and Procedures will be in effect for the 2023-2024 school year:

**Breakfast cost for scholars is \$2.10 & Lunch cost is \$3.50.** Adult breakfast cost is \$2.20 and lunch is \$4.10. Families with more than one scholar at SCA should send payment via cash or check separately for each scholar at Scintilla in separate envelopes.

**Checks should be made out to SCA Nutrition with scholar's name and four-digit lunch number written on the check.**

**Families may also check balances and make payments online through My School Bucks located on SCA's website. Parent Portal access information will be provided at the beginning of each school year or may be obtained in person in the school's front office.**

## **Unpaid Balance Procedure**

Scholars are allowed to charge the cost of two day's meals (2 breakfasts and 2 lunches). Families will be notified by balance due letters of unpaid balances each week. If a balance is not paid by the beginning of the next week, the child will be offered a replacement meal at lunch consisting of a sandwich and milk or, at breakfast, a pop tart and milk. Pre-payment by cash or check to SCA Nutrition may be made weekly or monthly in envelopes provided by the school. The scholar's name and homeroom teacher name must be on the envelope in order to credit the proper account.

## **Non-Sufficient Fund Checks (NSF)**

Any non-sufficient checks must be picked up by the parent or guardian and paid. Any bank charges that have been assessed will be due as well. Returned payment, along with any corresponding bank fees, must be paid in cash.

## **Free or Reduced Price Meals**

Students may qualify for free school meals if they receive food stamps (SNAP, Supplemental Nutrition Assistance Program) or (TANF, Temporary Assistance for Needy Families). Families may also qualify for free or reduced-price meals based on family income.

Family applications rather than individual applications are used. Only one application per family is needed. Families must complete a new application each year to determine eligibility. Even if you have students at other

schools receiving these benefits, you must complete an application for your Scintilla scholar separately but include ALL members of the family on that application.

Applications are given out at Open House and also available in the school's front office after the school year begins. All household members including all children must be listed on the application. Please make certain that your application reaches Sylvia Wade, Director of School Nutrition. A letter to confirm your eligibility status will be sent to each household. Please retain this letter for your records.

The Director of School Nutrition is available to scholars and parents for any food-related question, allergy concerns, or menu suggestions.

The Director of School Nutrition is available to scholars and parents/guardians for any food-related questions, allergy concerns, or menu suggestions. Contact information is available on the school website.

### **Outside Food/Drinks During Lunch**

Parents who are attending lunch with their child are allowed to bring take-out/fast food for their child. However, parents are not permitted to bring outside food for other children in their child's class.

# Technology

## Electronic Devices

Laptops and tablets may be brought to school during designated times of the year when instructed by the teacher(s). When a scholar's technology device is brought to school, it must remain turned off, stored in the child's bookbag, and is to be used only at preordained times during the school day as directed by the teacher to support learning and instruction. Scholars who violate this rule will be subject to administrative consequences which may include confiscation of the device. SCA is not responsible for lost or stolen devices. Recording devices are prohibited at SCA.

## Cell Phones

SCA prefers that scholars not bring cell phones to school. The use of cell phones during the school day may disrupt teaching and the learning environment. However, if a scholar chooses to bring a cell phone it should remain turned off and inside their backpack unless they are given specific permission by a staff member to utilize it. In the event a student does not have a backpack or personal bag to store his/her teacher will hold the phone until the end of the school day. SCA scholars may wear a smartwatch but the watch may not be connected to an activated cell phone while on the SCA campus. Scholars may be asked to remove their Smartwatch during certain instructional and/or assessment windows. Scholars may use the office phone in the case of an emergency with a note from their teacher. Scholars who violate this rule will be subject to administrative consequences which may include confiscation of the device. SCA is not responsible for lost or stolen cell phones.

## Technology Acceptable Use Policy

SCA is excited to offer our scholars the use of the academy's computer systems which includes, but is not limited to, classroom desktop computers, iPads, Google Expeditions VR Goggles, and Chromebooks. This access only includes individual Google accounts at this time for all scholars, not to be confused with google email. Scholars will be assigned unique log-ins specific to them in order for SCA to closely monitor all internet usage. To gain access to the internet using this technology, we are requesting parent permission. By signing the acknowledgment at the end of this handbook, you are stating that you have read and reviewed this entire document with your child and fully understand the terms and expectations of acceptable use stated below.

### Purpose

SCA recognizes the important role technology plays in the mastery of content and standards as mandated by the Georgia Department of Education. In order to gain mastery of these standards, scholars and teachers will use technology to directly promote innovation and communication as well as foster an environment of successful learners.

### Privilege

The administration and staff at SCA believe that the use of technology resources at SCA is a privilege, not a right. **Any activity with technology that is deemed inappropriate by teachers and administration may result in disciplinary action and/or referral to legal authorities. Administration may revoke access to technology resources at any time.**

In accordance with Senate bill 93 all school personnel and students are prohibited from installing, using, or visiting certain social media platforms on state equipment.

- Prohibited social media are platforms include those:

- owned, operated, located in, or organized by a foreign adversary; for which foreign adversary has control or influence over content moderation practices of company's owner or operator; or which use software or an algorithm that is controlled or monitored by a foreign adversary. (e.g. Tik Tok).

### Filtering and Monitoring

SCA internet usage can and will be monitored to ensure acceptable use of materials. SCA utilizes a web-filtering system to restrict unacceptable access. However, no filtering system is 100% safe. By scholars being assigned unique log-in and password information, SCA can monitor and hold scholars accountable.

### SCA: Scholars will...

1. only use technology as instructed by my teacher and with my teacher's permission.
2. be polite and show respect to others and never cyber-bully. I will never post or send messages or pictures to anyone that could hurt, threaten, or embarrass other people. If someone cyber-bullies me or sends me inappropriate pictures or messages, I will tell my teacher or parents right away.
3. not share information such as name, address, phone number, photos or any other information about myself to others while using the internet. If anyone on the internet tries to reach out to me, I will immediately tell my teacher or parent.
4. notify my teacher if I, notice anyone opening an inappropriate website or breaking any other rules listed.
5. not use or type any obscene language.
6. use the computer and internet only for school purposes.
7. use any type of chat or instant messaging.
8. not download anything without the teacher's permission.
9. not install any programs on school computers.
10. not change any settings on any computer.
11. not use any portable drives on a computer without the teacher's permission.
12. only use a computer when I have permission.
13. take care of SCA's technology resources so as not to cause damage.
14. only use my username and password and no other and will not share my login information with another scholar.
15. log off the computer when I am finished.

# Health, Medicine, and the School Nurse

## **Medicine Administration**

SCA believes that student safety is of utmost importance in the educational experience. SCA recommends that any medication and/or medical procedure required by students be dispensed/conducted by a parent/legal guardian in the home setting. Under exceptional circumstances, prescribed medication and/or medical procedures may be dispensed/conducted by the school nurse or designated staff member per written physician's orders and written parent/guardian authorization. With the explicit written permission of a physician via a physician's order and parent/guardian written authorization, medication and/or medical procedures may also be self-dispensed/conducted.

If a child requires daily or life-saving medication/procedures (e.g., EpiPen, inhaler, insulin) during the school day, parents/guardians are required to provide the school nurse with necessary medications/materials for immediate application if/when a need arises. The school nurse or, in his/her absence, a designated staff member, may administer auto-injectable epinephrine to a scholar upon the occurrence of an actual or perceived anaphylactic adverse (allergic) reaction, whether or not such scholar has a prescription for epinephrine. Any school employee who in good faith administers or chooses not to administer auto-injectable epinephrine to a scholar in such circumstances shall be immune from civil liability, pursuant to the Georgia statute.

## **Medical Records**

Scholar health records will be maintained in locked or password-protected files in order to maintain confidentiality. All health records will be managed by the school nurse and any appropriate, designated staff and will only be released to service providers as allowed and dictated by state regulations.

## **Medical Operations**

SCA has a two licensed school nurses on staff to provide services to scholars in accordance with state guidelines. The nurses participates in workshops, in-services, and/or training.

## **Health Screenings**

Hearing and vision screenings are provided for all third-grade scholars by the Valdosta Junior Service League at the beginning of each school year. Hearing and vision screenings are performed by the school nurse on an as-needed basis.

## **Lice Policy & Procedures**

Scholars exhibiting signs and symptoms of head lice will be sent to the school nurse. Possible symptoms are: itchy scalp, tiny gray or brown bugs in the hair, nits (tiny yellowish-white or brown oval eggs attached directly to the hair shaft), scalp rash.

**If live lice or nits are observed**, the school nurse will call the parent. The child will be given a lice treatment guideline packet. Siblings of an infested child will also be checked. If siblings attend another school, that school nurse will be notified to check the siblings.

**In order for the child to return to school**, the parent will need to provide proof of treatment/clearance letter from the health department, physician's office, or an approved lice treatment center. The nurse will examine the child for live lice and/ or nits. If no live lice are seen and the number of nits are diminished from the initial check, students may go to class.

**Students will be re-checked** for the presence of head lice after 7-10 days. Parents should remove all the nits from their child's hair.

### **Water Safety**

Drowning is the leading cause of death for children between the ages of 1-4. Each year 3,400 people die from drowning accidents. Many of these tragedies could be avoided by simply teaching children to swim. Parents should be mindful of the role water safety education courses and swimming lessons play in saving the lives of children. SCA encourages parents to seek out an opportunity in your area, and enroll your child in a swimming and water safety course.

# Uniforms & Dress Code

We strive to encourage unity among our scholars, faculty, and staff. Implementing a uniform dress code at SCA allows us to work towards this effort. The atmosphere of a school must be conducive to learning, and a scholar's appearance can positively or negatively impact the climate of a school. SCA scholars must adhere to the following dress code requirements:

## **Tops:**

Monday - Red collared shirt with SCA Logo

Tuesday - Gray collared shirt with SCA Logo

Wednesday - Navy Blue collared shirt with SCA Logo

Thursday - Light blue collared shirt with SCA Logo

Friday - SCA Spiritwear (available from our uniform vendors)

## **Bottoms:**

Khaki or navy blue pants, shorts, scooters, jumpers, or skirts. Girls may wear polo-style dresses with the SCA logo..

## **Shoes:**

Presentable shoes of any kind are acceptable. Because scholars have 30-45 minutes of recess time daily and learning opportunities outside are encouraged, we recommend scholars wear athletic or a similar type of shoe that will not hinder their participation.

## **Outerwear:**

All outerwear (jackets, coats, etc.) is required to be solid in color and embroidered with the SCA logo or be a solid color without symbols, emblems, pictures, etc. if the outerwear does not allow for the uniform shirt to be visible. Hoods from hoodie sweatshirts or jackets may not be worn inside the building.

Scholars enrolled in the school after the first day of school will be given ten (10) school days to prepare adequately for the dress code policy. Until that time they may borrow uniforms from those available at the school or wear polo-style shirts in the designated color without penalty. However, **scholars must wear a school uniform each day**. SCA offers exemptions for religious attire. If your child needs such accommodations, please notify their teacher.

All uniforms must be embroidered with proper school logos. For your convenience, all uniform wear will be available for purchase through outside vendors throughout the year. However, SCA's standing policy is to mitigate any financial obligation for those families for whom this presents an undue hardship. Parents and/or guardians who have concerns about the affordability of a school uniform should contact [info@scintillacharteracademy.com](mailto:info@scintillacharteracademy.com) and SCA will work to assist the family in identifying community resources.

## **Inappropriate Attire**

The following types of clothing are considered inappropriate at SCA:

- Shoes must be worn at all times for health and safety reasons. The following are not permitted: shoes that damage the carpet or floors, bedroom shoes, shoes with wheels, or shoes with heels over 1 ½ inch in height.
- Hats, caps, sweatbands, and sunglasses worn inside the building are not permitted except on specified days or particular situations, as determined by administration.

- Halter tops, midriffs, muscle shirts, net shirts, cutaways, pajamas, lounging pants, clothing with words across the seat, or any garment that shows the stomach or waistline in the back are not permitted
- Sleeveless tops must have a strap of at least two (2) inches in width across the shoulders.
- Revealing necklines are not permitted. This criteria is at the discretion of administration and faculty.
- Spandex clothing and sheer garments worn as the primary garments are not permitted.
- Pants must be worn at the natural waist. They cannot be poorly fitted or oversized and baggy, so as to allow sagging of the pants.
- Clothing, with suggestive words or pictures, is not permitted.
- Clothing that is torn, ripped, or unhemmed either by accident or style is not permitted.
- No manner of clothing, jewelry, button, or pin may display drugs, cigarettes, sexually suggestive items, alcohol, weapons, profanity, gang-related logos or messages, or pictures or words that are determined to be distracting or demeaning to others by the administration of the school.

### **Religious Exemption**

SCA acknowledges and is responsive to any student's right to exercise freedom of religion. In the event that a student and/or parent/guardian/family requires a religious exemption for attire, the Superintendent is the point of contact to facilitate. Parents/Guardians shall schedule a meeting with the Superintendent to discuss religious exemption, as related to uniform policy, to establish agreed-upon expectations aligned to the religious practice of the student/family.

### **Noncompliance Procedures**

Scholars will strive to achieve full compliance with the guidelines of the Dress Code and Uniform Policy. Since noncompliance interferes with the smooth operation of the school, the plan listed below has been proactively developed to address scholars who do not comply with the required dress code and uniform procedures. If a scholar comes to school out of uniform, the following measures will be taken (see below). If available, a uniform will be provided to the scholar which will be returned at the end of the day as well as:

- 1st Occurrence: The teacher will send home a letter from the administration informing the parent/guardian that the student failed to adhere to the dress code and uniform policy.
- 2nd Occurrence: The teacher will send home a letter from the administration and call the parent/guardian to develop a plan for avoidance of noncompliance in the future. The scholar may be required to change into an appropriate uniform - if one is available.
- 3rd Occurrence: Parents/Guardians will be contacted for the scholar to be checked out to resolve the dress code violation. This check out will result in an unexcused absence. Per the SCA attendance policy, after 10 consecutive absences, scholars are subject to administrative withdrawal.

*\*\*Additional themed dress-up days may be added and appropriate notice will be given.\*\**

# Our Educational Approach

SCA's curriculum is rigorous and standards-based. All scholars participate in language arts, math, social studies, and science as part of their regular classroom instruction. In addition, students participate in elective opportunities such as physical education, music, theatre, art, and STEAM that enrich classroom learning and challenge them to think and grow in new ways.

The Georgia Standards of Excellence are used to guide learning at SCA. SCA's educational approach is grounded in the belief that studying something in depth will help scholars develop life-long learning skills more successfully than studying a broad range of topics in less detail. The curriculum framework used at SCA outlines essential areas of study in science and social studies for each grade level. While teachers at SCA cover all of the Georgia Standards of Excellence for each child in a grade, two to three areas of study are explored in much greater depth each year. The curriculum is structured in this way to provide an interdisciplinary framework on which all children can build their understanding year after year. All units of study involve intensive research, reading, writing, scientific exploration, and real-world application. SCA's curriculum offers challenging, interesting content for scholars of all ages and ability levels. In addition, the school places particular emphasis on social-emotional development and the integration of the arts.

## **Elective Opportunities**

SCA offers a unique blend of elective classes each week. In addition to these elective opportunities, SCA also integrates technology instruction to support grade-level activities. Scholars in grades K-5 rotate through five elective classes each week which include physical education, art, STEAM, and music/theater. Teachers of elective classes collaborate with classroom teachers to create integrated lessons/units and to support classroom instruction and scholar learning.

## **SCA Grading Rubric**

SCA uses a standards-based grading system. SCA scholars will work through the standards collaboratively or individually, according to their individual needs, and have multiple opportunities for mastery. Standards-based report cards will also represent an ongoing reporting tool that will be used to drive instruction and provide support.

## **SCA Grading Principles**

SCA Principle #1-Grades and reports should be based on clearly specified learning goals and performance standards.

SCA Principle #2-Evidence used for grading should be valid- scholars are assessed on what they are taught. There are no trick questions and no surprises.

SCA Principle #3-Grading should be based on established criteria, not on arbitrary norms

On a math assessment scholars are graded on the math standards assessed, not on arbitrary norms such as no name or poor handwriting.

SCA Principle #4- Not everything should be included in grades. Scholars are not graded as they are learning the information, but after the learning has occurred. Scholars need to have enough "practice" in order to be successful in the "game," i. e. practice is learning time. (not graded) and the game is to show what you know. (graded).

SCA Principle #5- Teachers will use standards-based grading to assess scholar achievement.

SCA Principle #6- Focus on achievement and report other factors separately. Students' math grades will reflect their math achievement. However, their work habits and responsibilities during math will be reported

separately.

### **Promotion/Retention Policy**

The following criteria will be utilized to determine promotion/retention for each scholar. If a parent/guardian disagrees with SCA's decision to retain, a committee will be formed consisting of the parent/guardian, teachers, and administration. The committee's decision to **promote** should be unanimous, if not the scholar will be retained. If a unanimous decision is made to **place** a scholar in the next grade, the decision should be based solely on the team's consideration that given appropriate interventions (and the implementation of a plan) the scholar should master the next grade-level standards by the end of the following year.

### **Mandatory Requirements:**

- 80% mastery of ELA standards
- 80% mastery of Math standards
- Teacher recommendation

### **Additional information considered as applicable:**

- Benchmark Assessments
- GMAS scores showing at least proficiency level for 3rd Grade (ELA) and 5th grade (ELA and Math)
- Attendance
- Age, grade, current placement

Scholars who fail to meet the promotion criteria listed above will be recommended for **retention**.

### **Grading Reports**

Four times a year, scholars and families in all grades will receive the Standards-Based Report Cards. The end-of-term report provides academic and related information on a scholar so that support and attention may be enhanced, maintained, or altered to help the scholar achieve maximum growth and learning.

### **Communication Folders**

Communication folders and graded material will communicate progress and any concerns regarding mastery. Folders will be sent home each Monday and parents will be required to review, sign and return the folders on Tuesday. Families are encouraged to utilize this folder to communicate with teachers, request conferences, or ask questions.

### **Scholar Assessments**

Teachers and administrators use multiple assessments throughout the year. There is not a single assessment that can be used to define a child's success. Assessments are essential to understanding the development of individual scholars and to assist in making decisions to best meet their needs. Some of the formal assessments used by SCA are as follows:

#### **Kindergarten Inventory of Developing Skills (GKIDS)**

The Georgia Kindergarten Inventory of Developing Skills (GKIDS) is a year-long, performance-based assessment aligned to the state-mandated content standards. The goal of the assessment program is to provide teachers with information about the level of instructional support needed by individual scholars entering kindergarten and first grade. GKIDS will allow teachers to assess scholar performance during instruction, record scholar performance in an online database, and generate reports for instructional planning, progress reports, report cards, SST, and/or parent conferences. Throughout the year, teachers may assess scholars and record GKIDS data based on their school's

curriculum map or report card schedule. At the end of the year, summary reports and individual scholar reports will be generated based on the data the teacher has entered throughout the year.

### **Georgia Milestones**

As a public school, SCA is required to participate in the Georgia Milestones End of Grade Assessment beginning in third grade. Scholar assessment score reports are mailed home to families following their arrival at the school. The score reports are accompanied by a cover letter that further explains the tests and a guide to interpreting the score reports.

### **Navvy**

Navvy is a flexible, diagnostic assessment system used in grades 3-5 at SCA for assessing the proficiency of grade-level standards in English and Math. Navvy is one of the two innovative test pilots approved by the U.S. Department of Education for Georgia's participation in its Innovative Assessment Demonstration Authority. With flexible administration, real-time diagnostic feedback, and multiple opportunities to succeed, Navvy is an integral tool for teaching and learning that helps provide a personalized education for every student.

### **Academic Parent and Family Conferences**

If needed, a conference will be scheduled by the homeroom teacher and/or grade level team to discuss a scholar's academic achievement. If the teacher cannot contact the parent, then the teacher will notify the administration. Parents and families should communicate with their scholar's homeroom teacher if they would like to schedule a conference.

### **Homework**

Homework is assigned at the teacher's discretion. Scholars are expected to meet the deadlines given by their teacher(s).

SCA believes that it is important for scholars to become increasingly responsible for directing their own learning. Homework is a time to practice skills that have already been taught in the classroom at some point in the year. Teachers may send home additional work at their discretion.

We encourage families to be involved with homework. This might look or sound like this:

- Listening to your child read
- Making a connection to and asking questions about what is being read
- Making natural, real-world connections to math

To extend learning opportunities beyond homework we encourage you to help your child find **intrinsic and authentic** reasons for learning.

### **Textbooks, Technology, and Supplies**

Books, technology, and supplies are loaned to scholars for their use during the school year. Scholars are responsible for exercising care in the use of SCA materials. Acknowledgment by parents and scholars of the Technology Acceptable Use Policy must be completed before utilizing these tools. Scholars are required to return books and supplies to teachers at the conclusion of the course/school year. Scholars will be charged for damaged or lost books and supplies before replacements are issued.

## **Recess**

SCA believes that unstructured break time is vital to children's development and academic success. Each grade level's schedule includes 30-45 minutes of daily recess times with a morning and afternoon recess in grades K-5. Middle school scholars will participate in scheduled break time during each day. All staff members are provided directions concerning the responsibility for the supervision of scholars and the safety of our scholars is a priority at all times.

## **Fieldwork**

Fieldwork and experiences outside of the school are an important part of the curriculum and are encouraged. Under no circumstance will a scholar be allowed to leave the school grounds without a permission slip signed by the parent/guardian. When children travel, they are given a new perspective on the world around them. So much happens on fieldwork opportunities: the learning is social, emotional, and academic. Projects become more exciting to young scholars when experiences are provided beyond the classroom. Examples of SCA fieldwork might include, but not be limited to things like; Georgia ecosystems, government facilities, historical landmarks, art museums, and scientific and agricultural exhibitions. Experiences provided through fieldwork will support driving learning expeditions.

Ample notice will be provided to parents prior to school/class/grade-level fieldwork opportunities. A permission slip signed at the beginning of the school year will cover all fieldwork opportunities. Some fieldwork opportunities may include a small fee for participation. However, SCA will not deny any child the opportunity to attend a field trip due to financial limitations. Please contact the school or your child's teacher for more information. Parents and families are encouraged to attend but will be required to drive separately due to limited seating with bus transportation.

Scholars may only attend fieldwork if they are in good standing in the classroom. Scholars with three or more behavior referrals must be accompanied by a parent or guardian to attend the fieldwork opportunity.

## **Extracurriculars and Sports Participation**

Extracurricular activities allow students to develop and hone unique skills with consideration to individualized student interest. Participation can be an interesting and exciting experience and an opportunity to develop new friendships, try a new sport, follow a new interest, or strengthen identified competencies. All students are eligible and encouraged to participate in any extracurricular activity. Given that students begin to develop skills in time management at the middle grades level and are held increasingly accountable for choices, teachers will support students in setting reasonable goals for extracurricular/sports participation within the advising block. The Superintendent reserves the right to suspend participation by a student if disciplinary problems arise which warrant such a consequence.

Per the SCA: Athletic Handbook, through policy and action, SCA supports the belief that a strong program of extracurricular activities provides a balance in educational programming for scholars. Athletic competition, by its nature, contributes to greater scholar awareness of self-discipline, growth in emotional maturity, and an increasing realization of the worth of the individual. Scholars must learn that participation in athletics is not only a privilege but is also an honor that requires responsibility for maintaining one's academic standing in the classroom and for maintaining a high standard of conduct outside of school hours as outlined in the student handbook and the Code of Conduct for Scintilla Charter Academy students, K-8. Further information pertaining to sports programming and participation is accessible via the SCA: Athletic Handbook.

# Student Support Services

## **Student Support Team (SST)**

The purpose of the SST is to develop individual plans for each child's educational development, engage classroom teachers and parents in creating school-wide and individual plans, and create linkages to a consortium of service providers. SST is intended to support student achievement, socialization skills, attendance, and parental involvement.

## **Early Intervention Program (EIP)**

The Early Intervention Program (EIP) is designed to serve students who are at risk of not reaching or maintaining academic grade level. The purpose of the Early Intervention Program is to provide additional instructional resources to help students who are performing below grade level obtain the necessary academic skills to reach grade-level performance in the shortest possible time.

## **Special Education Services**

SCA provides special services to individuals who meet the eligibility criteria for Special Education as outlined by federal and state guidelines through IDEA. Direct and related services are provided to those individuals who meet the eligibility criteria for autism, emotional disturbance, hearing impairment/deafness, mental delay, multiple disabilities, orthopedic impairment, other health impaired, specific learning disabilities, speech or language impairment, traumatic brain injury, and visual impairment/blindness. SCA staff regularly monitors each student's progress and provides support. Procedures for making referrals, conducting evaluations, communicating with families, writing and reviewing Individual Education Programs (IEP's), maintaining student records, and reporting progress are managed by SCA's Special Education Team. For further information regarding the special education process, contact your child's teacher.

For those identified with a disability through the Multi-tiered System of Support (MTSS), the special education program at SCA works with scholars and families to meet scholars' individual needs by accommodating and/or modifying curriculum, instruction, and/or assessment. SCA's Special Education Team oversees the services provided to scholars with Individualized Education Programs (IEPs) so that scholars make progress towards their goals. As much as is appropriate, scholars with identified disabilities are included in classes with their peers, with classroom teachers working in consultation with special education teachers and/or with scholars working directly with special education teachers. SCA will follow state and federal guidelines to provide a broad spectrum of special education services to support the specific learning needs of all scholars.

## **English Learners (EL)**

Families are asked to complete a Home Language Survey as part of the registration process. Information from the survey will be used as a first-level screening to ascertain if the scholar may require an additional assessment to determine if he/she is eligible for ESOL services. In addition to providing ESOL services to scholars, SCA will provide interpreters for parent/teacher conferences and other Academy-related activities as needed.

## **Gifted & Talented Program**

SCA complies with the state guidelines for identifying eligibility and placing scholars in the gifted education program. Once eligibility has been established, parents will be notified of the individualized learning plan created for their scholar. A state-approved model is made available and monitored by a gifted certified professional to support the specific learning needs of scholars identified as gifted. Gifted scholars receive a

minimum of five segments per week. Enrichment and advanced content instruction are determined by the subject-specific teachers working with gifted certified personnel.

# Family Engagement

## Parental Contact Information

Accurate parent and family contact information is crucial to scholar safety. Please always update the school with new contact information, including email addresses, phone numbers, home addresses, work numbers, and emergency contacts which will facilitate better communication between the school and family.

## Contacting Your Child's Teacher

If a parent/guardian would like to discuss a matter with any staff member, the following procedures should be followed:

1. The parent/guardian should schedule an appointment with the faculty member prior to the meeting date. It is possible that the concern may be resolved by a telephone discussion during the teacher's planning time. Please contact the teacher directly to schedule an appointment.
2. The parent/guardian must report to the office at the time of the agreed appointment and the main office staff will notify the faculty member and provide you with a visitor's pass and
3. Under no circumstances should a parent go to a classroom or interrupt a teacher's class without prior consent from the main office.

## Communication Chain of Command

SCA believes that relationships are of utmost importance, and communication is how we care for these relationships. SCA also feels that adults must be models of good character even in the most difficult situations. Except as otherwise provided in the General Public Complaints Policy for alleged violations of state or federal law, a parent with a grievance concerning a particular class, faculty member, or administration of the school, should resolve the grievance by following the chain of command. Issues that arise in a particular classroom should always be addressed to the **teacher first** since the teacher always has the most direct knowledge of the scholar.

1. **The Teacher:** Parents should schedule a meeting with the teacher by calling the school or sending an email directly to the teacher. Except in emergency circumstances or situations involving imminent danger, parents shall not confront a teacher about an issue with any scholar present. If the teacher and parent agree that it is in the best interest of the scholar to have a discussion in the presence of the scholar, they may do so.
2. **The Dean of Primary (K-2) or The Dean of Elementary (3-5) Grades:** If the grievance cannot be resolved with the teacher then they should reach out to the appropriate Dean.
3. **Superintendent:** If the grievance cannot be resolved with the Dean then the parent should discuss the matter with the Superintendent.
4. **The Governing Board:** If the grievance cannot be resolved after talking with the teacher or the appropriate party, then a parent must submit his/her grievance in writing to the chair of the board. Parental concerns and grievances may also be raised during the community comments portion of the Board of Directors meeting. The concern or grievance must be submitted in writing, and no more than two minutes will be granted. It is recommended that the concern or grievance be addressed in one of the aforementioned steps before using this option.

## Parent and Family Code of Conduct (Strictly Enforced)

**Purpose and Scope** The purpose of the Parent Code of Conduct is to provide a mutual understanding to all parents/guardians and visitors to our school about conduct expectations while on school property, at school events, and when interacting with school employees and/or scholars.

**General Expectations We expect parents/guardians and visitors to have a fundamental understanding and commitment to the following general propositions:**

- Teachers, administrators, and parents/guardians want all children to learn in a safe environment
- All children deserve a safe, positive, and joyful learning environment
- Teachers, administrators, and parents/guardians must work together for the benefit of all scholars
- All parents/guardians and visitors, as well as all members of the school community, deserve to be treated with respect
- The school should be provided an opportunity to resolve issues of concern before public criticism.

**Prohibited Behaviors**

To provide a peaceful and safe school environment, the school prohibits the following behaviors by parents/guardians and visitors:

- Disrespectful, abusive, threatening, profane, elevated tone, or harassing communication, either in person, by e-mail or text/voicemail/phone, or other written or verbal communication
- Disruptive behavior that interferes or threatens to interfere with school operations, including the effective operation of a classroom, conferences, an employee's office or duty station, a campus lobby, or school grounds, including sporting events, parking lots, and car-pickup
- Threatening to do bodily harm to a school employee, visitor, fellow parent/guardian, or scholars
- Threatening to damage the property of a district employee, visitor, fellow parent/guardian, or scholar.
- Damaging or destruction of school property
- Inappropriate gifts
- Threats of posting negative comments on social media
- Demands for meetings at unreasonable times and or unreasonable lengths, without prior notice
- Attempts to dictate management decisions ● Frequent or repetitive meetings about an issue that has already been addressed
- To incite other parents to join or make a complaint
- Excessive unscheduled campus visits, e-mails, text/voicemail/phone messages, or other written or oral
  - School staff and administration may not always be immediately available to speak with you. The only way to ensure that you can speak with a staff member or administrator is to schedule an appointment. Staff and administrators have a practice of attempting to return all phone calls/emails within 24 hours with great success. Your calls and visits will be responded to consistent with this practice if someone is not immediately available to speak with you.
- Defamatory, offensive, or derogatory comments regarding the school, school staff, other scholars made publicly to others
  - Any concerns that you have should be made through the appropriate channels so they can be dealt with fairly, appropriately, and effectively
  - This includes the use of any social media medium, including but not limited to websites, blogs, wikis, and social networking sites such as Google, Facebook, Instagram, Snapchat, LinkedIn, Twitter, etc.

**Consequences**

Depending upon the severity of the incident, parents/guardians or visitors may be ejected from or otherwise banned from campus and the ability to attend or participate in school-sponsored events under the criminal trespass laws. In situations involving lesser infractions or where remediation is viable, a warning will be provided, either verbal or in writing, before the filing of trespass and issuance of a formal ban. Should a parent/guardian or visitor fail to heed the direction issued in the warning, a ban or other restrictions designed to

deter the conduct will follow. No restriction, however, will prevent the parent/guardian from working collaboratively with the school to meet the child's educational needs, nor will a parent/guardian be excluded from a child's IEP meeting. Scintilla does not have ISS (In-school Suspension) or an alternative school. As stated in the SCA Student Code of Conduct, if a child's behavior negatively impacts the learning or safety of other scholars, the parent will be notified and may be required to schedule a conference or pick up the child from school. By signing the Parent Code of Conduct, the parent/guardian acknowledges this expectation and agrees to partner with SCA. If a parent repeatedly refuses to communicate with his/her child's teacher/school administrator or pick up their child if their child violates the Student Code of Conduct, the scholar will not be allowed to return to school until the parent/guardian follows through with expectations indicated in the Parent Code of Conduct. These absences will be unexcused.

### **Contacting Scholars**

If a parent needs to reach a scholar during the school day in the case of an emergency, the scholar will be pulled out of class and given the message. However, classrooms will not be disrupted for non-emergency messages.

### **SCA Volunteer Program**

Volunteers are a critical component to support SCA scholars and the mission of our school. We strongly encourage all families to volunteer in school-wide opportunities communicated throughout the year or you may reach out to your scholar's teacher to offer to help in their classroom. PTO is another great way to volunteer and support the entire school community.

### **Student-Led Conferences**

Student-Led Conferences are held multiple times throughout the year and last approximately 10-15 minutes. At the conference, you can expect scholars to discuss their growth and progress regarding meeting academic learning targets. These conferences differ significantly from traditional parent-teacher conferences and perfectly illustrate our belief that scholars should be leaders of their own learning.

### **Parent-Teacher Organization (PTO)**

While the SCA PTO is a separate and distinct organization from SCA, all parents are encouraged to join the PTO. Membership dues are \$10.00. Membership allows PTO to support SCA by providing resources and support to our school community. The purpose of the SCA PTO shall be to support the mission statement of the SCA. This may include advocacy and educational support, in addition to collaborative efforts deemed necessary by the scholars, parents, faculty, administration, and the governing board of SCA.

PTO Bylaws and Executive Board information can be found on the school's website:  
[www.scintillacharteracademy.com/pto](http://www.scintillacharteracademy.com/pto).

# Behavior Expectations/Code of Conduct

Our goal is to teach scholars the value and importance of following established rules and procedures in order to maintain a safe, orderly, and respectful environment both in our school and in the community. To that end, we will positively reinforce honorable conduct and good behavior as often as possible and will balance this with appropriate consequences for misconduct. We will continually provide encouragement and support to our scholars in self-management of behavior and control of actions.

- Be polite and attentive both inside and outside of class.
- Attend school consistently, be punctual, and take responsibility for making up any work when absent.
- Comply with the uniform and dress code.
- Be prepared for class.
- Follow directions.
- Follow all reasonable requests made by adults on the premises with a positive attitude, and show respect for self, others, and property.
- Cooperate with and demonstrate respect for the faculty and staff, including administrators, teachers, secretaries, custodians, and any other people working at the school.
- Communicate in an acceptable tone of voice using an acceptable choice of words.
- Follow the dining room, playground, hallway, and individual classroom rules.
- Not use threats or intimidation against any other person.
- Respect the health and safety of others, safety rules, and not bring tobacco, alcohol, or any illegal substances to school.
- Not bring anything to school that could be used to harm another or that is illegal.

SCA uses Habits of Character and our Scintilla Standards to teach scholars the behavior that is expected at SCA.

## **Habits of Character**

### Perseverance

- I can set goals and work towards meeting those goals.
- I can stick with a task until completion.
- I can use feedback to produce high-quality work.

### Responsibility

- I can be responsible for my learning and work.
- I can be responsible for my attitudes and actions.

### Respect

- I can be respectful towards members of my school community.
- I can listen to my classmate's diverse opinions and remain open-minded.
- I can contribute to my group in a positive way.

### Service

- I can have a positive impact on my school.
- I can have a positive impact on my community.
- I can have a positive impact on my environment.

## **Scintilla Standards**

The Scintilla Standards are the foundation on which our school's culture is built. These standards are taught and modeled daily so that these fundamentals become second nature.

Scintilla Standards:

1. When speaking to someone, make eye contact and be a good listener.
2. It's always polite to respond when someone is speaking to you.
3. Respect others' opinions, ideas, and suggestions.
4. Always be a good winner and have a positive attitude if you don't win.
5. Always be respectful to others and don't roll your eyes or use disrespectful gestures.
6. It's okay to be happy when you do something well, but remember to not ask for a reward.
7. Saying thank you is one of the most important things you can say!
8. Use good manners in the hallway by being quiet and respecting other scholars' learning.
9. People feel important when you are able to remember their names.
10. Use your good manners in the restroom... wash your hands and remember to throw away your trash.
11. When someone is being reprimanded, remember it is not polite to stare.
12. Make sure to always clean up after yourself no matter where you are.
13. When someone introduces you to a new person, make sure to shake their hand and say "nice to meet you."
14. It's always polite to hold the door open for someone who is close behind you.
15. Use your best manners and be respectful at Community Circle and any other assembly.
16. Everyone makes mistakes!! When you do, use them as an opportunity to learn and make better choices next time.
17. Being honest is always for the best in every situation.
18. It is NEVER okay to pick on or meanly tease anyone!
19. Always do your best!
20. Try to see the positive things in all situations..look for the bright side and you will find it.

### **Crew**

Each morning, scholars will start their day in their homeroom with a crew meeting. The purpose of this time is to build community in the classroom. Elements of crew meetings include news and announcements, preparing for a successful day of learning, greetings, and focus on Scintilla Standards and Habits of Character.

### **Community Circle**

Community Circle is an opportunity for the entire SCA school family to come together and celebrate the week. Each Friday morning we meet in the Dining Room to highlight learning and character accomplishments from the week. Grade levels rotate in leading our weekly Community Circle. SCA families are always welcome to attend Community Circle.

### **Learning Environment**

Establishing a safe and orderly learning environment requires all members of the school community, teachers, support staff, scholars, and parents to model behaviors that show respect for each other and persons in authority. Personal responsibilities or standards of conduct for our scholars, teachers/staff, parents and families are listed below:

### **Teacher/Staff Responsibilities**

Teachers/staff are expected to model behaviors that are consistent with SCA's policies and school performance standards. Teachers/Staff are responsible to support the learning environment by exemplifying the following standards of conduct:

- Teachers and staff shall promote mutual respect between scholars and adults

- Teachers and staff shall be prepared to meet professional responsibilities associated with their respective positions
- Teachers and staff shall develop and use cooperative discipline strategies and a restorative approach, including the appropriate language of learning techniques and a consistent school-wide procedure to address conflicts and problem-solve with scholars
- Teachers and staff shall promote a sense of pride and community as evidenced by a friendly and inviting atmosphere, encouraging actions, and service in the school and community
- Teachers/administrators shall contact a scholar's parents/guardians in cases of serious infractions of the school code of conduct

### **Parent/Family/Guardian Responsibilities**

Parents, families, and guardians of scholars are expected to participate in their child's education in the following ways:

- Communicate often and routinely with their child's teacher
- Participate in their child's development by attending scheduled conferences
- Keep informed about school policies and requirements of their child's academic program, including homework and projects
- Ensure the child attends school regularly and is appropriately prepared
- Participate in school events for home reinforcement of study skills and specific instructional objectives
- Communicate concerns to school staff concerning specific problems or difficulties that may impede the child's learning or well-being
- Provide positive support to your scholar(s) as well as the school and its faculty and staff

### **Offenses and Levels of Disciplinary Action**

While SCA intentionally supports the responsive classroom model and employs alternative discipline strategies, there may be instances where students require redirection and/or consequences to address inappropriate behaviors. Though suspension is a widely used disciplinary technique, research has raised serious questions about its long-term adverse effects on students (Hannigan & Hannigan, 2022). Frequent use of suspension can result in undesirable and unintended outcomes, including a less healthy school environment, lower academic achievement, higher levels of disruptive or antisocial behavior, and higher school dropout rates.

In an effort to keep scholars in their classrooms so that learning is not disrupted, SCA incorporates alternative discipline techniques including strategies such as reverse suspension as an initial step. If student behavior requires an administrative consequence, SCA may recommend reverse suspension rather than the consequence of a traditional suspension. Reverse suspension requires the scholar's parent to attend school with the child for the assigned period. Additional examples are included below which align with the alternative discipline approach. This list serves as an example of alternative discipline strategies which may be used - but does not represent an exhaustive list of strategies. SCA reserves the right to assign more traditional forms of discipline (e.g., suspension) when the behavior warrants such a consequence.

## **Student Code of Conduct**

SCA administration cannot foresee every situation that may come up during the school year. However, if behavior interrupts the operation of the classroom, the hallway, or the school in general, the results could be as simple as a warning or as serious as an expulsion.

### **Tier I Misconduct**

This level of correction is used when the behavior engaged is of a minor but consistent action warranting intervention on the part of the teacher or other school staff. These actions negatively impact the learning and safety of our scholars. The consequence for any infraction is left to the discretion of the administrator based on variables involved in the incident.

Examples of these actions might be but are not limited to the following:

- Violations of classroom rules
- Uniform issues (failure to follow the uniform policy)
- Bringing toys or items from home to school that are a distraction or against classroom rules
- Loud talking, loud laughing, or use of a tone that disrupts the learning process in the classroom, hallway, dining room, etc.
- Arguing with another scholar or the teacher interrupts the learning environment
- Failure to follow directions given by an adult
- Violation of cell phone policy
- Putting hands on another scholar – pushing, shoving, kicking, biting, pinching, slapping, etc.

Tier I disciplinary actions may include but are not limited to the following:

- Immediate removal of the scholar from the classroom or area where the infraction occurs and a request made for the parent to come to the school to pick up the child
- A written or verbal warning by the teacher, counselor, custodian, lunchroom staff, support staff, or administrator
- Teacher conference scheduled with the scholar and the parent
- Scholar placed on a behavior contract
- Any other disciplinary action deemed appropriate by the assigned administrator

Parents, please remember: We do not tolerate scholar disruptions during class time. Regardless of the age of the child, a scholar who disrupts class by blurting out repeatedly, moving about the classroom so as to remove the attention of the scholars from the teacher, failing to follow classroom rules, arguing or belittling other scholars, throwing things, hitting, pushing or shoving others will be removed from class and the parent will be called to come and get the child.

### **Tier II Misconduct**

This level of correction is used when the behavior engaged is persistent and repeated and negatively impacts the learning and/or safety of our scholars. These actions can occur in the classroom, in the gym, in the dining room, outside of the school building, or at school-sanctioned or even non-school events. These behaviors may include, but are not limited to, repeated acts of minor misconduct as seen in Tier I; of actions of a scholar against another scholar, adult or SCA property, that does not seriously endanger the health, safety, or well-being of others but does disturb the learning environment and the school culture. The consequences for any infraction are left to the discretion of the administrator.

Examples of these actions might be but are not limited to the following:

- Repeated violations of Tier I misconduct
- Disruption and interference with the normal operation of the school
- Continued failure to follow the uniform policy
- Academic dishonesty
- Taking items that belong to another scholar or adult
- Violation of cell phone policy
- Destruction of school property
- Tampering with school technology
- Visiting any inappropriate site on school technology
- Disrespectful or demeaning language directed at another scholar or adult
- Disrespectful behavior to a staff member or any adult
- Public displays of affection-kissing, hugging, or touching one another inappropriately (1st offense)
- Threatening another scholar or adult either by word or behavior (this includes pushing, shoving, tripping, etc.)
- Bullying on the first offense, harassment, cyber-bullying, or intimidation as defined in Georgia law O.C.G.A. § 20-2-2751.4
- Second cell phone violation
- Skipping class
- Throwing an item at an individual that could potentially cause harm
- Any act that negatively impacts the learning and safety of our scholars

Tier II disciplinary actions may include but are not limited to the following:

- Immediate removal of the scholar from the classroom or area where the infraction occurs and the parent is required to come to the school to pick up the child
- Restitution of stolen or broken items
- Confiscation of cell phone
- Student placed on a behavior contract
- Any other intervention or consequence deemed appropriate by the teacher, counselor, or administrator
- Possible suspension from school
- Possible referral for expulsion

### **Tier III Misconduct**

This level of correction is used when the scholar's misbehavior is repeated but the offenses may not be related; however, the actions negatively impact the learning and safety of our scholars. These actions can occur in the classroom, in the gym, in the dining room, outside of the school building, or at school-sanctioned or even non-school events. Actions may include but are not limited to repeated acts of misconduct as seen in Tier I and Tier II; actions of a scholar against another scholar, adult, or SCA property that could endanger the health, safety, or well-being of others and may also disturb the learning environment or the school climate. These behaviors are of a serious nature and may result in a scholar's suspension from school and school activities. The consequences for any infraction are left to the discretion of the administrator based on factors involved in the incident.

Examples of these actions might be but are not limited to the following:

- Instigating/provoking any altercations between or among scholars while on campus or at a school activity

- Any behaviors from Tier I or Tier II that are repeated and are not corrected by consequences administered
- The fourth failure to comply with the uniform policy
- Second infraction involving academic dishonesty
- Possession of a vaping device
- Refusing to follow directives given by an administrator involving a disciplinary consequence
- Lying, falsifying, omitting information, misrepresenting, or erroneously reporting information regarding instances of alleged inappropriate behavior by any SCA scholar toward another scholar in regard to an incident that has occurred
- Bullying on the second offense, harassment, cyber-bullying, or intimidation as defined in Georgia law O.C.G.A. § 20-2-2751.4
- General Sexual Misconduct/Sexual Harassment to include:
  - Displays of affection (including but not limited to: hand-holding, frontal hug, kissing, or inappropriate touching in the hallways, classrooms, locker rooms, bathrooms, or anywhere on the SCA campus. This includes snapping of one another with towels in locker rooms, taking videos in locker rooms, peering over stalls in locker rooms or bathrooms, etc.)
  - Inappropriate or unwanted touching of another scholar or adult.
  - Grabbing, touching, pinching, or slapping a scholar or faculty member while on campus, at school-sponsored events, including athletic fields.
  - Exposing of body parts, intimate or otherwise, lewd behavior (showing personal parts of the body to others, i.e. pulling down pants/shorts/skirt).
  - Making sexual remarks or unwelcome advances towards other scholars, staff, or faculty; asking for sexual favors explicitly, via social media, or online format
  - Using vulgar/profane, racially derogatory, sexually derogatory, or aggressive language toward another scholar or adult including disrespectful language or behavior directed at a teacher, administrator or any SCA school personnel.
- Fighting/shoving/pushing another scholar or adult in an aggressive manner
- Hitting another scholar, teacher, or faculty/staff member in an aggressive manner
- Defacing, damaging, or destroying the property of another individual
- Defacing, damaging, or destroying the property of SCA
- Encouraging others to become involved in acts that are prohibited or disrupt the learning environment or the school environment at large
- Bringing any item related to a weapon, or that could be construed as a weapon, on campus or to a school event
- Bringing any medication to school without consulting with the nurse and leaving the medication in the clinic; carrying medication, in particular prescribed medication, on the scholar's person; bringing any legal or illegal medication or substance onto school property
- Tampering in any way with a scholar or a faculty/staff member's food or drink
- Taking still or video pictures of any individual while on school property with or without their clear and expressed permission. This includes taking pictures of other scholars and/or staff members
  - Recording a video in a bathroom that involves other scholars
  - Videoing any kind of illicit activities and posting on any social media platform
  - Videoing teachers or other scholars during the school day
- Visiting any site that includes pornography, profane music and/or lyrics, indecent pictures of individuals, graphic behaviors including fighting, etc.
- Posting comments or videos via social media, websites, chat rooms, etc. about the school, teachers, scholars, or parents of a disparaging, rude, or vulgar nature
- Soliciting sexually inappropriate pictures

- Placing vulgar or inappropriate pictures on websites and encouraging scholars to visit those websites either at school or at home
- Sending vulgar texts, Instagram posts, etc. to any individual at SCA including scholars, teachers, or other personnel
- Having vulgar, profane, or sexual pictures, texts, etc. in possession or sharing such with any other scholar
- Using sexual or explicit language with any other scholars or in the presence of scholars, particularly younger scholars
- Sexting or the sending of any type of sexually explicit or implicit message using a cell phone or other technological device
- Placing pictures of other individuals on social media with derogatory commentary about their personal characteristics, sexual orientation, ethnicity, etc.
- Third violation of cell phone policy incident
- Having any type of cigarette, (nicotine, marijuana, or CBD), lighter, matches, rolling papers, drug paraphernalia, or any smoking/vaping device on campus or at a school-related event/trip
- Being in possession of liquor/alcohol; providing liquor/alcohol to other scholars; imbibing in liquor/alcohol on the school campus or at a school event
- Being in possession of any CBD/THC product on the school campus or at a school event
- Creating any disturbance that disrupts or distracts from the learning environment and potentially inhibits the smooth operation of the school/classroom
- Disrupting the testing environment
- Second infraction of tampering with school technology in any form or fashion
- Tampering with technology so as to remove evidence of inappropriate online activity
- Engaging in larceny/theft of school property regardless of the value
- Engaging in larceny/theft of another scholar's property regardless of the value
- Accessing/altering school/teacher records
- Compromising test security of any standardized test
- Referring to a staff member in a negative, sexual, or racist fashion or making threatening or aggressive comments via any social media platform
- Obtaining access to another scholar's username and password
- Obtaining access to another scholar's ID number and using that number to purchase meals
- Inappropriate use of the SCA logo
- Violation of the Acceptable Use Policy (Technology)
- Leaving the building without permission; leaving campus without permission

Tier III disciplinary actions may include but are not limited to the following:

- Immediate removal of the scholar from the classroom or area where the infraction occurs and the parent will be required to pick up the child from school
- Restitution to individuals or to the school
- Suspension from school of no less than 3 days and no more than 10 days.
- School service assignments as determined by the administrator.
- Cell phone confiscated and loss of cell phone privileges
- Referral for expulsion.
- Possible involvement of local law enforcement.
- Any other intervention or consequence deemed appropriate by the teacher, counselor, or administrator.

## **Tier IV Misconduct**

This level of correction is used with behavior that is of a serious nature. Tier IV Misconduct is of such a serious nature that the scholar will be removed from the classroom or the area where the act takes place immediately and will be subject to long-term suspension or expulsion as well as possible involvement of local law enforcement.

In the event misconduct warrants a possible referral for expulsion, the scholar will be granted a hearing as per O.C.G.A. 20-2-753. The Disciplinary Hearing Officer will hold the hearing within 10 days of the incident.

The Georgia State Board of Education rule 160-4-8-.15 provides that individuals selected by the LEA to be the Disciplinary Hearing Officer must have experience as a teacher, counselor, or administrator in a public school system. In addition, all qualified Disciplinary Hearing Officers have the initial and ongoing Tribunal training course that meets the requirements of the SBOE rule prior to the individual servicing in such capacity.

Examples of these actions might be but are not limited to the following:

- Making oral or written communication, creating a document, or making a symbolic gesture or contact of a threatening, undermining, or provoking nature to any scholar or school employee at SCA
- Tampering, defacing, or disturbing staff, scholar, or visitor vehicles parked on campus at any time
- Hate speech of any kind directed at SCA teachers, administrators, staff, or any employee of SCA or contracted by SCA including dining hall staff, custodial staff, construction staff, landscaping staff, etc.
- Any act of violence that impacts the climate, culture, and morale of the scholar body and the faculty/staff
- Verbal assault including the threatening of violence to other scholars or staff of SCA as well as to any individual on the SCA campus
- Physical assault/fighting directed at or to other scholars or staff of SCA as well as to any individual on the SCA campus
- Trespassing on the SCA campus after hours or when suspended from school
- Defacing SCA campus
- Third act of bullying, harassment, cyber-bullying, or intimidation as defined in Georgia law O.C.G.A. § 20-2-2751.4.
- Fighting or physical violence towards another scholar whether it causes harm or otherwise
- Sexual harassment in any form
- Having possession of, sharing, or distributing obscene or pornographic material in print or computer, flash drive, CD, DVD, etc.
- Engaging in any type of behavior in the community that requires placement at a YDC facility or requires the use of a monitoring device
- Engaging in any type of behavior or conduct that is punishable as a felony or is a delinquent act that would be a felony if committed by an adult including:
  - Selling, giving, delivering to another person, or possessing, using, or being under the influence of marijuana (including but not limited to marijuana suckers, candy, etc), any controlled substance, any medication not prescribed to the taker, or any dangerous drug while on campus or at any school function.
  - Selling, giving, or delivering to another person an alcoholic beverage; committing a serious act or offense while under the influence of alcohol; possessing, using, or under the influence of alcohol prior to attending school or while at school; possessing, using, or under the influence of alcohol prior to or during a school-related activity.

- Engaging in conduct that contains the elements of an offense relating to abusing glue or aerosol paint, or relating to volatile chemicals.
- Engaging in conduct that contains the elements of public lewdness
- Engaging in sexual conduct on campus or at a school-sponsored activity
- Entering the restroom of the opposite sex
- Engaging in conduct that contains the elements of the offense of criminal damage to property in the first or second degree, either on or off campus
- Stealing, extorting, gambling, or possessing stolen property
- Using, exhibiting, or possessing a firearm
- Using, exhibiting, or possessing another weapon
- Using, exhibiting, or possessing fireworks of any kind whether homemade or purchased
- Discharging or participating in the discharge of a fire extinguisher
- Discharging or participating in the discharge of a fire alarm anywhere within or on the SCA school campus
- Engaging in serious and persistent offenses that disrupt or materially interfere with the orderly process in the classroom, the school, or any school-related activity.
- Fighting will not be tolerated. Any scholars involved in a fight may be suspended for up to 10 days of school and will possibly be referred for a disciplinary hearing.

Tier IV Disciplinary Actions may include but are not limited to the following:

- Suspension
- Long-Term Suspension
- Expulsion
- Referral to Law Enforcement

### **Disciplinary Hearings**

A scholar accused of committing a Level IV offense as defined in the SCA: Code of Conduct and Discipline plan may be referred for a Disciplinary Hearing for a determination as to whether a long-term suspension or expulsion is appropriate. A long-term suspension means denial to a scholar of the right to attend school and take part in any school function for period ten (10) or more school days. Expulsion shall mean the removal of the scholar from enrollment at SCA for the remainder of the school year or longer. A long-term suspension or expulsion will normally follow a short-term suspension. There are exceptions, however, that could prompt the school administrator to move forward with the immediate dismissal of a scholar. Examples of such violations include, but are not limited to, bringing a weapon to school, assault on a scholar or school personnel, or other chargeable offenses.

A disciplinary hearing officer shall employ the tribunal process to hold hearings in any of the instances previously described, as required by O.C.G.A. § 20-2-753. Per O.C.G.A. § 20-2-759, the disciplinary hearing officer shall have initial training prior to serving as a disciplinary hearing officer, undergo continuing education so as to continue to serve in such capacity, and function as an independent, neutral arbiter. Per SBOE rule 160-4-8-.15, individuals selected by SCA to serve as disciplinary hearing officers must either be: 1) in good standing with the State Bar of Georgia; 2) have experience as a teacher, counselor, or administrator in a public school system; or 3) actively serving as a hearing officer under an existing contact/agreement with a Georgia school system and completed an approved Georgia Department of Education (GaDOE) tribunal training course. SCA will ensure that its disciplinary hearing policies and practices align to state law and corresponding SBOE rules. A comprehensive description of the disciplinary hearing process is available, by request.

## **Policy Prohibiting Bullying, Cyberbullying, Harassment, and Intimidation**

SCA believes that all scholars have a right to a safe and healthy school environment. SCA has an obligation to promote mutual respect, tolerance, and acceptance among scholars, staff, and volunteers. Behavior that infringes on the safety of any scholar will not be tolerated. A scholar shall not bully, harass, or intimidate another scholar through words or actions. Such behavior includes but is not limited to: direct physical contact such as hitting or shoving; verbal assaults such as teasing or name-calling; the use of electronic methods to harass, threaten or humiliate, and social isolation and/or manipulation.

This policy applies to scholars on school grounds, while traveling on a school bus during a school-sponsored activity, by use of data or software that is accessed through a computer, computer system, computer network, or other electronic technology of a local school system or acts of cyberbullying which occur through the use of electronic communication, whether or not such electronic act originated on school property or with school equipment.

Any form of electronic bullying (cyberbullying) using school equipment, school networks, email systems or committed at school is strictly prohibited. Cyberbullying includes but is not limited to: electronic communication directed specifically at scholars or school personnel, an electronic communication that is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school, and/or any electronic communications that create a reasonable fear of harm to the scholars' or school personnel's person or property or has a high likelihood of succeeding in that purpose.

The following actions will be taken when bullying is reported:

1. *Investigate*: Upon receipt of any report of bullying, SCA will direct an immediate investigation involving appropriate personnel. The investigation will begin no later than the following school day. The investigation shall include interviewing the alleged perpetrator(s) and victim(s), identified witnesses, teacher(s) and staff members and reviewing video surveillance if available. School resource officers, school counselors, and/or other support staff should be utilized for their expertise as determined by the circumstances of the matter.
2. *Notify*: At an appropriate time during or after the investigation, the parent, guardian, or any other person who has control or charge of the accused and the victim will be notified. If the incident involves an injury or similar situation, appropriate medical attention should be provided and the parent/guardian will be notified immediately.
3. *Discipline*: Upon confirming that bullying has occurred, the accused scholar should be charged with bullying and given an age-appropriate consequence which shall include, at a minimum and without limitation, disciplinary action or counseling as appropriate under the circumstances. SCA will clearly communicate to all parties that retaliation following a report of bullying is strictly prohibited and may result in strong disciplinary action. Upon a finding by the disciplinary hearing officer, panel, or tribunal, if a scholar in grades 6-12 is found to have committed the offense of bullying three times during the school year, SCA will assign the scholar to an alternative setting that fulfills the requirements of an alternative program under state law.
4. *Follow Up*: Follow-up is important to the accused and the victim. After-care and follow-up will occur.

All scholars and/or staff shall immediately report incidents of bullying, cyberbullying, harassment and intimidation to the Superintendent or designee. School staff members are expected to immediately intervene when they see a bullying incident occur. Each complaint of bullying shall be promptly investigated.

The procedures for intervening in bullying behavior include, but are not limited, to the following:

- All staff, scholars, and their parents will receive a summary of this policy prohibiting bullying at the beginning of the school year as part of the scholar code of conduct.
- The school shall keep a report of bullying and the results of an investigation confidential.
- Staff are expected to immediately intervene when they see a bullying incident occur or upon receipt of any report of bullying.
- People witnessing or experiencing bullying are encouraged to report the incident to the school principal designee.

SCA's policy prohibiting bullying includes but is not limited to the following:

- Scholars are expected to immediately report incidents of bullying to the Superintendent or designee.
- Scholars can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.
- If the complainant scholar or the parent of the scholar feels that an appropriate resolution of the investigation or complaint has not been reached after consulting the Superintendent, the scholar or the parent of the scholar should contact the local superintendent or his or her designee.
- SCA prohibits retaliatory behavior against any complainant or any participant in the complaint process.

Disciplinary action will be taken after each incident of bullying and upon a finding of guilt. Disciplinary action after the first incident of bullying may include consequences as defined in SCA's Code of Conduct.

If necessary, counseling and other interventions should also be provided to address the social/emotional, behavioral, and academic needs of scholars who are victims of bullying and scholars who commit an offense of bullying.

Scholars, parents/guardians, and other stakeholders may report incidents of bullying to an administrator, teacher, counselor, or other staff members by using the school district's complaint procedures or by calling the Georgia Department of Education's 1-877 SAY-STOP (1-877-729-7867) School Safety Hotline.

# Notification of Student Rights

## RIGHT TO KNOW PROFESSIONAL QUALIFICATIONS OF TEACHERS AND PARAPROFESSIONALS

Date: August 7, 2023

Dear Parents,

In compliance with the requirements of the Every Students Succeeds Act, Scintilla Charter Academy would like to inform you that you may request information about the professional qualifications of your student's teacher(s) and/ or paraprofessional(s). The following information may be requested:

- Whether the student's teacher—
  - has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
  - is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and
  - is teaching in the field of discipline of the certification of the teacher.
  
- Whether the child is provided services by paraprofessionals and, if so, their qualifications.

If you wish to request information concerning your child's teacher's qualification, please contact the Superintendent, Mandy Brewington at 229-244-5750.

Sincerely,



Mandy Brewington  
Superintendent

## **GENERAL PUBLIC COMPLAINTS POLICY**

SCA Student, Parent/Guardian, or General Public Complaints Policy Purpose: The purpose of this policy is to provide guidelines to students, parents/guardians, or members of the general public for filing complaints against the school or employee of the school on any and all matters including complaints concerning Federal Programs: Title I, Part A; Title I, Part C; Title I, Part D; Title II, Part A; Title II; Title III, Part A; Title IV, Part A, Title IV, Part B; the McKinney-Vento Act; School Improvement 1003(a) and 1003(g) (SIG); IDEA, and Emergency Relief Funds CARES Act, CRRSA Act, ARP Act.

### **Dispute Resolution**

1. The complaints process may be initiated directly to the Superintendent.
2. Parents, Guardians, or Unaccompanied youth who initiate a complaint, must do so in writing.
3. Written notice should be complete, as brief as possible, and simply stated.
4. The Superintendent will provide a written response to the dispute within 5 school days.
  - a. The response will include a notice of the right to appeal, to an ad hoc Appeals Committee, the decision of the Superintendent.
5. If the Parent, Guardian, or Unaccompanied youth does not agree with the decision of the Superintendent, an appeal may be filed with the Appeals Committee.
6. The Appeals Committee will provide a written response to the appeal within 5 school days. The response will include a notice of the right to appeal his/her decision to the Governing Board.
7. If the Staff Member does not agree with the decision of the Appeals Committee, an appeal may be filed with the Governing Board.
8. Within thirty working days of receipt of the appeal of the Appeals Committee's decision, the Appeals Committee will present the matter to the Governing Board at its regular meeting or at a special meeting called for that purpose. The Board will review the original complaint, the response of the Superintendent, the response of the Appeals Committee, and the response of the complainant. In addition, the Board may, but is not required to, hear directly from any individuals with knowledge of any relevant facts relating to the complaint.
9. The Governing Board will either uphold the recommendation of the Appeals Committee or require the school to take some other action in response to the complaint.
  - a. A copy of the action of the Board will be furnished to the complainant, either as a part of the minutes of the Governing Board or as a separate written statement that will include the right to appeal to the Georgia Department of Education.
  - b. The Board will be the final reviewing authority within the school.
10. If the Parent, Guardian, or Unaccompanied youth is dissatisfied with the decision of the Governing Board, an appeal may be filed with the Deputy Appeals Committee of Teacher and Student Support at the Georgia Department of Education, 1854 Twin Towers East, Atlanta, GA 30334.

## **NOTICE OF NON-DISCRIMINATION**

SCA does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities. SCA also provides equal access or a fair opportunity to meet to any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code (as a patriotic society) that wishes to conduct a meeting within the open or limited public forum offered by the school.

The following person has been designated to handle inquiries regarding these non-discrimination policies:

Mandy Brewington  
Superintendent  
229-244-5750

For further information on notice of non-discrimination, please contact the Office for Civil Rights:

U.S. Department of Education  
Office of Civil Rights  
400 Maryland Avenue, SW  
Washington, DC 20202-4605  
1-800-421-3481

### **INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)**

SCA, in order to fulfill the obligations of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act, is required to inform and provide full educational opportunities to all individuals with disabilities ages birth through twenty-one.

SCA needs your assistance to identify, locate, and evaluate all children with disabilities. This public awareness notice is to inform parents and other individuals/agencies of the availability of educational services and related services to all individuals who reside within the jurisdiction of the SCA and who are between the ages of birth through twenty-one, regardless of the severity of their disability. This includes individuals in all public and private agencies and institutions and highly mobile children with disabilities, such as migrant and homeless children, who reside within the legal boundaries of Lowndes County.

Anyone aware of an individual who may benefit from educational services and related services is encouraged to call SCA, at 229-244-5750.

### Public Information

SCA has the following documents available for review by parents of children with disabilities and to the general public:

1. Comprehensive Plan for Special Education.
2. IDEA Federal Applications for Funds.
3. Special Education Accountability/Monitoring Final Report.
4. Applications, evaluations, periodic program plan,s or reports relating to federal programs including auditor's reports, statements of assurance, budget, and grant materials.

For more information regarding IDEA, or if you have questions or need additional assistance, please contact SCA's Special Education Contact:

Special Education Contact  
Melissa Carter  
229-244-5750  
mcarter@scintillacharteracademy.com

### **CHILD FIND**

SCA recognizes its responsibility to provide a free and appropriate public education to eligible students with disabilities within its geographical boundaries. SCA has a "child find" process that is designed to locate, identify and evaluate children with disabilities residing within its geographical boundaries kindergarten through grade 7.

If you know a child who lives within the boundaries of the Scintilla Charter Academy School District and who may be in the need of special education and/or related services, please contact the Scintilla Charter Academy's Director of Special Education for further information regarding the referral and evaluation process.

Scintilla Charter Academy's Child Find process extends to students with physical or mental impairments that substantially limit a major life activity. Such students may be eligible for services or accommodations pursuant to Section 504 of the Rehabilitation Act. Section 504 is a Federal civil rights statute that prohibits discrimination against persons with disabilities and programs receiving Federal financial assistance. Please contact Scintilla Charter Academy's Section 504 Coordinator for more information regarding Section 504 eligibility and services.

Scintilla Charter Academy  
Special Education Contact  
Melissa Carter  
229-244-5750  
mcarter@scintillacharteracademy.com

### **SECTION 504 OF THE REHABILITATION ACT OF 1973**

Section 504 of the Rehabilitation Act of 1973 is a nondiscrimination statute enacted to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to nondisabled students.

For more information regarding Section 504, or if you have questions or need additional assistance, please contact SCA's Section 504 Coordinator:

Section 504 Coordinator  
Stacie Haire  
2171 E. Park Avenue  
Valdosta, GA 31602  
229-244-5750  
shaire@scintillacharteracademy.com

### **AMERICANS WITH DISABILITIES ACT (ADA)**

SCA complies with all aspects of Title II of the Americans with Disabilities Act of 1990, including amendments from the Americans with Disabilities Amendment Act of 2008. As a result, SCA ensures that all students, employees, and qualified individuals have access to SCA's programs without regard to his or her disability.

For more information regarding ADA, or if you have questions or need additional assistance, please contact SCA's ADA Coordinator:

ADA Coordinator  
Melissa Carter  
2171 E. Park Avenue  
Valdosta, GA 31602  
229-244-5750  
mcarter@scintillacharteracademy.com

## **NOTIFICATION OF RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS TO PRIVACY ACT (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day Scintilla Charter Academy receives a request for access.

Parents or eligible students who wish to inspect their child's or their education records should submit to the Superintendent a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask Scintilla Charter Academy to amend their child's or their education record should write to the Superintendent of School, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest must be set forth in the school's or school district's annual notification for FERPA rights. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Scintilla Charter Academy to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education

See the list below of the disclosures that elementary and secondary schools may make without consent.

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of § 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf if applicable requirements are met. (§§ 99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38. (§ 99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the school has designated as "directory information" if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))

- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))
- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))

### **FERPA Directory Information**

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that Scintilla Charter Academy, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Scintilla Charter Academy may disclose appropriately designated "directory information" without written consent, unless you have advised the Scintilla Charter Academy to the contrary in accordance with Scintilla Charter Academy procedures. The primary purpose of directory information is to allow the Scintilla Charter Academy to include information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;  
Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (ESEA) to provide military recruiters, upon request, with the following information – names, addresses, and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

Pursuant to OCGA §20-2-786, if you do not want your child to be included in photographs, videos, or voice recordings, you must notify Scintilla Charter Academy, in writing, by August 31st, 2023. Provided however, parents may not opt-out of their child being included in photographs, videos, or voice recordings made by the School for public safety or security purposes. Scintilla Charter Academy has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received

- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user
- A student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

### **PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)**

PPRA affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

· *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or student's parent; or
8. Income, other than as required by law to determine program eligibility.

· *Receive notice and an opportunity to opt a student out of –*

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)

· *Inspect*, upon request and before administration or use –

1. Protected information surveys of students and surveys created by a third party;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

Scintilla Charter Academy will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Scintilla Charter Academy will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Scintilla Charter Academy will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation in the specific activity or survey. Scintilla Charter Academy will make this notification to parents at the beginning of the school year if the school has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this direct notification requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202

## **INFORMATION FOR HOMELESS STUDENTS**

The McKinney-Vento Homeless Assistance Act (the Act) ensures educational rights for children and youth experiencing homelessness. The primary goal is educational stability. The Act defines homeless students as those who lack a fixed, regular, and adequate nighttime residence. This includes:

1. Children and youth who are forced to share the housing of other persons due to the loss of housing, economic hardship, or a similar reason; live in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; live in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
2. Children and youth who have a primary nighttime residence that is not designed for or ordinarily used as regular sleeping accommodation for human beings;
3. Children and youth who live in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or,
4. Migratory children are considered homeless when they are living in circumstances set forth in items 1, 2, and 3. Unaccompanied Youth are students who are not in the physical custody of a parent/guardian and are living in a homeless situation.

Homeless students have certain educational rights and can:

- enroll without delay in school without proof of residency or permanent address, immunization, school records, or other documents or while documentation is being obtained
- choose between the local school where they are living or the school last attended before becoming homeless, when requested by the parent and determined by the district to be feasible and in the student's best interest
- attend school and participate in school programs with children who are not homeless; and receive all the school services available to other students including transportation services, special educational services where applicable, and meals through the school meals programs

If you believe your child may qualify for assistance under this policy, please contact your child's homeroom teacher or SCA's Homeless Liaison:

Amanda Miller, SCA Homeless Liaison

Email: [amiller@scintillacharteracademy.com](mailto:amiller@scintillacharteracademy.com)

Staci Haire, SCA Counselor

Email: [shaire@scintillacharteracademy.com](mailto:shaire@scintillacharteracademy.com)

2171 East Park Avenue

Valdosta, GA 31602

Phone: 229.244.5750

Fax: 229.333.0283

## **TITLE IX**

SCA does not discriminate on the basis of sex in the education program or activity that it operates, and it is required by Title IX and this part not to discriminate in such a manner. The requirement not to discriminate in the education program or activity extends to admission and employment, and inquiries about the application of Title IX and this part to such recipient may be referred to the recipient's Title IX Coordinator, to the Assistant Secretary, or both. Students, parents, and applicants for admission have the right to file a formal complaint alleging noncompliance with regulations outlined in Title IX of the Education Amendments of 1972 as follows:

### **Title IX Grievance Policy**

#### Level 1: Principal or Immediate Supervisor

A student or parent with a sex discrimination complaint may discuss it with the teacher, counselor, or building administrator involved. Level 1 of the grievance procedure is informal and optional and may be bypassed by the grievant.

#### Level 2: Title IX and Section 504 Coordinator

If the grievance is not resolved at Level 1 and the grievant wishes to pursue the grievance, it may be formalized by filing a complaint in writing on a Compliance Violation Form. This form may be obtained from the Title IX and Section 504 Coordinator.

The complaint shall state the nature of the grievance and the remedy requested. The filing of the formal, written complaint at Level 2 must be within fifteen (15) working days from the day of the event giving rise to the grievance or from the date the grievant could reasonably become aware of such an occurrence. The grievant may request that a meeting concerning the complaint be held with the Title IX and Section 504 Coordinator. A minor student may be accompanied at that meeting by a parent or guardian. The Title IX and Section 504 Coordinator shall investigate the complaint and attempt to solve it. A written report from the Compliance Officer

to the complainant regarding action taken will be sent within fifteen (15) working days after receipt of the complaint.

### Level 3: Superintendent

If the complaint is not resolved at Level 2, the grievant may proceed to Level 3 by presenting a written appeal to the Superintendent within ten (10) working days after the grievant receives the report from the Title IX and Section 504 Coordinator. The grievant may request a meeting with the Superintendent or his/her designee. The Superintendent or his/her designee has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Superintendent or his/her designee within ten (10) working days after receiving the written appeal.

### Level 4: Governing Board

If the complaint is not resolved at Level 3, the grievant may proceed to Level 4 by presenting a written appeal to the Chair of the SCA Governing Board within ten (10) working days after the grievant receives the report from the Superintendent. The grievant may request a meeting with the Board. The Board has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Board at their next regularly scheduled meeting. The grievant will be notified in writing of the decision within ten (10) working days after the Board's action. The procedure in no way denies the right of the grievant to file a formal complaint with the Office for Civil Rights, or other agencies available for mediation or rectification of rights grievances, or to seek private counsel for complaints alleging discrimination.

Amanda Miller, Title IX Coordinator  
2171 East Park Avenue  
Valdosta, GA 31602  
Phone: 229.244.5750  
Fax: 229.333.0283  
Email: amiller@scintillacharteracademy.com

## **REPORTING ACTS OF ALLEGED SEXUAL ABUSE OR MISCONDUCT**

The following is the reporting process for students to follow in reporting instances of alleged inappropriate behavior by a teacher, administrator, or other school employee toward a student. This process shall not prohibit the ability of a student to report the incident to law enforcement authorities.

Any student (or parent or friend of a student) who has been the victim of an act of sexual abuse or sexual misconduct by a teacher, administrator or other School District employee is urged to make an oral report of the act to any teacher, counselor or administrator at his/her school.

Any teacher, counselor, volunteer or administrator receiving a report of sexual abuse or sexual misconduct of student by a teacher, administrator, or other employee shall make an oral report of the incident immediately by telephone or otherwise to the Superintendent, Assistant Superintendent, or designee, and shall submit a written report of the incident to the school's Superintendent of School, Assistant Superintendent or designee within 24 hours. If the Superintendent or Assistant Superintendent is the person accused of the sexual abuse or sexual misconduct, the oral and written reports should be made to the other.

The Superintendent, Assistant Superintendent, or designee receiving a report of sexual abuse as defined in O.C.G.A. § 19-7-5 shall make an oral report immediately to the school counselor, but in no case later than 24 hours from the time there is reasonable cause to believe a child has been abused. The school counselor shall report the accusation of sexual misconduct and/or sexual abuse to the local law enforcement agency believed

to have jurisdiction in the case and to a child welfare agency providing protective services as designated by the Department of Human Services in the manner determined by such agency.

Reports of acts of sexual misconduct against a student by a teacher, administrator, or other employee not covered by O.C.G.A. § 19-7-5 shall be investigated immediately by school or system personnel. To protect the integrity of the process and to limit repeated interviews with the student, the designated system personnel is required to take a written statement from the student prior to any other person. If the investigation of the allegation of sexual misconduct indicates a reasonable cause to believe that the report of sexual misconduct is valid, the Superintendent, Assistant Superintendent, or designee shall make an immediate report to local police authorities. The SCSC and the Professional Standards Commission Ethics Division must also be notified of any validated acts of sexual misconduct.

# SCA Handbook Acknowledgement

## 2023-2024

### PLEASE COMPLETE THIS FORM AND RETURN IT TO YOUR OLDEST SCHOLAR'S HOMEROOM TEACHER

We/I have read and understand all policies and procedures outlined in this handbook.

Specifically, I have reviewed and understand the following policies and information and agree to comply with the guidelines and requirements outlined in each.

Please initial each section indicating you have specifically reviewed and sign the acknowledgement at the bottom:

- \_\_\_\_\_ SCA Attendance Policy
- \_\_\_\_\_ Technology Acceptable Use Policy
- \_\_\_\_\_ Interviewing, Photographing, and Videotaping of Scholars by Staff or Media
- \_\_\_\_\_ SCA Dress Code
- \_\_\_\_\_ Promotion & Retention Policy
- \_\_\_\_\_ Behavior Expectations/Code of Conduct
- \_\_\_\_\_ Notification of Student Rights

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### PLEASE LIST ALL SCHOLARS IN YOUR HOUSEHOLD

Scholar Name \_\_\_\_\_ Grade \_\_\_\_\_

HR Teacher \_\_\_\_\_

Scholar Name \_\_\_\_\_ Grade \_\_\_\_\_

HR Teacher \_\_\_\_\_

Scholar Name \_\_\_\_\_ Grade \_\_\_\_\_

HR Teacher \_\_\_\_\_

Scholar Name \_\_\_\_\_ Grade \_\_\_\_\_

HR Teacher \_\_\_\_\_



SCINTILLA  
**SPARTANS**

**Scintilla Charter Academy  
Middle and Upper School  
2023-2024  
Family and Student Handbook**

2171 East Park Avenue  
Valdosta, Georgia 31602

*Phone: 229.244.5750*

*Fax: 229.333.0283*

[www.scintillacharteracademy.com](http://www.scintillacharteracademy.com)

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## **Welcome to the SCA Family!**

### **Mission**

The mission of Scintilla Charter Academy is to provide a deeper learning experience in which each child is empowered through creativity, collaboration, inquiry, and critical thinking to achieve his or her unique potential and acquire a love of learning, along with a strong sense of community and character.

### **Vision**

By providing a deeper learning experience in which each child is empowered through creativity, collaboration, inquiry, and critical thinking, each child who attends SCA will achieve his or her unique potential and acquire a love of learning, along with a strong sense of community and character.

### **Scintilla Beliefs**

At SCA, we believe every child should be encouraged, motivated, and challenged daily. Our unique mixture of innovations will provide challenges while also providing intensive support to all scholars. As scholars experience success, a passion for learning will develop. School-wide character development goals and cultural practices will prepare our scholars to be successful both at SCA and in future school settings. We know that, given the right environment, children can achieve at high levels, but we also know that the development and implementation of an innovative and blended curriculum, that will enable these results, must be focused and strategic. Our curriculum will facilitate scholars in their learning because it is developmentally-appropriate at all levels and seeks to meet the naturally inquisitive nature that all children possess.

### **What is a Charter School?**

Charter schools are public schools of choice that have greater flexibility in implementing different teaching methods and philosophies. A charter school operates according to the terms of a charter, or contract, that have been approved by, in SCA's case, Georgia's State Charter Schools Commission. The charter school may request waivers from certain provisions of Georgia state law and any state or local rule, regulation, policy, or procedure relating to schools in the school district. In exchange for this flexibility, the charter school is bound by contract to be held accountable for meeting the performance-based objectives specified in the charter. Please, visit our website at [www.scintillacharteracademy.com](http://www.scintillacharteracademy.com) to view the complete charter agreement.

### **SCA Governing Board**

The SCA Governing Board of Directors is charged with the oversight of the affairs of SCA and shall pursue such policies and principles as shall be in accordance with law and any written

charter entered into by the Board. The Board is responsible for carrying out the following duties and obligations:

- The Board shall uphold SCA's mission and vision and ensure effective organizational planning on the part of the school through an annual strategic planning and review process that will review and update SCA's short-term, mid-term, and long-range goals, and evaluate the effectiveness of the implementation of the mission and plans.
- The Board shall ensure the financial stability of SCA through regular monthly review of financial statements and reports and direct oversight of major financial commitments and decisions.
- The Board shall take an active role, either directly or through a Board committee, in resolving grievances and conflicts which may arise within the school community involving scholars, parents, staff, administration, and Board members.
- Board Members will confirm annually that they have no inappropriate conflicts that would preclude them from serving SCA with fidelity.
- The Board will adhere to the Georgia Open Meetings Act based on the current requirements of this law.

### **SCA Board Members**

*Chairman Zachary R. Cowart:* Zachary R. Cowart was born in Valdosta and attended Valdosta City Schools, graduating from Valdosta High School in 1996. He attended the University of Georgia for undergraduate and law school. He is a partner at Cowart and Perry, LLP law firm and wants the parents in our community to have public school options for their children.

*Vice-Chairman Jeremy Baker:* Jeremy Baker is a native of Lowndes County. Jeremy graduated from Valdosta State University and St. Mary's School of Law. He is an attorney who serves as the Municipal Court Judge for the City of Valdosta.

*Secretary Enid Santana:* Enid Santana has been a resident of Valdosta for 30 years. She is a licensed real estate agent and is employed as a Marketing/Leasing Manager at Valdosta Mall. As the mother of two boys, she has become a passionate advocate for school choice.

*Treasurer Eric Tillman:* Eric Tillman was born and raised in Valdosta, Georgia. Eric graduated from Valdosta High School and Valdosta State University. Eric is a third-generation CPA and is a partner of Tillman & Tillman, LLP.

*Jerry Jennett:* Jerry Jennett came to Valdosta 40 years ago to run a small subsidiary of an agricultural chemical firm. He bought the subsidiary and eventually added three other companies. He currently is the president and Chief Executive Officer at Georgia Gulf Sulfur Corporation. Thanks to the generosity of Jerry and his partners at Georgia Gulf Sulfur, many significant gifts have been made to Valdosta State University including Langdale College of Business Administration and several athletic programs.

*Garrett Copeland:* Garrett Copeland was born and raised in Valdosta and is a graduate of Lowndes High School and Valdosta State University. Garrett is the Executive Vice President of Synovus Bank's Main Office.

*William Whitesell:* William Long Whitesell was born in Huntsville, Alabama, moved to Valdosta in 1976, graduated from Valdosta High School, and received his B.A. in 1996 from Presbyterian College. Graduating with his Doctorate of Jurisprudence from Florida State University in 2000, he was admitted to the Georgia Bar and Florida Bar in 2001. William L. Whitesell served as a Judicial Law Clerk for the Southern Judicial Circuit of Georgia before accepting a position at Young, Thagard, Hoffman, and Smith, L.L.P., where he practiced for three years before leaving to open his own firm, William Long Whitesell, L.L.C.

### **Faculty and Staff**

Information related to SCA's faculty and staff is located at the following [link](#).

### **Calendar**

The 2023-2024 academic calendar is located at the following [link](#).

## **Admissions and Enrollment**

**Attendance Zone:** Valdosta, Lowndes County & Brooks County, Georgia

**Admissions and Enrollment:** In accordance with O.C.G.A. 20-2-2066 (1)(A), SCA will admit scholars of any race, color, nationality and ethnic origin, religion, sexual orientation, or gender. SCA shall enroll an eligible scholar, as defined by GADOE, who resides within the attendance zone and submits a timely application unless the number of applications exceeds the capacity of a program, class, grade level or building. In such cases, all applicants shall have an equal chance of being admitted through a random lottery process. Scholars who live outside of SCA's attendance zone may apply/enter SCA's lottery, so long as they are residents of Lowndes County at the time of enrollment.

To be eligible for enrollment at SCA, scholars residing in the attendance zone must submit a timely application to SCA in accordance with the deadline set by the school. SCA 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 scholar's school or community activities, grades, test scores, attendance record, or disciplinary history. SCA may gather relevant information from scholars after enrollment is determined.

In order to enroll a scholar at SCA, parents/guardians must provide the following documentation:

- Mortgage or lease statement

- Two additional current proofs of residency
- Copy of original birth certificate
- Immunization certificate (or religious exemption)
- Certificate of vision, hearing, and dental exam
- Social security card or waiver form (provided by SCA)
- Copy of parent/guardian driver's license
- Proof of legal guardianship (if applicable)
- Proof of legal custody (if applicable)

If the number of timely applicants received by SCA exceeds the capacity of a program, class, grade level or building, SCA shall ensure that such applicants have an equal chance of being admitted through a random lottery.

SCA shall hold a registration period (for the following school year) in January of each year. Parents seeking to enroll their children who do not currently attend SCA must register during the registration period. Parents of existing scholars must sign and return the Intent to Return & Sibling Enrollment letter each year. Registered scholars shall be enrolled for the following school year subject to the following process and in the following priority:

- Scholars who attended SCA during the previous school year;
- Statutory Priority includes: Siblings of scholars who attended SCA during the previous school year; scholars of teachers and staff at SCA; and
- Scholars of Governing Board Members.

Within each category listed above, if the number of registered scholars exceeds the available space, then the school shall hold a lottery to determine which scholars shall be enrolled in the school.

The school shall maintain a waiting list of registered scholars who were not enrolled in the school due to lack of space. The school may accept new applications for the waiting list outside of the enrollment period. The school shall follow the same preferences stated above for placing on the waiting list those applications received outside of the enrollment period. Openings created during the school year shall be filled from the waiting list.

Scholars who are offered the opportunity to enroll according to the above-stated procedures must complete all enrollment paperwork and provide all required documentation by the date given. Failure to enroll by the date and time provided will forfeit the child's spot and that spot will be offered to the next scholar on the waiting list.

### **Attendance Policy**

Attendance is an essential component of a child's academic success. When a scholar is absent or arrives late, they lose important opportunities to learn. Excessive tardies and absences can significantly affect a child's ability to succeed academically and socially.

*Instructional Day School Hours:*

Elementary School (K-5): 7:50 am - 3:05 pm

Middle/Upper School (6-8): 7:50 am - 3:25 pm

Office Hours: 7:30 am - 4:30 pm

The instructional day for Middle/Upper School scholars will be from 7:50 am - 3:25 pm. SCA attendance policy stipulates that any scholar who arrives at SCA after 7:50 am (6-8) will be considered tardy. Scholars arriving after 8:05 must be escorted into the front office and signed in by an adult at the main desk. All scholars must arrive at school on time and be picked up promptly at the end of the school day. The Middle/Upper School regular day ends at 3:25 pm. Middle school scholars are expected to be picked up on time: between 3:25 pm and 3:45 pm. We encourage parents to enroll their child(ren) in the after-school program if they cannot make the 3:45 pm deadline. If a child is not picked up by 3:50 pm, parents/guardians will be charged \$1 per minute to allow his/her child to participate in the after-school program until arrival for pick-up. This policy does not apply to children participating in scheduled after-school activities (e.g., sports, extracurriculars) under the supervision of an adult.

Your child(ren) must be in school every day as mandated by state law. Parents/Guardians have one week to provide a written or emailed excuse for an absence. For emailed excuses, parents/guardians may email to: [attendance@scintillacharteracademy.com](mailto:attendance@scintillacharteracademy.com) Failure to provide a written/emailed excuse will result in the absence being *unexcused*. Scholars must be in school unless the absence has been permitted or excused for one of the following reasons:

- Illness of scholar
- Illness of immediate family member
- Death in the family
- Religious holidays of the scholar's own faith
- Required court appearance or subpoena by a law enforcement agency
- Scheduled medical or dental appointments
- Utilizing the Georgia Military Family Act

**Absence Protocol**

In the event that a child experiences multiple absences, the following protocol will guide next steps for SCA: Middle School:

1. *After 3 unexcused absences:* A letter will be sent home to the scholar's parent or guardian regarding the scholar's unexcused absences. This letter will require the parent or guardian to contact the school's designee regarding the scholar's unexcused absences. Parents/Guardians may also expect a home visit.
2. *After 5 unexcused absences:* SCA's school resource officer will contact the parent/guardian regarding excessive absences, tardies, or early dismissals and schedule a conference with the administration. According to S.B.O.E. 160-5-1-.10, a child is truant and subject to compulsory attendance who, during the school calendar year, has more than five days of unexcused absences. Parents/Guardians may expect a referral to the Truancy Intervention Program.

3. *After 7 unexcused absences:* A school social work referral will be generated by the Superintendent or Superintendent's designee listing specific school-based interventions (e.g., telephone calls, letters, conferences) which have occurred prior to making the referral.
4. *After 10 unexcused absences:* Scholars and/or parents/guardians will be subject to a referral(s) to juvenile court, magistrate court, and/or Department of Family and Children Services (DFCS) for truancy and/or educational neglect. Detailed information pertaining to the scholar, local school, and school social work interventions will be necessary when filing a complaint with DFCS, juvenile, and/or magistrate court.
5. *After 15 or more unexcused absences:* Grade-level retention will be considered. See Promotion/Retention Policy.

***\*After 10 consecutive absences, scholars are subject to administrative withdrawal.***

### **Absences from Class/School**

As permitted under Georgia state law and Georgia State Board of Education policies, a scholar's absence, tardiness, or early checkout may be excused for the following reasons: Personal illness or when attendance in school would endanger a student's health or the health of others; Serious illness or death of an immediate family member; Mandated absence by order of governmental agencies, including pre-induction physical examinations for service in the armed forces; Observing religious holidays, necessitating absence from school; Conditions that render attendance impossible or hazardous to one's health or safety; Registering to vote or voting, for a period not to exceed one day; and Reuniting of families between military deployments, not to exceed five days. NOTE: For school attendance purposes, scholars shall be counted present when they are in attendance at least one-half of the instructional day or serving as pages of the Georgia General Assembly.

### **Absences Requiring Medical Documentation**

In the event that a scholar's personal illness or attendance at school endangers a student's health or the health of others, the school may require the scholar to present appropriate medical documentation upon return to school for the purpose of validating that the absence is an excused absence. In the event that a scholar has 5 or more absences for health reasons without a physician's excuse, the school requires a physician's excuse in order to consider the absence as an excused absence. Parents are encouraged to be proactive in communicating with their child's school when there is an unusual attendance pattern expected. The following procedures will be utilized in addressing an accumulation of unexcused and/or excused scholar absences and/or tardies/early checkouts: System-approved letters are mailed that include the Georgia Compulsory Attendance Law (O.C.G.A. 20-2-690.1). Instructions are included in each letter. Upon the generation of each letter, the Dean will be notified.

Absences do not accumulate beyond the current school year. School days missed as a result of out-of-school suspensions will not count as unexcused absences for the purpose of determining

truancy. NOTE: SCA complies with the Lowndes County Juvenile Court Protocol Agreement for Truancy in Schools. A referral to the Truancy Intervention Program (TIP), juvenile court, state court, magistrate court, and/or the Department of Family and Children Services (DFCS) may be made in lieu of the outlined procedures. Protocol changes that occur during the school year will be posted on the website

### **Unexcused Scholar Absences**

Scholars are required to provide written excuses for absences in accordance with Scintilla's policy. The Director of scholar Information Systems will maintain a record of students' excused and unexcused absences. Written notes explaining the reason for the student's absence are to be retained until the end of the school term. Teachers will maintain timely and accurate attendance records that reflect absences as excused or unexcused. For an absence to be excused, a dated and signed note from the physician or parent/guardian or an e-mail from a verified parent/guardian account must be sent to the student's homeroom teacher explaining the reason for the absence within three (3) school days of returning to school. Scintilla will notify the parent, guardian, or another person who has control or charge of the scholar when such scholar has five unexcused absences. The notice will outline the penalty and consequences of such absences and that each subsequent absence will constitute a separate offense. Prior to commencing judicial proceedings to impose a penalty for violating compulsory school attendance law, the school system shall send a notice by certified mail return receipt requested. By September 1st or within 30 school days of a student's enrollment, the parent, guardian, or other person having control or charge of the scholar must sign a statement indicating receipt of the written statement of possible consequences and penalties. After two reasonable attempts by the school to secure such signatures, the school shall be considered in compliance with this requirement. In addition, students age ten or older by September 1st must sign a statement indicating receipt of a written statement of possible consequences for non-compliance to the local system's policy. After a scholar has five or more unexcused absences, the school designee or SRO may refer a parent to the Magistrate Court for a warrant and to the Solicitor General for prosecution under the Georgia Compulsory School Attendance statute if it is suspected that the parent or guardian is the cause of the student's absence. At the State Court's discretion, parents may receive a fine of not more than \$100, up to 30 days confinement in jail, community service, or any combination for each offense. Additional actions may include but are not limited to: Referral to the Truancy Intervention Program, Juvenile court CHINS complaint, or DFCS referral. If the parent or guardian has previously attended TIP, a second referral to the program may be forfeited and criminal prosecution may be initiated.

### **Excused/Unexcused Combined Absences**

Upon a student's 10th absence, whether excused or unexcused, a parent or guardian will be notified. The school district attendance officer or their designee may also make contact with the scholar and the parent or guardian at home. Medical documentation is required for any additional absences. Upon a student's 15th absence, whether excused or unexcused, a referral may be made to TIP or DFCS unless extenuating medical conditions exist.

### **Early Checkout**

Parents/guardians may not check scholars out after 2:30 pm, please go through the car line. If the person picking up the child does not go through the car line, they will be required to wait until all scholars are called to the front lobby area at the end of pick-up. **Checkouts prior to 11:30 am will be counted as an all-day absence.**

### **Tardy Policy**

A middle/upper school scholar is tardy when he/she is not in the building by 7:50 am. Scholars who arrive at SCA after 7:50 am will be considered tardy. Scholars arriving after 8:05 must be escorted into the front office and signed in by an adult at the main desk. Excused tardies are given for doctor's appointments with notes from the doctor. A doctor's note must be presented upon arrival in order to receive an excused tardy. Early check-out (anytime before 2:45 pm) is documented as a tardy on the scholar's record. In the middle school setting, teachers will take attendance at the start of each class period. Scholars arriving after the class start time, as indicated on the student's schedule, will be considered tardy. This will be notated on the student's record in Infinite Campus and may result in an adverse impact on the Spartan 10: Habits of Character evaluation process.

### **Early Checkout**

Parents/guardians may not check scholars out after 2:45 pm. Instead, parents/guardians should use the car rider line. If the person picking up the child does not go through the car line, he/she will be required to wait until all scholars are called to the front lobby area at the end of pick-up. Checkouts prior to 11:30 am will be counted as an all-day absence.

### **Friday Mandatory Early Dismissal**

Each Friday will serve as a mandatory early dismissal. Early dismissal will begin at 1:50 pm - and all scholars must be picked up by 2:15 pm. Late pick-ups on early dismissal days will be treated the same as a typical school day. A \$1.00 per minute fee will apply after 2:15 pm on mandatory early dismissal days. For those with a need, IGNITE, SCA's After School Program, will be available on Friday.

### **Makeup Work**

Scholars who have an excused absence shall have the opportunity to make up work. It is the responsibility of the parent/guardian and scholar to contact the teacher(s) involved to determine make-up assignments and establish mutually agreeable terms for daily work and test makeup.

Scholars with an *excused* absence will have a maximum of two school days (per excused absence) to submit make-up work or schedule/complete a make-up test with a teacher.

### **IGNITE - Before & After School Program**

SCA offers an in-house before and after school program, IGNITE. IGNITE hours are Monday-Thursday from 6:30-7:30 am & 4:00-6:00 pm and 4:00-5:00 pm on Fridays. The goal of IGNITE is to build on the school's focus on interactive, hands-on projects that spark curiosity, promote

active learning, encourage teamwork, build character, and capitalize on children's innate spirit of exploration. IGNITE stands for Inspiring Greatness by Nurturing Innovation, Talent & Exploration!

Click [here](#) for more information and pricing for our Ignite Program.

### **Transportation Expectations**

It is the responsibility of the parent/guardian to ensure that scholars have transportation to and from school daily. SCA does *not* provide transportation for scholars. Parents/Guardians should drop off middle/upper school scholars between 7:30 am and 7:50 am (unless the scholar is participating in the IGNITE: Early Care Program). It is recommended that families dropping off a middle school scholar be in the car line by 7:30 am to ensure the scholar is in the classroom by 7:50 am. If a parent/guardian arrives before 7:30 am, they will be asked to go through the car line again. Drop off does *not* begin until SCA staff are present. The tardy bell rings at 7:50 am. Scholars will enter the building through the middle school entrance. Scholars arriving after 8:05 must be escorted into the front office and signed in by an adult at the main desk.

### **Transportation Expectations**

It is the responsibility of the parent/ guardian to ensure that scholars have transportation to and from school daily. SCA *does not* provide transportation for scholars. Parents/Guardians should drop off middle/upper school scholars between 7:30 am and 7:50 am (unless the scholar is participating in the IGNITE: Early Care Program).

### **Drop Off and Pick Up Procedures**

Drivers will enter the school and follow the direction of the staff on duty. For drop off, cars will follow a pathway to the back of the school for scholars to enter the building. For pick up, each SCA scholar/family is assigned a number which is displayed on a red placard. Upon entry into the car line, the staff member on duty enters the assigned number into a program called *Safe Dismissal*. Once the number is entered in the system, the corresponding child's name appears on the board in his/her classroom along with the name of a color (e.g. John Smith-Red). At that time, the child is dismissed and will go to the cone that corresponds to the color he/she was assigned.

The middle/upper school red car placard is required for release of the student(s) and must be displayed on the car's dashboard or windshield. Scholars will not be loaded unless the placard is present. If the placard is not present, the parent/guardian will be required to park and come into the front office to complete check out procedures. Parents/Guardians must not leave vehicles unattended in any dismissal lane during pick-up/dismissal. The safety of SCA scholars is of utmost importance- which is why pickup/dismissal policies will be strictly enforced.

### **Afternoon Car Line**

Scintilla Charter Academy has always considered the safety of our staff and students our top priority. We have recently taken additional measures to further secure our campus, including enhanced communication systems and renewed safety plans. We believe it is crucial to

implement strict access control measures to avoid unauthorized campus entry and to allow emergency vehicles to access our campuses without obstruction. With this in mind, in collaboration with the Lowndes County Sheriff's Office, we will no longer allow cars to arrive on our campus early for afternoon pick up. Vehicles will not be allowed to line up on school property prior to 15 minutes before school dismissal. **You may not enter our campus to get in the car line for afternoon dismissal before 2:45.** School resources officers will enforce this as it is illegal to loiter in school safety zones. SROs will also ensure roadways around the school remain passable as is required by law.

### **Communication with Families**

SCA is committed to promoting communication between the school and those we serve (parents/guardians, families, scholars, and the community). Parents/Guardians are encouraged to ask questions and to communicate concerns directly with school staff so that information provided remains relevant and useful. Listed below are some of the formal ways SCA will communicate with parents/guardians, scholars, and other stakeholders regarding important announcements.

- Remind
- Spartan Folder (red Monday communication folder)
- Intercom Messaging
- Fliers/Handouts/Posters
- Mailings
- Newsletters
- Web Page: [www.scintillacharteracademy.com](http://www.scintillacharteracademy.com)
- Weekly SCA Email Newsletter
- Social Media (Facebook, Twitter, Instagram)

### **Scholar Records**

School permanent records include all educational and disciplinary materials directly related to a scholar. SCA will maintain scholar records in a confidential manner and comply with all state and federal laws regarding the privacy of these records, including the Family Educational Rights and Privacy Act (FERPA).

### **Change of Address and/or Phone Number**

Parents/guardians must complete a change of address form or log in to the Parent Portal and make changes immediately if an address or telephone number change occurs during the school year. Parents/Guardians will also be required to show valid proof of new residence - as previously defined. To ensure the safety of students, it is critical for parents/guardians to keep updated records of address/phone number on file with SCA.

### **Transfer or Withdrawal of Scholars**

When scholars transfer or withdraw from school, parents/guardians are required to come to the school and sign the necessary forms. Parents/guardians may also send a formal email to Kay Hardesty at [khargesty@scintillacharteracademy.com](mailto:khargesty@scintillacharteracademy.com) to withdraw students.

### **School Supplies**

Scholars are required to buy their own school supplies as determined by their teachers. Please refer to your child's grade level supply list for specific school supplies needed. The list is available on our website under the parent resources tab.

### **School Visitors**

All scholars, parents, and visitors must enter through the front lobby, sign in at the front desk, present a government issued ID and wear a visitor badge at all times. We encourage parent and family engagement at SCA and want families to feel welcome. We recognize that instructional time is critical and must be protected at the middle grades level given that the content is increasingly complex and sophisticated. Parents/Guardians should communicate with their child's teacher(s), at least 3 days in advance, to schedule a school visit. Parents/Guardians will not be permitted to "drop-in" on their child's class (unless previously agreed upon by the parent/guardian and the classroom teacher as related to a specific need) or to interrupt instructional time to speak with the teacher. Parent/Teacher conferences will be held by appointment only. Families are always invited to join their scholar(s) for lunch. Lunch visits do not have to be scheduled in advance.

### **Emergency Procedures**

The safety of our scholars is of critical importance. SCA is required, by law, to hold fire, lockdown, and inclement weather drills on a regular basis and have an up-to-date school safety plan. Our school safety plan is reviewed each year by our local FEMA representatives.

### **Inclement Weather**

In the event of inclement weather, SCA will announce delayed start times, early dismissal, or school closing via local news outlets and all in-house communication vehicles including our website, email, text, and social media.

### **Fire**

In the event of a fire emergency, classroom teachers will escort scholars to the designated emergency assembly area and follow all emergency procedures as outlined in the SCA school safety plan.

### **Lockdown**

In the event of an emergency lockdown Scintilla will immediately implement its state and locally approved safety action plan.

### **Interviewing, Photographing, and Videotaping of Scholars by Staff or Media**

Scholars may be photographed, videotaped, or interviewed by school officials or the media at school or school-related activities/events. Such photographs, videotapes, and interviews may be published, including internet publication. If a parent/guardian objects to his/her scholar being photographed, videotaped, or interviewed, or objects to the display of his/her work, the objection must be presented in writing to the Superintendent within 10 school days after the first day of enrollment.

### **School Telephone Usage**

Scholars may use classroom or front office telephones for emergency purposes only with approval from their teacher or administration.

### **Money and Other Valuables**

Scholars should not bring money, property, or other valuables to school, except to purchase milk, breakfast, lunch, or for other special circumstances. Money should be sent in a sealed and labeled envelope or Ziploc bag. If money is required for other reasons, scholars and parents will be notified. **The school will not assume responsibility for any lost or stolen items.**

### **Lost and Found**

Any article that has been lost and returned may be claimed in the front office. Items that are not claimed after every nine weeks will be donated.

## **School Nutrition**

The mission of Scintilla Charter Academy School Nutrition is to provide quality, nutritious and balanced meals every day to increase student satisfaction and participation in the Scintilla Charter Academy Nutrition Program

Scintilla Charter Academy participates in the National School Breakfast and Lunch Programs. These programs are regulated and funded by the United States Department of Agriculture with the School and Community Nutrition Unit of the Georgia Department of Education overseeing the program administration.

Menus are available online [Here](#). Lunch brought from home should be clearly marked with your child's name. For health reasons, such as allergic conditions, children may not share lunches.

The Scintilla Charter Academy Nutrition staff members are available to scholars and parents for any food-related questions, allergy concerns, or menu suggestions.

The following Meal Charge Policies and Procedures will be in effect for the 2023-2024 school year:

**Breakfast cost for scholars is \$2.10 & Lunch cost is \$3.50.** Adult breakfast cost is \$2.20 and lunch is \$4.10. Families with more than one scholar at SCA should send payment via cash or check separately for each scholar at Scintilla in separate envelopes.

**Checks should be made out to SCA Nutrition with scholar's name and four-digit lunch number written on the check.**

**Families may also check balances and make payments online through My School Bucks located on SCA's website. Parent Portal access information will be provided at the beginning of each school year or may be obtained in person in the school's front office.**

### **Unpaid Balance Procedure**

Scholars are allowed to charge the cost of two day's meals (2 breakfasts and 2 lunches). Families will be notified by balance due letters of unpaid balances each week. If a balance is not paid by the beginning of the next week, the child will be offered a replacement meal at lunch consisting of a sandwich and milk or, at breakfast, a pop tart and milk. Pre-payment by cash or check to SCA Nutrition may be made weekly or monthly in envelopes provided by the school. The scholar's name and homeroom teacher name must be on the envelope in order to credit the proper account.

### **Non-Sufficient Fund Checks (NSF)**

Any non-sufficient checks must be picked up by the parent or guardian and paid. Any bank charges that have been assessed will be due as well. Returned payment, along with any corresponding bank fees, must be paid in cash.

### **Free or Reduced Price Meals**

Students may qualify for free school meals if they receive food stamps (SNAP, Supplemental Nutrition Assistance Program) or (TANF, Temporary Assistance for Needy Families). Families may also qualify for free or reduced-price meals based on family income.

Family applications rather than individual applications are used. Only one application per family is needed. Families must complete a new application each year to determine eligibility. Even if you have students at other schools receiving these benefits, you must complete an application for your Scintilla scholar separately but include ALL members of the family on that application.

Applications are given out at Open House and also available in the school's front office after the school year begins. All household members including all children must be listed on the application. Please make certain that your application reaches Sylvia Wade, Director of School Nutrition. A letter to confirm your eligibility status will be sent to each household. Please retain this letter for your records.

The Director of School Nutrition is available to scholars and parents for any food-related question, allergy concerns, or menu suggestions.

The Director of School Nutrition is available to scholars and parents/guardians for any food-related questions, allergy concerns, or menu suggestions. Contact information is available on the school website.

### **Outside Food/Drinks During Lunch**

Parents who are attending lunch with their child are allowed to bring take-out/fast food for their child. However, parents are not permitted to bring outside food for other children in their child's class.

### **Fieldwork: Authentic Application of Learning**

Within the middle school setting, faculty believe and act upon the research (Hattie, 2018) suggesting that when learning occurs in authentic contexts - higher levels of application and consequential retention of knowledge are likely to occur. In order to participate in fieldwork opportunities outside of the SCA setting, scholars must provide a permission slip signed by a parent/guardian. This permission slip will be signed at the beginning of the school year to indicate that the scholar has permission to attend any/all fieldwork opportunities.

Some fieldwork opportunities may require a fee for participation. In the event that any fee associated with fieldwork creates a financial hardship, parents/guardians are encouraged to contact the scholar's teacher for information on potential support. Parents/Families are invited to attend fieldwork opportunities - but will be required to drive separately due to limited seating with school transportation. In the event that a parent/guardian intends to drive his/her child to a fieldwork site, the parent/guardian will be required to check his/her child in and out to indicate that he/she assumes liability during travel to and from the event. In order to attend fieldwork opportunities, scholars must be in good standing in the classroom and/or have met any pre-requisite requirements. Scholars with a pattern of unpredictable behavior - as evidenced by multiple behavior referrals - may require parent/guardian attendance on the trip to participate in the fieldwork opportunity.

### **Extracurriculars and Sports Participation**

Extracurricular activities allow scholars to develop and hone unique skills with consideration to individualized student interest. Participation can be an interesting and exciting experience and an opportunity to develop new friendships, try a new sport, follow a new interest, or strengthen identified competencies. All Scholars are eligible and encouraged to participate in any extracurricular activity. Given that scholars begin to develop skills in time management at the middle grades level and are held increasingly accountable for choices, teachers will support scholars in setting reasonable goals for extracurricular/sports participation within the advising block. SCA administration reserves the right to suspend participation by a student if disciplinary problems arise which warrant such a consequence.

Per the SCA: Athletic Handbook, through policy and action, SCA supports the belief that a strong program of extracurricular activities provides a balance in educational programming for scholars. Athletic competition, by its nature, contributes to greater scholar awareness of self-

discipline, growth in emotional maturity, and an increasing realization of the worth of the individual. Scholars must learn that participation in athletics is not only a privilege but is also an honor that requires responsibility for maintaining one's academic standing in the classroom and for maintaining a high standard of conduct outside of school hours as outlined in the student handbook and the Code of Conduct for Scintilla Charter Academicscholars, K-8. Further information pertaining to sports programming and participation is accessible via the SCA: Athletic Handbook.

### **School Dance Policies**

SCA Middle and Upper School may host one or more school dances throughout the school year. The following rules and procedures for these dances:

- Only SCA Middle/Upper School scholars are permitted to attend. Scholars from other schools are not permitted to attend.
- The time of any scheduled dance event will be announced via appropriate school messaging. scholars will not be admitted prior to the indicated time. Instructions for drop off/pick up locations will be provided prior to the event.
- School dance locations will be provided prior to the event.
- Scholars are not permitted to leave the building once they arrive. A signed parental note is required if the student will be picked up earlier than the scheduled pick-up times - which will be grade-specific. If scholars are picked up late, SCA administration may require the parent/guardian to remain onsite in a designated location for the duration of the event - if the child chooses to attend. Additionally, if this behavior becomes a consistent occurrence, SCA administration reserves the right to prohibit attendance at school-related dance events.
- Scholars are prohibited from bringing any item considered potentially hazardous or harmful.
- School dress code does not apply within school dances. However, SCA: Middle School administration will provide dance-specific guidelines to ensure that clothing selections are appropriate for the school setting. SCA administration reserves the right to dismiss any student who fails to adhere to established guidelines.
- Within the advising block, scholars will receive explicit guidance on behavioral expectations in a school dance setting. This guidance will be strictly enforced during the event. Scholars exhibiting inappropriate behavior may be sent home from the dance and may be prohibited from attending future dances.
- A security guard and school administrator will be present at all dances to ensure that established guidelines are followed.

### **Student Technology Policy**

#### **Electronic Devices**

Laptops and tablets may be brought to school during designated times of the year when instructed by the teacher(s). When a scholar's technology device is brought to school, it must remain turned off, stored in the child's bookbag, and is to be used only at preordained times

during the school day as directed by the teacher to support learning and instruction. Scholars who violate this rule will be subject to administrative consequences which may include confiscation of the device. SCA is not responsible for lost or stolen devices. Recording devices are prohibited at SCA.

### **Technology Acceptable Use Policy**

SCA: Middle School equips scholars with a range of technology tools including, but not limited to, desktop computers, iPads, virtual reality goggles, and laptop devices. Scholars will receive unique login credentials which allow SCA faculty to track and closely monitor all internet activity. Parents/Guardians must grant permission for scholars to use technology for teaching and learning. This permission is granted when parents/guardians sign the handbook acknowledgement signaling an understanding of all terms and expectations - including those indicated for acceptable technology use below.

*Purpose:* SCA acknowledges the critical role technology plays in the teaching and learning process - as well as within the Georgia Milestones Assessment System (GMAS) where scholars are required to demonstrate mastery of standards. As scholars work toward mastery of Georgia Standards of Excellence (GSE) and other school-specific standards (e.g., Portrait of a Graduate), teachers may integrate technology to create opportunities for research, application, creativity, and/or enrichment.

*Privilege:* The use of technology resources is a privilege - not a right. Any activity with technology that is deemed as inappropriate by teachers and/or the Superintendent may result in disciplinary action and/or referral to legal authorities. The Superintendent may revoke access to technology resources at any time. SCA internet usage can and will be monitored to ensure acceptable and safe use of technological tools. SCA also employs a web-filtering system to restrict inappropriate/unacceptable access. As with any computer-based monitoring system, the platform will continue to be refined as technology evolves to increasingly block inappropriate/unacceptable content and activity. Scholars will be assigned a unique log-in and password information. Using these student-specific logins, SCA can monitor and hold scholars accountable for behavior occurring on any technological tool. SCA scholars must adhere to the following rules that pertain to appropriate technology and internet usage:

*SCA: Middle/Upper School Scholars will...*

1. respect SCA technology resources to avoid any instances of damage.
2. use technology only as instructed by a teacher and with faculty/staff permission using only my personal username/password.
3. demonstrate collegiality in technology-based/online settings avoiding any instances of cyber bullying to include posting or sending messages/pictures that could hurt, threaten, or embarrass other people.
4. report any instances of cyber bullying - including receipt of inappropriate pictures or messages - to an SCA faculty/staff member and parent/guardian.
5. protect any personally identifiable information when online including name, address, phone number, pictures, or any other identifiers.

6. report any instances where individuals outside of the SCA setting attempt to contact me while online to an SCA faculty/staff member and parent/guardian.
7. report inappropriate/unacceptable behaviors of other scholars - including accessing inappropriate web content - to an SCA faculty/staff member.
8. refrain from use of obscene or inappropriate language in an online setting.
9. refrain from use of chat/instant messaging tools, downloading of content, installing of programs, and altering device settings - without the explicit permission of a teacher.
10. refrain from using portable drives on devices without the explicit permission of a teacher.
11. refrain from sharing personal login information with anyone.
12. log off any/all devices upon completion of designated tasks.

In accordance with Senate bill 93 all school personnel and students are prohibited from installing, using, or visiting certain social media platforms on state equipment.

- Prohibited social media are platforms include those:
  - owned, operated, located in, or organized by a foreign adversary; for which foreign adversary has control or influence over content moderation practices of company's owner or operator; or which use software or an algorithm that is controlled or monitored by a foreign adversary. (e.g. Tik Tok).

### **Cell Phones**

SCA prefers that scholars not bring cell phones to school. The use of cell phones during the school day may disrupt teaching and the learning environment. However, if a scholar chooses to bring a cell phone it should remain turned off and inside their backpack unless they are given specific permission by a staff member to utilize it. In the event a student does not have a backpack or personal bag to store his/her teacher will hold the phone until the end of the school day. SCA scholars may wear a smartwatch but the watch may not be connected to an activated cell phone while on the SCA campus. Scholars may be asked to remove their Smartwatch during certain instructional and/or assessment windows. Scholars may use the office phone in the case of an emergency with a note from their teacher. Scholars who violate this rule will be subject to administrative consequences which may include confiscation of the device. SCA is not responsible for lost or stolen cell phones.

### **Cell Phone Policy Violations**

- Violation 1: The scholar will be instructed to place the phone in the designated phone locker. The parent will be notified (Remind, email, etc.) by the teacher. Parent contact will be logged in IC.
- Violation 2: The scholar will be instructed to place the phone in the designated phone locker. The parent will receive a phone call from the teacher. If no answer, then a detailed voicemail will explain the incident and next steps. Parent contact will be logged in IC.
- Violation 3: Administration will be notified. The scholar will be instructed to place the phone in the designated phone locker. The parent will pick up the phone from school.

- Violation 4: Office Referral/Suspension

### **Lockers**

SCA scholars may choose to secure a locker for use on campus during the school year. Lockers require scholars to submit an annual non-refundable rental fee of \$10.00 and sign a [contract](#). If the rental fee presents any financial hardship, parents/guardians may reach out to SCA administration with a request for support. SCA scholars will be required to provide a lock to secure personal belongings. SCA scholars are encouraged to keep the combination confidential to avoid access of unauthorized individuals to the personal locker. Sharing of lockers is not permitted. SCA administration or other designated faculty may conduct periodic checks to ensure that lockers are kept neat, clean, and do not contain anything considered inappropriate/unacceptable for the middle school setting. SCA scholars are expected to respect lockers to avoid any instances of damage. Damage to lockers may result in a required payment for associated damages and/or loss of locker privileges. Scholars will be allowed to access lockers during designated times throughout the day as directed by faculty/staff. SCA is not responsible for items taken from lockers. Violation of locker procedures will result in disciplinary action and possible loss of locker privileges for all scholars involved.

## **Health and Medical Information**

### **Medicine Administration**

SCA believes that student safety is of utmost importance in the educational experience. SCA recommends that any medication and/or medical procedure required by students be dispensed/conducted by a parent/legal guardian in the home setting. Under exceptional circumstances, prescribed medication and/or medical procedures may be dispensed/conducted by the school nurse or designated staff member per written physician's orders and written parent/guardian authorization. With the explicit written permission of a physician via a physician's order and parent/guardian written authorization, medication and/or medical procedures may also be self-dispensed/conducted.

If a child requires daily or life-saving medication/procedures (e.g., EpiPen, inhaler, insulin) during the school day, parents/guardians are required to provide the school nurse with necessary medications/materials for immediate application if/when a need arises. The school nurse or, in his/her absence, a designated staff member, may administer auto-injectable epinephrine to a scholar upon the occurrence of an actual or perceived anaphylactic adverse (allergic) reaction, whether or not such scholar has a prescription for epinephrine. Any school employee who in good faith administers or chooses not to administer auto-injectable epinephrine to a scholar in such circumstances shall be immune from civil liability, pursuant to the Georgia statute.

### **Medical Records**

Scholar health records will be maintained in locked or password-protected files in order to maintain confidentiality. All health records will be managed by the school nurse and any appropriate, designated staff and will only be released to service providers as allowed and dictated by state regulations.

### **Medical Operations**

SCA has a two licensed school nurses on staff to provide services to scholars in accordance with state guidelines. The nurses participate in workshops, in-services, and/or training.

### **Health Screenings**

Hearing and vision screenings are provided for all third-grade scholars by the Valdosta Junior Service League at the beginning of each school year. Hearing and vision screenings are performed by the school nurse on an as-needed basis.

### **Lice Policy & Procedures**

Scholars exhibiting signs and symptoms of head lice will be sent to the school nurse. Possible symptoms are: itchy scalp, tiny gray or brown bugs in the hair, nits (tiny yellowish-white or brown oval eggs attached directly to the hair shaft), scalp rash.

**If live lice or nits are observed**, the school nurse will call the parent. The child will be given a lice treatment guideline packet. Siblings of an infested child will also be checked. If siblings attend another school, that school nurse will be notified to check the siblings.

**In order for the child to return to school**, the parent will need to provide proof of treatment/clearance letter from the health department, physician's office, or an approved lice treatment center. The nurse will examine the child for live lice and/ or nits. If no live lice are seen and the number of nits are diminished from the initial check, students may go to class.

**Students will be re-checked** for the presence of head lice after 7-10 days. Parents should remove all the nits from their child's hair.

### **Water Safety**

Drowning is the leading cause of death for children between the ages of 1-4. Each year 3,400 people die from drowning accidents. Many of these tragedies could be avoided by simply teaching children to swim. Parents should be mindful of the role water safety education courses and swimming lessons play in saving the lives of children. SCA encourages parents to seek out an opportunity in your area, and enroll your child in a swimming and water safety course.

### **Dress Code and Uniform Policy**

Within the middle/upper school setting, scholars begin to establish self awareness of their individual identities - but also seek to feel a shared sense of belonging. The purpose of the SCA: Middle/Upper Grades dress code and uniform policy is to create a context where the

developmental needs of middle/upper schoolers are met. The consistency in dress code will create a more positive climate whereby teaching and learning is much more likely to successfully occur. Scholars must be in uniform when they arrive on campus, and their overall appearance should be neat, clean, and modest per the guidelines detailed below. Faculty members are expected to correct and report any uniform infractions using the established procedures outlined below.

New scholars enrolled after the first day of school will be given ten (10) school days to prepare adequately for the dress code policy. For your convenience, all clothing with the SCA/Spartan logo will be available for purchase through outside vendors throughout the year. See website for approved vendors. Please, note that SCA's standing policy is to mitigate any financial obligation for those families for whom uniform and dress code expectations present an undue hardship. Parents and/or guardians who have concerns about the affordability of school uniforms may contact [info@scintillacharteracademy.com](mailto:info@scintillacharteracademy.com) - and SCA will work to assist the family in identifying community resources.

On designated days, scholars may have opportunities to participate in themed or professional attire dress-up days. Advance notice will be provided to ensure adequate time for parents/guardians/scholars to prepare. Explicit guidelines for dress on these designated days will also be provided.

*Religious Exemption:* SCA acknowledges and is responsive to any student's right to exercise freedom of religion. In the event that a student and/or parent/guardian/family requires a religious exemption for attire, the Middle/Upper School Dean is the point of contact to facilitate. Parents/Guardians shall schedule a meeting with the Middle/Upper School Dean to discuss religious exemption, as related to uniform policy, to establish agreed-upon expectations aligned to the religious practice of the student/family.

### **Uniform Tops**

SCA middle school scholars may wear approved SCA or Spartan spirit wear t-shirt, polo, or sweatshirt options any day of the week. These items are for sale in our school store and available via approved vendors (see website). Scholars are required to purchase a red polo with the SCA Spartan logo. For special occasions, to include fieldwork opportunities or special events in the community, scholars will wear the designated red polo with the embroidered SCA logo.

### **Uniform Bottoms**

Uniform bottoms are not required to have the SCA flame logo or the Scintilla Spartan logo. Middle school scholars may wear khakis, jeans (with no rips, tears, or emblems), black, gray, white, or red athletic shorts or pants. Athletic leggings are permissible given that they meet the requirement of not being revealing in nature. This decision is at the discretion of SCA administration. Uniforms are required to be worn as the manufacturer intended. Oversized or undersized clothes will not be permitted. Skorts and shorts must be no shorter than mid-thigh.

Uniform bottoms must always be appropriately sized so as to not be revealing in nature. Undergarments may not be visible at any time.

### **Additional Information**

*General Appearance:* Scholars are expected to dress in a scholarly fashion so as not to distract from teaching and learning. In addition to outerwear, jewelry including piercings, necklaces, bracelets, and earrings, must not be oversized or distracting. Gauging or expanding of the ears is prohibited. Scholars shall not display tattoos - including drawing on oneself with markers or pens. Hair shall be neatly cut and well groomed. Hair must also be of natural color or only be dyed colors that would be considered natural.

*Shoes:* Presentable shoes of any kind are acceptable. For periods in the day designated for recreation and/or physical fitness/sports practice, scholars are expected to adhere to athletic dress guidelines.

*Sweatshirts/Hoodies:* Sweatshirts/hoodies may have the SCA/Spartan logo. Sweatshirts/hoodies with no SCA/Spartan logo must be solid in color, while brand logos are smaller than 3 inches. The sweatshirt/hoodie should not contain additional wording, pictures, or other graphics so as not to distract from teaching and learning.

**Hoods from hoodie sweatshirts may not be worn indoors at any time on the SCA campus. This will be strictly enforced by administration and faculty.**

*Jackets/Coats:* Jackets/coats are not required to have the SCA/Spartan logo as long the SCA/Spartan logo is visible on the scholar's shirt. If the jacket/coat does not have the SCA/Spartan logo, a brand logo smaller than 3 inches is acceptable. The jacket/coat should not contain additional wording, pictures, or other graphics so as not to distract from teaching and learning.

**Hoods from hoodie jackets or coats may not be worn indoors at any time on the SCA campus. This will be strictly enforced by administration and faculty.**

*Inappropriate Attire:* The following types of clothing are considered inappropriate at SCA:

- Shoes must be worn at all times for health and safety reasons. The following are not permitted: shoes that damage the carpet or floors, bedroom shoes, shoes with wheels, or shoes with heels over 1 ½ inch in height.
- Hats, caps, sweatbands, and sunglasses worn inside the building are not permitted except on specified days or particular situations, as determined by administration.
- Halter tops, midriffs, muscle shirts, net shirts, cutaways, bandanas, pajamas, lounging pants, clothing with words across the seat, or any garment that shows the stomach or waistline in the back are not permitted,
- Sleeveless tops must have a strap of at least two (2) inches in width across the shoulders.
- Revealing necklines are not permitted. This criteria is at the discretion of administration and faculty.
- Spandex clothing and sheer garments worn as the primary garments are not permitted.

- Pants must be worn at the natural waist. They cannot be poorly fitted or oversized and baggy, so as to allow sagging of the pants.
- Clothing with suggestive words or pictures is not permitted.
- Clothing that is torn, ripped, or unhemmed either by accident or style that reveals exposed skin is not permitted.
- No manner of clothing, jewelry, button, or pin may display drugs, cigarettes, sexually suggestive items, alcohol, weapons, profanity, gang-related logos or messages, or pictures or words that are determined to be distracting or demeaning to others by the administration of the school.

### **Physical Education (P.E.) Dress Expectations**

Middle school scholars will be expected to dress in appropriate attire for P.E. and other athletic practices. When P.E. and other athletic practices are scheduled, scholars must be diligent to wear appropriate dress to school to ensure preparedness. Scholars in all grades are considered prepared for these events when they are wearing approved athletic attire and sneakers. Athletic attire includes shorts/pants, tops, and supportive sneakers. P.E. dress must adhere to uniform policy (e.g., length of shorts).

### **Noncompliance Procedures**

Scholars will strive to achieve full compliance with the guidelines of the Dress Code and Uniform Policy. Since noncompliance interferes with the smooth operation of the school, the plan listed below has been proactively developed to address scholars who do not comply with the required dress code and uniform procedures. If a scholar comes to school out of uniform, the following measures will be taken (see below). If available, a uniform will be provided to the scholar which will be returned at the end of the day as well as:

### **Dress Code Policy Violations**

- Violation 1: The scholar will be required to correct his/her dress code violation. If the violation cannot be corrected at school, the parent will be required to bring a change of clothes. The parent will be notified (Remind, email, etc.) by the teacher. Parent contact will be logged in IC.
- Violation 2: The scholar will be required to correct his/her dress code violation. If the violation cannot be corrected at school, the parent will be required to bring a change of clothes. The parent will receive a phone call from the teacher. If no answer, then a detailed voicemail will explain the incident and next steps. Parent contact will be logged in IC.
- Violation 3: Administration will be notified. The parent will bring the scholar a change of clothes.
- Violation 4: Office Referral/Suspension

## **Academic Policies**

## **Grading Procedures and Student Recognition**

SCA believes that learning is a process which is most effective when scholars are able to articulate progress toward clearly defined goals. As scholars enter the middle grades setting, the accountability shifts to require higher levels of self-monitoring. In other words, scholars must be responsible for their individual effort and aware of how their decisions impact grading outcomes. It is developmentally appropriate for scholars to begin thinking about how their grades impact available pathways related to long-term goals (e.g., college/technical school entry, work-based requirements).

Scholars at SCA are assessed on their mastery of the standards specific to each course. Standards-based assessment evaluates students' progress towards mastering specific learning targets called standards. The purpose of standards-based assessment is to give a meaningful, actionable picture of a student's learning progress. Instead of a traditional points grade book where you see a single letter grade, reporting at the standards level provides a detailed view of student strengths and weaknesses. In a traditional model, students can achieve high grades without understanding the content through simple completion rates or extra credit. Standard-based assessments focus solely on reporting a child's understanding of the concept or standard.

If a scholar does not demonstrate proficiency on an assessment, he/she is required to complete a reassessment plan. In this plan, the scholar will self-assess and determine a remediation plan before the opportunity for an additional attempt to demonstrate mastery of the standard.

## **Grading**

Although SCA will continue to assess at the standards level, assessment scores in middle and upper school will be recorded on a 0-100 point scale. Assessments will align with the specific learning standards for each course. Summative assessments in the form of quizzes, performance tasks, or tests of concepts or standards taught to mastery can be included in the grading calculation.

In addition to assessment of Georgia Standards of Excellence (GSE), scholars will also be evaluated on the Spartan 10: Habits of Character. Scholars are expected to demonstrate the Spartan 10 across all contexts. The report card will document the extent to which scholars demonstrate each of the habits of character within a specific course. Prior to teacher evaluation of student progress on the Spartan 10: Habits of Character, scholars will be required to complete a self-evaluation where they provide documentation of self-ratings. Given that the habits of character are not a part of the academic expectations, they are reported separately and do not influence overall course grade. However, student ratings may be used to determine a scholar's access to available privileges. We will have opportunities to celebrate growth and learning as related to academic and/or course-specific progress. Additionally, scholars will have opportunities for recognition through the lens of extracurriculars, Habits of Character, Portrait of a Graduate competencies, and progress toward customized goals crafted within the advisory block and goal setting time. Scholars will be celebrated holistically with opportunities to

demonstrate excellence across multiple areas which we recognize as critical to developing “life ready” skills.

### **Georgia Milestones Assessment System (GMAS)**

As a public school, SCA scholars are required to participate in the GMAS End of Grade Assessment beginning in third grade. The school will provide ample notice of testing dates to ensure student readiness. Score reports will be distributed to parents upon receipt. The score reports will be accompanied by a cover letter further explaining the assessments and a guide to interpreting the score reports. SCA invites parents/guardians to schedule conferences with faculty and/or administration to carefully review results, as deemed necessary by the parent/guardian. These conferences may assist parents/guardians in determining appropriate next steps in support of standards-aligned teaching and learning for an increased likelihood of long-term success.

### **Navvy**

Navvy is a flexible, diagnostic assessment system used in grades 3-8 at SCA for assessing the proficiency of grade-level standards in English Language Arts (ELA) and Math. Navvy is one of the two innovative test pilots approved by the U.S. Department of Education for Georgia’s participation in its Innovative Assessment Demonstration Authority. With flexible administration, real-time diagnostic feedback, and multiple opportunities to succeed, Navvy is an integral tool for teaching and learning that helps provide a personalized educational experience for every student.

### **Elective Opportunities**

SCA offers a unique blend of elective classes each week to support the whole child across academics, social development, and growth in “life ready” skills. Academic content teachers collaborate with elective teachers to maximize student learning potential. In middle school, scholars will participate in two electives each day. Elective courses are driven by student choice and include options such as Band, Business and Technology, Culture and Language, Design and Engineering, Maker, Physical Education, Spanish, Visual Arts, and Weight-lifting. If a scholar opts to participate in the Band elective, he/she understands that this is a year-long commitment. In upper school, scholars have the opportunity to participate in a variety of course offerings in addition to specific courses required for graduation.

### **Promotion and Retention Policy**

In addition to any grade-specific [state-mandated requirements](#), SCA: Middle/Upper School scholars will be *promoted* based on the following criteria:

#### **Promotion/Retention – Grades 6-8**

- Students must pass ALL academic classes (this is an SCA policy).
  - Minimum of 70% mastery of grade level standards in all academic courses
  - Minimum of 70% mastery in all *required* elective courses
- Parents may appeal the retention by submitting a letter to the counselor within 5 days

after the last school day. The counselor will convene the Placement Committee comprised of a grade level teacher, the counselor and an administrator; will review all records for the school year and meet with the parent to determine the best placement for the scholar.

- Scholars must have no more than 15 unexcused absences for the school year. (8 for semester long courses).
- Scholars in grade 8 will be required to meet Milestone Test criteria for promotion.
- Additionally, scholars who are in the Special Education Program who do not meet the promotion criteria will have an IEP meeting scheduled with the IEP team.

**Promotion/Retention Grades 9-12**

- Students must pass ALL academic classes (this is an SCA policy).
  - Minimum of 70% mastery of grade level standards in all academic courses
  - Minimum of 70% mastery in all *required* elective courses
- Scholars must have no more than 15 unexcused absences for the school year. (8 for semester long courses).
- Additionally, scholars who are in the Special Education Program who do not meet the promotion criteria will have an IEP meeting scheduled with the IEP team.

To be promoted to the 10 <sup>th</sup> grade and classified as a Sophomore:	Student must have earned a total of 6 Carnegie units.	Of the 6 Carnegie units earned, 3 units must have been earned in required academic courses (English, Math, Social Studies, Science)	In addition to the 3 units earned in academic courses, the student must also have earned at least 3 additional units in any other courses (academic or elective)
To be promoted to the 11 <sup>th</sup> grade and classified as a Junior:	Student must have earned a total of 12 Carnegie units.	Of the 12 Carnegie units earned, 6 units must have been earned in required academic courses (English, Math, Social Studies, Science)	In addition to the 6 units earned in academic courses, the student must have also earned at least 6 additional units in any other courses (academic or elective)
To be promoted to the 12 <sup>th</sup> grade and classified as a Senior:	Student must have earned a total of 18 Carnegie units.	Of the 18 Carnegie units earned, 9 units must have been earned in required academic courses (English, Math, Social Studies, Science)	In addition to the 9 units earned in academic courses, the student must also have earned at least 9 additional units in any other courses (academic or elective)

Scholars who fail to meet the promotion criteria listed above will be recommended for *retention*.

Additional factors may contribute to the promotion/retention decision including, but not limited to, attendance, evaluation on Spartan 10: Habits of Character, and age/grade/current placement. In the event that a scholar is placed in the next grade level, SCA faculty will provide standard-specific recommendations for support prior to the start of the subsequent school year. The parent/guardian is encouraged to create opportunities for remediation within the window prior to the next school year.

If a parent/guardian disagrees with SCA’s decision to retain, a committee will be formed consisting of the parent/guardian, teachers, and administration. Following a discussion of relevant documentation, the committee will vote to determine whether the child will be retained, promoted, or placed into the next grade level. The decision to *promote* must be unanimous or the scholar will be retained. If a unanimous decision is made to *place* a scholar in the next grade level, the decision must be based on documentation suggesting that, given appropriate interventions via strategic implementation of a plan, the scholar would be likely to master the next grade-level standards by the end of the following year.

### Grading Reports

Grades will be entered in SCA’s online grading platform as scholars are assessed. A report card will be sent home at the end of each nine weeks.

## Graduation Requirements

Subject/Content	SCA Diploma	SCA Diploma with Distinction
English/Language Arts <ul style="list-style-type: none"> <li>• 9<sup>th</sup> Grade Literature/Composition</li> <li>• 10<sup>th</sup> Grade World Literature</li> <li>• American Literature/Composition *EOC</li> <li>• 4th ELA Credit</li> </ul>	4 units	4 units
Mathematics <ul style="list-style-type: none"> <li>• Algebra *EOC</li> <li>• Geometry</li> <li>• Advanced Algebra</li> <li>• Advanced Level Math</li> </ul>	4 units	4 units
Science <ul style="list-style-type: none"> <li>• Biology *EOC</li> <li>• Chemistry</li> <li>• Physical Science or Physics</li> <li>• 4th Science Credit</li> </ul>	4 units	4 units
Social Studies <ul style="list-style-type: none"> <li>• World History</li> <li>• U.S. History *EOC</li> <li>• Gov’t (1/2)</li> <li>• Economics (1/2)</li> </ul>	3 units	3 units

Health and Personal Fitness	1 unit	1 unit
Foreign Language OR Computer Science	Not required	2 units
Electives*	8 units	6 units
Completion of 2 Advanced Placement (AP) Courses, 2 International Baccalaureate (IB) Courses, or 2 Dual Enrollment (DE) Courses	Not Required	Minimum of 2 AP, 2 IB, or 2 DE courses
Pathway Completion-Advanced Academic, CTAE, Fine Arts, or Foreign Language	3 units	3 units
Capstone Project	Required	Required
<b>TOTAL UNITS</b>	<b>28 units</b>	<b>28 units</b>

**Additional Information:**

1. Scholars must complete at least one pathway for graduation-Advanced Academic, CTAE, Fine Arts, or Foreign Language.
2. Although it is not required for graduation (except to earn the SCA Diploma with Distinction), scholars must complete two years of the same foreign language for admission into most four-year colleges, both public and private.
3. Scholars must earn a minimum of three credits in any combination from the following subject areas: Fine Arts, Foreign Language, and/or CTAE. These three credits can come from scholars' pathway and/or from their electives.
4. SCA scholars are required to take all state mandated assessments.
5. If a course is offered at SCA, a scholar may not take the course through Georgia Virtual School or any on-line school.

**Student-Led Conferencing and Celebrations of Learning**

SCA challenges scholars to engage in goal-setting as aligned to academic, behavioral, and social emotional learning (SEL) expectations. During the school year, families will be invited to attend Celebrations of Learning where scholars will lead the presentation of sharing a portfolio of work with their parents.

If necessary, a conference may be scheduled by a course-specific teacher and/or grade level team at any time during the year to discuss a scholar's academic achievement. If the teacher cannot contact the parent/guardian, then the teacher will notify SCA administration to request support. In the event that a parent/guardian wishes to schedule a conference, he/she may contact the teacher directly via email to schedule based on teacher-indicated availability.

**Portrait of a Graduate**

As mainstream schools focus on college and career readiness, the demands of the 21st century context are ever evolving. SCA acknowledges and seeks to act on the reality that post-secondary opportunities require individuals to create, innovate, network, and build as ever increasing technologies pave the way for more seamless and efficient acquisition of information. Far too often, graduates exit the K-12 setting with scores suggesting a likelihood of success only to find dismal opportunities post-graduation (Dintersmith, 2018). SCA has a vision and a commitment to ensuring that all graduates are 21st Century Life Ready. To increase the likelihood that scholars will exit the school setting as "life ready" individuals, SCA employs the Portrait of a Graduate process. Teachers are expected to align coursework and other school-specific tasks to those competencies represented in our graduate profile.. Scintilla Charter

Academy's Portrait of a Graduate (POG) describes the skills that will empower our scholars to be productive citizens of a global community and successful in the workforce of the future.

#### Communicator

- Applies effective reading skills to acquire knowledge and broaden perspectives.
- Employs active listening and thinking strategies to advance understanding.
- Uses speaking skills to inform, influence, motivate, or entertain listeners.
- Incorporates effective writing skills for various purposes and audiences to convey understanding and concepts.
- Uses technological skills and digital tools responsibly to explore and exchange ideas.

#### Collaborator

- Seeks and uses critique and feedback from others to adapt ideas and persist in grappling with difficult tasks.
- Approaches opportunities for collaboration with an open mind to contribute respectfully to a thoughtful discussion.
- Demonstrates the ability to contribute when working with a group to promote learning, increase productivity, and achieve common goals.
- Analyzes and constructs arguments and positions to ensure consideration of a various of viewpoints.

#### Contributor to a Better World

- Demonstrates empathy, compassion, and respect for diverse perspectives and cultures when considering local, national, and world issues.
- Contributes to solutions that benefit the broader community.
- Understands the foundations of our country and values our rights, privileges, and responsibilities.
- Acts responsibly and ethically to build integrity.

#### Creative and Critical Thinker

- Uses information in creative ways to strengthen comprehension and deepen awareness.
- Demonstrates the ability to approach and solve a problem using inquiry, critical thinking, and logic to find a solution.
- Evaluates ideas and information sources for validity, relevance, and impact.

#### Goal-Directed and Resilient Individual

- Engages in healthy and positive practices and relationships to promote overall physical and mental well-being.
- Demonstrates perseverance to accomplish difficult tasks, overcome barriers to meet goals, and view failure as an opportunity to grow.
- Uses time and resources wisely to set goals, complete tasks, and manage projects.
- Shows strong understanding and belief of self to engage in reflection for individual improvement and advocacy.

## Spartan 10: Habits of Character

SCA incorporates standards-aligned and rigorous curriculum with careful selection of appropriate resources. One of those resources provides a focus on developing habits of character which are essential to success in school and life. Given the SCA focus on developing “life ready” learners, scholars will receive explicit instruction tied to social emotional learning (SEL) competencies represented in the Spartan 10: Habits of Character.

As a core practice, within the advising block of the instructional day, scholars will be challenged to self-evaluate progress toward each of the Spartan 10: Habits of Character by collecting documentation and justifying a self-rating. Information on this process is available via the following [link](#). This process will support teachers and scholars in meaningful conferencing opportunities where we are able to strategically support scholars in building competencies within the Spartan 10: Habits of Character tied to respect, perseverance, responsibility, and service.

**Scintilla Spartans demonstrate respect, perseverance, responsibility, and service.**

Scintilla Spartans demonstrate <b>respect.</b>	<ol style="list-style-type: none"><li>1. Follow established norms, rules, and procedures.</li><li>2. Follow directions the first time they are given.</li><li>3. Demonstrate respect when speaking and listening.</li><li>4. Listen to diverse opinions and remain open-minded to new ideas.</li><li>5. Demonstrate collegiality and good sportsmanship.</li></ol>
Scintilla Spartans demonstrate <b>perseverance.</b>	<ol style="list-style-type: none"><li>6. Set goals and work your hardest on tasks until completion.</li><li>7. Use feedback and suggested strategies to overcome any obstacles you face and produce high-quality work.</li></ol>
Scintilla Spartans demonstrate <b>responsibility.</b>	<ol style="list-style-type: none"><li>8. Own your attitudes and actions across all situations regardless of the attitudes and actions of others.</li><li>9. Self-monitor to keep up with personal belongings and complete all school assignments on time.</li></ol>
Scintilla Spartans demonstrate <b>service.</b>	<ol style="list-style-type: none"><li>10. Contribute to society in a positive way.</li></ol>

## Spartan Folders

Scholars received a red communication folder referred to as the Spartan Folder to ensure communication with families. All informational documents, forms, etc. will be sent home on Mondays in the red Spartan folder. At the middle/upper school level, it is our goal for scholars to learn to manage their time, important dates, etc. Scholars will use the monthly calendar and weekly agendas and both documents will be stored in the red Spartan folder.

## Homework

SCA acknowledges that homework has the potential to positively impact student achievement (Hattie, 2018). For this positive impact to occur, SCA provides the following guidance (Blackburn, 2018) to drive decisions on whether homework will be advantageous to scholars:

- Is the task purposeful?
- Will the task create an opportunity for independent success?
- Will the task create opportunities for scholars to extend, reinforce, or preview content?
- Will the task include choice to increase engagement?
- Will the task allow an opportunity for scholars to receive feedback?

Using the guiding questions above, homework is assigned at the teacher's discretion. Scholars will document required homework tasks in their Student Success Guide and be expected to submit work by designated due dates.

### **Text Resources, Technology, and Supplies**

Text resources, technology, and other educational supplies are loaned to scholars for use during the school year. Scholars are responsible for exercising care in the use of SCA materials. Permission for use of text resources, technology, and other educational supplies is granted when parents/guardians sign the handbook acknowledgement signaling an understanding of all terms and expectations. Scholars are required to return books and other supplies to teachers at the conclusion of the course/school year. Scholars will be charged for damaged or lost texts and supplies before replacements are issued.

## **Student Support Services**

### **Student Support Team (SST)**

The purpose of the SST is to develop individual plans for each child's educational development, engage classroom teachers and parents in creating school-wide and individual plans, and create linkages to a consortium of service providers. SST is intended to support student achievement, socialization skills, attendance, and parental involvement.

### **Special Education Services**

SCA provides special services to individuals who meet the eligibility criteria for Special Education as outlined by federal and state guidelines through the Individuals with Disabilities Education Act (IDEA). Direct and related services are provided to those individuals who meet the eligibility criteria for autism, emotional disturbance, hearing impairment/deafness, mental delay, multiple disabilities, orthopedic impairment, other health impaired, specific learning disabilities, speech or language impairment, traumatic brain injury, and visual impairment/blindness. SCA staff regularly monitors each student's progress and provides support. The SCA Special Education team manages procedures for making referrals, conducting evaluations, communicating with families, writing and reviewing Individualized Education Programs (IEPs), maintaining student records, and reporting progress. For further information regarding the special education process, contact SCA administration.

For those identified with a disability through the Multi-tiered System of Supports (MTSS), the special education program at SCA works with scholars and families to meet scholars' individual needs by accommodating and/or modifying curriculum, instruction, and/or assessment. SCA's Special Education Team oversees the services provided to scholars with Individualized Education Programs (IEPs) so that scholars make progress towards their goals. To ensure the least restrictive environment, as often as the team deems it appropriate, scholars with identified disabilities are included in classes with their peers, with classroom teachers working in consultation with special education teachers, and/or with scholars working directly with special education teachers. SCA follows state and federal guidelines to provide a broad spectrum of special education services to support the specific learning needs of all scholars.

### **English Learners (EL)**

SCA requires families to complete a Home Language Survey as part of the registration process. Information from the survey is used as a first-level screening to ascertain if the scholar may require an additional assessment to determine if he/she is eligible for ESOL services. In addition to providing English to Speakers of Other Languages (ESOL) services to scholars, SCA provides interpreters for parent/teacher conferences and other school-related activities, as needed.

### **Gifted & Talented Program**

SCA complies with the state guidelines for identifying eligibility and placing scholars in the gifted education program. Once eligibility has been established, parents/guardians will be notified of the individualized learning plan created for their scholar. A state-approved model is made available and monitored by a gifted certified professional to support the specific learning needs of scholars identified as gifted. Enrichment and advanced content courses are developed by the subject-specific teachers working with gifted certified personnel.

#### *How are scholars referred for gifted testing?*

SCA scholars may be eligible for gifted testing via two referral pathways: reported or automatic. With reported referrals, a scholar is referred for consideration by teachers, counselors, administrators, parents/guardians, peers, self, or others with knowledge of a student's academic abilities. SCA scholars who score Level 4: Distinguished on the Georgia Milestones Assessment System (GMAS) in Reading AND/OR Mathematics may be automatically nominated for consideration. For reported referrals, the stakeholder who is making the recommendation will need to complete a nomination form.

The steps in the referral process are:

- An individual initiates the process by completing a nomination form.
- The nominating committee reviews nominations to determine if referral for formal evaluation is warranted. The nominating committee shall make a determination on whether to proceed with formal evaluation. The nominating committee shall include an SCA administrator and at least one classroom teacher. During nominating committee meetings, the committee will record minutes including descriptions of noted

strengths/weaknesses and a rationale for why additional services may be needed with consideration to available data.

#### *How are scholars identified as gifted?*

Per Georgia State Department of Education Rule 160-4-2-.38, to be eligible for gifted education services, a grades 6-8 student must either score at the 96th percentile on the composite or full scale score of a norm-referenced test of mental ability and meet one of the achievement criteria (mental ability, achievement, creativity, or motivation) or qualify through a multiple-criteria assessment process by meeting the criteria in any three of the following four areas: mental ability, achievement, creativity, and motivation.

### **Family Engagement**

#### **Parental Contact Information**

SCA requires parents/guardians to maintain accurate contact information with front office personnel and teachers as this is critical to the safety of scholars. Parents/Guardians are expected to notify the school with new contact information - including email addresses, phone numbers, home addresses, work numbers, and emergency contacts. Updated/Current contact information will increase the likelihood of strong communication between school and home.

#### **Parent/Teacher Contact Procedures**

If a parent/guardian would like to discuss a matter with any staff member, the following procedures must be followed. Parents/Guardians will not be permitted to visit a classroom and/or interrupt instructional time without confirmation from the front office that procedures have been followed. Parents/Guardians will:

1. schedule an appointment with the faculty member prior to the meeting date.
2. report to the office at the time of the agreed upon appointment to give the front office staff an opportunity to notify the faculty member of arrival and to issue a visitor's pass.

#### **Chain of Command: Communication**

SCA believes that relationships are of critical importance to the educational experience - and clear/concise communication is key in our ability to establish, support, and sustain these relationships. Except as otherwise provided in the General Public Complaints Policy for alleged violations of state or federal law, a parent with a grievance concerning a particular class, faculty member, or administrator in the school, should resolve the grievance by following the chain of command detailed below. Parents/Guardians will contact:

1. the *teacher/faculty member*. Given that the teacher/faculty member likely has direct knowledge of the circumstance, parents/guardians will begin by scheduling a meeting with the teacher. Parents/Guardians may schedule this meeting by calling the school or sending an email directly to the teacher. Except in emergency circumstances or situations involving imminent danger, parents/guardians shall not confront a teacher about an issue with any student present. If the teacher and parent/guardian agree that it

is in the best interest of the student for him/her to be present for the discussion, they may choose to do so.

2. the *Assistant Superintendent*. If the grievance cannot be resolved with the teacher/faculty member, the parent/guardian will discuss the matter with the Assistant Superintendent.
3. the *Superintendent*. If the grievance cannot be resolved with the teacher/faculty member or the Middle Grades: Superintendent , the parent/guardian will discuss the matter with the Superintendent.
4. the *Board Chair*. If the grievance cannot be resolved after meeting with the teacher, Middle Grades: Superintendent , or Superintendent, then a parent/guardian must submit his/her grievance in writing to the chair of the board. Parental concerns and grievances may also be raised during the community comments portion of the Board meeting. The concern or grievance must be submitted in writing, and no more than two minutes will be granted. It is highly recommended that the concern or grievance be addressed in one of the aforementioned steps before using this option.

### **SCA Learning Environment**

Parents/Guardians and families are expected to follow established norms, rules, and procedures when visiting SCA. SCA administration expects that parents/guardians and families will dress appropriately, use respect and courtesy, and address all employees, other stakeholders, and scholars in a polite and professional manner. Situations arising in reference to SCA policy, teacher decisions, or administrative decisions will be discussed in a civil, conference setting. Raised voices, threats, or interference with instruction/school activities will warrant removal from the property by civil authorities. Severe and/or problematic behavior incidents will result in restrictions from the property and possible expulsion of the entire family.

### **Parent and Family Code of Conduct**

**Purpose and Scope** The purpose of the Parent Code of Conduct is to provide a mutual understanding to all parents/guardians and visitors to our school about conduct expectations while on school property, at school events, and when interacting with school employees and/or scholars.

**General Expectations** We expect parents/guardians and visitors to have a fundamental understanding and commitment to the following general propositions:

- Teachers, administrators, and parents/guardians want all children to learn in a safe environment
- All children deserve a safe, positive, and joyful learning environment
- Teachers, administrators, and parents/guardians must work together for the benefit of all scholars
- All parents/guardians and visitors, as well as all members of the school community, deserve to be treated with respect

- The school should be provided an opportunity to resolve issues of concern before public criticism.

### **Prohibited Behaviors**

To provide a peaceful and safe school environment, the school prohibits the following behaviors by parents/guardians and visitors:

- Disrespectful, abusive, threatening, profane, elevated tone, or harassing communication, either in person, by e-mail or text/voicemail/phone, or other written or verbal communication
- Disruptive behavior that interferes or threatens to interfere with school operations, including the effective operation of a classroom, conferences, an employee's office or duty station, a campus lobby, or school grounds, including sporting events, parking lots, and car-pickup
- Threatening to do bodily harm to a school employee, visitor, fellow parent/guardian, or scholars
- Threatening to damage the property of a district employee, visitor, fellow parent/guardian, or scholar.
- Damaging or destruction of school property
- Inappropriate gifts
- Threats of posting negative comments on social media
- Demands for meetings at unreasonable times and or unreasonable lengths, without prior notice
- Attempts to dictate management decisions ● Frequent or repetitive meetings about an issue that has already been addressed
- To incite other parents to join or make a complaint
- Excessive unscheduled campus visits, e-mails, text/voicemail/phone messages, or other written or oral
  - School staff and administration may not always be immediately available to speak with you. The only way to ensure that you can speak with a staff member or administrator is to schedule an appointment. Staff and administrators have a practice of attempting to return all phone calls/emails within 24 hours with great success. Your calls and visits will be responded to consistent with this practice if someone is not immediately available to speak with you.
- Defamatory, offensive, or derogatory comments regarding the school, school staff, other scholars made publicly to others
  - Any concerns that you have should be made through the appropriate channels so they can be dealt with fairly, appropriately, and effectively
  - This includes the use of any social media medium, including but not limited to websites, blogs, wikis, and social networking sites such as Google, Facebook, Instagram, Snapchat, LinkedIn, Twitter, etc.

### **Consequences**

Depending upon the severity of the incident, parents/guardians or visitors may be ejected from or otherwise banned from campus and the ability to attend or participate in school-sponsored

events under the criminal trespass laws. In situations involving lesser infractions or where remediation is viable, a warning will be provided, either verbal or in writing, before the filing of trespass and issuance of a formal ban. Should a parent/guardian or visitor fail to heed the direction issued in the warning, a ban or other restrictions designed to deter the conduct will follow. No restriction, however, will prevent the parent/guardian from working collaboratively with the school to meet the child's educational needs, nor will a parent/guardian be excluded from a child's IEP meeting. Scintilla does not have ISS (In-school Suspension) or an alternative school. As stated in the SCA Student Code of Conduct, if a child's behavior negatively impacts the learning or safety of other scholars, the parent will be notified and may be required to schedule a conference or pick up the child from school. By signing the Parent Code of Conduct, the parent/guardian acknowledges this expectation and agrees to partner with SCA. If a parent repeatedly refuses to communicate with his/her child's teacher/school administrator or pick up their child if their child violates the Student Code of Conduct, the scholar will not be allowed to return to school until the parent/guardian follows through with expectations indicated in the Parent Code of Conduct. These absences will be unexcused.

### **Contacting Scholars**

If a parent/guardian needs to reach a scholar during the school day, in the case of an emergency, the parent/guardian can contact the front office and the scholar will be pulled out of class and given the message. However, classrooms will not be disrupted for non-emergency messages.

### **SCA Volunteer Program**

Volunteers play a critical role in the mission and vision of SCA. Parents/Guardians and families are encouraged to volunteer in school-wide opportunities communicated throughout the year via school messaging. Parents/Guardians and families may also contact the Parent Teacher Organization (PTO) or specific teachers to offer to assist in the classroom/school setting.

While the SCA PTO is a separate and distinct organization from SCA, all parents are encouraged to join the PTO. Membership dues are \$10.00. Membership allows PTO to support SCA by providing resources and support to our school community. The purpose of the SCA PTO shall be to support the mission statement of SCA. This may include advocacy and educational support, in addition to collaborative efforts deemed necessary by the scholars, parents, faculty, administration, and the governing board of SCA. PTO Bylaws and Executive Board information can be found on the school's website: [www.scintillacharteracademy.com/pto](http://www.scintillacharteracademy.com/pto).

### **Behavioral Expectations**

SCA aims to equip learners with "life ready" skills to increase the likelihood of long-term success. Within the middle/upper school setting, faculty, teachers, and administration will explicitly teach social emotional learning (SEL) competencies. As a next step, scholars will be held accountable for following established norms, rules, and procedures in order to maintain a safe, orderly, and respectful environment. SCA recognizes that middle school scholars need a balance of affirmation for positive choices and redirection in instances where unacceptable

behavior is observed. Through self-evaluation of the Spartan 10: Habits of Character, SCA faculty, teachers, and administration employ a proactive approach to effectively support scholars in working toward positive outcomes.

### **Advising**

As middle school scholars move into young adolescence and begin to experience rapid and significant developmental change, SCA will intentionally support scholars in navigating this process. Similar to the K-5 notion of a crew meeting, middle/upper school scholars will participate in a dedicated advising block where they will engage in goal setting, receive explicit instruction in social emotional learning (SEL) skills, and receive support in self-evaluation of the Spartan 10: Habits of Character. The purpose of this instructional block is to build community and equip scholars with the soft skills necessary for long-term success.

### **Spartan Showcase**

Spartan Showcase is an opportunity for the SCA: Middle/Upper School to come together in celebration of learning and growth. On Friday of each week at a designated time, middle school scholars will meet in a dedicated location to highlight progress across academics, character development, extracurriculars, and/or sports. The SCA Middle/Upper school staff will ensure that all grades and scholars are represented throughout the year. A portion of this time will also serve as a pep rally to encourage/motivate Scintilla Spartan teams and build comradery as we prepare for competition outside of the school setting.

### **Student Code of Conduct**

SCA administration cannot foresee every situation that may come up during the school year. However, if behavior interrupts the operation of the classroom, the hallway, or the school in general, the results could be as simple as a warning or as serious as an expulsion.

#### **Tier I Misconduct**

This level of correction is used when the behavior engaged is of a minor but consistent action warranting intervention on the part of the teacher or other school staff. These actions negatively impact the learning and safety of our scholars. The consequence for any infraction is left to the discretion of the administrator based on variables involved in the incident.

Examples of these actions might be but are not limited to the following:

- Violations of classroom rules
- Uniform issues (failure to follow the uniform policy)
- Bringing toys or items from home to school that are a distraction or against classroom rules
- Loud talking, loud laughing, or use of a tone that disrupts the learning process in the classroom, hallway, dining room, etc.
- Arguing with another scholar or the teacher interrupts the learning environment
- Failure to follow directions given by an adult
- Violation of cell phone policy

- Putting hands on another scholar – pushing, shoving, kicking, biting, pinching, slapping, etc.

Tier I disciplinary actions may include but are not limited to the following:

- Immediate removal of the scholar from the classroom or area where the infraction occurs and a request made for the parent to come to the school to pick up the child
- A written or verbal warning by the teacher, counselor, custodian, lunchroom staff, support staff, or administrator
- Teacher conference scheduled with the scholar and the parent
- Scholar placed on a behavior contract
- Any other disciplinary action deemed appropriate by the assigned administrator

Parents, please remember: We do not tolerate scholar disruptions during class time. Regardless of the age of the child, a scholar who disrupts class by blurting out repeatedly, moving about the classroom so as to remove the attention of the scholars from the teacher, failing to follow classroom rules, arguing or belittling other scholars, throwing things, hitting, pushing or shoving others will be removed from class and the parent will be called to come and get the child.

## **Tier II Misconduct**

This level of correction is used when the behavior engaged is persistent and repeated and negatively impacts the learning and/or safety of our scholars. These actions can occur in the classroom, in the gym, in the dining room, outside of the school building, or at school-sanctioned or even non-school events. These behaviors may include, but are not limited to, repeated acts of minor misconduct as seen in Tier I; of actions of a scholar against another scholar, adult or SCA property, that does not seriously endanger the health, safety, or well-being of others but does disturb the learning environment and the school culture. The consequences for any infraction are left to the discretion of the administrator.

Examples of these actions might be but are not limited to the following:

- Repeated violations of Tier I misconduct
- Disruption and interference with the normal operation of the school
- Continued failure to follow the uniform policy
- Academic dishonesty
- Taking items that belong to another scholar or adult
- Violation of cell phone policy
- Destruction of school property
- Tampering with school technology
- Visiting any inappropriate site on school technology
- Disrespectful or demeaning language directed at another scholar or adult
- Disrespectful behavior to a staff member or any adult
- Public displays of affection-kissing, hugging, or touching one another inappropriately (1st offense)

- Threatening another scholar or adult either by word or behavior (this includes pushing, shoving, tripping, etc.)
- Bullying on the first offense, harassment, cyber-bullying, or intimidation as defined in Georgia law O.C.G.A. § 20-2-2751.4
- Second cell phone violation
- Skipping class
- Throwing an item at an individual that could potentially cause harm
- Any act that negatively impacts the learning and safety of our scholars

Tier II disciplinary actions may include but are not limited to the following:

- Immediate removal of the scholar from the classroom or area where the infraction occurs and the parent is required to come to the school to pick up the child
- Restitution of stolen or broken items
- Confiscation of cell phone
- Student placed on a behavior contract
- Any other intervention or consequence deemed appropriate by the teacher, counselor, or administrator
- Possible suspension from school
- Possible referral for expulsion

### **Tier III Misconduct**

This level of correction is used when the scholar's misbehavior is repeated but the offenses may not be related; however, the actions negatively impact the learning and safety of our scholars. These actions can occur in the classroom, in the gym, in the dining room, outside of the school building, or at school-sanctioned or even non-school events. Actions may include but are not limited to repeated acts of misconduct as seen in Tier I and Tier II; actions of a scholar against another scholar, adult, or SCA property that could endanger the health, safety, or well-being of others and may also disturb the learning environment or the school climate. These behaviors are of a serious nature and may result in a scholar's suspension from school and school activities. The consequences for any infraction are left to the discretion of the administrator based on factors involved in the incident.

Examples of these actions might be but are not limited to the following:

- Instigating/provoking any altercations between or among scholars while on campus or at a school activity
- Any behaviors from Tier I or Tier II that are repeated and are not corrected by consequences administered
- The fourth failure to comply with the uniform policy
- Second infraction involving academic dishonesty
- Possession of a vaping device
- Refusing to follow directives given by an administrator involving a disciplinary consequence

- Lying, falsifying, omitting information, misrepresenting, or erroneously reporting information regarding instances of alleged inappropriate behavior by any SCA scholar toward another scholar in regard to an incident that has occurred
- Bullying on the second offense, harassment, cyber-bullying, or intimidation as defined in Georgia law O.C.G.A. § 20-2-2751.4
- General Sexual Misconduct/Sexual Harassment to include:
  - Displays of affection (including but not limited to: hand-holding, frontal hug, kissing, or inappropriate touching in the hallways, classrooms, locker rooms, bathrooms, or anywhere on the SCA campus. This includes snapping of one another with towels in locker rooms, taking videos in locker rooms, peering over stalls in locker rooms or bathrooms, etc.)
  - Inappropriate or unwanted touching of another scholar or adult.
  - Grabbing, touching, pinching, or slapping a scholar or faculty member while on campus, at school-sponsored events, including athletic fields.
  - Exposing of body parts, intimate or otherwise, lewd behavior (showing personal parts of the body to others, i.e. pulling down pants/shorts/skirt).
  - Making sexual remarks or unwelcome advances towards other scholars, staff, or faculty; asking for sexual favors explicitly, via social media, or online format
  - Using vulgar/profane, racially derogatory, sexually derogatory, or aggressive language toward another scholar or adult including disrespectful language or behavior directed at a teacher, administrator or any SCA school personnel.
- Fighting/shoving/pushing another scholar or adult in an aggressive manner
- Hitting another scholar, teacher, or faculty/staff member in an aggressive manner
- Defacing, damaging, or destroying the property of another individual
- Defacing, damaging, or destroying the property of SCA
- Encouraging others to become involved in acts that are prohibited or disrupt the learning environment or the school environment at large
- Bringing any item related to a weapon, or that could be construed as a weapon, on campus or to a school event
- Bringing any medication to school without consulting with the nurse and leaving the medication in the clinic; carrying medication, in particular prescribed medication, on the scholar's person; bringing any legal or illegal medication or substance onto school property
- Tampering in any way with a scholar or a faculty/staff member's food or drink
- Taking still or video pictures of any individual while on school property with or without their clear and expressed permission. This includes taking pictures of other scholars and/or staff members
  - Recording a video in a bathroom that involves other scholars
  - Videoing any kind of illicit activities and posting on any social media platform
  - Videoing teachers or other scholars during the school day

- Visiting any site that includes pornography, profane music and/or lyrics, indecent pictures of individuals, graphic behaviors including fighting, etc.
- Posting comments or videos via social media, websites, chat rooms, etc. about the school, teachers, scholars, or parents of a disparaging, rude, or vulgar nature
- Soliciting sexually inappropriate pictures
- Placing vulgar or inappropriate pictures on websites and encouraging scholars to visit those websites either at school or at home
- Sending vulgar texts, Instagram posts, etc. to any individual at SCA including scholars, teachers, or other personnel
- Having vulgar, profane, or sexual pictures, texts, etc. in possession or sharing such with any other scholar
- Using sexual or explicit language with any other scholars or in the presence of scholars, particularly younger scholars
- Sexting or the sending of any type of sexually explicit or implicit message using a cell phone or other technological device
- Placing pictures of other individuals on social media with derogatory commentary about their personal characteristics, sexual orientation, ethnicity, etc.
- Third violation of cell phone policy incident
- Having any type of cigarette, (nicotine, marijuana, or CBD), lighter, matches, rolling papers, drug paraphernalia, or any smoking/vaping device on campus or at a school-related event/trip
- Being in possession of liquor/alcohol; providing liquor/alcohol to other scholars; imbibing in liquor/alcohol on the school campus or at a school event
- Being in possession of any CBD/THC product on the school campus or at a school event
- Creating any disturbance that disrupts or distracts from the learning environment and potentially inhibits the smooth operation of the school/classroom
- Disrupting the testing environment
- Second infraction of tampering with school technology in any form or fashion
- Tampering with technology so as to remove evidence of inappropriate online activity
- Engaging in larceny/theft of school property regardless of the value
- Engaging in larceny/theft of another scholar's property regardless of the value
- Accessing/altering school/teacher records
- Compromising test security of any standardized test
- Referring to a staff member in a negative, sexual, or racist fashion or making threatening or aggressive comments via any social media platform
- Obtaining access to another scholar's username and password
- Obtaining access to another scholar's ID number and using that number to purchase meals
- Inappropriate use of the SCA logo
- Violation of the Acceptable Use Policy (Technology)
- Leaving the building without permission; leaving campus without permission

Tier III disciplinary actions may include but are not limited to the following:

- Immediate removal of the scholar from the classroom or area where the infraction occurs and the parent will be required to pick up the child from school
- Restitution to individuals or to the school
- Suspension from school of no less than 3 days and no more than 10 days.
- School service assignments as determined by the administrator.
- Cell phone confiscated and loss of cell phone privileges
- Referral for expulsion.
- Possible involvement of local law enforcement.
- Any other intervention or consequence deemed appropriate by the teacher, counselor, or administrator.

#### **Tier IV Misconduct**

This level of correction is used with behavior that is of a serious nature. Tier IV Misconduct is of such a serious nature that the scholar will be removed from the classroom or the area where the act takes place immediately and will be subject to long-term suspension or expulsion as well as possible involvement of local law enforcement.

In the event misconduct warrants a possible referral for expulsion, the scholar will be granted a hearing as per

O.C.G.A. 20-2-753. The Disciplinary Hearing Officer will hold the hearing within 10 days of the incident.

The Georgia State Board of Education rule 160-4-8-.15 provides that individuals selected by the LEA to be the Disciplinary Hearing Officer must have experience as a teacher, counselor, or administrator in a public school system. In addition, all qualified Disciplinary Hearing Officers have the initial and ongoing Tribunal training course that meets the requirements of the SBOE rule prior to the individual servicing in such capacity.

Examples of these actions might be but are not limited to the following:

- Making oral or written communication, creating a document, or making a symbolic gesture or contact of a threatening, undermining, or provoking nature to any scholar or school employee at SCA
- Tampering, defacing, or disturbing staff, scholar, or visitor vehicles parked on campus at any time
- Hate speech of any kind directed at SCA teachers, administrators, staff, or any employee of SCA or contracted by SCA including dining hall staff, custodial staff, construction staff, landscaping staff, etc.
- Any act of violence that impacts the climate, culture, and morale of the scholar body and the faculty/staff
- Verbal assault including the threatening of violence to other scholars or staff of SCA as well as to any individual on the SCA campus
- Physical assault/fighting directed at or to other scholars or staff of SCA as well as to any individual on the SCA campus

- Trespassing on the SCA campus after hours or when suspended from school
- Defacing SCA campus
- Third act of bullying, harassment, cyber-bullying, or intimidation as defined in Georgia law O.C.G.A. § 20-2-2751.4.
- Fighting or physical violence towards another scholar whether it causes harm or otherwise
- Sexual harassment in any form
- Having possession of, sharing, or distributing obscene or pornographic material in print or computer, flash drive, CD, DVD, etc. Engaging in any type of behavior in the community that requires placement at a YDC facility or requires the use of a monitoring device
- Engaging in any type of behavior or conduct that is punishable as a felony or is a delinquent act that would be a felony if committed by an adult including:
  - Selling, giving, delivering to another person, or possessing, using, or being under the influence of marijuana (including but not limited to marijuana suckers, candy, etc), any controlled substance, any medication not prescribed to the taker, or any dangerous drug while on campus or at any school function.
  - Selling, giving, or delivering to another person an alcoholic beverage; committing a serious act or offense while under the influence of alcohol; possessing, using, or under the influence of alcohol prior to attending school or while at school; possessing, using, or under the influence of alcohol prior to or during a school-related activity.
  - Engaging in conduct that contains the elements of an offense relating to abusing glue or aerosol paint, or relating to volatile chemicals.
- Engaging in conduct that contains the elements of public lewdness
- Engaging in sexual conduct on campus or at a school-sponsored activity
- Entering the restroom of the opposite sex
- Engaging in conduct that contains the elements of the offense of criminal damage to property in the first or second degree, either on or off campus
- Stealing, extorting, gambling, or possessing stolen property
- Using, exhibiting, or possessing a firearm
- Using, exhibiting, or possessing another weapon
- Using, exhibiting, or possessing fireworks of any kind whether homemade or purchased
- Discharging or participating in the discharge of a fire extinguisher Discharging or participating in the discharge of a fire alarm anywhere within or on the SCA school campus
- Engaging in serious and persistent offenses that disrupt or materially interfere with the orderly process in the classroom, the school, or any school-related activity.
- Fighting will not be tolerated. Any scholars involved in a fight may be suspended for up to 10 days of school and will possibly be referred for a disciplinary hearing.

Tier IV Disciplinary Actions may include but are not limited to the following:

- Suspension

- Long-Term Suspension
- Expulsion
- Referral to Law Enforcement

### **Disciplinary Hearings**

A scholar accused of committing a Level IV offense as defined in the SCA: Middle/Upper Grades Scholar Code of Conduct and Discipline plan may be referred for a Disciplinary Hearing for a determination as to whether a long-term suspension or expulsion is appropriate. A long-term suspension means denial to a scholar of the right to attend school and take part in any school function for period ten (10) or more school days. Expulsion shall mean the removal of the scholar from enrollment at SCA for the remainder of the school year or longer. A long-term suspension or expulsion will normally follow a short-term suspension. There are exceptions, however, that could prompt the school administrator to move forward with the immediate dismissal of a scholar. Examples of such violations include, but are not limited to, bringing a weapon to school, assault on a scholar or school personnel, or other chargeable offenses.

A disciplinary hearing officer shall employ the tribunal process to hold hearings in any of the instances previously described, as required by O.C.G.A. § 20-2-753. Per O.C.G.A. § 20-2-759, the disciplinary hearing officer shall have initial training prior to serving as a disciplinary hearing officer, undergo continuing education so as to continue to serve in such capacity, and function as an independent, neutral arbiter. Per SBOE rule 160-4-8-.15, individuals selected by SCA to serve as disciplinary hearing officers must either be: 1) in good standing with the State Bar of Georgia; 2) have experience as a teacher, counselor, or administrator in a public school system; or 3) actively serving as a hearing officer under an existing contract/agreement with a Georgia school system and completed an approved Georgia Department of Education (GaDOE) tribunal training course. SCA will ensure that its disciplinary hearing policies and practices align to state law and corresponding SBOE rules. A comprehensive description of the disciplinary hearing process is available, by request.

### **Middle/Upper School Discipline Procedure**

Level I infractions (see previous description) will be tracked using a 4-step discipline plan. Each teacher will track the behavior of a student in his/her classroom only. Infractions in one class will not be carried over into another classroom. Level I infractions will be documented in the classroom. In the event that a student commits a level I infraction, the following steps will take place:

- Step 1: Verbal Warning
- Step 2: Parent Phone Call (Logged in Infinite Campus)/Break Detention/Reflection Sheet
- Step 3: Parent Phone Call (Logged in Infinite Campus)/Break Detention/Reflection Sheet
- Step 4: Office Referral

### **Policy Prohibiting Bullying, Cyberbullying, Harassment, and Intimidation**

SCA believes that all scholars have a right to a safe and healthy school environment. SCA has an obligation to promote mutual respect, tolerance, and acceptance among scholars, staff, and volunteers. Behavior that infringes on the safety of any scholar will not be tolerated. A scholar

shall not bully, harass, or intimidate another scholar through words or actions. Such behavior includes but is not limited to: direct physical contact such as hitting or shoving; verbal assaults such as teasing or name-calling; the use of electronic methods to harass, threaten or humiliate, and social isolation and/or manipulation.

This policy applies to scholars on school grounds, while traveling on a school bus during a school-sponsored activity, by use of data or software that is accessed through a computer, computer system, computer network, or other electronic technology of a local school system or acts of cyberbullying which occur through the use of electronic communication, whether or not such electronic act originated on school property or with school equipment.

Any form of electronic bullying (cyberbullying) using school equipment, school networks, email systems or committed at school is strictly prohibited. Cyberbullying includes but is not limited to: electronic communication directed specifically at scholars or school personnel, an electronic communication that is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school, and/or any electronic communications that create a reasonable fear of harm to the scholars' or school personnel's person or property or has a high likelihood of succeeding in that purpose.

The following actions will be taken when bullying is reported:

1. *Investigate*: Upon receipt of any report of bullying, SCA will direct an immediate investigation involving appropriate personnel. The investigation will begin no later than the following school day. The investigation shall include interviewing the alleged perpetrator(s) and victim(s), identified witnesses, teacher(s) and staff members and reviewing video surveillance if available. School resource officers, school counselors, and/or other support staff should be utilized for their expertise as determined by the circumstances of the matter.
2. *Notify*: At an appropriate time during or after the investigation, the parent, guardian or any other person who has control or charge of the accused and the victim will be notified. If the incident involves an injury or similar situation, appropriate medical attention should be provided and the parent/guardian will be notified immediately.
3. *Discipline*: Upon confirming that bullying has occurred, the accused scholar should be charged with bullying and given an age-appropriate consequence which shall include, at a minimum and without limitation, disciplinary action or counseling as appropriate under the circumstances. SCA will clearly communicate to all parties that retaliation following a report of bullying is strictly prohibited and may result in strong disciplinary action. Upon a finding by the disciplinary hearing officer, panel, or tribunal, if a scholar in grades 6-12 is found to have committed the offense of bullying three times during the school year, SCA will assign the scholar to an alternative setting that fulfills the requirements of an alternative program under state law.

4. *Follow Up*: Follow-up is important to the accused and the victim. After-care and follow-up will occur.

All scholars and/or staff shall immediately report incidents of bullying, cyberbullying, harassment and intimidation to the Superintendent or designee. School staff members are expected to immediately intervene when they see a bullying incident occur. Each complaint of bullying shall be promptly investigated.

The procedures for intervening in bullying behavior include, but are not limited, to the following:

- All staff, scholars, and their parents will receive a summary of this policy prohibiting bullying at the beginning of the school year as part of the scholar code of conduct.
- The school shall keep a report of bullying and the results of an investigation confidential.
- Staff are expected to immediately intervene when they see a bullying incident occur or upon receipt of any report of bullying.
- People witnessing or experiencing bullying are encouraged to report the incident to the school principal designee.

SCA's policy prohibiting bullying includes but is not limited to the following:

- Scholars are expected to immediately report incidents of bullying to the Superintendent or designee.
- Scholars can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.
- If the complainant scholar or the parent of the scholar feels that an appropriate resolution of the investigation or complaint has not been reached after consulting the Superintendent, the scholar or the parent of the scholar should contact the local superintendent or his or her designee.
- SCA prohibits retaliatory behavior against any complainant or any participant in the complaint process.

Disciplinary action will be taken after each incident of bullying and upon a finding of guilt. Disciplinary action after the first incident of bullying may include consequences as defined in SCA's Code of Conduct.

If necessary, counseling and other interventions should also be provided to address the social/emotional, behavioral, and academic needs of scholars who are victims of bullying and scholars who commit an offense of bullying.

Scholars, parents/guardians, and other stakeholders may report incidents of bullying to an administrator, teacher, counselor, or other staff members by using the school district's complaint procedures or by calling the Georgia Department of Education's 1-877 SAY-STOP (1-877-729-7867) School Safety Hotline.

## **Notification of Student Rights**

## RIGHT TO KNOW PROFESSIONAL QUALIFICATIONS OF TEACHERS AND PARAPROFESSIONALS

Date: August 7, 2023

Dear Parents,

In compliance with the requirements of the Every Scholars Succeeds Act, Scintilla Charter Academy would like to inform you that you may request information about the professional qualifications of your student's teacher(s) and/ or paraprofessional(s). The following information may be requested:

- Whether the student's teacher—
  - has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
  - is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and
  - is teaching in the field of discipline of the certification of the teacher.
  
- Whether the child is provided services by paraprofessionals and, if so, their qualifications.

If you wish to request information concerning your child's teacher's qualification, please contact the Superintendent, Mandy Brewington at 229-244-5750.

Sincerely,



Mandy Brewington  
Superintendent

### General Public Complaints Policy

SCA Student, Parent/Guardian, or General Public Complaints Policy Purpose: The purpose of this policy is to provide guidelines to scholars, parents/guardians, or members of the general public for filing complaints against the school or employee of the school on any and all matters including complaints concerning Federal Programs: Title I, Part A; Title I, Part C; Title I, Part D; Title II, Part A; Title II; Title III, Part A; Title IV, Part A, Title IV, Part B; the McKinney-Vento Act; School Improvement 1003(a) and 1003(g) (SIG); IDEA, and Emergency Relief Funds CARES Act, CRRSA Act, ARP Act.

## **Dispute Resolution**

1. The complaints process may be initiated directly to the Superintendent .
2. Parents, Guardians, or Unaccompanied youth who initiate a complaint, must do so in writing.
3. Written notice should be complete, as brief as possible, and simply stated.
4. The Superintendent will provide a written response to the dispute within 5 school days.
  - a. The response will include a notice of the right to appeal, to an ad hoc Appeals Committee, the decision of the Superintendent .
5. If the Parent, Guardian, or Unaccompanied youth does not agree with the decision of the Superintendent , an appeal may be filed with the Appeals Committee.
6. The Appeals Committee will provide a written response to the appeal within 5 school days. The response will include a notice of the right to appeal his/her decision to the Governing Board.
7. If the Staff Member does not agree with the decision of the Appeals Committee, an appeal may be filed with the Governing Board.
8. Within thirty working days of receipt of the appeal of the Appeals Committee's decision, the Appeals Committee will present the matter to the Governing Board at its regular meeting or at a special meeting called for that purpose. The Board will review the original complaint, the response of the Superintendent , the response of the Appeals Committee, and the response of the complainant. In addition, the Board may, but is not required to, hear directly from any individuals with knowledge of any relevant facts relating to the complaint.
9. The Governing Board will either uphold the recommendation of the Appeals Committee or require the school to take some other action in response to the complaint.
  - a. A copy of the action of the Board will be furnished to the complainant, either as a part of the minutes of the Governing Board or as a separate written statement that will include the right to appeal to the Georgia Department of Education.
  - b. The Board will be the final reviewing authority within the school.
10. If the Parent, Guardian, or Unaccompanied youth is dissatisfied with the decision of the Governing Board, an appeal may be filed with the Deputy Appeals Committee of Teacher and Student Support at the Georgia Department of Education, 1854 Twin Towers East, Atlanta, GA 30334.

## **Notice of Non-Discrimination**

SCA does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities. SCA also provides equal access or a fair opportunity to meet to any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code (as a patriotic society) that wishes to conduct a meeting within the open or limited public forum offered by the school. The following person has been designated to handle inquiries regarding these non-discrimination policies:

Mandy Brewington  
Superintendent  
229-244-5750

For further information on notice of non-discrimination, please contact the Office for Civil Rights:  
U.S. Department of Education Office of Civil Rights

400 Maryland Avenue, SW  
Washington, DC 20202-4605  
1-800-421-3481

### **Individuals with Disabilities Education Act (IDEA)**

SCA, in order to fulfill the obligations of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act, is required to inform and provide full educational opportunities to all individuals with disabilities ages birth through twenty-one.

SCA needs your assistance to identify, locate, and evaluate all children with disabilities. This public awareness notice is to inform parents and other individuals/agencies of the availability of educational services and related services to all individuals who reside within the jurisdiction of the SCA and who are between the ages of birth through twenty-one, regardless of the severity of their disability. This includes individuals in all public and private agencies and institutions and highly mobile children with disabilities, such as migrant and homeless children, who reside within the legal boundaries of Lowndes County.

Anyone aware of an individual who may benefit from educational services and related services is encouraged to call SCA, at 229-244-5750.

### **Public Information**

SCA has the following documents available for review by parents of children with disabilities and to the general public:

1. Comprehensive Plan for Special Education
2. IDEA Federal Applications for Funds
3. Special Education Accountability/Monitoring Final Report
4. Applications, evaluations, periodic program plans or reports relating to federal programs including auditor's reports, statements of assurance, budget, and grant materials

For more information regarding IDEA, or if you have questions or need additional assistance, please contact SCA's Special Education Contact:

Special Education Contact  
Melissa Carter  
229-244-5750  
mcarter@scintillacharteracademy.com

### **Child Find**

SCA recognizes its responsibility to provide a free and appropriate public education to eligible scholars with disabilities within its geographical boundaries. SCA has a "child find" process that is designed to locate, identify and evaluate children with disabilities residing within its geographical boundaries kindergarten through grade 8.

If you know a child who lives within the boundaries of the Scintilla Charter Academy School District and who may be in the need of special education and/or related services, please contact

the Scintilla Charter Academy's Director of Special Education for further information regarding the referral and evaluation process.

Scintilla Charter Academy's Child Find process extends to scholars with physical or mental impairments that substantially limit a major life activity. Such scholars may be eligible for services or accommodations pursuant to Section 504 of the Rehabilitation Act. Section 504 is a Federal civil rights statute that prohibits discrimination against persons with disabilities and programs receiving Federal financial assistance. Please contact Scintilla Charter Academy's Section 504 Coordinator for more information regarding Section 504 eligibility and services.

Special Education Contact

Melissa Carter



### **Section 504 of the Rehabilitation Act of 1973**

Section 504 of the Rehabilitation Act of 1973 is a nondiscrimination statute enacted to prohibit discrimination and to assure that disabled scholars have educational opportunities and benefits equal to those provided to non disabled scholars.

For more information regarding Section 504, or if you have questions or need additional assistance, please contact SCA's Section 504 Coordinator:

Section 504 Coordinator

Stacie Haire

2171 E. Park Avenue

Valdosta, GA 31602

229-244-5750

shaire@scintillacharteracademy.com

### **Americans with Disabilities Act (ADA)**

SCA complies with all aspects of Title II of the Americans with Disabilities Act of 1990, including amendments from the Americans with Disabilities Amendment Act of 2008. As a result, SCA ensures that all scholars, employees, and qualified individuals have access to SCA's programs without regard to his or her disability. For more information regarding ADA, or if you have questions or need additional assistance, please contact SCA's ADA Coordinator:

ADA Coordinator

Melissa Carter

2171 E. Park Avenue

Valdosta, GA 31602

229-244-5750

mcarter@scintillacharteracademy.com

### **Notification of Rights Under the Family Educational Rights to Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) affords parents and scholars who are 18 years of age or older ("eligible scholars") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day Scintilla Charter Academy receives a request for access. Parents or eligible scholars who wish to inspect their child's or their education records should submit to the Superintendent a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible scholars who wish to ask Scintilla Charter Academy to amend their child's or their education record should write to the Superintendent of School, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest must be set forth in the school's or school district's annual notification for FERPA rights. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the school discloses education records without consent to officials of another school or school

district in which a student seeks or intends to enroll or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Scintilla Charter Academy to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

See the list below of the disclosures that elementary and secondary schools may make without consent. FERPA permits the disclosure of PII from scholars' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible scholars have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of § 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf if applicable requirements are met. (§§ 99.31(a)(3) and 99.35)

- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38. (§ 99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the school has designated as "directory information" if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))
- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))
- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))

### **FERPA Directory Information**

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Scintilla Charter Academy, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Scintilla Charter Academy may disclose appropriately designated "directory information" without written consent, unless you have advised the Scintilla Charter Academy to the contrary in accordance with Scintilla Charter Academy procedures. The primary purpose of directory information is to allow the Scintilla Charter Academy to include information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;

- The annual yearbook; Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (ESEA) to provide military recruiters, upon request, with the following information – names, addresses, and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

Pursuant to OCGA §20-2-786, if you do not want your child to be included in photographs, videos, or voice recordings, you must notify Scintilla Charter Academy, in writing, by August 31st, 2023. Provided however, parents may not opt-out of their child being included in photographs, videos, or voice recordings made by the School for public safety or security purposes. Scintilla Charter Academy has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user
- A student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

### **Protection of Pupil Rights Amendment (PPRA)**

PPRA affords parents of elementary and secondary scholars certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

- *Consent* before scholars are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–
  1. Political affiliations or beliefs of the student or student’s parent;
  2. Mental or psychological problems of the student or student’s family;
  3. Sex behavior or attitudes;
  4. Illegal, anti-social, self-incriminating, or demeaning behavior;
  5. Critical appraisals of others with whom respondents have close family relationships;
  6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
  7. Religious practices, affiliations, or beliefs of the student or student’s parent; or
  8. Income, other than as required by law to determine program eligibility.

*Receive* notice and an opportunity to opt a student out of –

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information collected from scholars for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from scholars for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, scholars or educational institutions.)

*Inspect*, upon request and before administration or use –

1. Protected information surveys of scholars and surveys created by a third party;
2. Instruments used to collect personal information from scholars for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

Scintilla Charter Academy will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration

of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Scintilla Charter Academy will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Scintilla Charter Academy will also directly notify, such as through U.S. Mail or email, parents of scholars who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation in the specific activity or survey. Scintilla Charter Academy will make this notification to parents at the beginning of the school year if the school has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this direct notification requirement:

- Collection, disclosure, or use of personal information collected from scholars for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202

### **Information for Homeless Scholars**

The McKinney-Vento Homeless Assistance Act (the Act) ensures educational rights for children and youth experiencing homelessness. The primary goal is educational stability. The Act defines homeless scholars as those who lack a fixed, regular, and adequate nighttime residence. This includes:

1. Children and youth who are forced to share the housing of other persons due to the loss of housing, economic hardship, or a similar reason; live in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; live in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
2. Children and youth who have a primary nighttime residence that is not designed for or ordinarily used as regular sleeping accommodation for human beings;
3. Children and youth who live in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or,

4. Migratory children are considered homeless when they are living in circumstances set forth in items 1, 2, and 3. Unaccompanied Youth are scholars who are not in the physical custody of a parent/guardian and are living in a homeless situation.

Homeless Scholars have certain educational rights and can:

- enroll without delay in school without proof of residency or permanent address, immunization, school records, or other documents or while documentation is being obtained
- choose between the local school where they are living or the school last attended before becoming homeless, when requested by the parent and determined by the district to be feasible and in the student's best interest
- attend school and participate in school programs with children who are not homeless; and receive all the school services available to other scholars including transportation services, special educational services where applicable, and meals through the school meals programs

If you believe your child may qualify for assistance under this policy, please contact your child's homeroom teacher or SCA's Homeless Liaison:

Amanda Miller, SCA Homeless Liaison

Email: [REDACTED]

Staci Haire, SCA Counselor

Email: [REDACTED]

2171 East Park Avenue

Valdosta, GA 31602

Phone: 229.244.5750

Fax: 229.333.0283

### **Title IX**

SCA does not discriminate on the basis of sex in the education program or activity it operates, and that it is required by Title IX and this part not to discriminate in such a manner. The requirement not to discriminate in the education program or activity extends to admission and employment, and inquiries about the application of Title IX and this part to such recipient may be referred to the recipient's Title IX Coordinator, to the Assistant Secretary, or both. Scholars, parents, and applicants for admission have the right to file a formal complaint alleging noncompliance with regulations outlined in Title IX of the Education Amendments of 1972 as follows:

### **Title IX Grievance Policy**

#### Level 1: Principal or Immediate Supervisor

A student or parent with a sex discrimination complaint may discuss it with the teacher, counselor, or building administrator involved. Level 1 of the grievance procedure is informal and optional and may be bypassed by the grievant.

### Level 2: Title IX and Section 504 Coordinator

If the grievance is not resolved at Level 1 and the grievant wishes to pursue the grievance, it may be formalized by filing a complaint in writing on a Compliance Violation Form. This form may be obtained from the Title IX and Section 504 Coordinator.

The complaint shall state the nature of the grievance and the remedy requested. The filing of the formal, written complaint at Level 2 must be within fifteen (15) working days from the day of the event giving rise to the grievance or from the date the grievant could reasonably become aware of such an occurrence. The grievant may request that a meeting concerning the complaint be held with the Title IX and Section 504 Coordinator. A minor student may be accompanied at that meeting by a parent or guardian. The Title IX and Section 504 Coordinator shall investigate the complaint and attempt to solve it. A written report from the Compliance Officer to the complainant regarding action taken will be sent within fifteen (15) working days after receipt of the complaint.

### Level 3: Superintendent

If the complaint is not resolved at Level 2, the grievant may proceed to Level 3 by presenting a written appeal to the Superintendent within ten (10) working days after the grievant receives the report from the Title IX and Section 504 Coordinator. The grievant may request a meeting with the Superintendent or his/her designee. The Superintendent or his/her designee has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Superintendent or his/her designee within ten (10) working days after receiving the written appeal.

### Level 4: Governing Board

If the complaint is not resolved at Level 3, the grievant may proceed to Level 4 by presenting a written appeal to the Chair of the SCA Governing Board within ten (10) working days after the grievant receives the report from the Superintendent. The grievant may request a meeting with the Board. The Board has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Board at their next regularly scheduled meeting. The grievant will be notified in writing of the decision within ten (10) working days after the Board's action. The procedure in no way denies the right of the grievant to file a formal complaint with the Office for Civil Rights, or other agencies available for mediation or rectification of rights grievances, or to seek private counsel for complaints alleging discrimination.

Amanda Miller, Title IX Coordinator  
2171 East Park Avenue  
Valdosta, GA 31602  
Phone: 229.244.5750  
Fax: 229.333.0283  
Email: [amiller@scintillacharteracademy.com](mailto:amiller@scintillacharteracademy.com)

## **Reporting Acts of Alleged Sexual Abuse or Misconduct**

The following is the reporting process for scholars to follow in reporting instances of alleged inappropriate behavior by a teacher, administrator, or another school employee toward a student. This process shall not prohibit the ability of a student to report the incident to law enforcement authorities.

1. Any student (or parent or friend of a student) who has been the victim of an act of sexual abuse or sexual misconduct by a teacher, administrator or other School District employee is urged to make an oral report of the act to any teacher, counselor or administrator at his/her school.
2. Any teacher, counselor, volunteer, or administrator receiving a report of sexual abuse or sexual misconduct of student by a teacher, administrator, or other employees shall make an oral report of the incident immediately by telephone or otherwise to the school's Superintendent of School, Assistant Superintendent or designee, and shall submit a written report of the incident to the school's Superintendent of School, Assistant Superintendent or designee within 24 hours. If the Superintendent of School or Assistant Superintendent is the person accused of the sexual abuse or sexual misconduct, the oral and written reports should be made to the other.
3. Superintendent of School, Assistant Superintendent or designee receiving a report of sexual abuse as defined in O.C.G.A. § 19-7-5 shall make an oral report immediately to the school counselor, but in no case later than 24 hours from the time there is reasonable cause to believe a child has been abused. The school counselor shall report the accusation of sexual misconduct and/or sexual abuse to the local law enforcement agency believed to have jurisdiction in the case and to a child welfare agency providing protective services as designated by the Department of Human Services in the manner determined by such agency.

Reports of acts of sexual misconduct against a student by a teacher, administrator, or other employee not covered by O.C.G.A. § 19-7-5 shall be investigated immediately by school or system personnel. To protect the integrity of the process and to limit repeated interviews with the student, the designated system personnel is required to take a written statement from the student prior to any other person. If the investigation of the allegation of sexual misconduct indicates a reasonable cause to believe that the report of sexual misconduct is valid, the Superintendent of School, Assistant Superintendent or designee shall make an immediate report to local police authorities. The SCSC and the Professional Standards Commission Ethics Division must also be notified of any validated acts of sexual misconduct.



# SCA: Middle/Upper School Handbook Acknowledgement 2023-2024

PLEASE COMPLETE THIS FORM AND RETURN IT TO YOUR OLDEST MIDDLE/UPPER SCHOOL SCHOLAR'S HOMEROOM TEACHER.

We/I have read and understand all policies and procedures outlined in this [handbook](#). Specifically, I have reviewed and understand the following policies and information and agree to comply with the guidelines and requirements outlined in each.

Please, initial each section indicating you have specifically reviewed and sign the acknowledgement at the bottom:

- \_\_\_\_\_ SCA Attendance Policy
- \_\_\_\_\_ Technology Acceptable Use Policy
- \_\_\_\_\_ Interviewing, Photographing, and Videotaping of Scholars by Staff or Media
- \_\_\_\_\_ SCA Dress Code
- \_\_\_\_\_ Promotion & Retention Policy
- \_\_\_\_\_ Grading Procedures
- \_\_\_\_\_ Behavior Expectations/Code of Conduct
- \_\_\_\_\_ Notification of Student Rights

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

PLEASE, LIST ALL *MIDDLE/UPPER SCHOOL* SCHOLARS IN YOUR HOUSEHOLD.

Scholar Name \_\_\_\_\_ Grade \_\_\_\_\_

HR Teacher \_\_\_\_\_

Scholar Name \_\_\_\_\_ Grade \_\_\_\_\_

HR Teacher \_\_\_\_\_

Scholar Name \_\_\_\_\_ Grade \_\_\_\_\_

HR Teacher \_\_\_\_\_

## **SCA Service Areas for CSP Response**

School Year 21-22	Sped 12.6%	EL 0.8%
School Year 22-23	Sped 14.2%	EL 1.1%
School Year 23-24	Sped 11.4%	EL 1.0%

## **Snapshot of Special Education Services**

SCA provides special services to individuals who meet the eligibility criteria for Special Education as outlined by federal and state guidelines through IDEA. Direct and related services are provided to those individuals who meet the eligibility criteria for autism, emotional disturbance, hearing impairment/deafness, mental delay, multiple disabilities, orthopedic impairment, other health impaired, specific learning disabilities, speech or language impairment, traumatic brain injury, and visual impairment/blindness. SCA staff regularly monitors each student's progress and provides support. Procedures for making referrals, conducting evaluations, communicating with families, writing and reviewing Individual Education Programs (IEP's), maintaining student records, and reporting progress are managed by SCA's Special Education Team. For further information regarding the special education process, contact your child's teacher.

For those identified with a disability through the Multi-tiered System of Support (MTSS), the special education program at SCA works with scholars and families to meet scholars' individual needs by accommodating and/or modifying curriculum, instruction, and/or assessment. SCA's Special Education Team oversees the services provided to scholars with Individualized Education Programs (IEPs) so that scholars make progress towards their goals. As much as is appropriate, scholars with identified disabilities are included in classes with their peers, with classroom teachers working in consultation with special education teachers and/or with scholars working directly with special education teachers. SCA will follow state and federal guidelines to provide a broad spectrum of special education services to support the specific learning needs of all scholars.

## **Snapshot of English Learners (EL)**

Families are asked to complete a Home Language Survey as part of the registration process. Information from the survey will be used as a first-level screening to ascertain if the scholar may require an additional assessment to determine if he/she is eligible for ESOL services. In addition to providing ESOL services to scholars, SCA will provide interpreters for parent/teacher conferences and other Academy-related activities as needed.

## **Attached Documents**

- Federal Programs Manual
- Special Education Manual
- EL Service Process/Handbook



# **Federal Programs Policies and Procedures Manual**

## **Scintilla Charter Academy (SCA) Federal Program Monitoring**

Purpose of This Handbook:

The purpose of this standard operations procedures handbook is to provide a step-by-step, systematic approach to managing the rules and guidelines to ensure consistent compliance. The information provided may be used by staff to ensure that federal programs are being implemented accurately and effectively.

The step-by-step approach contained in this handbook will promote uniformity in operations as federal program staff seek to carry out official duties and responsibilities. The Georgia Department of Education (GaDOE) provides local educational agencies (LEAs) extensive guidance on the overarching requirements for the federal programs via the on-site monitoring document that is used to ensure that LEAs are meeting all statutory requirements of the programs.

### **Scintilla Charter Academy Staff**

Mandy Avera - Superintendent

Amanda Miller - Assistant Superintendent/Federal Programs Director

Amanda Miller - Migrant and Homeless Coordinator

Melissa Carter - Special Education State Liaison

Angela Chastain - Director of Finance

Brooke Knight – Director of Testing

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## **OVERARCHING REQUIREMENTS FOR ALL FEDERAL PROGRAMS**

### **SECTION 1 - MONITORING OF SCHOOLS AND PROGRAMS**

**Overview of monitoring of Title I, Part A; School Improvement 1003(a); School Improvement 1003(g) (SIG); Title I, Part C; Title I, Part D; Title II, Part A; Title III; Part A; Title IV, Part A; Title V, Part B, Title IX, Part A-McKinney Vento Act; Coronavirus AID, Relief, Economic Security (CARES), Coronavirus Response and Supplemental Appropriations (CRRSA), American Rescue Plan (ARP)(ESSER I, II, and III); IDEA, as well and any additional federal grants awarded.**

Monitoring is an essential component of ensuring that all facets of federal programs are being implemented as prescribed by the Every Student Succeeds Act (ESSA) under the Elementary and Secondary Education Act (ESEA) and the Elementary and Secondary School Emergency Relief Act (ESSER). It is a process of systematically providing technical assistance and collecting data to provide information that can guide program implementation.

In response to the economic outcome of the COVID-19 pandemic in the United States, Congress passed three bills that provided immediate and direct financial assistance to state and local educational agencies through the Elementary and Secondary School Emergency Relief funds. These funds were provided to support areas with the greatest need, where the academic and non-academic components of school districts had the most significant impact due to COVID-19. As additional funding was provided, the funds were intended to support state and local school districts' efforts to safely reopen schools, address significant gaps in learning, and support measures of implementation that will continue to reduce the effects of COVID-19 on students and families. · CARES Act-Coronavirus Aid, Relief & Economic Security (CARES) Act · CRRSA Act-Coronavirus Response & Relief Supplemental Appropriations (CRRSA) Act · ARP Act-American Rescue Plan (ARP) Act

The Georgia Department of Education requires that Scintilla Charter Academy (SCA) monitors the implementation of Federal Programs and the expenditure of all funds associated with the program. The specific requirements are as follows:

The Federal Programs Director/Program Directors will conduct self-monitoring of its schools and programs sufficient to ensure compliance with Federal Program requirements, including Title I, Part A; School Improvement 1003(a); School Improvement 1003(g) (SIG); Title I, Part C; Title I, Part D; Title II, Part A; Title III; Part A; Title IV, Part A; Title V, Part B, Title IX, Part A-McKinney Vento Act; Coronavirus AID, Relief, Economic Security (CARES), Coronavirus Response and Supplemental Appropriations (CRRSA), American Rescue Plan (ARP)(ESSER I, II, and III); IDEA, as well and any additional federal grants awarded.

In FY23, Scintilla Charter Academy will accept federal funds from Title I-A, Title II-A, Title IV, Part A, and IDEA. Additional federal funds will be accepted as awarded.

Monitoring by the GADOE consists of four major components:

1. Monitoring of Expenditures – Local educational agencies (LEAs) must submit for approval an annual budget through the Consolidated Application process. Program Specialists review each application and budget to ensure that expenditures are appropriate for the program area before approving LEA budgets. Once budgets are approved, Program Specialists track how well LEAs are requesting funds for expenditures to ensure that LEAs are likely to meet the expenditure requirements for federal funds.
2. Single Audit – LEAs with single audit findings are flagged for technical assistance.
3. On-site Monitoring – An SEA on-site Cross-Functional Monitoring Team visits a LEA to apply the criteria included in the *LEA Monitoring Form*.
4. Self-Monitoring Checklist – LEAs not receiving an on-site visit complete appropriate Checklists and submit it to the Georgia Department of Education (GaDOE) as required.

#### **Positions Responsible for Implementation and Monitoring of Procedures**

The GaDOE requires that SCA monitors the implementation of federal programs and the expenditure of all funds associated with the program.

The specific requirements are as follows:

- Federal Program Director/Program Directors will conduct self-monitoring of SCA programs sufficient

to ensure compliance with all federal programs.

- Federal Programs Director/Program Directors will undergo training from GaDOE and other sources to maintain proficiency in program compliance requirements.
- Federal Programs Director/Program Director will provide technical assistance to the school.
- Federal Programs Director/Program Director self-monitoring will include monitoring all program expenditures to verify that all program expenditures comply with program requirements.
- Federal Programs Director/Program Director will maintain all documentation LEA may need for future auditing/monitoring according to the LEA Monitoring Form, which is issued annually by GaDOE. In years when LEA does not receive an on-site visit, Federal Programs Director will complete the Self-Assessment Checklist and submit it to the GaDOE as requested.

### **Frequency of Monitoring (Timeline)**

- June/September -
  - Provide a technical assistance session for staff following to provide updates on any new guidelines around any federal programs implemented at SCA. Sessions will include the following topics: program(s) information, budgets, funds consolidation, ordering, compliance, parental involvement, professional learning,  
  
meeting the needs of students, monitoring, academic achievement, inventory, scheduling, ethics, fraud and waste, and complaint procedures.
- June/July -
  - Complete second periodic certification for 100% federal funded staff for previous year.
  - Federal Programs Director, Superintendent and stakeholders will review the Comprehensive LEA Improvement Process (CLIP) and Federal budgets based on student performance data for the upcoming year.
  - Work with staff on annual revision of compacts; school improvement and parent involvement plans and budgets.
  - Superintendent and Federal Programs Director will review plans and budgets to ensure that funds are being spent according to plans, that plans have all the necessary components, and that plans and the budget align with each federal program.
  - Federal Programs Director will review input & draft documents - Review Annual Survey, and End of Year Title I Review Input from previous school year. Create drafts of Parent and Family Engagement Policy (PFEP) and Compacts. Request to obtain district and school goals as soon as finalized.
  - Professional Qualifications are reviewed prior to the start of the school to insure proper assignment of teachers.
  - Superintendent reviews annual CCRPI accountability data and completes sign-off process.
  - Superintendent, Federal Programs Director, and Instructional Leadership Team work with grade levels and departments to develop professional learning plans based on analysis of student performance data, teacher surveys, and observations by administrators
  - Homeless survey submission via the GaDOE portal.
- July/June (On-going) -
  - Meet regularly with Superintendent and staff; provide additional training as needed.
  - Federal Programs Director shall monitor all programs. Ongoing review of school improvement data and plans in conjunction with the Superintendent

- o Federal Programs Director conduct quarterly impact checks to ensure improvement plans and budgets are being implemented with fidelity.
- o Federal program coordinators provide technical assistance and meet or e-mail regularly with Business Office and Superintendent.
- August -
  - o Schedule Title I Parent Input Meeting - Send invite to all families with attached link to the Compact document. Meeting agenda: Review drafts and receive parent input.
  - o Distribute home language survey for English Learners, migrant education program form, and student residency questionnaire (McKinney-Vento Act) and other registration documents to parents with initial paperwork
  - o Distribute Parent's Right-to-know within 30 days of the start of the school year
  - o BOY Universal Screeners will be administered.
  - o Superintendent will ensure that remediation plans have been developed and implemented for any employees with a non-renewable certificate or in any other case in which a remediation plan is required.
  - o Home Language Survey to identify English Learners (ELs) for service/continuing services.
  - o BOY Title I Inventory Monitoring.
  - o Deadline: 20-day Parent Notification (if applicable). Notifications should occur within 10 business days after the 20-day period.
- September -
  - o Deadline: No later than 30 days after the beginning of the school year, or during the first two weeks of an EL being placed in a language instruction program, notify parents of ELs participating in Title I or Title II funded supplemental EL support services.
  - o Deadline: September 15 – Federal Program Director will work with Director of Finance to review budget documents to ensure that all previous year expenditures have been drawn down, with a goal of meeting the 85% expenditure requirement
  - o Deadline: September 15 – List grade spans on the Consolidated Application under the Public School Allocation tab.
  - o Federal Programs Director to create all Title budgets once CLIP has been approved
  - o Obtain copies of daily schedules of Title I teachers, if applicable, and list of Title I personnel.
  - o Prepare documentation for ESSER six-month review in October.
- October -
  - o Federal Programs Director will distribute Parent and Family Engagement Policy and School-Parent Compacts prior to November 1st .
  - o Federal Programs Director will conduct Annual Title I Parent Meeting prior to November 1st - Send invite to all families with attached link to this year's finalized PFEP and Compacts. Link to documents on website.
  - o Deadline: October 1 - Federal Programs Director submits budgets via consolidated application and complete Superintendent Prayer Certification.
  - o Budgets are reviewed at least quarterly to ensure purchases are in line each program and are supporting strategies contained in the improvement plans.
  - o Deadline: October 1 – General Education Provisions Act (GEPA) 437 form to be attached to the Consolidated Application Attachments Tab

- o Deadline: October 31 – Completions reports for previous year due.
- o Superintendent will work with staff to ensure that remediation plans have been developed and implemented for any employees with a non-renewable certificate or in any other case in which a remediation plan is required.
- o Superintendent will work Director of Student Information Systems and other appropriate staff to complete CPI process.
- o Deadline: October 31 - The Federal Programs Director submits Title I carryover if applicable.
- o Submit documentation for ESSER six-month review.
- o Deadline: November 1 – Title I Parent Meeting held prior to this date
- o Deadline: November 1 – School-Parent Compacts signed prior to this date
- December -
  - o Title I physical equipment inventory
- January -
  - o Complete first periodic certification for 100% federal funded staff for current year
- February -
  - o Review and update certification requirements of staff.
  - o Administer ACCESS.
- March/April/May (on-going) –
  - o Superintendent verify CPI data
  - o Develop and administer annual needs assessment for ALL federal programs and school improvement planning.
  - o Federal Programs Director Meeting to Create Annual Parent Survey - Review previous year survey results and feedback from parents. Get input from School Leaders for additional items. Create Annual Parent Survey
  - o Federal Programs Director sends Annual Survey of Parent and Family Engagement – send to all families.
  - o Federal Programs Director Meeting to Collect Parent Survey Data. The Federal Programs Director will compile and analyze the results of Annual Survey of Parent and Family Engagement.
  - o CLIP Process begins.
  - o Compile results of annual needs assessment for school improvement planning.
  - o Title I staff members and parents/other stakeholders will review and provide input on the CLIP, targeted assistance plan/school improvement plan
  - o Title I Family Engagement End of Year Review & Input Parent Meeting- Send invite to all families. Include link to feedback survey
  - o Title I staff members will finalize monitoring requirements for current school year and make necessary changes for the upcoming school year.
  - o Compile results of ACCESS and exit qualifying ELs from the program.
  - o Conduct annual and on-going comprehensive needs assessment. Data is provided to Superintendent in order to compile data to determine prioritized needs for the following year.
  - o Prepare documentation (March) for ESSER six-month review in April.

- July –
  - o Superintendent host Annual Strategic Planning meeting with appropriate stakeholders to compile and prioritize data from needs assessment. Feedback from, both stakeholder and Board, will be used to revise Strategic Plan and school improvement plan.

### **List of Documentation to Verify Monitoring of Programs**

The Federal Program Director as well as the Special Education State Liaison maintains a file of training and communication throughout the year which includes all staff training, handouts, meeting agendas, meeting notes, etc. Ongoing monitoring of the programs is conducted by the Federal Program Director and Special Liaison to ensure compliance.

Monitoring of schools is a critical component of ensuring that compliance at Scintilla Charter Academy. Meetings are held at a minimum monthly with leadership staff which include the status and updates of federal programs. The Program Director utilizes phone calls, emails, meetings, and meeting minute review to monitor the programs and personnel. Specific budgetary items are discussed with the Director of Finance, Superintendent, Deans of School, and additional staff members. Monthly reports are generated and reviewed for accuracy by the Program Directors.

All Title I services are supplemental. This process is monitored through on-going technical assistance, site visits, and through the budget process.

### **Process for Monitoring Federal Programs**

The specific Program Director participates in training and updates from GaDOE and other sources to maintain proficiency in program compliance requirements of any of the following grants awarded to Scintilla Charter Academy: Title I, Part A; School Improvement 1003(a); School Improvement 1003(g) (SIG); Title I, Part C; Title I, Part D; Title II, Part A; Title III; Part A; Title IV, Part A; Title V, Part B, Title IX, Part A-McKinney Vento Act; Coronavirus AID, Relief, Economic Security (CARES), Coronavirus Response and Supplemental Appropriations (CRRSA), American Rescue Plan (ARP) - (ESSER I, II, and III); IDEA, as well and any additional federal grants awarded. The directors receive technical assistance from Program Specialists at the Department of Education annual Federal Programs Conference, other Program specific conferences, as well as at regional meetings. On-going information/training to keep abreast of timelines and new guidance occurs through email and phone calls with the area Program Specialists. The Federal Program Director is enabled with the necessary skills and knowledge to provide on-going technical assistance to the staff at the school.

The Federal Program director begins working in early spring to collect and analyze data including various reports, surveys and test data. RESA staff and/or outside experts may be utilized to provide data analysis workshops in addition to the on-going data analysis conducted on-site by school administrators. This data is utilized in conjunction with the annual needs assessments. Interpretation of this data guides academic planning, parental and family engagement, professional learning, and instructional purchases that are identified in the CLIP. SCA's leadership team meets regularly to analyze data with the intent of improving instruction. Leadership team members discuss this information with all staff to ensure that they fully understand the data presented. SCA also has a systematic process for staff to review and analyze data. SCA utilizes a variety of means to provide a visual representation of data as the data relates to the System and School Action Plans. The Federal Programs Director presents data to the Board each school year and provides a summary of all test data for board members. During the summer, administration personnel analyze progress and effectiveness towards goals and action steps in the school improvement plan, equity plan, and any other plans related to federal programs and school improvement. The data is reviewed with parents and community stakeholders. The stakeholders offer suggestions and approval of the CLIP implementation plans. The action plans describe critical issues, goals, timelines, and strategies for implementation.

All federal program expenditures will be monitored by the SCA Program Director to verify that each program's expenditures comply with program requirements and that correct requisition procedures have been followed. Monthly reports from finance are requested expenditures and verify that the appropriate personnel are coded and paid from the corresponding budget. All documentation relating to each specific federal program including those needed for future auditing/monitoring according to the LEA Cross-Functional Monitoring will be maintained by the Federal Programs Director and/or the SCA Finance Office.

In addition, the Federal Programs Director will conduct on-site checks to ensure the purchases have been made and are being utilized in accordance with the budget submitted.

The Federal Program Director will monitor the SCA schoolwide program through face to face technical assistance meetings, as well as, completion of the periodic certifications, required schoolwide plans, Parent and Family Engagement Plan, Equity Plan, and notices to parents. The Federal Program Director reviews the SCA plan and completes the GaDOE Title I Checklist for Schoolwide Programs on an annual basis. Schoolwide Plans, Parent and Family Engagement Activities may be placed on the system webpage. Technical assistance is provided with the leadership team for instruction about the results. Federal Program updates and technical assistance are provided to the system administrators during administrative/leadership team meetings. With SCA being a single-school LEA, there is continuous feedback between the Federal Programs Director and school personnel through emails, phone calls, and meetings.

Each June/July, program directors discuss updated information related to federal programs. Emails serve as calendar reminders for item due dates and completion of federal program documentation. Departments are provided with technical assistance throughout the school year and by a variety of means which includes meetings, phone calls, emails, etc.

Inventory of all equipment and property belonging to any Federal program with a value equal to or greater than \$100 or can easily be pilfered will be identified and inventoried on an annual basis. Items identified to be inventoried will be labeled and will be verified by a designee of the building-level or program administrator each year. The completed and signed inventory is submitted to the Director/Coordinator of each Federal Program. Materials purchased for use in Federal programs are to be utilized in the capacity for which they were purchased. Any equipment, materials and/or supplies purchased with Federal funds are considered solely for the use of that program.

Federal inventory is documented in a database that is updated each time equipment is purchased. All Federal property is identified by a specific label or marking. The database includes

- A. description of the item,
- B. A serial number or other number of identification (when applicable),
- C. The cost of the item,
- D. The acquisition date of the item,
- E. Where the item is located, its condition, and the date this information was recorded, and
- F. Inventory check dates
- G. Additionally for Federally funded equipment and supplies:
- H. The date received (if the item was furnished directly by the Federal Government).
- I. The source of funding for the item (including the FAIN),
- J. Whether the title of the item vest with SCA or the Federal Government,
- K. Information from which one can calculate the percentage of Federal participation in the cost of the item,
- L. The allowable use of the item,
- M. Any ultimate disposition data including the date of disposal and sale price of the item. . Site personnel must annually verify the location and condition of the equipment.

#### **Process/Procedure for Follow-up/Verification of Implementation of Required Corrective Action**

After the on-site cross functional monitoring visit, the LEA will receive a comprehensive monitoring report which will contain recommendations, findings, and required actions for each federal program. If a corrective action plan is required, the Federal Program Director will respond in a timely manner and submit the appropriate documentation to the appropriate office. Implementation of the corrective action plan will be monitored by the appropriate personnel. Professional learning will be provided based on needs. In addition, professional learning is used as a preventive measure to ensure that all personnel have a clear understanding of the requirements and expectations of the various federal programs. Verification of corrective actions, including the need for budget amendments, will be determined through ongoing technical assistance provided by the Federal Programs Director and documented appropriately by meeting agendas and sign-ins.

#### **Procedures for Identification of High Risk Schools**

SCA is a single- school LEA and is currently not identified as a High Risk School. In the event that SCA was identified as a High Risk School, procedures will be established. Annual reports from the Accountability Department of the GaDOE will be utilized to determine if SCA is considered high risk as determined by CSI or TSI lists.

### **Monitoring of Neglected & Delinquent Facilities**

There are no facilities for neglected students in Scintilla Charter Academy.

### **IDEA Procedures for SST, Child Find, Evaluation/Re-evaluation, Eligibility, and Discipline**

SCA's IDEA procedures are outlined in [SCA's Special Education Handbook](#)

### **English Learner Procedures**

SCA's English Learner procedures are outlined in [SCA's English Learner Program Manual](#)

## **SECTION 2 - COMPREHENSIVE LEA IMPROVEMENT PLAN (CLIP)**

### **Procedure for Review and Approval Process for LEA Plans (CLIP, SWP, and PFE)**

The Comprehensive LEA Improvement Plan (CLIP) is updated annually using prior year data and needs assessment information.

The CLIP serves as the plan detailing coordination of various federal programs and identification of needs and in turn budgeting for such needs with federal funds. SCA will ensure all stakeholders, including staff, families, and community members, have the opportunity to be involved in the review and revision process. Parents and families are able to provide input during meetings, surveys, through review of the CLIP available at the school and through the school webpage. SCA conducts multiple surveys each year that allow parents and families to provide input. Parent and family input is examined and considered from these surveys. Progress checks are administered by the Federal Programs Director and occur throughout the year. Documentation includes sign-in sheets, agendas, meeting minutes, emails, and returned plans with comments. Input is also sought from school leaders and staff members through meetings held in the Spring/Summer. The Federal Programs Director gathers all input and updates the Consolidated Action Plan. The plan is submitted to the Superintendent for final approval. The SWP is posted on the school's website and continues to be a living document as the year progresses. The SWP checklist provided by GaDOE is used to ensure that all required components of a schoolwide program are being addressed. A current copy of the plan is available on the school's website and paper copiers are available in the front office.

### **Resolution Procedures for Unapproved Plans**

If the GaDOE requests revisions the Federal Programs Director retrieves the requested changes from the Audit Trail in the GaDOE portal. The Federal Programs Director then ensures that requested changes are completed in the consolidated application. The Federal Programs Director then resubmits the CLIP and requests approval from the Program Coordinator followed by the Superintendent. This process is continued until the system's CLIP has been approved by the GaDOE and the Superintendent.

### **Process for Submitting Revisions**

All amendments to any documents are approved by the school's administration and Federal Programs Director.

### **Comprehensive Needs Assessment Procedures**

SCA conducts an annual needs assessment. The process includes collecting and examining information about the school/system and then utilizing that data in structured decision making that will determine priority goals, develop a plan, and allocate funds and resources. The needs assessment is conducted by gathering school data, surveys, and meetings with stakeholders.

### **Selection of Evidenced-Based Interventions**

Evidenced-based action steps are addressed in the system's Consolidated LEA Improvement Plan The system has

adapted the GaDOE's Systems of Continuous Improvement and the following improvement planning steps: Examine Progress; Identify Needs; Create Goals and Select Evidenced Based Interventions; Plan Implementation; Implement the Plan. Georgia's efforts to improve student outcomes rely on evidence-based interventions. All interventions must be evidence-based as defined by ESSA. ESSA defines an evidence-based activity, strategy, or intervention as being supported by strong evidence, moderate evidence, promising evidence, or evidence that demonstrates a rationale ESSA 8101 (21)(A).

### **SECTION 3 - PRIVATE SCHOOLS: SERVICES TO ELIGIBLE PRIVATE SCHOOL CHILDREN**

As a State Commissioned Charter School, SCA is not required to provide services to students enrolled in private schools. In the event that SCA begins to serve private schools, this handbook will be amended to reflect all requirements for services to private school children.

#### ***Fiduciary Responsibility***

SCA maintains a Financial Policies and Procedures Manual. The purpose of this manual is to provide an overview of internal control policies followed by SCA. The policies cover accounting, financial reporting, information technology and human resource services. Internal controls are the methods and procedures used to provide reasonable assurance to items including:

- Safeguard assets
- Ensure validity of financial reports and records
- Promote adherence to policies, procedures, regulations and laws
- Promote effectiveness and efficiency of operations
- Ensure financial systems are secure and backed up as needed

### **SECTION 4 - MAINTENANCE OF EFFORT (MOE), COMPARABILITY, ASSESSMENT SECURITY**

#### ***Procedures for determining maintenance of effort (MOE), including funds to be excluded from MOE calculations***

GADOE compares the fiscal effort of the preceding year to the second preceding fiscal year and makes the maintenance of effort determination available to the system through a marked "met" or "unmet" on the consolidated application. Documentation for MOE is only required for districts that do not meet the required maintenance of effort.

The Districts' MOE for Title I is completed by the GaDOE. The Director of Federal Programs checks MOE for each year to ensure that the system has met using the GADOE Portal.

The District's MOE for Special Education will be completed with coordination of the Federal Programs Director, Finance Director, and Special Education State Liaison. The Special Education State Liaison at Scintilla Charter Academy follows all guidelines associated with the use of Federal Funds and MOE Requirements. If any questions arise regarding MOE, the Federal Programs Director, Finance Director or Special Education Liaison will contact the GaDOE for guidance. If the system does not meet MOE requirements, the system must lower their MOE through the exceptions listed. Documentation must be submitted to verify the exceptions to meet the MOE requirement before the system's budget can be processed for approval. Scintilla Charter Academy follows the guidance set forth in 34 CFR 300.184 governing the expenditure of IDEA funds that states only approved special education and related services may be charged.

#### ***Comparability of Services***

SCA is only one school and does not report comparability. In the event that SCA begins to report comparability, this

handbook will be amended to reflect all comparability requirements.

### Assessment Security Policy/Plan

Scintilla Charter Academy's 2022-2023 Test Security Plan includes the following consequences for violation:

*It is the intent of the Scintilla Charter Academy to administer all assessments with integrity and validity. Care is taken to ensure that all assessments are protected from any ethical violations, and to maintain high program standards. Employees shall comply with Georgia Professional Standards Commission rules with regard to testing ethics. Employees who violate these provisions shall be subject to disciplinary action, up to and including termination.*

SCA's Testing Coordinator and Director of Federal Programs reviews the Test Security Plan annually. All certified staff members receive training annually on assessment procedures. Each year, all certified staff members are required to sign-off that he/she has reviewed SCA's Test Security Plan. Staff members are required to sign-in verifying they attended the training on assessment security.

### District/State Report Card

SCA's Director of Federal Programs is responsible for ensuring that the appropriate link for the school report card has been posted on the SCA website.

### English Learner (EL) ACCESS Participation Rate

SCA's Testing Coordinator is responsible for checking the participation rate and collecting the justification if the percentage falls below 95%.

## **Section 5 - INTERNAL CONTROLS, EXPENDITURES, INVENTORY, DRAWDOWNS, COST PRINCIPLES-ALL PROGRAMS**

### Review of Applicable Federal Program Budgets

The Federal Programs Director prepares the applicable federal budget. The Superintendent and the Federal Programs Director create a budget for federal, local and state funds. Expenditures must align with actions within the CLIP/SIP plan for SCA. The Federal Programs Director and Director of Finance meet regularly to review budgets and expenditures. The Director of Finance Director is responsible for completing and submitting the Completion report. Completion reports are annual reports required by the GaDOE for all grant funds. Reports are due thirty days after the end date for each grant. Prior to preparing the completion report, the general ledger report for each grant will be reviewed by the Superintendent and the Federal Programs Director to ensure that all expenditure postings are correctly recorded.

The Federal Programs Director approves the Title I, Title II, Title IV, IDEA, ESSER I, ESSER II, and ESSER III, and any other federal program budgets. The budget is submitted and approved by the state. SCA adheres to the Internal Controls Listed Below.

1. Purchase order forms are housed in the business office and are numbered and therefore cannot be copied. All purchase order forms include "To the greatest extent practicable" for the preference of goods and materials produced in the U.S.
2. Each purchase order is submitted to the Federal Programs Director who then approves or rejects the purchase order. Approvals or rejections are dictated by the allowable/unallowable expenditures as dictated by EDGAR, the annual needs assessment, CLIP and budget. The Federal Programs Director then assigns the fund, program code, function and object code for the purchase using the Georgia state chart of accounts. If any budget amendments are required for allowable expenditures, the budget will be amended.
3. Purchase orders also require the approval of the Superintendent.
4. The approved purchase order is forwarded to the Data Entry/Payroll Clerk (accounts payable) and submitted for purchase.

5. When the purchases are received, the packing slip is checked against the original order. Packing slip is forwarded to the Data Entry/Payroll Clerk.
6. All items costing shelf life of >1 year are labeled appropriately and inventoried by the appropriate persons. Inventories are maintained and monitored by the Director of Technology and Federal Programs Director.
7. Upon receipt of an invoice, the Data Entry/Payroll Clerk matches the invoice, purchase order, and packing slip.
8. The Director of Finance re-checks all documentation before processing checks for payment. The Superintendent approves all items in line for processing. Checks are processed, posted to the ledger and mailed to vendors by the Business Office Clerk.

SCA uses the chart of accounts, and Grants Accounting Online Reporting System (GAORS) provided by GADOE to plan, budget, expend, and drawdown funds.

### **Process for Monitoring Expenditure of Funds**

All expenditure requisitions are submitted to the Federal Programs Director for approval or rejection. The Federal Programs Director will review each requisition to determine if the expenditure is allowable or unallowable based on EDGAR, the annual needs assessment, the intent and purpose statement, SWP/DIP, CLIP and budget. The director then assigns the function and object code for the purchase by referring to the budget sheets for each federal program on the consolidated application budget pages and submits the requisition to the Finance Director.

The Federal Program Director collaborates with the Director of Technology to ensure that all technology equipment and items (hardware, software, digital cameras) purchased with federal funds are necessary and allowable according to identified needs and budget restrictions. These items purchased utilizing federal funds with a useful life of one or more years are tagged and inventoried.

In the years when the system is not monitored by the Cross-Functional Monitoring Team, the Federal Programs Director will complete a program specific Self-Monitoring Checklist. SCA will follow the four-year cross functional monitoring schedule as published by GaDOE. The Federal Program Director, as well as other appropriate staff members, participate in state and regional monitoring training and technical assistance sessions that are held face-to-face and/or online.

The Federal Programs Director works with the Finance Department to review monthly budget status sheets, the budget submitted through the consolidated application, as well as periodic payroll reports. These are used to monitor expenditures and verify that the appropriate personnel are coded and paid from Title I, Title II A, Title IV, IDEA, and any other budgets for federal funds.

### **Allowability Procedures**

Expenditure of Federal Funds: Federal funds are utilized to provide only services that are not mandated by state or federal law to students enrolled in the Scintilla Charter Academy who meet eligibility requirements for each program. The school may not use Federal funds to supplant and must use Federal funds to supplement funds that would be made available from non- Federal sources for the education of students (2 CFR Part 200, Subpart E). Expenditures are evaluated to ensure they are reasonable, allocable, and necessary.

### **Determining Allowability of Costs**

SCA uses the FISCAL POLICIES & PROCEDURES for internal financial controls as required by 2 Code of Federal Regulations (CFR) Part 200 and allowability under 2 CFR, Part 200.420-200.475. These procedures are set up to strengthen the internal control structure in order to safeguard its assets. The Federal Programs Director monitors the process throughout the grant development, budget, expenditure, and drawdown process.

When using federal funds for purchasing, Scintilla Charter Academy will follow guidelines detailed in the most current EDGAR handbook. All costs must be allowable under the federal cost principles and under the terms and conditions of the specific federal award. Expenditures must be aligned with budgeted items in the approved grant application. If expenditures are determined to be allowable but are not included in the budget, a budget amendment will be submitted. When determining how the district will spend grant funds, the Federal Program Director will review the proposed cost to determine whether it is an allowable use of federal funds before obligating and spending those funds on the proposed goods and services. The LEA uses the System Improvement Plan/CLIP,

Equity Action Plan, and Schoolwide Plans to determine prioritized needs. If a purchase address needs identified in the SIP, and meets allowability qualifications, it is allowable. Source documentation is kept on file to determine allowability. Any questionable expense will be directed to the Area Program Specialist for further clarification.

### **Factors Affecting Allowability of Costs**

SCA staff must consider the following elements when determining the allowability of a cost. In accordance with the federal cost principles, all costs budgeted and charged to a federal grant must be: Necessary, Reasonable, and Allocable for the performance of the federal award. To meet these qualifications, all expenditures must:

- align with program purpose and SCA's prioritized needs for the SIP
- supplement not supplant (this does not apply to ESSER I, II, and III)
- aligns to cost principles
- allocable to federal program as reference in 2 CFR. Part 200.420-200.475
- necessary and reasonable
- adheres to the period of performance (27 months)
- avoids conflict of interest
- be incurred during the approved budget period (the fiscal year of the budget)

### **RAMP/P Development**

SCA is a single school-LEA.

### **Segregation of Duties**

Scintilla Charter Academy requires the following segregation of duties associated with cash management to prevent errors and fraud. SCA segregates duties according to GAO-14-704G. No one person at SCA handles all aspects of the financial transactions.

The Federal Programs Director approves the Title I, Title II, Title IV, IDEA, ESSER I, ESSER II, and ESSER III, and any other federal program budgets. The budget is submitted and approved by the state. SCA adheres to the Internal Controls Listed Below.

1. Purchase order forms are housed in the business office and are numbered and therefore cannot be copied. All purchase order forms include "To the greatest extent practicable" for the preference of goods and materials produced in the U.S.
2. Each purchase order is submitted to the Federal Programs Director who then approves or rejects the purchase order. Approvals or rejections are dictated by the allowable/unallowable expenditures as dictated by EDGAR, the annual needs assessment, CLIP and budget. The Federal Programs Director then assigns the fund, program code, function and object code for the purchase using the Georgia state chart of accounts. If any budget amendments are required for allowable expenditures, the budget will be amended.
3. Purchase orders also require the approval of the Superintendent.
4. The approved purchase order is forwarded to the Data Entry/Payroll Clerk (accounts payable) and submitted for purchase.
5. When the purchases are received, the packing slip is checked against the original order. Packing slip is forwarded to the Data Entry/Payroll Clerk.
6. All items costing shelf life of >1 year are labeled appropriately and inventoried by the appropriate persons. Inventories are maintained and monitored by the Director of Technology and Federal Programs Director.
7. Upon receipt of an invoice, the Data Entry/Payroll Clerk matches the invoice, purchase order, and packing slip.
8. The Director of Finance re-checks all documentation before processing checks for payment. The Superintendent approves all items in line for processing. Checks are processed, posted to the ledger and mailed to vendors by the Business Office Clerk.

### **Written Procurement Procedures**

The following steps are followed in the expenditure of Federal funds after the budget, which is part of the Consolidated

Application, is approved.

The Federal Programs Director approves the Title I, Title II, Title IV, IDEA, ESSER I, ESSER II, and ESSER III, and any other federal program budgets. The budget is submitted and approved by the state. SCA adheres to the Internal Controls Listed Below.

1. Purchase order forms are housed in the business office and are numbered and therefore cannot be copied. All purchase order forms include "To the greatest extent practicable" for the preference of goods and materials produced in the U.S.
2. Each purchase order is submitted to the Federal Programs Director who then approves or rejects the purchase order. Approvals or rejections are dictated by the allowable/unallowable expenditures as dictated by EDGAR, the annual needs assessment, CLIP and budget. The Federal Programs Director then assigns the fund, program code, function and object code for the purchase using the Georgia state chart of accounts. If any budget amendments are required for allowable expenditures, the budget will be amended.
3. Purchase orders also require the approval of the Superintendent.
4. The approved purchase order is forwarded to the Data Entry/Payroll Clerk (accounts payable) and submitted for purchase.
5. When the purchases are received, the packing slip is checked against the original order. Packing slip is forwarded to the Data Entry/Payroll Clerk.
6. All items costing shelf life of >1 year are labeled appropriately and inventoried by the appropriate persons. Inventories are maintained and monitored by the Director of Technology and Federal Programs Director.
7. Upon receipt of an invoice, the Data Entry/Payroll Clerk matches the invoice, purchase order, and packing slip.
8. The Director of Finance re-checks all documentation before processing checks for payment. The Superintendent approves all items in line for processing. Checks are processed, posted to the ledger and mailed to vendors by the Business Office Clerk.
  - i.

### **Contract Administration**

Scintilla Charter Academy awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. SCA considers such matters as contractor integrity and business ethics, compliance with public policy, ability to complete the project on time in accordance with specifications, record of past performance, and the contractor's financial and technical resources.

Scintilla Charter Academy will check references where possible and engage in practical activities such as checking with the local Better Business Bureau and the Secretary of State's office to ensure there are no outstanding complaints against the contractor if applicable.

Scintilla Charter Academy will award a contract to a contractor who has the appropriate experience, expertise, qualifications, and any required certifications, necessary to perform the work. Contractors should also have financial resources to sustain the project while the initial work is being completed and during each service period until he or she submits invoices for payment to the district as work is completed. Contractors should have the proper equipment necessary to complete the contracted work.

Debarment and Suspension:

Scintilla Charter Academy will not contract/subcontract with or award sub-grants to any person or company who is debarred or suspended from receiving federal funds. The finance office will verify the status at the System for Award Management (SAM.gov) website before any procurement transaction expected to equal or exceed \$25,000 is paid with federal funds. <https://www.sam.gov/portal/SAM/##11>

Scintilla Charter Academy may also refer to the suspension and debarment list by state:

<https://www.gsaig.gov/content/suspension-and-debarment-sites-state>

Scintilla Charter Academy maintains the following oversights to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts. The schools are responsible to ensure that the terms, specifications, and conditions of the contract are being met. If there is a problem noted, it is the responsibility of the school to notify the program director regarding the situation. All records to detail the history of procurement are maintained in the business office.

The contract should include clearly defined deliverables and terms. SCA contracts including the following information:

- Service(s) being purchased/provided
- When service must be delivered (date)
- Names entering into contract (total fee/per hour)
- Timeframe of contract
- Method of payment
- Where services will be provided (location) signatures/dates
- Any other relevant information

### **Vendor Selection**

Vendor will be selected on the following criteria:

- the purchase price
- the reputation of the vendor and the vendor's goods or services
- the quality of the vendor's goods or services
- the extent to which the goods or services meet the district's needs
- the vendor's past relationship with the district
- the impact on the ability of the districts to comply with laws and rules relating to historically underutilized businesses
- the total long-term cost to the district to acquire the vendor's good and services
- the vendor's response time and compatibility of goods/products purchased already in the district.

### **Multiple-Year Contracts**

Multiple year contracts should include the opt-out clause to clearly state "if federal funds are no longer available, the contract will be void."

### **Settlement of Issues Arising Out of Procurement**

Scintilla Charter Academy is responsible for the settlement of all contractual and administrative issues arising out of procurements made with federal funds. These issues include, but are not limited to, source evaluation (analyzing information in order to assess their credibility), protests, disputes, and claims. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction. The Finance Director, Director of Federal Programs, and/or the Superintendent are responsible for handling and coordinating the settlement of any contractual and administrative issues arising out of procurements.

### **Protest Procedures to Resolve Disputes**

Scintilla Charter Academy will exhaust all efforts to resolve disputes relating to procurements made with federal funds. The protester must exhaust all administrative remedies with the district before pursuing a protest with a federal agency. The Finance Director, Director of Federal Programs, and/or the Superintendent are responsible for handling and coordinating any disputes relating to procurement.

### **Cost/Price Analysis for Federal Procurements in Excess of \$250,000**

Scintilla Charter Academy will make independent estimates of the goods and services being procured before receiving bids or proposals to get an estimate of how the goods and services are valued in the current market. To accomplish this, after bids and proposals are received, but before awarding a contract, the district will conduct either a price analysis or cost analysis, depending on the type of contract, in connection with every procurement with

federal funds in excess of \$250,000.

**Cost Analysis Non-competitive Contracts:** The cost analysis involves a review of proposed costs by expense category, which includes an analysis of whether the costs are allowable, allocable, reasonable, and necessary to carry out the contracted services. The cost analysis must be used for all non-competitive contracts, including sole source. When performing a cost analysis, the Financial Director negotiates a profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

**Price Analysis Competitive Contracts:** The price analysis determines if the lump sum price is fair and reasonable based on current market value for comparable products or services. In general, the price analysis can only be used with competitive contracts and is usually used with fixed price contracts. Total cost must be reasonable in comparison to current market value for comparable products and services.

### **Procurement Procedure/Method of Conducting Technical Evaluations of Proposals and Selecting Recipients/Bids and Quotations Procedures**

#### **Methods for Procuring with Federal Funds**

There are five methods that must be used when making purchases with federal funds. In some cases, these federal methods are less restrictive than the state and local requirements, if so then the local or state requirements must be followed. In all cases, the more restrictive requirements must be followed when making purchases with federal funds. The initiating teacher/staff member must complete a preliminary purchase request form for goods and/or services and submit it to the appropriate personnel. No purchase or contract shall be divided into parts for the purpose of avoiding the competitive bid process. SCA employees are required to follow procurement procedures with all purchases. If the cost exceeds the Micro-Purchase threshold, the Director of Federal Programs and the Director of Finance will ensure that appropriate steps are taken for the appropriate procurement method and that adequate documentation is received and procedures are followed specific to each method.

##### Informal Procurement Methods

- Micro-Purchases (Purchases up to \$10,000). §200.67 and §200.320(a). Micro Purchase is a purchase of supplies or services using normal acquisition procedures. To the extent practicable, SCA distributes micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if non-federal entity considers the cost reasonable.
- Small Purchases (Purchases between \$10,000 and \$250,000) §200.320(b). The federal threshold for small purchases is \$250,000. For purchases of goods or services between \$10,000 and \$250,000 using federal funds, the LEA must obtain price or rate quotations from an adequate number (at least two) of qualified sources through a "relatively simple and informal process."

**Simplified Acquired Threshold.** §200.88. One of the three following methods must be used, for purchases above \$250,000 when using federal funds: sealed bids; competitive proposals; or non-competitive proposals (sole source).

##### Formal Procurement Methods

- Competitive Sealed Bids
- Competitive Proposals

##### Noncompetitive Proposals

#### **Sealed Bids**

Bids are publicly solicited and a firm fixed price contract is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitations for bids, is the lowest in price. A complete, adequate, and realistic specifications or purchase description is available; two or more responsible bidders are willing and able to compete effectively for the business; and the procurement lends itself to a firm fixed-price contract and the selection

of the successful bidder can be made principally on the basis of price. For purchases made with federal funds, the Director of Federal Programs will solicit bids and the documentation will be kept on file in the business office and in monitoring files. The Federal Programs Director and Superintendent will ensure technical evaluations are conducted in compliance with Federal regulations. If questions arise regarding technical evaluations and Federal regulations, the Director of Federal Programs will contact a GADOE specialist specific to the federal program. The invitation for bids must be publicly advertised. All bids will be opened at the time and place prescribed in the invitation for bids. The bids must be opened publicly. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is the lowest. Any and all bids may be rejected if there is sound documented reason.

### **Competitive Proposals**

A competitive proposal is normally used with more than one source submitting an offer, and sealed bids is not appropriate. Request for proposals must be publicized and identify all evaluation factors and their relative importance. Proposals must be solicited from an adequate number of qualified sources. For purchases made with federal funds, the Director of Federal Programs will solicit proposals and the documentation will be kept on file in the business office and in monitoring files. The Federal Programs Director and Superintendent will ensure technical evaluations are conducted in compliance with Federal regulations. If questions arise regarding technical evaluations and Federal regulations, the Director of Federal Programs will contact a GADOE specialist specific to the federal program. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

### **Noncompetitive Proposals (Sole Sourcing)**

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used when using federal funds only when one or more of the following circumstances apply:

- The aggregate dollar amount does not exceed the micro-purchase threshold.
- The item is available only from a single source.
- The public emergency for the requirement will not permit a delay resulting from competitive bidding.
- The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to written requires from non-federal entity.
- After soliciting a number of sources, competition is determined inadequate.

If questions arise regarding technical evaluations and Federal regulations, the Director of Federal Programs will contact a GADOE specialist specific to the federal program.

### **Capital Equipment Purchases**

SCA will request prior approval from the program manager for any purchases for capital equipment which is any item over \$5,000.00. Once prior approval is received, documentation will be attached to the budget in the consolidated application.

### **Conflict of Interest Policy**

Scintilla Charter Academy ensures that employees, officers, or agents are not allowed to engage in the selection, award, and administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest.

- Definition: such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties

indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

- No employee, officer or agent may participate in selection, award, or administration of a contract supported by a federal award if he/she has a real or apparent conflict of interest.
- Chain of Command for reporting potential conflicts is as follows: Director of Federal Programs followed by the Superintendent. Should the employee being reported be potentially involved in the conflict, the Director of Student Information Systems shall be the alternate.
- Officers, employees, and agents of Scintilla Charter Academy may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. Nominal value is defined as less than \$25.
- Violation of these standards will result in reporting of said personnel to the Superintendent of Schools and if appropriate, local authorities. Any misconduct could result in suspension, loss of employment, and any other consequences that are applicable by law.
- Any violation of these procedures must be disclosed in writing, in a timely manner. All violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award must be reported as failure to make disclosures can result in (remedies for noncompliance, including suspension and debarment).
- This policy will be included in the Federal Programs Handbook, posted in the front lobby of the school, and be posted on the Federal Programs page of the school website.

### Written Personal Compensation Policies

#### **Time and Effort**

Time and effort records are maintained for all employees whose salaries or other compensation are paid in whole or in part with federal funds, not to exceed 100%. Charges to a federal fund for salaries and wages must be based on records that accurately reflect the work performed. Any employee who provides supplemental instruction outside of school hours must maintain a timesheet. The federal programs director will ensure that an annual periodic certification or personnel activity report will be maintained for all employees paid with federal funds.

#### **Periodic Certification**

Periodic Certifications are required for staff working on single cost objectives. Employees who work on a single federal program or cost objective, the charges for the salary/benefits must be supported by periodic certifications that the employee worked solely on activities appropriate for the grant program or cost objective. A periodic certification must 1) be completed at least annually in compliance with the LEA's internal controls, 2) be completed in an individual or group form after the fact, 3) account for total activity (not just that of one fund source), and 4) be signed after the fact by the employee, the Superintendent and the Federal Programs Director. A timesheet for the employee must be proved monthly prior to submitting time to the Director of Finance.

The Federal Programs Director is responsible for obtaining/completing the Periodic Certification form for the staff paid out of the respective program funds. The Federal Programs Coordinator monitors the Title I teacher/employee roster throughout the fiscal year by following all teacher resignations, terminations, and new hires. The roster is continuously updated as needed.

An annual periodic certification will be maintained for any employee who worked on one federal grant or one cost objective (job). These certifications will be completed after-the-fact. The certification will be completed at the end of June (or on the last contracted day of the school year for employees who do not work year-round). The forms are signed and kept on file in the office of the appropriate federal fund coordinator.

#### **Personnel Activity Report (PARS)**

A PAR will be maintained for any employee who works on more than one federal grant and more than one cost objective (job) and must account for the total activity. Split-funded personnel paid with federal funds are required to maintain monthly time logs and are signed by the employee after the fact. The Director of Federal Programs is responsible for collecting time logs at the end of each month. The logs are shared monthly among the employee, the Director of Federal Programs and the Superintendent. The Director of Finance is responsible for overseeing and monitoring the timeline for reconciliation and adjustment. Adjustments and reconciliation must be completed by the end of the year. At this time, SCA does not have any split-funded personnel.

## **Stipends**

Stipends are defined as compensation “for certain duties and responsibilities outside that of an employee’s normal duties, the School may provide a stipend.” Stipends may be paid for completing professional learning opportunities that have occurred above and beyond employee’s normal duties and outside of regularly scheduled hours. SBOE 160-3-3-.04 Professional Learning defines a stipend as “funds awarded to certified personnel and paraprofessionals for having successfully completed learning opportunities that have occurred at any time during the fiscal year outside of the employee’s normal contract/work hours.” The professional learning must be a part of the strategic plan and/or district improvement plan. The federal program director will maintain the required paperwork to ensure employees are adequately compensated, including agenda, sign-ins and other deliverables. Each employee who receives a stipend collaboratively completes a stipend contract prior to the off-contract or additional hourly work being completed. The stipend contract is approved by supervising parties and submitted to the Director of Finance who ensures proper payment to the employee through payroll, during a pay period after the event occurs.

The Federal Program Director and Director of Finance ensures the stipend amount is charged to the federal program fund indicated on the stipend contract. Stipends must be reasonable and necessary to the federal programs. Stipends may be awarded only if the following conditions exist:

- There is evidence that the knowledge, skills, practices, and dispositions gained from the professional learning activity are aligned to an approved individual plan, or a school or LEA initiative and/or product, and/or specific goals; and
- There is evidence that the knowledge, skills, practices, and dispositions developed through participation in, or facilitation of professional learning have been implemented/ demonstrated in the classroom/work setting; and
- Participation occurs beyond regular contract hours, days, or school year.
- State and federal funds designated for professional learning shall not be used to pay stipends to school board members or to school council members who are not employees of the LEA.

## **Hazard Pay**

In regards to ESSER I, II, or III funds, Employees may receive hazard pay for national or local emergency to perform critical services. Instances when this may happen may include a pandemic or natural disaster. Employees will be compensated for fully completing an objective from a supervisor related to the aforementioned conditions.

## **Travel Policy and Procedures**

Scintilla Charter Academy follows the Georgia State Accounting Office’s official travel regulations. <https://sao.georgia.gov/travel>. All travel costs must be reasonable and consistent with written travel policy/of follow GSA 48 CFR 31.205-46a as well as Scintilla’s written reimbursement procedures. A necessary expense is one for which there exists a clear business purpose and is within the State’s expense policy limitations. A clear business purpose contains all information necessary to substantiate the expenditure including current position, the purpose for attending, and an agenda that supports the school improvement plan. Receipts are required with the travel expense report for the following: airline fares, hotel expenses, rental cars, meals, rail fares, registration fees, parking, taxi fares, and airport vans. The individual who incurred the expense must submit all expense reports. Under no circumstances should an individual approve his/her own expense report.

The following steps are used to document registration and travel expenditures:

- The employee receives permission from the Director of Federal Programs to attend a Federally-funded activity 2 CFR 2 CFR §200.404(a)).

- Registration fees, if applicable, may be paid at the school/district level or may be paid by the employee and included on the travel reimbursement form.
- After attending the activity, the employee submits a travel reimbursement form with the appropriate supporting documentation attached (2 CFR §200.474(b)). This form is submitted to the Program Director for his/her signature.
- An agenda or other method of explanation that participation of the individual is necessary for the project must be provided.
- Supporting documentation shall include meeting/conference agenda, proof of mileage traveled, receipts for parking, registration fees (if not pre-paid), and any other documentation to support the reimbursement requests.
- The Program Director submits the completed and signed travel form to the Federal Programs Director for approval signature or rejection and funding coding.
- The Federal Programs Director submits the approved travel form to the Superintendent.
- The Superintendent submits the approved travel form to the Finance Director.
- The Finance Director enters the travel form for processing and the Data/Payroll Clerk processes the payment.

### Reimbursement Procedures

Prior approval is required for all reimbursements by completion of a purchase order designated for reimbursement and signed by the Superintendent and Federal Program Director. Once the purchase order has been signed, the staff member can proceed with the activity/purchase and follow by submitting a completed reimbursement form.

### Procedures for Transferability

In FY23, SCA will transfer funds from Title II, Part A and Title IV, Part A to Title I. When funds are transferred into a program, the funds become subject to all rules and regulations of the receiving program. SCA will indicate in the CLIP that program funds have been transferred to Title I and will confirm that the sending program budgets are completed and approved. If applicable to SCA, the Title I budget will be adjusted for 1% PFE, Private School Proportionate Share, and Indirect Cost. The Federal Programs Director will collaborate with the Director of Finance to determine how funds are coded for each program. Funds will be drawn down from the transferring program first (until there is \$0 balance) before drawing down any funds from the program receiving transferred funds. The drawdowns for the sending programs will be completed in the DE0147 for that program and the Title I drawdown will be completed in the DE0147 for Title I. The actual expenditures for all programs will be reported on the Title I Completion report by function and object.

### Procedures for Consolidation

Scintilla participates in the Consolidation of Funds cohort. SCA will follow all guidelines set forth in the GADOE's Consolidation of Funds Manual for consolidated program funds. Scintilla consolidates Federal funds with local and state funds. Expenditures will support the School Improvement Plan and will meet the Intent and Purpose of each Federal Program.

### Inventory

## **Scintilla Charter Academy Management of Equipment Inventory-Policy and Procedures**

### **Purpose:**

The purpose of this policy is to provide guidelines for school officials with regard to the management of the school's equipment.

### **Definitions:**

Equipment: According to 2 C.F.R. Part 200.1 (Definitions), equipment is defined as an article of nonexpendable, tangible personal property (including information technology systems) having a useful life of more than one year and an acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-profit organization for financial statement purposes, or \$5,000. means tangible personal property (including information technology

systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000. See also the definitions of capital assets, computing devices, general purpose equipment, information technology systems, special purpose equipment, and supplies in this section. (See also 2 C.F.R. Part 200.1 Capital assets, 2 C.F.R. Part 200.453 Computing devices, 2 C.F.R. Part 200.439 General purpose equipment, 2 C.F.R. Part 200.1 Information technology systems, 2 C.F.R. Part 200.439 Special purpose equipment, and 2 C.F.R. Part 200.453 Supplies.) For equipment with a single unit cost of \$5,000 or more they are considered capital expenditures. These purchases are special equipment purchases and are allowable as direct costs, provided that items with a unit cost of \$5,000 or more have the prior written approval of the Federal awarding agency or pass-through entity (2 C.F.R. Part 200.439(b)(2)). See the section on Capital Expenditures for approval procedures.

**Policy Statement:**

SCA shall, in accordance with 2 C.F.R. Part 200, maintain and adhere to the required guidelines for the management of the school's equipment.

***The following guidelines apply to ALL equipment and supplies unless otherwise specified.***

**Guidelines:**

1. SCA shall identify and maintain inventory of its equipment and supplies.
2. The Director of Technology shall properly label all equipment and supplies.
3. Federally funded equipment must be identified with labels in order to reconcile the item with the purchasing inventory records. The label should mark the equipment with appropriate federal program name and include the fiscal year of purchase and property of the respective LEA.
4. The school shall retain such property in a program as long as there is need for such property to accomplish the purpose of the program for which it was purchased.
5. The acquisition of equipment must follow SCA's internal controls procedures listed in the federal programs procedures manual which includes having prior approval of the Dean and the Federal Programs Director, being based on a need identified in SIP/CLIP and meeting the requirements of the funding program.
6. Upon approval by the Superintendent and program director, the purchase order will be processed and the order will be placed. Once items are delivered to the school, the Director of Technology will be notified (as appropriate based on type of item and funding program).
7. The Snipe-IT Inventory Management Program is used by the Director of Technology to record equipment and supplies schoolwide. However, a separate spreadsheet that aligns with the format recommended in the Title I, Part A Inventory Review Guidelines will also be maintained. Once the purchased item is received by the school and delivered to the Director of Technology, the item will be inventoried within 5 business days.
8. The Superintendent, Federal Programs Director and Director of Technology shall maintain accurate records on all equipment and supplies as follows:
  - a. A description of the item,
  - b. A serial number or other number of identification (when applicable),
  - c. Vendor
  - d. Use
  - e. The cost of the item,
  - f. The acquisition date of the item,
  - g. Where the item is located, its condition, and the date this information was recorded, and
  - h. Inventory check datesAdditionally for Federally funded equipment and supplies:
  - i. The date received (if the item was furnished directly by the Federal Government).
  - j. The source of funding for the item (including the FAIN),
  - k. Whether the title of the item vest with SCA or the Federal Government,
  - l. Information from which one can calculate the percentage of Federal participation in the cost of the item,
  - m. The allowable use of the item,
  - n. Any ultimate disposition data including the date of disposal and sale price of the item.

9. After items are received and entered into the inventory management program, a barcode label is created that includes the following information as applicable: Scintilla Charter Academy, Funding Year, Funding Program, and Barcode.
10. All equipment and supplies records shall be kept in a secured location and access shall be limited to the Superintendent, Federal Program Director and/or Director of Technology.
11. The Superintendent, Federal Program Director and/or Director of Technology, or his/her designee, must at least once annually make careful inspection and take physical inventory of the school's equipment, and reconcile the results with the equipment's records in a timely fashion. He/she must also make a random spot check of federally funded equipment mid-year.
12. Personnel must at least once annually make careful inspection and take physical inventory of textbooks and other permanent supplies issued to them, and submit the results to the Superintendent before the last week of school. The Superintendent, or his/her designee, must reconcile the submitted supplies reports with the supplies records in a timely fashion.
13. SCA shall make every effort to ensure that Federally funded equipment is used only for the allowable purposes of the project during the period of performance, or until the property is no longer needed or functional for the purpose/program for which it was purchased. As such, SCA must ensure proper communication with personnel on:
  - a. The legal requirement of "allowable" use only, and
  - b. What the allowable uses are for the Federally funded items they will be using.
14. SCA shall ensure that all equipment requiring routine maintenance is appropriately maintained so as to keep the property in good condition.
15. SCA shall provide safeguards for preventing the loss, damage, or theft of the school's equipment and supplies. Examples of such safeguards include, but are not limited to, the following:
  - a. Lock and Key Storage to designated personnel (Administrators),
  - b. Resource Officer,
  - c. Surveillance Cameras, and
  - d. Check-out Procedures.
16. Any suspected theft, loss, or damage of equipment or supplies shall be immediately reported to the Superintendent, and must be investigated by the Superintendent, Federal Programs Director and/or Director of Technology. Should his/her investigation reveal any suggestion of theft or purposeful damage in relation to the school's equipment or supplies he/she must immediately notify the local police authorities. If Federally funded equipment or supplies are involved the Federal Programs Director must also immediately notify the awarding agency. The Director of Technology and the Federal Programs Director (if applicable) will update the inventory list as applicable.
17. If discrepancies are found during spot-checks or annual inventory reviews, such discrepancies will be recorded on the Inventory Control Form, signed and dated, and corrected within five days. The form will be filed by the Director of Technology and the funding program director when applicable.
18. Personnel shall be held responsible for all equipment/supplies assigned to their room.
19. Personnel and students shall be held responsible for equipment/supplies that have been issued to them for their use.
19. If equipment/supplies are moved from one location to another, personnel will complete the Technology Relocation form and submit it to the Director of Technology. If the item was funded with federal funds, the Director of Technology will submit a copy of the Technology Relocation from the Federal Programs Director.
20. Work order reports for maintenance will be submitted to the Director of Technology. In cases where equipment repair cannot be handled by the Director of Technology, the Director of Technology will seek guidance from the Federal Programs Director if the equipment is permanently damaged or undergoing repair for an extended, unreasonable amount of time.
21. Equipment items with an acquisition cost/current per unit market value of less than \$5000 and are more than three years old may be retained, sold, or disposed of with no further obligation by GaDOE. The disposition of such items should be noted on the equipment inventory maintained by SCA and approved by the Superintendent and Federal Programs Director (if purchased with federal funds).
22. Equipment items with an acquisition cost/of \$5000 or more may be retained or sold and the awarding agency shall have the right to the amount calculated by multiplying the current market value or proceeds from the sale by the

awarding agency's share of equipment. In such situations, SCA will submit the appropriate documentation to the federal programs area consultant for review and guidance. The disposition of such items should be noted on the equipment inventory maintained by SCA and approved by the Dean and Federal Programs Director (if purchased with federal funds).

23. Disposition records must include the equipment's serial or identifying number; the sale price if applicable; reimbursement to the federal program if applicable; and a record of the date, reason, and method of disposal. SCA will keep disposition records for five years after the disposition of the item. SCA's Director of Technology will be responsible for and oversee disposition procedures.
24. Off-site Use of Equipment: SCA has developed written procedures for an effective tracking system for all equipment used off site. The form required for completion includes documentation that includes the date the equipment was taken off-site, use of the equipment, the person responsible for the equipment used, the date the equipment was returned, and the condition of the equipment on return.
25. Approval is required by the Federal Programs Director for the disposition of any equipment purchased with federal funds that is no longer needed.

\*SCA is currently a Title I, Part A Schoolwide Program. If SCA becomes a Title I, Part A Targeted-Assistance program, SCA will add procedures to address the allowability for use by identified students and for non-Title I students.

\*As a state-commissioned charter school, SCA is not required to provide services to students enrolled in private schools. In the event that SCA begins to serve private schools, this handbook will be amended to reflect all requirements for services to private school children.

### [Cash Management and Drawdowns](#)

The Finance Director is responsible for drawing down federal funds. After the original budget is approved, the Finance Director prepares requests for reimbursement (DE0147) in the GaDOE portal through the GAORS module based on prior expenditures. Drawdowns are made in a time frame to ensure the LEA does not exceed the maximum allowable carryover. A report from PC Genesis is generated so the funds requested are on a reimbursement basis only. In the rare event that funds should be requested before they are spent, it is for immediate (no more than three days prior) needs only. Scintilla Charter Academy requests for reimbursement of funds so that excess cash balances are not maintained. In the rare event that excess cash balances exist, they will be promptly withdrawn and returned to the GaDOE.

The Director of Finance has received both formal and informal training and is familiar with the Federal and State Grants guidelines of Cash Management/Payment.

The Director of Finance closes the books each month to ensure that the expenditures are recorded in the right month and to the correct fund source.

The Director of Finance runs a PC Genesis report to determine the funds expended to date for various federal programs.

The Director of Finance prepares the supporting documentation for drawdowns and forwards it to the program director and/or Federal Programs Director and Superintendent who review the documentation and approve and sign off on the Federal Programs Funds Request Form which includes the amount to be requested which is equal to the expenditure printout minus any previous drawdowns.

The Director of Finance then creates and submits a DE0147. The supporting documentation and corresponding DE0147 is kept on file to justify the funds drawn.

The Director of Finance keeps a check on the balances for each grant. The Director of Finance and the Federal Programs Director monitor drawdowns to help ensure students receive the maximum benefits of the federal programs and Scintilla Charter Academy does not exceed the maximum allowable carryover per program. The Board's policies and procedures help to ensure correct Cash Management activities. The organization understands the need for appropriate cash management.

Significant aspects of controls are tested as part of the Test of Controls sections of the Georgia Department of Audits

program.

Copies of the following are kept in the Finance Director's office:

- Completion reports for previous fiscal years
- Accounting records to support the results of outlays (expenditures indicated in the completion report)

SCA does not use subrecipients. In the future, if SCA used subrecipients, a method of evaluating subrecipient requests will be included in the Federal Programs Handbook and procedures will be established to include 1) selection of sub-recipients, 2) development of legal contract, 3) payment determinations to subcontractors, 4) monitoring and evaluation, and 5) termination of sub-recipients.

For funds transferred, funds will be drawn down from the transferring program first (until there is \$0 balance) before drawing down any funds from the program receiving transferred funds.

The Director of Finance Director is responsible for completing and submitting the Completion report. Completion reports are annual reports required by the GaDOE for all grant funds. Reports are due thirty days after the end date for each grant. Prior to preparing the completion report, the general ledger report for each grant will be reviewed by the Superintendent and the Federal Programs Director to ensure that all expenditure postings are correctly recorded. Supporting documentation is kept on file in the business office.

## **INDIVIDUAL FEDERAL PROGRAMS**

### **SECTION 6 - WITHIN DISTRICT ALLOCATION PROCEDURES**

#### **General LEA Selection and Allocation Requirements**

SCA is a single school LEA and does not allocate funds within the district.

SCA is neither under a state-ordered nor court-ordered desegregation plan. SCA's attendance zone includes Valdosta City, Lowndes County, and Brooks County. We adhere to open enrollment guidelines per state guidance.

SCA is not residential treatment facility.

#### **Rank Ordering and Allocation Procedures**

SCA is a single school LEA.

SCA uses school nutrition data for poverty determinations.

SCA uses the eligible attendance area worksheet embedded in the Title I consolidated application.

For school-wide programs where participation is offered based on teacher referral to a select group of eligible Title I students, a multiple, educationally related objective selection criteria will be established for eligibility.

#### **LEA Reservation of Funds**

Scintilla Charter Academy will use one of the approved methods for calculating the Homeless set-aside. In FY23, Scintilla Charter Academy will use Method #1 to calculate the homeless set aside: 1) Identify homeless students and fund accordingly. If no students are identified during the 2022-2023 school year, a budget amendment will be submitted before the amendment deadline and submission of the FY23 completion report.

As a state-commissioned charter school, SCA does not serve centers for neglected and delinquent children or receive funding for these services.

SCA's Title I, Part A allocation is currently less than the \$500,000 required to reserve 1% for parent involvement. If SCA's Title I, Part A allocation exceeds the \$500,000 threshold, procedures will be established to ensure the correct calculation

of funds.

### [Equitable Services for Private School Participants](#)

As a State Commissioned Charter School, SCA is not required to provide services to students enrolled in private schools. In the event that SCA begins to serve private schools, this handbook will be amended to reflect all requirements for services to private school children.

## **SECTION 7 - PROFESSIONAL QUALIFICATIONS**

### [Procedure for Ensuring Appropriate Hiring and Assignment of Professionally Qualified Teachers/Paraprofessionals](#)

Instruction at SCA is provided by highly effective teachers and paraprofessionals who meet the requirements of the state of Georgia and Title I.

During the hiring process, the Director of Student Information Systems will verify the educator's certification in PSC to determine if the potential employee meets the requirements for PQ. If the potential employee does not meet the requirements but a waiver is allowed, equivalent credentials will be determined and included in the employee's personnel file. Deans of Schools create master schedules for their schools and identify class needs. Prior to assigning a teacher to a specific class or course, the Dean of the School will check with the Director of Student Information Systems to see if the teacher holds the appropriate certification. If not, the Dean of School will contact the Federal Programs' Director to see if the teacher meets the district's minimum professional qualifications. If it is a special education teacher or EIP teacher, the Dean of School and Director of Student Information Systems will work with these coordinators to develop a plan to change the schedule or ensure the teacher becomes certified. The Dean of School will assign the teacher to the course if the teacher is professionally qualified or meets State Certification requirements. If the teacher is not professionally qualified and there is no other professionally qualified teacher available, the Dean of School will work with the Director of Student Information Systems to identify the steps needed for the teacher to become professionally qualified. A certification plan will be created with specific steps to gain professional qualified status. The Dean of School will provide a list of courses with assigned teachers to the Director of Student Information Systems once this step has been completed. The Director of Student Information System will enter the teaching assignments into the student information system and will notify the Federal Programs Director when this step is completed. In July and December, the Federal Programs Director will ensure that teachers are either professionally qualified or have a certification plan in place. The Federal Program Director will provide technical assistance to Deans of School during monthly leadership meetings throughout the year.

Professional qualifications for special education teachers cannot be waived. When Deans of School assign teachers to special education classes, they must work with the Federal Programs Director and Special Education Director to ensure that the teacher has the required certification(s) to teach the students with disabilities in the class. Certification will also be checked when there is a schedule change for special education students. Special attention is given to adapted curriculum certification and courses. In the instance that a professionally qualified teacher is not available to teach the class, a certification plan is developed that outlines steps to achieve professionally qualified status or the schedule is changed.

The Federal Programs Director is responsible for monitoring in-field reporting and correcting data if needed. Both content and service area (EIP, ESOL, Gifted, SPED) will be checked for in-field status for every teacher and teaching assignment. In-field reports will be checked in the GA PSC In-Field Portal each time the portal data is available. The reports will be reviewed with principals in the district's leadership team and principal meetings to address out-of-field teachers. The Federal Programs Director is responsible for working with the Director of Student Information Systems to correct data as needed.

SCA's Federal Programs Director and Director of Student Information Systems will participate in training on accurately reporting professional qualifications and maintain documentation of training. With SCA being a state commissioned

charter school, this training will include training specific to the use of charter waiver codes

SCA's instructional leaders provide an increased level of curriculum and instructional support for teachers new to SCA, new to a grade level or subject area, and at-risk teachers as well as connecting them with other staff members for peer observation and mentoring opportunities to best fit their needs.

### **Procedure for Ensuring Parent Notification of Right to Request the Prof. Qualifications of Teachers and Paraprofessionals**

#### Right to Know

Each year the Director of Federal Programs updates the Right to Know notification to include any updated language based on guidance from GADOE. The Director of Federal Programs will verify the notification content, verify dissemination of notification, maintain notification documentation, and ensure any requests are replied to in a timely manner.. All families will be notified within 30 days of the start of school year.

#### Month/Date of Dissemination

In compliance with the requirements of the Every Students Succeeds Act, Scintilla Charter Academy would like to inform you that you may request information about the professional qualifications of your student's teacher(s) and/or paraprofessional(s). The following information may be requested:

- Whether the student's teacher—
  - has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
  - is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and
  - is teaching in the field of discipline of the certification of the teacher.
  
- Whether the child is provided services by paraprofessionals and, if so, their qualifications.

Upon enrollment, the system provides notification in a format that is understandable and will ensure that all parents have the opportunity to receive the information in multiple ways. The Director of Federal Programs will ensure families of all new and returning students are notified of the Right to Know notification in a variety of ways. This includes, but is not limited to, the student handbook, a letter sent home requesting sign-off of review of the notification, and posting on the school website. To the extent practicable, the notification will be provided in a language that parents may understand.

### **20 Day Notification of Professional Qualifications**

In accordance with ESEA, all schools are required to provide timely notice to parents when students have been taught for four or more weeks by a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area in which the teacher has been assigned. Notification requirements apply to all teachers in all schools/programs. Notifications will be sent within ten business days following the four consecutive weeks. For verification purposes notifications must contain: day, month, and year of notification; the name of the teacher who has not met professional qualification requirements, the name of the LEA; the point of contact by position, and a statement that the teacher has not met state certification or the district's charter waiver PQ requirements for the grade and subject in which the teacher is assigned. The notification will be sent in a format that ensures parents have the opportunity to receive the information. This may include first-class mail, parent link communication and/or email blast. To the extent practicable, the notification will be in a language the parent will understand. This applies to all teachers in all schools/programs.

### **Professional Learning Goals/Plans**

SCA requires the initiation of professional goals and plans for applicable staff.

### **Intent to Waive Certification**

State whether or not the district waives certification under Georgia charter law (OCGA 20-2-2065) or State Board Rule - Strategic Waivers (160-5-1-.33).

Certification is waived under SCA's broad flexibility waiver.

### **Waiver Recipients**

During the 2022-2023 school year, SCA will allow for certification to be waived for teachers in all content fields and grades K-8 (except for special education for service and EIP) through SCA's broad flexibility waiver as a charter school. All paraprofessionals are required to hold a valid state license issued by the Georgia Professional Standards Commission (GaPSC).

### **Minimum Qualifications**

The minimum requirement is a GAPSC Clearance Certificate.

## **SECTION 8 - TITLE I, PART A NOTICE TO PARENTS**

SCA will provide notice to parents of participating English Learners not later than 30 days after the beginning of the school year. For those children who have not been identified as ELs during the school year, the LEA shall notify the children's parents during the first two weeks of the EL being placed in a supplemental language program funded by Title I or Title III.

## **SECTION 9 - TITLE I, PART A, PARENT AND FAMILY ENGAGEMENT**

### **Meaningful Consultation with Parents, Families, and the Community**

SCA uses a checklist to ensure that required Title I documentation is completed at required time. The Parent and Family Engagement Input Checklist provided by GaDOE is also used for documentation.

### **Procedures on How Parents Are Able to Provide Input on the Parent and Family Engagement Policy**

SCA is required to have a Parent and Family Engagement Plan. The School Parent and Family Engagement Plan is reviewed and revised annually with parents, families, and other stakeholders (teachers, administrators, and other school personnel). All Title I parents, families, teachers, administrators, and other school personnel in the school are invited to the meetings to provide input. The Federal Programs Director will be responsible for collecting the required information (agenda, meeting notes, and sign in sheets). Notifications of the meetings are sent home as a paper copy in each child's communication folder, emailed as an invitation, shared on social media, and included in the school newsletter. Also, parents may review and provide feedback by viewing the plan, which is available on the school website. The Parent and Family Engagement Policy checklist is applied to the policy. The revision date is clearly marked on each plan.

Additionally, parents and families complete surveys in the spring regarding parent and family engagement practices and activities. The Federal Programs Director will be responsible for setting up meetings and collecting required information (agenda, meeting notes, and sign in sheets).

Parent and Family Engagement workshops and activities are planned for the following year from the annual spring survey results. Many opportunities are provided for building strong parent capacity. The purpose is to ensure effective engagement of all parents and families and to support a partnership among the school, parents, families, and the community to improve student academic achievement through at minimum, the following activities:

- Annual meetings
- Conferences
- E-mail communications
- Phone calls
- Coffee Chats
- Celebrations of Learning

- Student-led Conferences
- Volunteering
- Open Houses
- Newsletters/flyers/brochures
- Website information
- Board of Education meetings

#### **Procedures on How Parents Are Able to Provide Input on the School Parent Compact**

SCA is required to have School-Parent Compacts. It is the responsibility of the Federal Programs Director to make sure that our compact is reviewed and revised annually. The review and revision will occur in the Summer of the year. Revision dates will be clearly marked on the compact. Parents and families will be notified using a variety of methods of meeting dates at each site to review the school compact. The Title I Director, who serves as the Parent and Family Engagement Coordinator, will collect feedback regarding compacts. Also, parents may review and provide feedback by viewing the compact, which is available on the school webpage.

School parent compacts will include responsibilities for the teacher, parent and families, and students. Compacts will be distributed to all parties involved for signatures in the fall of the year following additional revisions if necessary. Additional copies are available at all family engagement events and in the front lobby at all times. Copies of the signed parent compacts are kept on file at each site and a copy will be maintained by the Federal Programs Director.

#### **Procedures on How Parents and Families Are Able to Provide Input on Building Capacity**

Information is provided to school personnel and parents on how to build parent capacity through presentations made during meetings, through response to parent needs on surveys, and through student handbooks, newsletters/flyers.

Parent and Family Engagement workshops and activities are planned for the following year from the annual spring survey results. Many opportunities are provided for building strong parent capacity. The purpose is to ensure effective engagement of all parents and families and to support a partnership among the school, parents, families, and the community to improve student academic achievement through at minimum, the following activities:

- Annual meetings
- Conferences
- E-mail communications
- Phone calls
- Coffee Chats
- Celebrations of Learning
- Student-Led Conferences
- Volunteering
- Open Houses
- Newsletters/flyers/brochures
- Website information
- Board of Education meetings

#### **Input into the 1% set-aside for Parent and Family Engagement Activities**

SCA's Title I budget is less than \$500,000; therefore the 1% set-aside for Parent and Family Engagement activities is not required.

#### **Procedures on How SCA Provide Technical Assistance on Parent and Family Engagement Requirements**

SCA is a single school system LEA. The Director of Federal Programs Director attends the Federal Programs Conference participates and reviews emails, webinars, newsletters, and other communication from GaDOE. Information is provided to school personnel and parents/families on how to build parent capacity and how to build staff capacity based on input provided from parents and families in meetings, input provided by parents and families needs on surveys, through information received from the GADOE Parent Engagement department, and through student handbooks, newsletters/flyers.

### [Distribution of Multiple Ways and Accessibility](#)

Scintilla Charter Academy distributes the School Compact and the Parent and Family Engagement Policy by sending a copy home in each student's communication folder. These plans as well as the School Improvement Plan are posted on the school website and available in the front office lobby. Input into the content of each plan is solicited during multiple meetings throughout the school year. All material will be made available in an alternate language/presentation if requested.

### [Development of School Parent and Family Engagement Policy/Plan, School-Parent Compact](#)

The School Parent and Family Engagement Policy/Plan and the School-Parent Compact will be developed to include all of the required components.

### [Evidence of Building Capacity of School Staff and Parents](#)

SCA will maintain documentation to provide evidence that SCA is meeting the requirements for building capacity for involvement.

## **SECTION 10 - SCHOOL IMPROVEMENT 1003(A)**

SCA is not classified as an alert, focus, or priority school. In the event that SCA begins to receive these funds, this handbook will be amended to reflect all requirements for the funding.

## **SECTION 11 – SERVICES FOR HOMELESS CHILDREN AND YOUTH**

### [Procedures for Education for Homeless Children and Youth](#)

#### **SCINTILLA CHARTER ACADEMY**

##### *Procedure for Educating Homeless Students Identified Under McKinney-Vento Homeless Assistance Act*

#### **A. IDENTIFICATION**

Homeless children and youth will be identified through the following sources:

1. The Homeless Liaison will provide training to school staff during pre-planning each year in identifying students who may qualify as homeless. The information should include the importance of sensitivity in dealing with families experiencing homelessness. Staff should be provided with written materials and given opportunities to ask questions.
2. School personnel will inquire about homelessness upon enrollment of students through use of the enrollment application.

During the enrollment process, each parent/guardian is given the *Residency Questionnaire* to screen for students who may be potentially eligible for the McKinney Vento Program. When either of the first two questions are marked "Yes", the Federal Programs Director is to be contacted to further investigate and determine eligibility. Information on eligibility will be shared with the Homeless Liaison for Scintilla Charter Academy. The Director of Student Information Systems shall be responsible for updating State Reporting screens in the student data system for each eligible student with appropriate current criteria.

- 1) Code Homeless as "Yes"
  - 2) Code Primary Night Shelter: 1- Shelters, 2- Double-Up, 3-Unsheltered or 4-Hotel/Motel.
  - 3) Code Environment: 1-institution for neglected, 2- institution for delinquent, 3- homeless, or 4-unaccompanied youth
3. School personnel will notify the Homeless Liaison of any possible students in who are or may be homeless.
  4. The Homeless Liaison will consult with community agencies to identify homeless students. In addition, posters about the McKinney-Vento Act shall be displayed in the front office and local agencies that offer services for families experiencing homelessness. In addition, the Homeless Liaison should maintain familiarity with community agencies that have resources to help families experiencing homelessness. Posters about the McKinney Vento Program are to be given to these agencies.

#### **B. SCHOOL SELECTION**

There is only one school within this LEA, so there are no requirements with regard to school selection.

**C. ENROLLMENT AND WITHDRAWAL OF HOMELESS STUDENTS:**

1. Enrollment:
  - a. The Records Clerk or designee shall notify the Homeless Liaison when a homeless student is identified.
  - b. The school shall provide the parent/guardian with information regarding Homeless services
  - c. Homeless students qualify for free breakfast and lunch. To obtain free lunch for a homeless student the Parent/guardian or school must complete and sign a Student Residency Questionnaire and forward it to the Homeless Liaison to determine eligibility. If the student qualifies for free meals under the McKinney-Vento Homeless Assistance Act, the Homeless Liaison will contact the Nutrition Program about the student's immediate qualification for free lunch. Free lunch for homeless students will extend to the end of the school year.
  - d. When students enroll without records (i.e., transcripts/grade reports, birth certificate, immunizations/health records) the Principal or designee shall:
    - i. Contact the former school to request the student's records and discuss immunization information and tentative placement;
    - ii. Create a cumulative record if it is determined that the records are not available;
    - iii. Refer the student to public health and provide follow-up to ensure that the student has been immunized, if there are no immunization records;
  - e. Parents/guardians shall provide the school with contact information.

2. Withdrawal:

Homeless students often leave school without officially withdrawing. If the school is contacted by another district for a homeless student's records, requested information shall be provided and school records sent within 15 days to the receiving school district.

**D. TRANSPORTATION:**

1. Scintilla Charter Academy does not provide schoolwide transportation. However, If the student continues enrollment at Scintilla Charter Academy while staying at a temporary residence, transportation will be provided to and from Scintilla Charter Academy if requested by the parent/guardian/caregiver/unaccompanied youth. Provision of transportation assistance will be made in the best interest of the child. Requests for transportation may be made directly to the homeless liaison or the school superintendent.

**E. DISPUTE RESOLUTION:**

1. If a dispute arises over enrollment:
  - a. The parent/guardian shall be provided with a written explanation of the school's decision, including the right to appeal.
  - b. The dispute shall be presented to the School's Homeless Liaison who will then consult with the Federal Programs Director.
  - c. If the matter is not resolved at that level, the family may appeal to the Scintilla Charter Academy Board of Directors for a decision.
2. Once the District's decision has been reached, the parent/guardian shall be provided with a written explanation of the School's decision and the parent/guardian's right to appeal such a decision.

**F. ROLE OF THE HOMELESS LIAISON:**

The role of the School's Homeless Liaison is to provide that:

1. Homeless students and unaccompanied youth:
  - a. Are identified by school personnel;
  - b. Enroll in and have an equal opportunity to succeed in school;
  - c. Receive educational services for which they are eligible; and
  - d. Are referred to community agencies if other support resources are needed.
2. Parents/guardians of homeless students are made aware of educational and related opportunities available to their children and are provided with a meaningful opportunity to participate in their children's education.
3. Enrollment disputes are mediated in accordance with the McKinney-Vento Homeless Assistance Act;

4. Students who do not have immunization or medical records are assisted;
5. Collaborate and coordinate with State Coordinators for the Education of Homeless Children and Youth and community and school personnel responsible for providing education and related support services to homeless children and youth.
6. Assignment of Homeless Liaison: The Superintendent and/or Federal Programs Director will designate an employee to serve as the Homeless Liaison for students in Scintilla Charter Academy. The Liaison will be familiar with community agencies and resources that would be beneficial for families experiencing homelessness.

#### **Process for Establishing Set-Aside for Homeless Children & Youth**

SCA is required to budget a set-aside for Homeless Children and Youth. The amount budgeted is based on the number of students identified as homeless at the time the Title I budget is submitted. The Title I budget may be amended for allowable services if additional funds are needed for homeless students.

#### **LEA Procedure for Providing Awareness & Contact Information**

The school counselor at SCA has been given posters on the educational rights of students experiencing homelessness to post at SCA. Additional posters have been supplied by SCA's Family and Community Engagement Coordinator to ensure that information is posted at the local Department of Family and Children Services, Department of Juvenile Justice, Department of Health and local mental health centers. The posters have the name and contact information of the Homeless Liaison for SCA and the regional contact person for the Georgia Department of Education.

#### **SECTION 12 - SERVICES FOR NEGLECTED AND DELINQUENT CHILDREN**

SCA does not serve centers for neglected and delinquent children or receive funding for these services.

#### **SECTION 13 - PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK**

SCA does not receive funding for children for neglected, delinquent or at-risk.

#### **SECTION 14- SERVICES FOR FOSTER CARE CHILDREN**

##### **Transportation**

Scintilla Charter Academy is a state-commissioned charter school. SCA works in collaboration with the local DFCS office to ensure they are familiar with our operational model, have our contact information, and work together to provide any updates needed to SCA's Foster Care Transportation Plan. SCA is prepared to coordinate with DFCS to support transportation of any student in foster care if necessary to retain continuity at student's school of origin.

#### **Section 15 - TITLE IV, PART A - STUDENT SUPPORT AND ACADEMIC ENRICHMENT**

Authorized in December 2015, the Every Student Succeeds Act (ESSA) introduced a new block formula grant under Title IV, Part A with a wide range of allowable uses. Title IV, Part A, Student Support and Academic Enrichment (SSAE) grants are intended to improve students' academic achievement by increasing the capacity of States, LEAs, schools, and local communities to:

1. provide all students with access to a well-rounded education,
2. improve school conditions for student learning, and
3. improve the use of technology in order to improve the academic achievement and digital literacy of all students. (ESEA section 4101).

In FY23 SCA will transfer 100% of Title IV, Part A funds to Title I, Part A. In the future, if Title IV, Part A funds are not transferred, SCA will meet required program requirements of Title IV, Part A.

## **SECTION 16 - Title V, PART B – RURAL AND LOW-INCOME SCHOOLS PROGRAM**

SCA does not receive Title VI, Part B funding for Rural and Low-Income Schools Program. In the event that SCA receives funding for the Rural and Low-Income Schools Program, this handbook will be amended to reflect all program requirements.

## **Section 17 - Title III, Part A – LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS (EL) AND IMMIGRANT (IMM) STUDENTS**

An ESOL program plan is designed to provide consistent and non-discriminatory procedures throughout each school within Scintilla Charter Academy as recommended by the U.S. Office for Civil Rights, Department of Education. The Civil Rights Acts of 1964 requires local school districts to provide an alternative program of service when there are students who are limited English proficient and are unable to participate effectively in the district's regular instructional program.

## **Section 18 - Title I Part C- EDUCATION OF MIGRATORY CHILDREN (MEP) SERVICES**

### **Records Maintenance and Transfer**

The Director of Student Information Systems will get student records (to include academic, hearing, vision and immunization) from previous schools and should contact the Migrant Contact to assist with obtaining records when experiencing difficulty in obtaining records. The Migrant Student Information Exchange (MSIX) is to be accessed to gain information on previous school records.

The Migrant Contact will verify immunization records are on file for students new to the Migrant Education Program. In the absence of immunization records, the Migrant Contact will work with the Director of Student Information Systems or family to obtain the records or immunizations. The Director of Student Information Systems will then be notified of the presence of the immunization records.

The Migrant Contact is to notify the MEP Consortium staff when students are withdrawn from school or change their address. Required MEP forms are to be completed by consortium staff.

### **Identification and Recruitment**

Enrollment packages are to include the most recent Occupational Survey from the Georgia MEP. Surveys in languages other than English are also available on the Migrant Program of the DOE website. Once completed the survey is to be reviewed by the Director of Student Information Systems for responses with either a Yes to a move within 3 years or a check by a qualifying occupation. Surveys with either of these responses is to be scanned and emailed to the Migrant Contact who will then send the survey to either the Consortium Program Specialist or a Regional Recruiter to follow up to determine if a Certificate of Eligibility should be completed.

Upon notification by email from the Georgia Department of Education Migrant Program of New Participant Reports the Migrant Contact is to access the reports through the MEP District Data Access on the DOE portal. The report is to be used to update the students as migrant in the Student Information System. In addition the Nutrition Director for Scintilla Charter Academy is to be notified of the student's eligibility in the migrant program.

Once students reach their End of Eligibility for the Migrant Program the Migrant Contact is responsible for mailing the letter to the parents on school letterhead. Copies of the letters are to be mailed to the Consortium Coordinator.

### **Priority of Services**

To be completed by the MEP Consortium.

### **Migrant Services Coordination**

The Migrant Contact or designated site personnel are to work with MEP Consortium personnel to coordinate services.

### **Parent and Family Engagement/Advisory Councils**

To be completed by the MEP Consortium.

### **Professional Development**

Staff involved with the education of migrant students shall be given the opportunity to participate in training.

### **Program Evaluation**

To be completed by the MEP Consortium.

### **Use of Title I, Part C Funds**

The management of funds received from the Georgia Department of Education for the delivery of services to migrant students will follow the same strict federal guidelines on expenditure of funds.

### **Section 19 – INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) - FISCAL INDICATORS**

SCA will provide CEIS, CCEIS, and High Cost Fund documentation if applicable.

SCA will annually conduct the Excess Cost Calculation for base and final calculations and maintain documentation.

SCA will receive prior written notice for approval of equipment purchases with a per unit cost of \$5000 or more.

SCA does not currently participate in the Parent Mentor Partnership. If SCA chooses to participate in the future, SCA will meet all grant requirements.

### **Section 20 - INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) - Results-Based Monitoring Program Indicators**

Refer to the Special Education Resource Manual for all required documents and other components.

### **Section 21 - INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) Consolidation of Funds in a Schoolwide Program**

Students must receive services in accordance with a properly developed individualized education plan (IEP); and be afforded all of the rights and services guaranteed to children with disabilities and their parents under the IDEA. Refer to the Special Education Resource Manual for all required documents and other components.

### **Section 22 - CORONAVIRUS, AID, RELIEF & ECONOMIC SECURITY (CARES), CORONAVIRUS & RELIEF SUPPLEMENTAL APPROPRIATIONS (CRRSA), AMERICAN RESCUE PLAN (ARP)**

See below.

## Elementary & Secondary School Emergency Relief (ESSER) Funds

In response to the economic outcome of the COVID-19 pandemic in the United States, Congress passed three bills that provided immediate and direct financial assistance to state and local educational agencies through the Elementary and Secondary School Emergency Relief funds. These funds were provided to support areas with the greatest need, where the academic and non-academic components of school districts had the most significant impact due to COVID-19. As additional funding was provided, the funds were intended to support state and local school districts' efforts to safely reopen schools, address significant gaps in learning, and support measures of implementation that will continue to reduce the effects of COVID-19 on students and families.

- **Section 18003 of Division B of the CARES Act-Coronavirus Aid, Relief & Economic Security (CARES) Act**
- **Equitable Services:** An LEA that receives ESSER funds under the CARES Act (section 18005) must provide equitable services to non-public school students and teachers in the same manner as provided under section 1117 of Title I, Part A of the ESEA.
- **Section 313 of the Coronavirus Response & Relief Supplemental Appropriations (CRRSA) Act**
- **Section 2001 of the ARP Act-American Rescue Plan (ARP) Act- Section 2001**
- The LEA must reserve at least 20 percent of funds to address learning loss by implementing evidence-based interventions and ensure that those interventions respond to students' social, emotional, and academic needs and address the disproportionate impact of COVID-19 on underrepresented student subgroups.
- Remaining LEA funds may be used for a wide range of activities to address needs arising from the coronavirus pandemic, including any activity authorized by the ESEA, the Individuals with Disabilities Education Act (IDEA), Adult Education and Family Literacy Act (AEFLA), or Carl D. Perkins Career and Technical Education Act of 2006 (Perkins CTE).
- Maintenance of Equity: The ARP contains LEA maintenance of equity requirements for FYs 2022 and 2023.

### LEA Safe Return to In-Person Instruction Plan

- An LEA that receives ARP ESSER funds must publicly make a plan for the safe return to in-person instruction and continuity of services on its website. Before making the plan publicly available, the LEA must seek public comment on the plan.  
If applicable.

### Use of ESSER funds for minor or major construction projects

Scintilla Charter Academy will ensure that school facility repairs and improvements are solely to reduce the risk of virus transmission and exposure to environmental health hazards, and to support student health needs and inspection, testing, maintenance, repair, replacement, and upgrade projects to improve the indoor air quality in school facilities, including mechanical and non-mechanical heating, ventilation, and air condition systems, filtering, purification, and other air cleaning, fans, control systems, and window and door repair and replacement.

Scintilla Charter Academy will ensure the required documentation is on file with GaDOE Facilities once all steps are completed for approval of projects by the ESSER Grants Team.

- Submit all required documentation complying with state law regarding Public Works Construction Projects. O.C.G.A. 36-91-20, 36-91-21, and 36-91-22
- Revise or withdraw any state capital outlay funded projects where ESSER funding was utilized.
- Verify that the construction project will be completed by the end of the grant period
- Submit required documentation adhering to the Davis Bacon Wage Requirement for all federal contracts and subcontract over \$2,000 for construction, alterations, repairs, painting, and decorating.
- Submit applicable required documents that follow federal construction regulations. 34 CFR75.600-617



# **Special Education Policy and Procedures Manual**

## **State Rule: 160-4-7-.02 - Free Appropriate Public Education (FAPE)**

### **Definition**

Free Appropriate Public Education (FAPE) is a term used to refer to the right of all students, regardless of disability, to have access to free and appropriate public education.

### **Requirements**

1. FAPE must be available to all children residing in the State of Georgia between the ages of three (3) and twenty-one (21), inclusive, including children with disabilities who have been suspended or expelled from school.
2. If a student is receiving services upon reaching age 22, the LEA shall have a written procedure that identifies a process for completing services to which the adult student has been previously entitled. LEAs shall state in writing that the goal is to secure the successful transition of students to their desired post-school outcomes and will collaborate to complete that transition by age 22. If a student is still attending school at age 22, the LEA shall state whether services will cease on the student's 22nd birthday, or will continue until the end of the semester or until the end of the current school year. If an adult student remains after their 22nd birthday, the LEA shall notify the adult student and the parent(s) that although services will continue, no individual entitlement to FAPE or other rights under IDEA are afforded to the adult student.
3. At this time, SCA does not offer a public preschool option. For children beginning at Kindergarten, Scintilla Charter Academy shall ensure that the obligation to make FAPE available to each eligible child attending SCA no later than the first day of school and an IEP is in effect by that date.

### **Children Advancing from Grade to Grade**

1. Each LEA must ensure that FAPE is available to any individual child with a disability who needs special education and related services, even though the child has not failed or been retained in a course or grade, and is advancing from grade to grade.
2. The determination for FAPE shall be made on an individual basis by the Eligibility Team.

### **Limitations – Exceptions to FAPE for Certain Ages**

1. FAPE is not required for adult students aged eighteen (18) through twenty-one (21), who, in the last educational placement, before their incarceration in an adult correctional facility were not actually identified as a student with a disability; did not have an IEP in effect; and graduated from high school with a regular high school diploma. Written prior notice is required when a change in placement occurs.
2. The exception does not apply to adult students with disabilities, aged eighteen (18) through twenty-one (21), who were identified as a child with a disability and were receiving services in accordance with an IEP but who left school prior to their incarceration in an adult correctional facility or local jail; did not have an IEP in their last educational setting, but who had actually been identified as a child with a disability, or graduated from high school but was not awarded a regular high school diploma.
3. A regular high school diploma does not include an alternative degree that is not aligned with the State's academic standards such as a special education diploma, certificate of attendance, or a general educational development credential (GED).

### **Methods and Payments**

1. When the determination of funding for special education and related services is pending, Scintilla Charter Academy shall continue the implementation of the student's services without delay.

2. Scintilla does not use Medicaid or other public benefits or insurance programs in which a child participates to provide or pay for services required under IDEA.

### **Residential Placement**

1. If placement in a public or private residential program is necessary to provide special education and related services to a child with a disability, the program, including non-medical care and room and board, must be at no cost to the parents of the child.

### **Accessible Instructional Materials**

1. The Scintilla Charter Academy System shall provide print instructional materials in specialized, accessible formats (i.e. Braille, audio, digital, large-print) to children who are blind or other print disabled in a timely manner. The district will take all reasonable steps to ensure that students with print disabilities have access to accessible forms of instructional materials at the same time as students without print disabilities.
  - a. Print instructional materials include textbooks and related core materials that are required by the district for use by students in the classroom.
  - b. Specialized formats refer to Braille, audio, or digital text which is exclusively for use by students who are blind or other persons with print disabilities. Large print formats are also included when the materials are distributed exclusively for use by students who are blind or other persons with disabilities.
    - i. Specialized formats do not include altering the content (e.g. breadth, depth, or complexity) of the print instructional material in the production of accessible instructional materials.
  - c. Children who are blind or print disabled include
    - i. Children whose visual acuity, as determined by a competent authority, is 20/200 or less in the better eye with correcting glasses, or whose widest diameter if visual field subtends an angular distance no greater than 20 degrees.
    - ii. Children whose visual disability, with correction and regardless of optical measurement, is certified by competent authority as preventing the reading of standard printed material.
    - iii. Children certified by a competent authority as unable to read or unable to use standard printed material as a result of physical limitations.
    - iv. Children certified by competent authorities as having a reading disability resulting from organic dysfunction and of sufficient severity to prevent reading printed material in a normal manner.
  - d. The following groups of individuals are eligible to certify children who are blind or other print disabled for specialized format instructional materials:
    - i. In cases of blindness, visual disability, or physical limitations "competent authority" is defined to include doctors of medicine, doctors of osteopathy, ophthalmologists, optometrists, registered nurses, therapists, professional staff of hospitals, institutions, and public or welfare agencies (e.g. social workers, caseworkers, counselors, rehabilitation teachers, and superintendents).
    - ii. In the case of a reading disability from organic dysfunction, competent authority is defined as doctors of medicine who may consult with colleagues in associated disciplines.
  - e. In order to ensure the timely provision of high-quality, accessible instructional materials to children who are blind and other print-disabled, Scintilla Charter Academy must adopt the National Instructional Materials Accessibility Standard (NIMAS).
    - i. The NIMAS refers to a standard for source files created by textbook publishers for the purpose of producing accessible instructional materials. NIMAS files

- are not child-ready files and will be used by authorized users and entities to produce accessible materials for children who are blind and visually impaired.
- ii. Children who are certified as blind or other print disabled are eligible to receive accessible instructional materials produced with NIMAS files.
- f. Scintilla Charter Academy will coordinate with the National Instructional Materials Access Center (NIMAC) to facilitate the production and delivery of accessible materials to children who are blind or other print-disabled.
- i. The NIMAC refers to the central repository which is responsible for processing, storing, and distributing NIMAS files of textbooks and core instructional materials.
  - ii. The district must provide written assurances to the Georgia Department of Education regarding the intention to coordinate with the NIMAC.
  - iii. Scintilla Charter Academy will require textbook publishers to deliver the contents of the print instructional materials to the NIMAC in a NIMAS format file on or before delivery of the print instructional materials. The files will be used in the production of accessible instructional materials.
  - iv. Instructional materials may also be purchased from the textbook publishers that are produced in or may be rendered in a specialized format.
- g. If the district chooses not to coordinate with the NIMAC, assurances must be made to the Georgia Department of Education that the district will provide accessible instructional materials to children who are blind or other print-disabled in a timely manner. The district will take all reasonable steps to ensure that students with print disabilities have access to formatted instructional materials at the same time as students without print disabilities.
- i. If the district elects not to coordinate with the NIMAC, Scintilla Charter Academy will be responsible for purchasing, producing, or otherwise providing high-quality, accessible, and specialized, formatted instructional materials in a timely manner for children who are blind or print disabled. The district will take all reasonable steps to ensure that students with print disabilities have access to accessible formatted instructional materials at the same time as students without print disabilities.
  - ii. Scintilla Charter Academy is also responsible for providing accessible materials to children who require instructional materials in accessible formats, but who do not qualify for the materials under the definition of blind and other print disabled or who need materials that cannot be produced from NIMAS.
  - iii. Some children who require accessible instructional materials will need assistive technology to access the materials (e.g. text reader to read the digital file, a screen magnification program to read digital files).

### **Assistive Technology**

1. Children with disabilities who require assistive technology in order to receive FAPE are eligible for assistive technology devices or services, or both, as a part of the child's special education, related services, or supplemental aids and services.
2. Each IEP Team will consider whether or not a child requires assistive technology devices and services in order to receive FAPE. Minimal compliance will be indicating the appropriate response in the Consideration of Special Factors section of the IEP. Assistive technology can also be addressed when considering other factors such as communication needs and instruction in the use of Braille.
3. An assistive technology evaluation may be required if appropriate assistive technology solutions are not known to the student's IEP Team through the consideration process. This evaluation shall be conducted by a multidisciplinary team of professionals knowledgeable about assistive technology devices in the technology areas being assessed. The child and

family should also be included in this evaluation process. The evaluation should result in recommendations for assistive technology devices and services if required.

4. If the student's IEP Team determines that assistive technology devices or services are required for the student to receive FAPE, a statement to that effect must be included in the student's IEP.
  - a. If assistive technology is required for the student to participate in local or statewide testing; the need for technology should be documented in the appropriate section of the IEP and provided to the student.
  - b. If assistive technology devices or services, or both, are required for a child who is blind or other print disabled to access alternative format instructional materials, the assistive technology should be documented in the IEP and provided to the student.
  - c. If the IEP Team determines that the child with a disability requires school-purchased assistive technology at home or in other settings to receive FAPE, the assistive technology must be provided to the student at no cost to the parent. The need for assistive technology in non-school settings should be documented in the student's IEP.

### **Extended School Year (ESY) Services**

1. Scintilla Charter Academy will ensure that ESY services are available as necessary to provide FAPE.
  - a. ESY services will be provided only if a student's IEP Team determines, on an individual basis, that the services are necessary for the provision of FAPE to the student.
  - b. In implementing the requirements for ESY services, Scintilla Charter Academy may not-
    - i. Limit ESY services to particular categories of disability; or
    - ii. Unilaterally limit the type, amount, or duration of the services.
2. As used in this rule, the term ESY services mean special education and related services that
  - a. Are provided to a student with a disability:
    - i. Beyond the normal school year for the district;
    - ii. In accordance with the student's IEP;
    - iii. At no cost to the student's parents; and
    - iv. Meet the standards of the State.

### **Non Academic Services**

1. Scintilla Charter Academy will take steps, including the provision of supplementary aids and services determined appropriate and necessary by the child's IEP Team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities equal opportunity for participation in those services and activities.
2. Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by Scintilla Charter Academy, referrals to agencies that provide assistance individuals with disabilities, and employment of students, including both employment by Scintilla Charter Academy and assistance in making outside employment available.

### **Physical Education**

1. Physical education services, specially designed if necessary, shall be made available to every child with a disability receiving FAPE, unless the district enrolls students without disabilities and does not provide physical education to students without disabilities in the same grades.
2. Each student with a disability must be afforded the opportunity to participate in the regular physical education program available to nondisabled peers unless the student is

enrolled full-time in a separate facility or the student needs specially-designed physical education, as prescribed in the student's IEP.

3. If specially-designed physical education is prescribed in the student's IEP, the district is responsible for the education of that student and must provide the services directly or make arrangements for those services to be provided through other public or private programs.
4. If the district is responsible for the education of a student with a disability enrolled in a separate facility, the district must ensure that the student receives appropriate physical education services in compliance with this rule.

### **Full Educational Opportunity Goal**

1. Scintilla Charter Academy will have in effect policies and procedures to demonstrate that the district has established a goal of providing full educational opportunities to all children with disabilities, aged birth through twenty-one (21), and a detailed timetable for accomplishing that goal.

### **Charter Schools**

1. Scintilla Charter Academy does not serve other state charter schools within this LEA.
2. Scintilla Charter Academy is an LEA and will ensure that all requirements for FAPE are met and that students with disabilities and their families retain all rights to FAPE.

### **Program Options**

1. Scintilla Charter Academy shall take steps to ensure that students with disabilities have available a variety of educational programs and services as non-disabled peers, including art, music, and Career, Technical, and Agricultural Education.

### **Routine Checking of Hearing Aids/Other Components**

1. Hearing aids.
  - a. Scintilla Charter Academy shall ensure that hearing aids worn in school by students with hearing impairments, including deafness, are functioning properly.
2. External components of surgically implanted medical devices.
  - a. Scintilla Charter Academy shall ensure that the external components of surgically implanted medical devices are functioning properly. The district is not responsible for the post-surgical maintenance, programming, or replacement of the medical device that has been surgically implanted (or of an external component of the surgically implanted medical device).

### **Prohibition on Mandatory Medication**

1. Scintilla Charter Academy shall prohibit personnel from requiring parents to obtain a prescription for substances identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substance Act for a student as a condition of attending school, receiving an evaluation, or receiving services.
2. Nothing in section (1) of Prohibition on Mandatory Medication shall be construed to create a prohibition against teachers and other school personnel consulting or sharing classroom-based observations with parents or guardians regarding a child's academic and functional performance, or behavior in the classroom or school, or regarding the need for evaluation for special education or related services as it relates to Child Find.

## **State Rule: 160-4-7-.03 - Child Find Procedures**

### **Definitions**

Definitions related to all special education rules can be found in State Board of Education Rule [160-4-7-.21 DEFINITIONS](#).

### **Child Find**

Child Find is a process that Scintilla Charter Academy uses to identify, locate, and evaluate all children in the district, birth through 21, who are suspected of having disabilities, including those who are homeless, are wards of the State or are attending private schools, regardless of the severity of their disability, and who are in need for special education and related services.

### **Annual Child Find Activity Published Through Public Notification**

Scintilla Charter Academy will ensure that before conducting any significant activity that is designed to identify, locate or evaluate children, annual notice will be published or announced using the following print and electronic sources, to notify parents of this activity:

- Scintilla Charter Academy Website - <https://scintillacharteracademy.com/>
- Scintilla Charter Academy Special Education Manual
- Annual Publication in the local newspaper
- Lowndes County Health Department

### **Screening/Evaluation of Children with Suspected Disability (3-21)**

The following policies and procedures are followed to ensure the screening and evaluation of all children with suspected disabilities birth through age 21 and includes:

#### **Children Birth to Age Three**

When a child, birth-through age three, is suspected of having disabilities is identified through any Child Find activities (e.g. parent-teacher conferences, community referral, migrant program), the Special Education Team can be notified to provide assistance with referrals to the Babies Can't Wait (BCW) early intervention program operated by the Department of Public Health.

#### **Preschool Children, Ages Three to Five, Not Yet Eligible for State-Funded Kindergarten**

The following activities shall be conducted to identify preschool children ages 3-5 suspected as having disabilities:

- Scintilla Charter Academy does not currently serve PreK children within this LEA.
- Spark Academy Preschool is a private, full day fee based program. Spark Academy Preschool does not participate in the Multi-tiered System of Supports (MTSS) process that is offered through Scintilla Charter Academy. If any needs are identified in a child attending Spark Academy Preschool that would warrant an evaluation, the Pre-K Coordinator and Special Education Director will assist with referrals to the school district in which the child is zoned.
- Written notices are provided in the community including: private preschools, the Lowndes County Health Department, and physician offices. Referral forms can be obtained by contacting the Special Education Office or the Spark Academy Pre-K Coordinator.

### **Children Enrolled in Public Schools and Public Charter Schools**

Children currently enrolled in Scintilla Charter Academy will be identified through the Multi-tiered System of Supports (MTSS) and Parent referral. Children who attend public charter schools and their parents retain all rights given to them in the public school under the IDEA.

### **Children Who Are Suspected of Being Children with Disabilities and in Need of Special Education, Even Though They are Progressing From Grade to Grade**

Children who are suspected of being children with disabilities and in need of special education, even though they are progressing from grade to grade, will be identified through the Multi-tiered System of Supports (MTSS) and Parent referral process .

### **Highly Mobile Children, Including Migrant Children**

An occupational survey is sent home with all students at the beginning of the school year as a screener to identify students who may be eligible for the Migrant Education Program (MEP). Students who qualify for the preschool migrant program are provided services through the MEP. The Migrant Education Program staff will contact the Scintilla Charter Academy Preschool Director to make referrals for any preschool migrant student suspected of having developmental problems. Information regarding the Child Find Project is provided to Migrant Families in the District. In addition Scintilla Charter Academy is in a partnership with ABAC-GA Migrant Consortium in providing services to preschool migrant children.

### **Children Who Are Detained or Incarcerated in City/County Operated Jails or Correctional Facilities**

Child-Find letters will be given to the facility with appropriate contact information so that any child suspected of having a disability can be referred to the Scintilla Charter Academy Special Education Team.

### **Home School/Study Programs**

Scintilla Charter Academy does not have students enrolled who participate in a home school/study program.

### **Parentally-Placed Private School Children**

#### **(Children Enrolled by Their Parents in Private, Including Religious, Elementary and Secondary Schools Located in Scintilla Charter Academy's Jurisdiction)**

As a State Commissioned Charter School, Scintilla Charter Academy does not have an obligation to private schools.

### **Policies and Procedures to Ensure a Practical Method is Developed and Implemented to Determine Which Children are Currently Receiving Needed Special Education and Related Services**

Scintilla Charter Academy uses Georgia Online IEP (GO-IEP), a web-based IEP application, to store district IEP information for all children receiving special education and related services. Each student receiving special education and related services also has a student file containing all of the required documents that are included in the GaDOE due process checklist for student folder review. These folders are locked in filing cabinets in the administration office and are managed by the special education case managers.

## **Data Request Submission to the Georgia Department of Education (GaDOE)**

Scintilla Charter Academy will submit to the Georgia Department of Education (GaDOE), in an electronic format specified by GaDOE, data requested by the GaDOE on all children ages 3 through 21 who have been found eligible for special education and related services. This data is accessible through GO-IEP and student files and may be submitted through the GaDOE portal.

### **Accurate and Timely Data**

All data shall be accurate and timely. Special education teachers/case managers and the special education director will ensure that all special education documentation is completed in an accurate and timely manner. Case managers are responsible for checking their dashboard in GO-IEP consistently. The special education director will send out weekly and monthly reminders for upcoming timeline due dates through email and monthly special education department meetings.

## **State Rule: 160-4-7-.04 - Evaluations and Reevaluations**

IDEA requires that before a child can receive special education services, the LEA must determine whether the child requires specialized instruction and meets eligibility requirements for special education. Scintilla Charter Academy must conduct (or arrange for) a comprehensive evaluation that: provides sufficient data to determine whether the child is a child with a disability; documents how the disability affects the child's academic, developmental, social/emotional, and/or behavioral performance in school; and provides appropriate information for the development of an individualized education program (IEP) if eligible.

### **INITIAL EVALUATION REFERRAL PROCESS**

1. If a student is not showing progress in Tier III and the Student Support Team (SST) determines that a referral for a comprehensive evaluation (special education) may be necessary, the SST team needs to meet, invite the family to the meeting and review the data to make the determination to refer for an evaluation or try additional interventions.
2. RTI data is reviewed by the SST team, including the School Psychologist or Special Education Coordinator, to be sure that interventions were provided with fidelity and that progress monitoring data supports the referral for a comprehensive evaluation. If data does not support the referral for a special education evaluation, the SST committee reconvenes to review the data and make adjustments to the RTI plan for Tier III. A referral will not occur until the RTI process is complete including evidenced-based academic or behavioral interventions and progress monitoring data.
3. Confirm the vision and hearing screening was completed in Tier II, and ensure that it is less than a year old.
4. If the SST committee determines the student needs to be referred for a comprehensive psychological evaluation (special education), the parental consent for evaluation form will be presented to the parent with a copy of Parental Rights and a list of evaluation instruments that may be used. Consent to Evaluate forms for initial evaluations may come from the Special Education Coordinator or lead special education teacher. School personnel will not obtain consent for evaluation without the attendance of the Special Education Coordinator or lead special education teacher.
5. A referral for evaluation will also be completed by the referring teacher and RTI Coordinator with attached RTI documentation.
6. The student will continue to receive Tier III interventions during the evaluation process and until eligibility can be determined.

### **INITIAL EVALUATION REQUIREMENTS**

1. Scintilla Charter Academy will conduct a full and individual initial evaluation before the initial provision of special education and related services to a child with a disability.
2. Scintilla Charter Academy will ensure that evaluation procedures are established and implemented that meet the requirements of this Rule.
3. Once a child is referred for an evaluation by a parent or Student Support Team (SST) to determine if the child is a child with a disability, the initial evaluation:
  - a. Must be completed within 60 calendar days of receiving parental consent for evaluation.
    - i. Holiday periods and other circumstances when children are not in attendance for five consecutive school days shall not be counted toward the 60 calendar

- day timeline, including the weekend days before and after such holiday periods, if contiguous to the holidays except
- ii. Any summer vacation period in which the majority of an LEA's teachers are not under contract shall not be included in the 60 calendar day timeline for evaluation. However, an LEA is not prohibited from conducting evaluations over a summer vacation period
    1. Consent received 30 days or more prior to the end of the school year must be completed within the 60 calendar day evaluation timeframe.
  - iii. Students who turn three during the summer period or other holiday periods must have an eligibility decision and IEP (if appropriate) in place by their third birthday. Must consist of procedures that determine if the child is a child with a disability and to determine the educational needs of the child.
    1. The time frame described above does not apply to an LEA if:
      - a. The parent of a child repeatedly fails or refuses to produce the child for the evaluation; or
      - b. A child enrolls in a school of another LEA after the relevant timeline in this Rule has begun and prior to a determination by the child's previous LEA as to whether the child is a child with a disability;
      - c. The exception in (1)(b) above applies only if the subsequent LEA is making sufficient progress to ensure prompt completion of the evaluation and the parent and subsequent LEA have agreed to a specific time when the evaluation will be completed.
      - d. If extenuating circumstances, e.g., illness, unusual evaluation needs, or revocation of parent's consent for evaluation affect this timeline, Scintilla Charter Academy shall document the exceptions.

## **PARENT RIGHTS**

Whenever the parent requests an evaluation or when a child has been referred for an initial comprehensive evaluation, Scintilla Charter Academy will provide the parent with a copy and explanation of the parental rights document. If a parent's primary language is not English, a translated copy in his or her language must be given to the parent whenever feasible.

## **PARENTAL CONSENT FOR EVALUATION**

When Scintilla Charter Academy is proposing to conduct an evaluation to determine if a child qualifies as a child with a disability, the parent will be provided notice and Scintilla Charter Academy must obtain an informed consent from the parents before the evaluation or re-evaluation is conducted. Scintilla Charter Academy will make reasonable efforts to obtain the informed consent from the parents. Parental consent is obtained through the Special Education director or assigned case manager. Detailed documentation of attempts to obtain parental consent must be kept (e.g. records of telephone calls and results of those calls, copies of correspondence and any responses received, and detailed records of visits made).

If the parents refuse to give consent or fail to respond to a request to provide consent, Scintilla Charter Academy may, but is not required to, pursue the initial evaluation by using mediation and impartial due process hearing procedures provided for in the procedural safeguards.

However, the school system may not use the consent override procedures for a student who is home-schooled or placed in a private school by the parents at their own expense.

For initial evaluations only, if the child is a ward of the State and is not residing with the child's parent, Scintilla Charter Academy is not required to obtain informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability if -

1. Despite reasonable efforts to do so, Scintilla Charter Academy cannot discover the whereabouts of the parent of the child;
2. The rights of the parents of the child have been terminated in accordance with State law; or
3. The rights of the parents to make educational decisions have been subrogated by a judge in accordance with State law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.

Other consent requirements.

1. Parental consent is not required before -
  - (i) Reviewing existing data as part of an evaluation or a reevaluation; or
  - (ii) Administering a test or other evaluation that is administered to all children unless, before administration of that test or evaluation, consent is required of parents of all children.
  - (iii) The screening of a child by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation. This shall not be considered to be an evaluation for eligibility for special education and related services.

## **REEVALUATION**

1. A reevaluation, consistent with federal and state statutes and regulations, is required for special education students at least once every three years unless the parent and Scintilla Charter Academy agree that a reevaluation is unnecessary. The purpose of reevaluation is to decide if further information is needed to determine if a disability continues to exist, to establish present levels of performance, or to determine whether the student continues to need special education and related services. If existing information satisfies these three needs then further evaluation is not indicated.
  - a. If Scintilla Charter Academy determines that the educational or related services needs, including improved academic achievement and functional performance, of the child warrants a reevaluation; or
  - b. If the child's parent or teacher requests a reevaluation.
    - i. Limitation. A reevaluation may not occur more than once a year unless the parent and Scintilla Charter Academy agree otherwise; and must occur at least once every 3 years, unless the parent and Scintilla Charter Academy agree that a re-evaluation is unnecessary.
    - ii. Scintilla Charter Academy shall obtain informed parental consent prior to conducting any reevaluation of a child with a disability, except that such informed parental consent need not be obtained if the LEA can demonstrate that it has taken reasonable measures to obtain such consent and the child's parents failed to respond.

## **EVALUATION PROCEDURES**

Comprehensive evaluations will be completed according to the Georgia Department of Education Timeline requirements. Scintilla Charter Academy will ensure:

- ❑ All previous information and data on the student is reviewed (e.g., previous evaluations, medical reports, psychological evaluations, and independent evaluations). This helps the team determine which evaluations to administer for the current evaluation.
- ❑ Notice: Scintilla Charter Academy shall provide notice to the parents of a child suspected with a disability, in accordance with all notice requirements as described in Rule 160-4-7-.09 Procedural Safeguards/Parent Rights.
- ❑ Conduct of evaluation. In conducting an evaluation, Scintilla Charter Academy must:
- ❑ Use of a variety of evaluation tools and strategies to gather relevant academic, functional, and developmental information about the child, including information provided by the parent that may assist in determining:
  - ❑ 1. Whether the child is a child with a disability and
  - ❑ 2. The content of the child's individualized education program, including information related to enabling the child to be involved in and progress in the general curriculum (or for a preschool child to participate in appropriate activities).
- ❑ Will not use any single procedure as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child.
- ❑ Will use the most current technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
- ❑ Other Evaluation Procedures. Scintilla Charter Academy shall ensure that:
- ❑ Assessments and other evaluation materials used to assess a child under this section are based on the following criteria:
  - 1. Are selected and administered so as not to be discriminatory on a racial or cultural basis;
  - 2. Are provided and administered in the child's native language or another mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer;
  - 3. Are used for purposes for which the evaluations or measures are valid and reliable;
  - 4. Are administered by trained and knowledgeable personnel; and
  - 5. Are administered in accordance with any instructions provided by the producer of the assessments.
  
- ❑ The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.
- ❑ Evaluation tools and strategies are used which provide relevant information that directly assists persons in determining the educational needs of the child.

- ❑ Assessments and other evaluation materials include those tailored to assess specific areas of educational need and note merely those which are designed to provide a single general intelligence quotient.
- ❑ Assessment selection and administration is such that, when administered to a child with impaired sensory, manual or speaking skills, the results accurately reflect the child's aptitude or achievement level, or whatever other factors the assessment purports to measure, rather than reflecting the child's impaired sensory, manual or speaking skills, except where those skills are the factors which the assessment purports to measure.
- ❑ If an evaluation is not conducted under standard conditions, a description of the extent to which it varied from standard conditions, i.e., the qualifications of the person administering the test or the method of test administration must be included in the evaluation report.
- ❑ In evaluating each child with a disability under this rule, the evaluation shall be sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.
- ❑ Evaluations of children with disabilities who transfer from one LEA to another LEA in the same school year are coordinated with those children's prior and subsequent schools, as necessary and expeditiously as possible, to ensure prompt completion of full evaluations.
- ❑ The evaluation of children referred because of learning and/or behavior problems is the responsibility of a multidisciplinary evaluation team. For children who require a psychological and clinical evaluation, it must be conducted by a qualified psychological examiner:
  - ❑ Qualified Psychological Examiner Requirements:
    - ❑ Initial evaluation results used for consideration of eligibility for special education, if not provided by a school psychologist with a valid S-5 (or higher) certificate in school psychology, shall be from one of the following:
      - ❑ A psychologist licensed by the Georgia Board of Examiners of Psychologists and having training and experience in school psychology or child clinical psychology.
      - ❑ A full-time graduate student in an approved, properly supervised school psychology or child clinical psychology training program internship/practicum, who has completed a minimum of one year of approved appropriate graduate training.
      - ❑ A Georgia Merit System employee who has a classification rating of psychologist, senior psychologist, or psychology program specialist.

## **ADDITIONAL REQUIREMENTS**

Review of Existing Evaluation Data. As part of an initial evaluation (if appropriate) and as part of any re-evaluation, the parent and other qualified professionals, as appropriate, must review existing evaluation data on the child, including:

- ❑ Evaluations and information provided by the parents of the child;
- ❑ Current classroom-based, local, or State assessments and classroom-based observations; and
- ❑ Observations by teachers and related services providers.

On the basis of that review and input from the child's parents, identify what additional data, if any, are needed to determine:

- Whether the child is a child with a disability and the educational needs of the child, or in case of a reevaluation of a child, whether the child continues to have such a disability and the educational needs of the child;
- The present levels of academic achievement and related developmental needs of the child;
- Whether the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services; and
- Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP; and whether the child needs any additions or modifications to special education and related services to enable participation, as appropriate, in the general education curriculum.

The parent and other qualified professionals may conduct its review without a meeting.

Scintilla Charter Academy must administer such assessments and other evaluation measures as may be needed to produce the data identified.

Requirements if additional data are not needed-

- If the IEP Team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the child continues to be a child with a disability and to determine the child's educational needs, Scintilla Charter Academy:
  - Must notify the child's parents of that determination and the reasons for it and notify the parents of the right to request an evaluation to determine whether the child continues to be a child with a disability and to determine the child's educational needs;
  - Is not required to conduct such an evaluation to determine whether the child continues to be a child with a disability unless requested by the child's parents.

Evaluations before change in eligibility. Scintilla Charter Academy must evaluate a child with a disability before determining that the child is no longer a child with a disability.

- The evaluation is not required before termination of a child's disability due to graduation from high school with a regular education diploma, or due to exceeding the age eligibility for FAPE.

- However, Scintilla Charter Academy must provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's post-secondary goals.

## **DETERMINATION OF ELIGIBILITY**

Students ages three through the semester in which they turn twenty-two years of age may be determined eligible for twelve Special Education categories. This section includes the Georgia Department of Education Special Education Regulations and local procedures relating to placement of students in Special Education programs. Every student placed in Special Education must first be determined eligible for services by an Individual Education Program (IEP) Team.

1. Upon completion of the administration of assessments and other evaluation measures-
  - a. When a referral for special education evaluation is made due to a concern that the child may have a disability and be in need of special education and related services, the comprehensive evaluation will be conducted by a multidisciplinary team. This

team may consist of the LEA's psychologist, educational diagnostician, speech-language pathologist, occupational therapist, physical therapist, teacher, and others as appropriate to the evaluation. The child's parents are considered members of this team. The team is responsible for formally or informally assessing the child in all areas related to the suspected disability. Formal assessments may include standardized, criterion-referenced tests, and norm-referenced tests, while informal assessments may include teacher-made assessments, naturalistic observations, and interviews. Parents will be asked to provide input during the evaluation process. The Eligibility Team, a group of qualified professionals, and the parents of the child will determine whether the child is a child with a disability and the educational needs of the child; and

- b. Scintilla will provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parents.
2. In making a determination of eligibility, a child must not be determined to be a child with a disability: if the determinant factor for that eligibility is lack of appropriate instruction in reading, including the essential components of reading instruction (as defined in section 1208(3) of ESEA); lack of appropriate instruction in math; or limited English proficiency; and if the child does not otherwise meet the program area eligibility criteria for a child with a disability.
  3. Procedures for determining eligibility and educational need.
    - a. In interpreting evaluation data for the purpose of determining if a child is a child with a disability and the educational needs of the child, each LEA must –
      - i. Draw upon information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child's physical condition, social or cultural background and adaptive behavior;
      - ii. Ensure that information obtained from all of these sources is documented and carefully considered.
    - b. If a determination is made that
      - i. A child has a disability,
      - ii. And the disability affects educational performance (academic, functional and/or developmental) and
      - iii. The child needs special education and related services, an eligibility document and IEP must be developed for the child.

## **SUPERVISION AND MONITORING FOR EVALUATIONS AND REEVALUATIONS**

- Professional learning is ongoing throughout the year with SST teams and special education teachers concerning the evaluation and reevaluation process. After the initial professional learning of the year, special education staff members are required to read the special education manual and sign off that they have read and understand the process for evaluations.
- When a student is to be referred for an evaluation or reevaluation the School Psychologist, Special Education Coordinator or assigned special education teacher attends the meeting and obtains Parental Consent to Evaluate.

- ❑ This document tracks the 60 day timeline for school psychologist, lead special education teacher, and special education director.
- ❑ All referral paperwork is given to the Special Education Coordinator to ensure the IEP committee meets the 60 day timeline.
- ❑ The Special Education Team reviews student information including RTI data and all documents.
- ❑ Lead Special Education teacher reviews student information including RTI data, special education documents, and communicates with the case manager responsible for compliance.
- ❑ Monthly timelines are provided to Special Education teachers directly to ensure compliance. These timelines are distributed during monthly special education meetings and through email correspondence from the special education coordinator.
- ❑ During the monitoring process, if a school is deemed in need of assistance, additional training will be provided to the school SST team, administrators, and special education teachers.

### **PRESCHOOL COMPREHENSIVE EVALUATION**

Spark Academy Preschool is a private, full day fee based program. Spark Academy Preschool does not participate in the Multi-tiered System of Supports (MTSS) process or the special education services that are offered through Scintilla Charter Academy. If any needs are identified in a child attending Spark Academy Preschool that would warrant an evaluation, the Pre-K Coordinator will assist with referrals to the school district in which the child is zoned.

When a child who is birth-through age three that is suspected of having disabilities is identified through any Child Find activities (e.g. parent-teacher conferences, community referral, migrant program), the Special Education Team can be notified to provide assistance with Babies Can't Wait (BCW) procedures.

Written notices are provided in the community including: private preschools, the Lowndes County Health Department, and physician offices. Referral forms can be obtained by contacting the Special Education Office or the Spark Academy Pre-K Coordinator.

***The following procedures do not apply currently to this LEA; however, if Scintilla Charter Academy chooses to serve preschool children in the future, these procedures will be followed:***

Children may be referred by parents, school personnel, local pediatricians, private speech/language pathologists, audiologists, parents, and/or staff from private preschools or daycares, Head Start, Pre-K, Health Department, Family and Children's Services and Early Intervention/Babies Can't Wait.

Response to Intervention (RTI) is a multi-step approach to provide services and interventions to students including preschool age children who struggle with learning, behavior, and/or speech. Once a referral is made to the Scintilla Charter Academy Special Education Coordinator an RTI team made up of a school psychologist and/or diagnostician, speech therapist, and special education teacher go observe the student, talk to parent or individual making the referral, and make recommendations for interventions based on the needs of the child. The individual making the referral will be responsible for implementing the

interventions. The Pre-school RTI team will progress monitor the effectiveness of the interventions.

If the child is transitioning from Babies Can't Wait a transition meeting will be held 6 months prior to a child's third birthday. A referral can be made during this meeting.

Once a decision is made to refer the child for an evaluation, the parent will be provided a copy of Parent Rights and a list of evaluation instruments that may be used. The parent must sign Consent for Evaluation before the evaluation process may begin. The evaluation will be arranged by the RTI team. The parent will provide a copy of the child's birth certificate, proof of immunization, proof of residency and social security card. A vision and hearing screener will be completed by the school system at this time as well as a play-based developmental assessment which includes the 5 developmental areas of cognition, communication, fine and gross motor, adaptive and personal/social and a speech evaluation if needed. This process must be completed no later than 60 calendar days. Holiday periods and other circumstances when children are not in attendance for five consecutive days shall not be counted toward the 60 calendar day timeline. If the Consent for Evaluation is received 30 days prior to the end of school the evaluation must be conducted within 90 calendar days. After the evaluation an Eligibility/IEP Team meeting will be scheduled with the family to discuss the findings and to make recommendations. The parent, special education teacher, regular education teacher, school psychologist, and an LEA rep will participate in these meetings.

At the Eligibility/IEP Team meeting, the results of the evaluation will be discussed and eligibility will be determined. If the child is eligible, then goals and objectives will be developed based on the child's significant deficits. Once the Consent for Placement is obtained, the child will begin to receive services.

This process must be completed by a child's third birthday if it is a Babies Can't Wait referral.

### **SUPERVISION AND MONITORING FOR BCW PROCEDURES**

- Professional learning is ongoing throughout the year with pre-school RTI and primary school RTI teams including pre-school special education teachers. After the initial professional learning of the year, special education staff are required to read the special education manual and sign off with the compliance director that they have read and understand the process for BCW evaluations. Administrators are provided professional learning at principals' meetings and RTI teams are also trained.
- Each school is assigned a preschool evaluation examiner that serves on their SST team.
- Professional learning is provided throughout the school
- The Special Education Coordinator monitors the BCW process through monthly timeline reports.
- The Special Education Coordinator works directly with the BCW coordinator to schedule BCW referral at least six months prior to the student's third birthday.
- The Special Education Coordinator sets up an evaluation date with the family and BCW coordinator.

- ❑ The special education coordinator will monitor at least two times per month: 1) completion of evaluation, 2) completion of appropriate documents, 3) Eligibility meetings scheduled prior to the student's third birthday.
- ❑ Monthly timelines are provided to the Special Education Coordinator directly to ensure compliance.
- ❑ During the monitoring process if a school is deemed in need of assistance additional training will be provided to the school SST team, administrators, and special education teachers.

## **State Rule: 160-4-7-.05 - Eligibility Determination and Categories of Eligibility**

A child or youth from 3 through 21 years of age is considered to have a disability under the Individuals with Disabilities Education Improvement Act (IDEA 2004) if the child or youth meets the eligibility criteria in any of the following areas and needs special education and related services.

### **CATEGORIES OF ELIGIBILITY**

#### **AUTISM**

Autism spectrum disorder is a developmental disability generally evident before age three that adversely affects a child's educational performance and significantly affects developmental rates and sequences, verbal and non-verbal communication, and social interaction and participation. Other characteristics often associated with autism spectrum disorder are unusual responses to sensory experiences, engagement in repetitive activities and stereotypical movements, and resistance to environmental change or change in daily routines. Autism does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance as defined in (d). Children with autism spectrum disorder vary widely in their abilities and behavior.

The term autism spectrum disorder includes all subtypes of Pervasive Developmental Disorder (such as Autistic Disorder; Rett's Disorder; Childhood Disintegrative Disorder; Asperger Syndrome; and Pervasive Developmental Disorder, Not Otherwise Specified) provided the child's educational performance is adversely affected and the child meets the eligibility criteria. Autism spectrum disorder may exist concurrently with other areas of disability.

#### **Evaluations and Assessments**

The following evaluations and assessments shall be utilized to determine the presence of the characteristics of autism spectrum disorder.

1. Comprehensive psychological evaluation to include a formal assessment of intellectual functioning and an assessment of adaptive behavior.
2. Educational evaluation to include an assessment of educational performance and current functioning levels.
3. Communication evaluation to include assessment of verbal and non-verbal communication, prosody (linguistics including intonation, rhythm and focus in speech)), and pragmatic language utilizing both formal and informal measures.

4. Behavioral evaluations to include assessment of social interaction and participation, peer and adult interactions, capacity to relate to others, stereotypical behaviors, resistance to change, atypical responses to sensory stimuli, persistent preoccupation with or attachment to objects, and other behaviors often associated with autism spectrum disorder.
5. Developmental history to include developmental differences and delays and age of onset, which is typically before the age of three. A child may be diagnosed as a child with autism spectrum disorder after age three if the characteristics of autism spectrum disorder are met.

### Eligibility and Placement

Eligibility shall be based on an assessment of the five characteristic areas associated with autism spectrum disorder. The assessments shall minimally document that each of the characteristic areas of (1) developmental rates and sequences, (2) social interaction and participation, and (3) verbal and non-verbal communication are affected. The adverse effect on a child's educational performance shall be documented and based on the following criteria:

1. Developmental rates and sequences. A child exhibits delays, arrests, and/or inconsistencies in the acquisition of motor, sensory, social, cognitive, or communication skills. Areas of precocious or advanced skill development may also be present, while other skills may develop at typical or extremely depressed rates. The order of skill acquisition frequently differs from typical developmental patterns.
2. Social interaction and participation. A child displays difficulties and/or idiosyncratic differences in interacting with people and participating in events. Often a child is unable to establish and maintain reciprocal relationships with people. A child may seek consistency in environmental events to the point of exhibiting rigidity in routines.
3. Communication (verbal and/or nonverbal). A child displays a basic deficit in the capacity to use verbal language for social communication, both receptively and expressively. Characteristics may involve both deviance and delay. Verbal language may be absent or if present, may lack the usual communicative form, or the child may have a nonverbal communication impairment. Some children with autism may have good verbal language but have significant problems in the effective social or pragmatic use of communication.
4. Sensory processing. A child may exhibit unusual, repetitive, or unconventional responses to sensory stimuli of any kind. A child's responses may vary from low to high levels of sensitivity.
5. Repertoire of activities and interests. A child may engage in repetitive activities and/or may display marked distress over changes, insistence on following routines, and a persistent preoccupation with or attachment to objects. The capacity to use objects in an appropriate or functional manner may be absent, arrested, or delayed. A child may have difficulties displaying a range of interests and/or imaginative play. A child may exhibit stereotypical body movements.

A child with autism spectrum disorder may be served by any appropriately certified teacher in any educational program as described in the child's individualized education program (IEP). The identification of autism spectrum disorder for educational programming does not dictate a specific placement; however, it is based on the assessed strengths, weaknesses, and individual goals and objectives of the child.

## **Deafblind**

Deafblind means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.

### Eligibility and Placement

1. For a child to be determined eligible for placement in special programs for the deafblind, the child shall have a current optometric or ophthalmological examination and an audiological evaluation, all administered by qualified professionals. Children who are deafblind shall have an audiological evaluation administered by a certified/licensed audiologist annually, or more often if needed. The annual audiological evaluation shall include, but is not limited to: an otoscopic inspection, unaided and aided pure tone and speech audiometry (as applicable), immittance testing, word recognition, hearing aid check, and electro-acoustic analysis of the hearing aid (if amplified), and an analysis of a frequency modulated (FM) system check (if utilized). A comprehensive written report is required indicating the dates of the audiological evaluation and a description of the results of the audiological testing and amplification evaluation. In addition, the report should include a description of classroom environmental modifications which will assist the individualized education program (IEP) team in making instructional decisions, the child's ability to understand spoken language with and without amplification, and an interpretation of the results as they apply to the child in his or her classroom setting.
2. Children who are deafblind may receive educational services in classes with other disabled children; however, the class-size ratio for deafblind shall be maintained. Additional Requirements. Each child who has been diagnosed as deafblind shall be reported in the Georgia Deafblind Census.

## **Deaf/Hard of Hearing (DHH)**

A child who is deaf or hard of hearing is one who exhibits a hearing loss that, whether permanent or fluctuating, interferes with the acquisition or maintenance of auditory skills necessary for the normal development of speech, language, and academic achievement and, therefore, adversely affects a child's educational performance.

1. A child who is deaf can be characterized by the absence of enough measurable hearing (usually a pure tone average of 66-90+ decibels American National Standards Institute without amplification) such that the primary sensory input for communication may be other than the auditory channel.
2. A child who is hard of hearing can be characterized by the absence of enough measurable hearing (usually a pure tone average range of 30-65 decibels American National Standards Institute without amplification) that the ability to communicate is adversely affected; however, the child who is hard of hearing typically relies upon the auditory channel as the primary sensory input for communication.

### Eligibility and Placement

1. The eligibility report shall include audiological, otological, and educational evaluation reports.
  - a. Audiological evaluations shall be provided with an initial referral. Children who are deaf or hard of hearing shall have an audiological evaluation administered by a certified/licensed audiologist annually, or more often if needed. The annual audiological evaluation shall include, but is not limited to: an otoscopic inspection, unaided and aided pure tone and speech audiometry (as applicable), immittance testing, word recognition, hearing aid check, and electro-acoustic analysis of the hearing aid (if amplified), an analysis of a frequency modulated (FM) system check (if utilized). A comprehensive written report shall be included in the audiological evaluation. This written report shall include but is not limited to: the date of the audiological evaluation, a description of the results of the audiological testing, an amplification evaluation including the child's ability to understand spoken language with and without amplification, as well an interpretation of the results as they apply to the child in his or her classroom setting.
  - b. An otological evaluation report from appropriately licensed or certified personnel is required at the time of initial placement in the program for the deaf/hard of hearing. The otological evaluation report is required as medical history pertinent to the absence of hearing. If such a report is not available upon initial placement, it shall be obtained within 90 days of placement. The initial or most recent otological evaluation result shall be summarized and that otological evaluation report shall be attached to the eligibility report.
  - c. A comprehensive educational assessment shall be used in the development of the child's individualized education program (IEP). The educational evaluation shall include assessment data from more than one measure and shall include, but is not limited to, information related to academic/achievement levels, receptive and expressive language abilities, receptive and expressive communication abilities, social and emotional adjustment and observational data relative to the child's overall classroom performance and functioning.
    1. A psychological evaluation, using instruments appropriate for children who are deaf or hard of hearing, is recommended as part of the overall data when eligibility is being considered.
    2. Children who exhibit a unilateral hearing loss may be considered for eligibility provided documentation exists that indicates academic or communicative deficits are the result of the hearing loss.

#### Additional Requirements

1. An evaluation of the communication needs of a child who is deaf or hard of hearing shall be considered in the program and class placement decisions. An evaluation of a child's communication needs shall include, but is not limited to: language and communication needs and abilities, opportunities for direct communication with peers and professional personnel in the child's preferred language and communication mode, severity of loss, educational abilities, academic level and full range of needs, including opportunities for direct instruction in the child's language and communication mode.
2. Any classroom to be used for a child who is deaf or hard of hearing shall be soundtreated and present an appropriate acoustical environment for the child. All placements, including

regular education placements and desk arrangements within classrooms shall be made so that environmental noise and interruptions are minimized.

3. Recommendation of the appropriate educational environment, including acoustical considerations, should be made by the IEP Team.
4. Each LEA shall have written procedures to ensure the proper functioning of assistive amplification devices used by children who are deaf or hard of hearing. These procedures shall include the designated qualified responsible personnel, daily and ongoing schedules for checking equipment, as well as follow-up procedures.

### **Emotional Behavior Disorder**

An emotional and behavioral disorder is an emotional disability characterized by the following:

1. An inability to build or maintain satisfactory interpersonal relationships with peers and/or teachers. For preschool-age children, this would include other care providers.
2. An inability to learn which cannot be adequately explained by intellectual, sensory or health factors.
3. A consistent or chronic inappropriate type of behavior or feelings under normal conditions.
4. A displayed pervasive mood of unhappiness or depression.
5. A displayed tendency to develop physical symptoms, pains or unreasonable fears associated with personal or school problems.

A child with EBD is a child who exhibits one or more of the above emotionally based characteristics of sufficient duration, frequency and intensity that interferes significantly with educational performance to the degree that provision of special educational service is necessary. EBD is an emotional disorder characterized by excesses, deficits or disturbances of behavior. The child's difficulty is emotionally based and cannot be adequately explained by intellectual, cultural, sensory general health factors, or other additional exclusionary factors.

### Eligibility and Placement

1. A child may be considered for placement in a program for children with EBD based upon an eligibility report that shall include the following:
  - Documentation of comprehensive prior extension of services available in the regular program to include counseling, modifications of the regular program or alternative placement available to all children, and data based progress monitoring of the results of interventions
  - Psychological and educational evaluations
  - Report of behavioral observations over a significant period of time;
  - Appropriate social history to include information regarding the history of the child's current problem(s), the professional services and interventions that have been considered or provided from outside the school; and
  - Adequate documentation and written analysis of the duration, frequency and intensity of one or more of the characteristics of emotional and behavioral disorders.
2. A child must not be determined to be a child with an Emotional and Behavioral Disorder if the primary factor for that determination is:
  - Lack of appropriate instruction in reading, including the essential components of reading instruction;
  - Lack of appropriate instruction in math;

- ❑ Lack of appropriate instruction in writing;
- ❑ Limited English proficiency;
- ❑ Visual, hearing or motor disability;
- ❑ Intellectual disabilities;
- ❑ Cultural factors;
- ❑ Environmental or economic disadvantage; or
- ❑ Atypical education history (multiple school attendance, lack of attendance, etc.).

3. The term does not include children with social maladjustment unless it is determined that they are also children with EBD. A child whose values and/or behavior are in conflict with the school, home or community or who has been adjudicated through the courts or other involvement with correctional agencies is neither automatically eligible for nor excluded from EBD placement. Classroom behavior problems and social problems, e.g., delinquency and drug abuse, or a diagnosis of conduct disorder, do not automatically fulfill the requirements for eligibility for placement.

### **Intellectual Disabilities**

Intellectual disabilities refer to significantly subaverage general intellectual functioning which exists concurrently with deficits in adaptive behavior that adversely affects educational performance and originates before age 18. Intellectual disability does not include conditions primarily due to a sensory or physical impairment, traumatic brain injury, autism spectrum disorders, severe multiple impairments, cultural influences or a history of inconsistent and/or inadequate educational programming.

1. Significantly subaverage general intellectual functioning is defined as approximately 70 IQ or below as measured by a qualified psychological examiner on individually administered, nationally normed standardized measures of intelligence.
  - a. All IQ scores defining eligibility for children with intellectual disabilities shall be interpreted as a range of scores encompassed by not more than one standard error of measurement below and above the obtained score. The standard error of measurement for a test may be found in the technical data section of the test manual.
  - b. Any final determination of the level of intellectual functioning shall be based on multiple sources of information and shall include more than one formal measure of intelligence administered by a qualified psychological examiner. There may be children with IQ scores below 70 who do not need special education. Interpretation of results should take into account factors that may affect test performance such as socioeconomic status, native language, and cultural background and associated disabilities in communication, sensory or motor areas.
    - i. Significantly subaverage intellectual functioning must be verified through a written summary of at least one structured observation that demonstrates the child's inability to progress in a typical, age appropriate manner and with consideration for culturally relevant information, medical and education history.

2. Deficits in adaptive behavior are defined as significant limitations in a child's effectiveness in meeting the standards of maturation, learning, personal independence or social responsibility, and especially school performance that is expected of the individual's age-level and cultural group, as determined by clinical judgment.
  - a. The child demonstrates significantly subaverage adaptive behavior in school and home, and, if appropriate, community environments. These limitations in adaptive behavior shall be established through the use of standardized adaptive behavior measures normed on the general population, including people with disabilities and people without disabilities. On these standardized measures, significant limitations in adaptive behavior are operationally defined as performance that is at least two standard deviations below the mean of either (a) one of the following three types of adaptive behavior: conceptual, social, or practical, or (b) an overall (composite) score on a standardized measure of conceptual, social, and practical skills. Documentation must include information from at least two sources. The first source shall be someone from the local school who knows the child and the second source shall be someone who knows the child outside of the school environment such as a parent, guardian, or person acting as a parent.
    - i. Interpretation of results should consider the child's cultural background, socioeconomic status and any associated disabilities that may limit or impact the results of the adaptive behavior measures.
3. Deficits in intellectual functioning and adaptive behavior must have existed prior to age 18.
4. A child must not be determined to be a child with an Intellectual Disability if the determinant factor for that determination is:
  - Lack of appropriate instruction in reading, including the essential components of reading instruction;
  - Lack of appropriate instruction in math;
  - Lack of appropriate instruction in written expression;
  - Limited English proficiency;
  - Visual, hearing or motor disability;
  - Emotional disturbances;
  - Cultural factors;
  - Environmental or economic disadvantage; or
  - Atypical educational history (multiple school attendance, lack of attendance, etc.).

### Eligibility and Placement

A child may be classified as having an intellectual disability (at one of the levels listed below) when a comprehensive evaluation indicates deficits in both intellectual functioning and adaptive behavior. Intellectual functioning and adaptive behavior shall be considered equally in any determination that a child is eligible for services in the area of intellectual disability. A comprehensive educational evaluation shall be administered to determine present levels of academic functioning. The report shall be prepared for each child to provide an adequate description of the data collected and explicit pre-referral interventions prior to evaluation and to explain why the child is eligible for services in a program for children with intellectual disabilities. In situations where discrepancies exist between test score results from intellectual

functioning, adaptive behavior and academic achievement, the eligibility report must contain a statement of specific factors considered which resulted in the decision of the eligibility team. Eligibility teams must establish that any limits in performance are not primarily due to the exclusionary factors and must document this in the eligibility report.

A child may be classified as having an intellectual disability at one of the levels listed below:

### **Mild Intellectual Disability (MID)**

- (1) Intellectual functioning ranging between an upper limit of approximately 70 to a lower limit of approximately 55; and
- (2) Deficits in adaptive behavior that significantly limit a child's effectiveness in meeting the standards of maturation, learning, personal independence or social responsibility, and especially school performance that is expected of the individual's age level and cultural group, as determined by clinical judgment.

### **Moderate Intellectual Disability (MOID)**

- (1) Intellectual functioning ranging from an upper limit of approximately 55 to a lower limit of approximately 40; and
- (2) Deficits in adaptive behavior that significantly limit a child's effectiveness in meeting the standards of maturation, learning, personal independence or social responsibility, and especially school performance that is expected of the individual's age-level and cultural group as determined by clinical judgment.

### **Severe Intellectual Disability (SID)**

- (1) Intellectual functioning ranging from an upper limit of approximately 40 to a lower limit of approximately 25; and
- (2) Deficits in adaptive behavior that significantly limit a child's effectiveness in meeting the standards of maturation, learning, personal independence or social responsibility and especially school performance that is expected of the individual's age-level and cultural group as determined by clinical judgment.

### **Profound Intellectual Disability (PID)**

- (1) Intellectual functioning below approximately 25; and
- (2) Deficits in adaptive behavior that significantly limit a child's effectiveness in meeting the standards of maturation, learning, personal independence or social responsibility and especially school performance that is expected of the child's age-level and cultural group, as determined by clinical judgment.

### **Orthopedic Impairment (OI)**

Orthopedic impairment refers to a child whose severe orthopedic impairments adversely affect their educational performance to the degree that the child requires special education.

This term may include:

- (1) Impairment caused by congenital anomalies, e.g., deformity or absence of some limb.

- (2) Impairment caused by disease (poliomyelitis, osteogenesis imperfecta, muscular dystrophy, bone tuberculosis, etc.)
- (3) Impairment from other causes, e.g., cerebral palsy, amputations, and fractures or burns that cause contractures.

Secondary disabilities may be present, including, but not limited to, visual impairment, hearing impairment, communication impairment and/or intellectual disability.

### Eligibility and Placement

Evaluation for initial eligibility shall include the following.

- (1) A current medical evaluation from a licensed doctor of medicine. The evaluation report used for initial eligibility shall be current within one year. The evaluation shall indicate the diagnosis/prognosis of the child's orthopedic impairment, along with information as applicable regarding medications, surgeries, special health care procedures and special diet or activity restrictions.
- (2) A comprehensive educational assessment to indicate the adverse effects of the orthopedic impairment on the child's educational performance.
- (3) Assessments shall document deficits in: pre-academic or academic functioning, social/emotional development, adaptive behavior, motor development or communication abilities resulting from the orthopedic impairment. When assessment information indicates significant deficit(s) in cognitive/academic functioning, a psychological evaluation shall be given.

Children served in a program for orthopedic impairments should be functioning no lower than criteria outlined for mild intellectual disabilities programs. For those children with orthopedic impairments served in other special education programs due to the severity of their sensory or intellectual disability, support by the OI teacher regarding the implications of the child's orthopedic impairment may be appropriate.

### **Other Health Impairment (OHI)**

Other health impairment means having limited strength, vitality or alertness including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that -

- (1) Is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, or a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette Syndrome, and
- (2) Adversely affects a child's educational performance.

In some cases, heightened awareness to environmental stimulus results in difficulties with starting, staying on and completing tasks; making transitions between tasks; interacting with others; following directions; producing work consistently; and, organizing multi-step tasks.

### Eligibility

Evaluation for initial eligibility shall include the following:

- (a) The medical evaluation from a licensed doctor of medicine, or in the case of ADD and ADHD - an evaluation by a licensed doctor of medicine or licensed clinical psychologist should be

considered by the child's Eligibility Team as part of the process of determining eligibility. The evaluation report shall indicate the diagnosis/prognosis of the child's health impairment, along with information as applicable regarding medications, special health care procedures and special diet or activity restrictions. The evaluation report used for initial eligibility shall be current within one year and must document the impact of the physical condition on the vitality, alertness or strength of the child. In cases of illness where the child's physical health and well-being are subject to deterioration or change, this report shall be updated as frequently as determined by the IEP Committee. A medical diagnosis does not automatically include or exclude a child from determination of eligibility.

(b) A comprehensive developmental or educational assessment to indicate the effects of the health impairment on the child's educational performance. Assessments shall document deficits in pre-academic or academic functioning, adaptive behavior, social/emotional development, motor or communication skills resulting from the health impairment. When assessment information indicates significant deficits in cognitive/academic functioning, a psychological evaluation shall be given.

(c) A child must not be determined to be a child with Other Health Impairment if the determinant factor for that determination is:

- Lack of appropriate instruction in reading, including the essential components of reading instruction;
- Lack of appropriate instruction in math;
- Lack of appropriate instruction in writing;
- Limited English proficiency;
- Visual, hearing or motor disability;
- Intellectual disabilities;
- Emotional disturbances;
- Cultural factors;
- Environmental or economic disadvantage; or
- Atypical educational history (attendance at multiple schools, lack of attendance)

#### Placement and Service Delivery

(1) A child meeting eligibility criteria be served by any appropriately certified teacher in any educational program, as specified in the child's individualized education program (IEP).

(2) According to State Board of Education Rule 160-1-3-.03 Communicable Diseases, the district shall allow a child infected with a communicable disease to remain in his or her educational setting unless he or she currently presents a significant risk of contagion as determined by the district after consultation with the child's physician, a knowledgeable public health official and/or a physician designated by the LEA (at the LEA's option).

#### **Significant Developmental Delay (SDD)**

The term significant developmental delay refers to a delay in a child's development in adaptive behavior, cognition, communication, motor development or emotional development to the extent that, if not provided with special intervention, the delay may adversely affect a child's educational performance in age-appropriate activities. The term does not apply to children who are experiencing a slight or temporary lag in one or more areas of development, or a delay which is primarily due to environmental, cultural, or economic disadvantage or lack of

experience in age appropriate activities. The SDD eligibility may be used for children from ages three through nine (the end of the school year in which the child turns nine).

### Eligibility

- (1) Initial eligibility must be established, and an IEP in place, on or before the child's seventh birthday. SDD eligibility is determined by assessing a child in each of the five skill areas of adaptive development, cognition, communication, physical development (gross and fine motor), and social/emotional development. Any child who scores at least 2 standard deviations below the mean in one or more of the five areas or 1½ standard deviations below the mean in two or more areas shall meet eligibility for SDD.
- (2) For children who are kindergarten age or older, initial eligibility shall also include documented evidence that the impact on educational performance is not due to:
  - Lack of appropriate instruction in reading or literacy readiness, including the essential components of reading instruction;
  - Lack of appropriate instruction in math or math readiness skills
  - Limited English proficiency;
  - Visual, hearing or motor disability
  - Emotional disturbances;
  - Cultural factors; or
  - Environmental or economic disadvantage.

The application of professional judgment is a critical element at every stage of eligibility determination: as test instruments are selected, during the evaluation process, in the analysis of evaluation results, as well as the analysis of error patterns on standardized, teacher-made or other tests.

- (3) All five skill areas shall be assessed using at least one formal assessment. In those areas in which a significant delay is suspected, at least one additional formal assessment must be utilized to determine the extent of the delay. All formal assessments must be age appropriate, and all scores must be given in standard deviations.
- (4) For children eligible under SDD with hearing; visual; communication; or orthopedic impairments, a complete evaluation must be obtained to determine if the child also meets eligibility criteria for deaf/hard of hearing, visual impairments, speech and language impairments or orthopedic impairments. Students with sensory, physical or communication disabilities must receive services appropriate for their needs, whether or not specific eligibility is determined.

### Placement and Service Delivery

- (1) Preschool-aged (3-5) children meeting eligibility criteria as SDD and needing special education services may receive those services in a variety of placement options, as determined by the child's IEP Team and participation by other agencies, such as, but not limited to:
  - Regular Early Childhood Setting;
  - Head Start Programs
  - Georgia Pre-K Class
  - Community Daycares
  - Private Preschools

- Separate Early Childhood Special Education Setting;
- Day School;
- Residential Facility;
- Service Provider Location; or
- Home

(2) School-aged children with SDD shall be served by any appropriately certified teacher in any education program designed to meet the needs of the child, as specified by the child's IEP team.

### **Specific Learning Disabilities (SLD)**

- (1) Specific learning disability is defined as a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia. The term does not apply to children who have learning problems that are primarily the result of visual, hearing or motor disabilities, intellectual disabilities, emotional or behavioral disorders, environmental, cultural or economic disadvantage.
- (2) The child with a specific learning disability has one or more serious academic deficiencies and does not achieve adequately according to age to meet State-approved grade-level standards. These achievement deficiencies must be directly related to a pervasive processing deficit and to the child's response to scientific, research-based interventions. The nature of the deficit(s) is such that classroom performance is not correctable without specialized techniques that are fundamentally different from those provided by general education teachers, basic remedial/tutorial approaches, or other compensatory programs. This is clearly documented by the child's response to instruction as demonstrated by a review of the progress monitoring available in general education and Student Support Team (SST) intervention plans as supported by work samples and classroom observations. The child's need for academic support alone is not sufficient for eligibility and does not override the other established requirements for determining eligibility.

### Exclusionary Factors

- (1) A child must not be determined to be a child with a specific learning disability if the determinant factor for that determination is:
- Lack of appropriate instruction in reading, to include the essential components of reading instruction (phonemic awareness, phonics, fluency, vocabulary, and comprehension)
  - Lack of appropriate instruction in math
  - Lack of appropriate instruction in writing;
  - Limited English proficiency;
  - Visual, hearing or motor disability;

- Intellectual disabilities;
- Emotional disturbances;
- Cultural factors;
- Environmental or economic disadvantage; or
- Atypical educational history (such as irregular school attendance or attendance at multiple schools)

### Required Data Collection

(1) In order to determine the existence of Specific Learning Disability, the group must summarize the multiple sources of evidence to conclude that the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade level standards and intellectual development. Ultimately, specific learning disability is determined through professional judgment using multiple supporting evidences that must include:

(a) Data are collected that include:

- At least two current (within twelve months) assessments such as the results of the CRCT or other state-required assessment, norm-referenced achievement tests or benchmarks indicating performance that does not meet expectations for State-approved grade-level standards;
- Information from the teacher related to routine classroom instruction and monitoring of the child's performance. The report must document the child's academic performance and behavior in the areas of difficulty.
- Results from supplementary instruction that has been or is being provided: that uses scientific, research or evidence based interventions selected to correct or reduce the problem(s) the student is having and was in the identified areas of concern; such instruction has been implemented as designed for the period of time indicated by the instructional strategy(ies). If the instructional strategies do not indicate a period of time the strategies should be implemented, the instructional strategies shall be implemented for a minimum of 12 weeks to show the instructional strategies' effect or lack of effect that demonstrates the child is not making sufficient progress to meet age or State-approved grade-level standards within a reasonable time frame;
- The interventions used and the data based progress monitoring results are presented to the parents at regular intervals throughout the interventions.
- Any educationally relevant medical findings that would impact achievement.
- After consent is received from the parents for a comprehensive evaluation for special education determination the following must occur:
  - a. An observation by a required group member;
  - b. Documentation that the determination is not primarily due to any of the exclusionary factors;
  - c. Current analyzed classroom work samples indicating below level performance as compared to the classroom normative sample; and
  - d. Documentation of a pattern of strengths and weaknesses in performance and/or achievement in relation to age and grade level standards must include:
    - A comprehensive assessment of intellectual development designed to assess specific measures of processing skills that may contribute to the area of academic weakness. This assessment must be current within twelve months and

- ❑ Current Response to Intervention data based documentation indicating the lack of sufficient progress toward the attainment of age or State-approved grade-level standards.
- ❑ As appropriate, a language assessment as part of additional processing batteries may be included.

### Eligibility Determination

- (1) The child who is eligible for services under the category of specific learning disability must exhibit the following characteristics: a primary deficit in basic psychological processes and secondary underachievement in one or more of the eight areas along with documentation of the lack of response to instructional intervention as supported by on-going progress monitoring.
- (2) Deficits in basic psychological processes typically include problems in attending, discrimination/perception, organization, short-term memory, long-term memory, conceptualization/reasoning, executive functioning, processing speed, and phonological deficits. Once a deficit in basic psychological processes is documented, there shall be evidence that the processing deficit has impaired the child's mastery of the academic tasks required in the regular curriculum. Though there may exist a pattern of strengths and weaknesses, evidence must be included documenting that the processing deficits are relevant to the child's academic underachievement as determined by appropriate assessments that are provided to the child in his/her native language. Though a child may be performing below age or State-approved grade level standards, the results of progress monitoring must indicate that the child is not making the expected progress toward established benchmarks. This is indicated by comparing the child's rate of progress toward attainment of grade level standards.
- (3) Underachievement exists when the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade level standards and intellectual development and when a child does not achieve adequately toward attainment of grade level standards in one or more of the following areas:
  - ❑ Oral expression- use of spoken language to communicate ideas
  - ❑ Listening comprehension-ability to understand spoken language at a level commensurate with the child's age and ability levels.
  - ❑ Written expression - ability to communicate ideas effectively in writing with appropriate language;
  - ❑ Basic reading skills-ability to use sound/symbol associations to learn phonics in order to comprehend the text;
  - ❑ Reading comprehension-ability to understand the meaning of written language based in child's native language;
  - ❑ Reading Fluency Skills- the ability to read and process a text with appropriate rate and accuracy;
  - ❑ Mathematics calculation-ability to process numerical symbols to derive results, including, but not limited to, spatial awareness of symbol placement and choice of sequence algorithms for operations required; and
  - ❑ Mathematical problem solving -ability to understand logical relationships between mathematical concepts and operations, including, but not limited to, correct sequencing and spatial/symbolic representation.

- (4) Progress monitoring includes the data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting child progress during instruction. When reviewing progress monitoring data, those students that exhibit a positive response to the research validated instruction being provided by general education cannot be considered as having a specific learning disability even though they may show deficits on achievement tests in the specified areas. In addition, children whose achievement in classroom academics indicates performance that is commensurate with pervasive weaknesses that are not indicative of a pattern of strengths and weaknesses may not be considered as having a specific learning disability.
- (5) One group member responsible for determining specific learning disability must conduct an observation of the child's academic performance in the regular classroom after the child has been referred for an evaluation and parental consent for special education evaluation is obtained. The observation of the child is conducted in the learning environment, including the regular classroom setting, to document the child's academic performance and behavior in the areas of difficulty. The observation must include information from the routine classroom instruction and monitoring of the child's performance.

#### The SLD Eligibility Group

- (1) The determination of whether a child suspected of having a specific learning disability is a child with a disability must be made by the child's parents and a team of qualified professionals that must include.
- The child's regular teacher; or if the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of his or her age;
  - A highly qualified certified special education teacher; and
  - A minimum of one other professional qualified to conduct individual diagnostic assessments in the areas of speech and language, academic achievement, intellectual development, or social-emotional development and interpret assessment and intervention data (such as school psychologist, reading teacher, or educational therapist). Determination of the required group member should be based on the data being reviewed and the child's individual needs.
- (2) Each group member must certify in writing whether the report reflects the member's conclusions. If it does not reflect the member's conclusion, the group member must submit a separate statement presenting the member's conclusions.

#### **Speech-Language Impairment (SI)**

Speech or language impairment refers to a communication disorder, such as stuttering, impaired articulation, language or voice impairment that adversely affects a child's educational performance. A speech or language impairment may be congenital or acquired. It refers to impairments in the areas of articulation, fluency, voice or language. Individuals may demonstrate one or any combination of speech or language impairments. A speech or language impairment may be a primary disability or it may be secondary to other disabilities.

- (1) Speech Sound Production Impairment (e.g. articulation impairment)- atypical production of speech sounds characterized by substitutions, omissions, additions or distortions that interferes with intelligibility in conversational speech and obstructs learning ,successful verbal

communication in the educational setting. The term may include the atypical production of speech sounds resulting from phonology, motor or other issues. The term speech sound impairment does not include:

- Inconsistent or situational errors;
  - Communication problems primarily from regional, dialectic, and/or cultural differences;
  - Speech sound errors at or above age level according to established research-based developmental norms, speech that is intelligible and without documented evidence of adverse effect on educational performance
  - Physical structures (e.g., missing teeth, unrepaired cleft lip and/or palate) are the primary cause of the speech sound impairment; or
  - Children who exhibit tongue thrust behavior without an associated speech sound impairment.
- (2) Language Impairment - impaired comprehension and/or use of spoken language which may also impair written and/or other symbol systems and is negatively impacting the child's ability to participate in the classroom environment. The impairment may involve, in any combination, the form of language (phonology, morphology, and syntax), the content of language (semantics) and/or the use of language in communication (pragmatics) that is adversely affecting the child's educational performance. The term language impairment does not include:
- Children who are in the normal stages of second language acquisition/learning and whose communication problems result from English being a secondary language unless it is also determined that they have a speech language impairment in their native/primary language.
  - Children who have regional, dialectic, and/or cultural differences
  - Children who have auditory processing disorders not accompanied by language impairment.
  - Children who have anxiety disorders (e.g. selective mutism) unless it is also determined that they have a speech language impairment. There must be a documented speech-language impairment that adversely affects the educational performance for these children to qualify for special education services.
- (3) Fluency Impairment - interruption in the flow of speech characterized by an atypical rate, or rhythm, and/or repetitions in sounds, syllables, words and phrases that significantly reduces the speaker's ability to participate within the learning environment. Excessive tension, struggling behaviors and secondary characteristics may accompany fluency impairments. Secondary characteristics are defined as ritualistic behaviors or movements that accompany disfluencies. Ritualistic behaviors may include avoidance of specific sounds in words. Fluency impairment includes disorders such as stuttering and cluttering. It does not include disfluencies evident in only one setting or reported by one observer.
- (4) Voice/Resonance Impairment – interruption in one or more processes of pitch, quality, intensity, or resonance resonance that significantly reduces the speaker's ability to communicate effectively.. Voice/Resonance impairment includes aphonia or the abnormal production of vocal quality, pitch, loudness, resonance, and/or duration, which is inappropriate for an individual's age and/or gender. The term voice/resonance impairment does not refer to
- Anxiety disorders (e.g. selective mutism)
  - Differences that are the direct result of regional, dialectic, and/or cultural differences
  - Differences related to medical issues not directly related to the vocal mechanism (e.g. laryngitis, allergies, asthma, laryngopharyngeal reflux (eg. acid reflux of the throat, colds, abnormal tonsils or adenoids, short-term vocal abuse or misuse, neurological pathology)

- Vocal impairments that are found to be the direct result of or symptom of a medical condition unless the impairment impacts the child's performance in the educational environment and is amenable to improvement with therapeutic intervention.

### Evaluation, Eligibility and Placement

All of the special education rules and regulations related to evaluation, eligibility and placement must be followed including:

#### 1. Evaluation:

- A) Documentation of the child's response to prior evidenced-based interventions prior to referral for a comprehensive evaluation.]
- B) A comprehensive evaluation shall be performed by a certified or licensed SpeechLanguage Pathologist (SLP) for consideration of speech-language eligibility. Following receipt of a clear hearing and vision screening and medical clearance for voice (as appropriate) this evaluation consists of an initial screening of the child's speech sounds, language, fluency, voice, oral motor competency, academic, behavioral, and functional skills using either formal or informal assessment procedures to assist in determining if the child is a child with a disability [34 C.F.R. 300.304(b)(1)]. An in-depth evaluation of each area suspected of being impaired, using at least one formal test and/or procedure.
- C) A full and individual initial evaluation for each area suspected of being a disability must be provided and considered prior to the child's eligibility for speech-language services. This may include assessments in the areas of health (e.g. ENT, otolaryngologist, ophthalmologist, and optometrist), vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.
- D) The evaluation is sufficient to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been referred or classified.
- E) Children with voice/resonance impairment must have a medical evaluation to rule out physical structure etiology by a medical specialist either prior to a comprehensive evaluation or as part of a comprehensive evaluation. The presence of a medical condition (e.g., vocal nodules, polyps) does not necessitate the provision of voice therapy as special education or related service nor does a prescription for voice therapy from a medical doctor. A written order from a medical practitioner is a medical opinion regarding the medical evaluation or treatment that a patient should receive. When directed to a school, these medical orders should be considered by the team as a part of the eligibility process. The team, not a medical practitioner, determines the need for an evaluation for special education services based on documented adverse effect of the voice impairment on the child's educational performance.
- F) A variety of assessment tools and strategies must be used to gather relevant functional, developmental and academic information about the child, including information provided by the parent. Information from the evaluation is used to determine whether the child is a child with a disability and the content of the child's IEP including information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities.

### Eligibility

- A) Determining eligibility for speech-language impaired special education services includes three components: 1) The Speech-Language Pathologist determines the presence or absence

of speech language impairment based on Georgia rules and regulations for special education, [34 C.F.R. § 300.8(c)(11)] 2) Documentation of an adverse effect of the impairment on the child's educational performance 3) The team determines that the child is a child with a disability [34 C.F.R. 300.304(b)(1)] and is eligible for special education and appropriate specialized instruction needed to access the student's curriculum. [34 C.F.R. 300.8(b)(2)]

- B) Eligibility shall be determined based on the documented results of at least two or more measures or procedures, at least one of which must be formal, administered in the area of impairment and documentation of adverse effect. A speech-language disorder does not exist if: A) Environmental, cultural, or economic disadvantage cannot be ruled out as primary factors causing the impairment; or 160-4-7-.05-26 ELIGIBILITY DETERMINATION AND CATEGORIES OF ELIGIBILITY B) A child exhibits inconsistent, situational, transitory or developmentally appropriate speech language difficulties that children experience at various times and to various degrees.
- C) Because children who have communication difficulties do not necessarily have speech or language impairments, the speech-language program may not be the appropriate service delivery model to adequately meet the child's educational needs. For this reason, all children who are suspected of having communication problems shall be the subject of a Student Support Team (SST) to problem solve and implement strategies to determine and limit the adverse affect on the child's educational performance.
- (4) For nonverbal or verbally limited children and those with autism and/or significant intellectual, sensory, or physical disabilities, a multidisciplinary team of professionals shall provide a functional communication assessment of the child to determine eligibility for speech language services. The multidisciplinary team shall consist of professionals appropriately related to the child's area of disability.
- (5) A child is eligible for placement in a speech-language program if, following a comprehensive evaluation; the child demonstrates impairment in one or more of the following areas: speech sound, fluency, voice or language that negatively impacts the child's ability to participate in the classroom environment. The present adverse effect of the speech-language impairment on the child's progress in the curriculum, including social and/or emotional growth, must be documented in writing and used to assist in determining eligibility.

### Placement

Placement in the speech-language program shall be based on the results of the comprehensive assessment, and eligibility, along with all other pertinent information. 4. Children shall not be excluded from a speech-language program based solely on the severity of the disability. Cognitive referencing (i.e., comparing language scores to IQ scores) is not permissible as the only criteria for determining eligibility for speech-language impaired services.

### **Traumatic Brain Injury (TBI)**

Traumatic Brain Injury (TBI) refers to an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects the child's educational performance. The term applies to open or closed head injuries resulting in impairments which are immediate or delayed in one or more areas, such as cognition, language, memory, attention, reasoning, abstract thinking,

judgment, problem solving, sensory, perceptual and motor abilities, psychosocial behavior, physical functions, speech and information processing. The term does not apply to brain injuries that are congenital or degenerative in nature, brain injuries induced by birth trauma.

### Eligibility

(1) Evaluation for eligibility shall include the following.

- A summary of the child's pre-injury functioning status. This information may be available through previous formal evaluations, developmental assessments, achievement tests, classroom observations and/or grade reports.
- Verification of the TBI through the following.
  - A medical evaluation report from a licensed doctor of medicine indicating that TBI has occurred recently or in the past, or
  - Documentation of TBI from another appropriate source, such as health department or social services reports, or parents' medical bills/records.
  - A neuropsychological, psychological or psychoeducational evaluation that addresses the impact of the TBI on the following areas of functioning:
    - Cognitive - this includes areas such as memory, attention, reasoning, abstract thinking, judgment, problem solving, speed of information processing, cognitive endurance, organization, receptive and expressive language and speed of language recall.
    - Social/Behavioral - this includes areas such as awareness of self and others, interaction with others, response to social rules, emotional responses to everyday situations and adaptive behavior.
    - Physical/Motor - this includes areas such as hearing and vision acuity, speech production, eye-hand coordination, mobility and physical endurance.

(2) Deficits in one or more of the above areas that have resulted from the TBI and adversely affect the child's educational performance shall be documented.

### Placement and Service Delivery

The identification of TBI for educational programming does not dictate a specific service or placement. The child with TBI shall be served by any appropriately certified teacher in any educational program, as specified in the child's individualized education program (IEP) Team minutes.

### **Visual Impairment (VI)**

A child with a visual impairment is one whose vision, even with correction, adversely impacts a child's educational performance. Examples are children whose visual impairments may result from congenital defects, eye diseases, or injuries to the eye. The term includes both visual impairment and blindness as follows:

- Blind refers to a child whose visual acuity is 20/200 or less in the better eye after correction or who has a limitation in the field of vision that subtends an angle of 20 degrees. Some children who are legally blind have useful vision and may read print.
- Visually impaired refers to a child whose visual acuity falls within the range of 20/70 to 20/200 in the better eye after correction or who have a limitation in the field of vision that adversely impacts educational progress.

Progressive visual disorders: Children, whose current visual acuity is greater than 20/70, but who have a medically indicated expectation of visual deterioration may be considered for vision impaired eligibility based on documentation of the visual deterioration from the child's optometrist or ophthalmologist.

- (1) A current (within one year) eye examination report shall be completed and signed by the ophthalmologist or optometrist who examined the child.
  - A report from a neurologist in lieu of the optometrist/ophthalmologist report is acceptable for students who have blindness due to a cortical vision impairment.
- (2) A clinical low vision evaluation shall be completed by a low vision optometrist for children who are not totally blind;
  - if the student is under the age of 8 and/or has a severe cognitive and/or physical disability that would make the use of low vision aids unfeasible, a functional vision evaluation may be used instead of a low vision evaluation to establish eligibility
  - The low vision evaluation should be completed by age 10 for children who do not have one during eligibility determination prior to age 8 unless other circumstances apply.
  - The low vision evaluation is often difficult to schedule within the 60 day timeline, therefore, if children meet all other eligibility requirements, the eligibility report shall document the date of the scheduled upcoming low vision evaluation and the team may proceed with the eligibility decision.
  - Once the low vision evaluation has occurred the eligibility information shall be updated, and as appropriate, the IEP.

The low vision evaluation must occur within 120 days of receipt of parental consent to evaluate to determine eligibility for visual impairment.

- (3) A comprehensive education evaluation shall be administered to determine present levels of functioning. The impact of the visual impairment on the child's educational performance shall be considered for eligibility.

- (4) Braille instruction is always considered critical to appropriate education for a child who is blind. Children identified with visual impairments shall be evaluated to determine the need for braille skills. The evaluation will include the present and future needs for braille instruction or the use of braille. For children for whom braille instruction and use is indicated, the individualized education program (IEP) shall include the following

- Results obtained from the evaluation conducted for the purpose of determining the need for Braille skills;
- How instruction in braille will be implemented as the primary mode for learning through integration with other classroom activities;
- Date on which braille instruction will commence.
- The length of the period of instruction and the frequency and duration of each instructional session; and
- The level of competency in braille reading and writing to be achieved by the end of the period and the objective assessment measures to be used.
- For those children for whom braille instruction is not indicated, the IEP shall include a statement with supporting documentation that indicates the absence of braille instruction will not impair the child's ability to read and write effectively.

## **DETERMINATION OF ELIGIBILITY**

Students ages three through the semester in which they turn twenty-two years of age may be determined eligible for twelve Special Education categories. This section includes the Georgia Department of Education Special Education Regulations and local procedures relating to placement of students in Special Education programs. Every student placed in Special Education must first be determined eligible for services by an Individual Education Program (IEP) Team. Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals and the parent of the child determines whether the child is a child with a disability and determines the educational needs of the child.

## **ELIGIBILITY TEAM**

The team may consist of the parent(s), a Regular Education Teacher, a person knowledgeable of the evaluation results, a Special Education Teacher, Local Education Agency (LEA) Representative, the student (when appropriate), and any other individuals invited at the discretion of the parent or school system. If determined eligible, the Eligibility / IEP Team will identify goals and objectives to meet the student's needs in the least restrictive environment.

## **EXCLUSIONARY FACTORS**

In making a determination of eligibility, a child must not be determined to be a child with a disability: if the determinant factor for that eligibility is lack of appropriate instruction in reading, including the essential components of reading instruction; lack of appropriate instruction in math; or limited English proficiency; has a visual, hearing, or motor disability, has an intellectual disability, for specific cultural factors, has an environmental or economic disadvantage, has an atypical education history (lack of attendance) or if the child does not otherwise meet the program area eligibility criteria for a child with a disability.

## **DOCUMENTATION OF ELIGIBILITY**

An eligibility report which documents the area of disability shall be completed and placed in each child's special education folder. The eligibility report shall provide statements for each component of the eligibility and shall be comprehensive enough to serve as the evaluation report when necessary.

## **DOCUMENTATION OF INELIGIBILITY**

For those children determined not eligible for special education and related services the eligibility report shall clearly explain the Eligibility Team's determination. The parent of the child shall receive a copy of the eligibility report at no cost to the parent.

## **EVALUATION REPORT AND DETERMINATION PROVIDED TO PARENTS**

Scintilla Charter Academy will provide a copy of the comprehensive psychological evaluation report and documentation of the determination of eligibility (eligibility report) at no cost to the parents. An eligibility report which documents the area of disability shall be completed and placed in each child's special education folder. The eligibility report shall provide statements for each component of the eligibility and shall be comprehensive enough to serve as the evaluation report when necessary. Scintilla Charter Academy speech therapists and related

service providers will document evaluation results in the eligibility report. A separate evaluation report for assistive technology evaluations will be completed and provided to parents during an independent assistive technology evaluation. A separate evaluation report will be completed and provided to parents for related services (OT, PT, FBA Evaluations) when these services are requested through a re-evaluation data review Part C procedure.

## **ELIGIBILITY AND INITIAL PLACEMENT PROCEDURES**

- **Eligibility Report Completed** – The Eligibility Report is the documentation that verifies if the student is or is not eligible for special education services. The student’s case manager or evaluator will initiate the eligibility report. An IEP team meeting to determine eligibility is required for all disability areas. It is the responsibility of the Special Education teacher, School Psychologists and Special Education Liaison to make sure these meetings are scheduled and completed within the timeline guidelines. The eligibility report and determination will be provided to the parents.
- **Notice of IEP Meeting** – The parents must be notified of the proposed date, time and location of an IEP meeting to give them sufficient time to make arrangements to attend or contact the school to reschedule the meeting. The parents are sent the original notice form regarding the meeting date and time. The school system must give the parents the opportunity for a convenient, mutually agreed upon meeting time as well as the option to reschedule so that the parents may attend. Further information about Notice of IEP Meeting may be found in the IEP section of the Procedures Manual.
- **Individualized Education Program (IEP) Developed** – An annual IEP is required for each student that is served in Special Education. The IEP is developed to meet the special needs of the student as identified by the assessments, observations, and other data collected during the referral process. The IEP is developed after the student is determined eligible for services. See the IEP section for more information on the development of the IEP.
- **IEP Team Meeting** – The IEP Team Meeting provides an opportunity for all parties involved in the education of a student to meet to determine eligibility as well as discuss appropriate options to meet the individual education needs of that student. Team members must include the parent, a LEA representative, not less than one special education teacher, not less than one regular education teacher, and other individuals at the discretion of the parent or the LEA who have knowledge or special expertise regarding the child, including related services personnel as appropriate. If the student is found to meet eligibility for a special education program, the Team may or may not recommend placement in that program. If the student does not meet eligibility for a special education program, regular education options should be discussed, and the student will be referred to the SST team for follow-up (see SST form and manual for directions)
- **Parental Consent for Placement** – Should the IEP Team recommend that a student be placed in any special education program, a Parental Consent for Placement must be signed before services can be initiated. If the parent is present at the meeting, the parent’s signature will be obtained at the conclusion of the meeting. If the parent is not present, the Special Education teacher or designee will attempt to contact the parent and schedule another meeting or make arrangements for a home visit. If this cannot be accomplished, the parent liaison or school representative may be contacted to help secure the consent. Once the Parental Consent is obtained, services may be initiated.

## **SUPERVISION AND MONITORING FOR ELIGIBILITY**

- ❑ Professional learning is ongoing throughout the year with SST teams and special education teachers concerning the eligibility process. After the initial professional learning of the year, special education staff are required to read the special education manual and sign off that they have read and understood the process for eligibility.
- ❑ When a student is to be referred for an evaluation or reevaluation the Special Education Coordinator attends the meeting and obtains Parental Consent to Evaluate.
- ❑ The RTI coordinator will review RTI documentation and research-based interventions and progress monitoring to ensure fidelity.
- ❑ Once an evaluation or a reevaluation is complete the eligibility team will use the guidelines developed by the School, State, and Federal Programs.
- ❑ School Leaders and Special Education Coordinators will monitor RTI procedure compliance with each individual school quarterly.
- ❑ Special Education Coordinators will monitor the success of the SST process by monitoring the placement rate for initial referrals to special education.
- ❑ Special Education Coordinators and school psychologists will monitor all eligibility paperwork (i.e. SST data, eligibility report).

## **State Rule: 160-4-7-.06 - Individualized Education Program (IEP)**

### **IEP**

The Individualized Education Program (IEP) serves as the framework for determining the meaning of the term a free appropriate public education (FAPE) in the least restrictive environment (LRE), a term frequently referenced in the Individuals with Disabilities Education Act (IDEA). IEPs must be developed and reviewed annually and must be in effect at the beginning of each school year. The IEP may be reviewed more than once a year if the parent or the local educational agency (LEA) requests a review. Additionally, any change in special education and/or related services for a student must be documented in the IEP. The IEP is a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with his Rule, and must include the following:

### **REQUIRED SECTIONS OF THE IEP**

#### **Present Level of Performance**

Present Levels is the basis for the development of the entire IEP including the Transition Plan, Goals/Objectives, Behavior Intervention Plan, and the Classroom and State Assessment Accommodations. The Present Levels should include academic, developmental, and functional performance. It should be specific and individualized.

#### **Assessments and Identified Needs (Academic, Functional, Developmental)**

Present Levels should include information regarding results of the initial and/or most recent psychological evaluation of the student and the specific educational impact. Present Levels must also include the most recent state assessment and system level assessment results. This should not just be a listing of state scores or grades, but rather an explanation of the results. Pertinent formal or informal testing data should be included along with an explanation of the information which better defines the current levels of the student. This information will help in linking goals and objectives that may need to be developed for the student.

Present Levels must include statements identifying the student's academic, developmental, and/or functional strengths and weaknesses. In addition, each identified area of significant deficit should be addressed in the annual goals, short term objectives, and special education and related services.

#### **Parental Concerns**

Present Levels must include parental input whether the parent is present at the meeting or not. The parental input may be from a previous discussion with the parent during the school year. Additional parental input may also be included in the minutes of the IEP. What is written in this section should be the result of ongoing communication with the parent regarding the child's academics, behavior, performance on goals, and/or future plans. The parent should be provided an opportunity for specific input. Even if the parent does not attend the meeting or does not provide input at the time of the meeting, the information entered should be drawn from communication that has occurred over the previous school year with the parent.

## **Effect of the Disability**

Impact of the disability on involvement and progress in the general education curriculum: This section should describe individual characteristics of the child's disability that affect his or her classroom performance. Examples of specific characteristics for a specific learning disability may include short term memory problems, poor organizational skills, and auditory processing problems, etc. This section must indicate how classroom instruction is impacted by the specific characteristics or deficits of the disability. Merely stating the child's eligibility category does not adequately describe the impact on involvement and progress in the general education curriculum. Statements should reflect individual needs and not be applicable to a large group of children. A discussion of the impact of the disability on involvement and progress in the general education curriculum or for preschool in appropriate activities must be included. This must include characteristics of the disability. Sample impact statements include:

- ❑ "Sally's deficits in auditory processing make it difficult for her to understand verbal instructions and directions. She requires written directions and frequent checks for understanding."
- ❑ "Sally frequently cries, yells, and refuses to work when she doesn't understand a new concept or assignment. Once upset, she requires time away from instruction to calm down, resulting in many interruptions to her learning. When new lessons or assignments are being presented, Sally needs extra time with a teacher to assure she understands the material before working independently."

## **Consideration of Special Factors**

Consideration of special factors must be documented in the IEP. The factors to consider are: behavior, limited English proficiency, visual impairments, communication needs, assistive technology, and alternative format instructional materials. Needs should be clearly described in an individualized manner. If needs are determined in any of these areas, the IEP must include a description of the supports and/or services that will be provided to the child.

- ❑ Behavior Intervention Plan-A BIP must be completed for students with EBD eligibility. In the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions and supports and other strategies, to address that behavior in the IEP or behavioral intervention plan;
- ❑ Limited English Proficiency-In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP
- ❑ Blind/Visual Impairment-In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the child's reading and writing skills, needs and appropriate reading and writing media, that instruction or the use of Braille is not appropriate for the child
- ❑ Communication Needs-Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode;
- ❑ Deaf/Hard of Hearing
- ❑ Assistive Technology Devices or Services – Consider whether the child needs assistive technology devices and services and document yes or no in a statement.

- ❑ Alternative Format for Instruction

### **Consideration of Assistive Technology**

The IEP team must consider the student's need for assistive technology. Assistive technology (AT) devices are identified in the IDEA 2004 as: Any item, piece of equipment or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of children with disabilities.

The term does not include a medical device that is surgically implanted, or the replacement of such a device.

AT support is provided through the Scintilla Charter Academy Special Education Department. All AT devices and/or services must be included in the IEP.

### **Measurable Annual Goals**

IEP annual goals are written to address an individual child's needs/deficits in order to enable that child to be involved in and make progress in grade level standards. All children are expected to be working toward grade level standards, so it is not necessary to list those standards in the IEP. The annual goals should address the needs described in the present levels of academic achievement and functional performance that will enable the child to progress in the grade level standards-based curriculum and meet the child's other educational needs that result from the identified disability. The goals should be written in measurable form and should describe what the child can be reasonably expected to accomplish within twelve months. Example: The child is not making progress in the general education curriculum because of his/her inability to follow directions from the teacher, and often completes assignments incorrectly.

Goal: When given oral directions by the teacher, the child will comply after the first time by listening, clarifying, and verbally agreeing to do as asked four out of five times for three consecutive weeks by December 20, 2019.

### **Benchmarks/Short-term Objectives**

According to IDEA and Georgia State Regulations, short term objectives are not required for all students in special education. Only those students who participate in the Georgia Alternative Assessment (GAA) are required to have short term objectives. However, there is nothing that prohibits a system from requiring short term objectives or benchmarks for all special education students. Scintilla Charter Academy's current policy requires annual goals for all students. Scintilla Charter Academy requires short term objectives only for students participating in GAA.

### **Criteria for Measurement of Goals/Objectives**

When writing goals/objectives, please remember the following:

- ❑ Must be skill building-what skills does the student need to develop in order to access, participate and make progress in the general curriculum and school activities?
- ❑ Must contain a target behavior, condition and two criteria of measurement (writing clear and measurable present level of performance make writing clear and measurable goals easier).
- ❑ Must have a data collection strategy that supports the measurability of the goal.

Example: Given a set of 10 single digit addition problems, Sally will correctly add within numbers (0-10) to achieve 80% accuracy in 3 out of 4 trials as measured by weekly math fact assessments.

Measurable annual goals are written to address an individual student's deficits to enable that student to make progress in grade level standards. All students are expected to be working toward grade level standards, so it is not appropriate to write grade level standards in the IEP.

### **Progress Reporting and Schedule**

The IEP must provide how the child's progress toward meeting the annual goals will be measured; and when periodic reports on the progress the child is making toward meeting the annual goals. Scintilla Charter Academy will provide progress reports using GO-IEP every nine weeks. The nine weeks of the progress reporting period will be generated from the start date of the IEP.

### **Plan for Services**

The IDEA requires each IEP to include a statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child to advance appropriately toward attaining the annual goals; to be involved in and make progress in the general education curriculum and to participate in extracurricular and other nonacademic activities; and to be educated and participate with other children with disabilities and nondisabled children in the academic, nonacademic, and extracurricular activities. The IEP must provide the projected date for the beginning of the services, program modifications, and the anticipated frequency, location, and duration for special education and related services, modifications/ accommodations, and positive behavioral supports.

- Services in General Education is a Special Education service inside the general education setting. These services may include: Consultation, Supportive Instruction (Para-pro), Collaborative, and Co-Teaching.
- Services in Special Education setting include Resource and Self-Contained (both are considered small group instruction on the IEP)
- Related Services are services that are required in order to assist a student with a disability to benefit from special education and access the general curriculum. Some of these services include: Occupational Therapy (OT), Speech Therapy (ST), Physical Therapy (PT), Orientation and Mobility (O&M), Special Transportation, School Health Services.

### **Explanation for Exclusion of Participation with Non-Disabled Peers**

All options considered should be discussed and documented in the IEP. Once the options are decided upon, a WHY statement should be included which describes the extent to which the student will not participate with peers without disabilities in the regular class and/or nonacademic and extracurricular activities. Sample statements include:

- "Billy will receive supplemental instruction in reading one segment per day outside the general education setting to address deficits in reading fluency and comprehension."

- ❑ “Sally will receive one segment per day outside the general education setting for instruction in Language Arts. Her skills in written expression are far below grade level, and she will receive individualized instruction to address deficits in grammar, spelling and sentence structure.”
- ❑ “Joe will receive five segments per day of instruction outside the general education setting due to the need of a modified curriculum. He will receive specialized instruction in academics utilizing adaptive and assistive technology and daily living skills requiring one-on-one instruction and repeated practice to increase independence.”
- ❑ “Sam will receive Speech for one hour per week in the therapy room in order to remediate his moderate articulation disorder in a quiet and structured setting.”

### **Testing Accommodations**

Accommodations used for statewide assessment must be consistent with accommodations used for classroom instruction/testing and specified in the IEP. Some accommodations used for instruction may not be allowed for statewide assessment. Refer to the GaDOE Student Assessment Handbook for the approved accommodations for students with disabilities. Conditional accommodations are only allowed for students who meet the eligibility criteria outlined in the handbook. Only students with significant cognitive disabilities may be allowed to participate in the GAA, and this decision is documented in the IEP.

### **Classroom Testing Accommodations or Modifications**

Classroom testing accommodations should be individualized, determined by subject area, and be as specific as possible. For example, if a child requires additional time to complete tests, it is recommended that the amount of time is specified such as, “50% more time.” Other examples of testing accommodations are the use of a text reader or calculator, special seating, etc. Testing accommodations should only be recommended if they are also the child’s instructional accommodations and some instructional accommodations may not be appropriate for testing.

### **State Assessment**

Students who should participate in the regular assessment are those students whose IEP teams have determined that it is reasonable for them to participate in the statewide or district-wide assessment(s) with appropriate accommodations. The decision for reasonableness is based on many factors. IEP teams should ask the following question: Is the focus of the student’s instruction based on state standards or a modified curriculum? If the student’s instruction is based on state standards, the student should be taking the regular assessment.

Once it has been determined that the student is going to participate in the regular assessment program, consideration must be given to both instructional and testing accommodations. Many students with disabilities participate in assessments with no accommodations because of the nature of the disability.

The challenge for the IEP team is to look at the instructional accommodations and classroom testing accommodations the student uses and decide which of these is necessary for participation in the statewide assessment. The goal is to allow the student with a disability the opportunity to participate in the assessment in the most standard way possible.

If the student's instruction is an alternate, functional curriculum with state standard components and not the state standards curriculum, the student should be placed on the GAA. The Individuals with Disabilities Education Act of 2004 (IDEA) and Every Student Succeeds Act (ESSA) require that states ensure all students, including those with significant cognitive disabilities, have access to challenging academic standards and participate in the state's assessment program. The U.S. Department of Education defines alternate achievement standards as establishing performance expectations that differ in complexity from grade-level achievement standards. These standards must be aligned with the state's content standards, promote access to the general content standards, and articulate the highest achievement levels possible for the individual student. This means teachers may customize learning expectations for students who participate in alternate assessment.

If the IEP Team determines that the child must take an alternate assessment instead of a particular regular State or district wide assessment of student achievement, a statement of why the child cannot participate in the regular assessment and the particular alternate assessment selected is appropriate for the child. The parents of the child must be informed that the child is being assessed against alternate or modified achievement standards and any consequences of such assessments.

IEP teams must select for each assessment only those accommodations that do not invalidate the score according to state standards.

The Georgia Alternate Assessment (GAA) 2.0 is comprised of standardized performance tasks and is intended to provide tiered participation within the assessment for students working at various levels of complexity. The GAA 2.0 is designed to measure the degree to which students with significant cognitive disabilities have mastered alternate achievement standards in the core content areas of English language arts, mathematics, science, and social studies.

- The GAA 2.0 is administered to all eligible students in the following areas:
- Grades 3-8, and high school will be assessed in English language arts and mathematics.
- Grades 5, 8, and high school will be assessed in science.
- Grades 8 and high school will be assessed in social studies.

**Always consult with the Special Education Coordinator prior to recommending the GAA for a student. Although it is an IEP decision whether a student should participate in the GAA, certain Georgia guidelines must be followed in making that determination.**

### **Student Supports: Accommodations, Supplemental Aids and Services and Supports**

- All new teachers of a student must be provided a copy or access to the classroom and state assessment accommodations for a special education student.
- All accommodations and/or modifications that a student needs for access to the general curriculum must be indicated in the IEP.
- Supports for School Personnel is anything that the school personnel may need (training, etc.) in order to help the student access the general curriculum.

## Transition Services.

The purpose of a Transition Plan is to assist students in building the skills and supports they need to reach their post school goals. Transition planning must begin no later than entry into ninth grade or by age 16, whichever comes first.

The IEP must include:

1. Appropriate Measurable Postsecondary Goals

These goals should be measurable post-secondary outcome/completion goals of what the student wants to achieve *after* graduation. They should be “major life accomplishments” or “completion goals.” These should be in the areas of Education/Training, Employment and Independent Living (as appropriate). These goals should be written in easy to understand language. They should be clear and understandable, positively stated, and based on academic achievement and functional performance. They must be based on age-appropriate assessments and be practical and relevant to transition needs. Postsecondary outcome/completion goals can change and become more refined as the child has more experience and gets closer to graduation. These outcome/completion goals can change and become more refined as the student has more experiences and gets closer to graduation. They should occur after the student graduates from high school.

2. Transition Services and Measurable Transition IEP Goals:

These goals should be based on age appropriate transition assessment and include transition activities and services appropriate to attain the Post-Secondary Outcome/Completion Goals. This section should include measurable transition goals that directly relate to the how, when, where, and what is needed to complete each post-secondary outcome/completion goal. They should be relevant to “how to get to” the desired post-secondary outcomes. They must be meaningful. This section is divided into Education/training, Development of Employment, Community Participation, Adult Living Skills and Post School Options, Related Services and Daily Living Skills (as appropriate). There must be at least one measurable transition goal for Education/Training and Employment. Measurable transition goals for Independent Living should be addressed as appropriate.

3. Student Involvement: Preferences, Strengths, Interests, and Course of Study Based on Present Levels of Performance and Age Appropriate Transition Assessments:

Scintilla Charter Academy must ensure that the child’s preferences and interests are considered before developing the transition goals of the IEP. An assessment of the skills and interests related to education, employment, training, and independent living skills (as appropriate) should be conducted in conjunction with the development of the transition components. Assessment tools that clearly describe a student’s strengths and weaknesses and documents interests and perceptions about their skills should also be utilized. There are six characteristics that should be considered when conducting a transition assessment: the assessment should be child centered, continuous, and occurring in many places, involving a variety of people, have understandable data, and be sensitive to cultural diversity.

4. Transition Activities and Services:

This section should address the transition activities that are needed to attain these measurable goals. Transition Activities and Services should be planned as the “what is

needed to achieve these goals” and should be individualized for the student. For best practice, at least two transition activities should be developed for each goal.

5. Representatives of Participating Agency:

This section should include who will help the student achieve the goals stated. There must be documentation that these persons were invited to the Transition IEP meeting and that the parents and student (if 18 years old) were notified of their possible attendance. The individuals, agencies, and groups identified should include those who will help the child achieve the goals stated. They may be individuals who will likely provide or pay for transition services. Documentation that these persons were invited to the Transition IEP Team meeting and that the parent and student (if over 18) were notified of their possible attendance must be kept. When a participating agency does not attend, the IEP Team should document actions to assist the child and his/her family to support contact and communication with the agency. If the child does not attend the IEP Team meeting, the LEA must take other steps, including verbal and written input, to ensure that the child’s preferences and interests are considered before developing the transition goals of the IEP.

### **Transfer of Rights**

At age 18, students become their own educational decision makers, unless a court decides they are not able to make these decisions. On or before the student’s 17<sup>th</sup> birthday, the school is to inform the parents and the student that at age 18, the student attains the age of majority in Georgia and will become his or her own educational decision maker. This is done during the IEP meeting. The school may also inform parents of other options or where to get more information about guardianships, powers of attorney and other options. Beginning at the age 18, the school is to send all notices to both the parent and the student, but the student will provide informed written consent for any action requested by the system. When the student turns 18, he or she becomes the educational decision maker, but the parents retain the rights to all notices of meetings, notices of changes in program or placement, and notices of evaluations while the student is eligible under IDEA. A student must be informed of his/her rights at 17 years old and it must be documented and dated. Once the student turns 18, it must be documented and dated that the student has been informed that the rights have been transferred.

### **Construction**

Nothing in this Rule shall be construed to require that additional information be included in a child’s IEP beyond what is explicitly required or that the IEP Team is required to include information under one component of a child’s IEP that is already contained under another component of the child’s IEP.

### **IEP TEAM**

The IEP team is a group of individuals that is responsible for developing, reviewing, or revising an IEP for a child with a disability. Scintilla Charter Academy shall ensure that each IEP team meeting includes required participants.

The IEP team for each child with a disability includes:

- The parents of the child;

- ❑ At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
- ❑ At least one special education teacher of the child
- ❑ A representative of Scintilla Charter Academy (LEA) who:
  - ❑ Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of a child with disabilities;
  - ❑ Is knowledgeable about the general curriculum; and
  - ❑ Is knowledgeable about the availability of resources of the public agency;
- ❑ An individual who can interpret the instructional implications of evaluation results, who may be a member of the IEP team
- ❑ At the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate.
- ❑ The child with a disability, when appropriate, can be a member of the IEP team.

### **IEP Team Attendance/Excusal of IEP Team Member**

A member of the IEP Team described above may be excused from attending an IEP Team meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, if: The parent, in writing, and the LEA consent to the excusal; and if the member submits, in writing to the parent and the IEP Team, input into the development of the IEP prior to the meeting. Two circumstances may allow a required member of the IEP Team to be excused:

- ❑ When an IEP Team member's area of curriculum or related services is not being changed or discussed at that IEP Team meeting, the parent and Scintilla Charter Academy may agree to excuse an IEP Team member from all or part of a meeting if the parent consents, in writing, to this excusal.
- ❑ When the IEP Team member's area of curriculum or related services is being discussed at the meeting, the parent and the LEA may excuse an IEP Team member from all or part of a meeting if the parent consents, in writing, to the excusal and the excused person submits relevant, written input into the development of the IEP prior to the meeting.

### **Transition for Children Ages, Birth-Two (Part C)**

Scintilla Charter Academy does not serve students age birth through two.

In the case of a child, birth through age 2, who was previously served under BCW, an invitation to the initial IEP Team meeting must, at the request of the parent, be sent to the BCW service coordinator or other representatives of BCW to assist with the smooth transition of services.

### **Parent Participation in the IEP**

Scintilla Charter Academy must take steps to ensure that one or both of the parents of a child with a disability are present at each IEP Team meeting or are afforded the opportunity to participate. This includes notifying the parent early enough, scheduling the meeting at a mutually agreed upon time and place. The notice must have the purpose, time, and location of the meeting.

The invitation to the IEP Team meeting shall indicate the purpose, time, and location of the meeting, participants who will be in attendance, and inform the parents of their right to invite other individuals who, in their opinion, have knowledge or special expertise regarding their child, including related services personnel. The invitation shall also inform the parents of a child previously served in Babies Can't Wait of their right to request that an invitation to the initial IEP Team meeting be sent to the service coordinator or other representative of Babies Can't Wait to assist with the smooth transition of services.

For a student with a disability, beginning not later than entry into ninth grade or by age 16 whichever comes first, or younger if determined appropriate by the IEP Team, the invitation must also indicate that a purpose of the meeting will be the consideration of postsecondary goals and transition services for the student. The LEA will invite the student and identify any other agency that will be invited to send a representative.

If neither parent can attend an IEP Team meeting, the LEA must use other methods to ensure parent participation, including individual or conference telephone calls or video conferences. A meeting may be conducted without the parents in attendance if the LEA is unable to convince the parents that they should attend. In this case, the LEA must keep a record of its attempts to arrange a mutually agreed on time and place such as detailed records of telephone calls made or attempted and the results of those calls; copies of correspondence sent to the parents and any responses received; and detailed records and results of visits made to the home or place of employment and the results of those visits.

The LEA must take whatever action is necessary to ensure that the parents understand the proceedings of the IEP Team meeting, including arranging for an interpreter for a parent who is deaf or whose native language is other than English.

The LEA shall provide a copy of the IEP to the parents at no cost.

Each LEA shall ensure that the parents of each child with a disability are members of any group that makes decisions on the child's educational placement.

The parents of a child with a disability are necessary participants in the development of the IEP. It is important that parents provide information about their views of the child's progress or lack of progress, as well as express any concerns about the overall educational development of the child. Parents provide important knowledge about how the child behaves and performs outside the school setting. Parents should be involved in every part of the development of the annual IEP that should include:

- a description of the child's academic, developmental, and functional performance;
- a description of how the child will be included in the general education curriculum;
- the annual goals for the child along with a description of how those goals will be measured;
- a statement of what special education and related services the child needs;
- a discussion of how the child will participate in district and statewide assessments or why an alternate assessment is appropriate;
- the accommodations and/or modifications that are appropriate for instruction and assessment; and

□ a discussion of the transition services, when appropriate.

### **IEP / IFSP (CONDUCTED IN 30 DAYS, CURRENT WITHIN 1 YR, ACCESSED BY ALL PROVIDERS)**

At the beginning of each school year, each LEA must have an IEP in effect, for each child with a disability within its jurisdiction. Scintilla Charter Academy does not currently serve preschool children and therefore does not participate in the development of IFSPs.

A meeting to develop an IEP for a child is conducted within 30 days of a determination that the child needs special education and related services; and as soon as possible following the development of the IEP, special education and related services are made available to the child in accordance with the child's IEP. The special education teacher must ensure the student's IEP is accessible to each regular education teacher, special education teacher, related services provider, and any other service provider who is responsible for its implementation. Each teacher and provider must be informed of his or her specific responsibilities related to implementing the student's IEP; and the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP. The IEP must be current within a year and updated at least annually.

### **Transfer Within the State of Georgia**

If a child with a disability transfers to a new LEA in the same school year within Georgia, the new LEA (in consultation with the parents) must provide FAPE to the child (including services comparable to those described in the child's IEP from the previous LEA), until the new LEA either: Adopts the child's IEP from the previous LEA or develops, adopts, and implements a new IEP that meets the IEP requirements of this Rule.

When a student transfers to Scintilla Charter Academy from within the state of Georgia:

1. Verify services - You can get this verbally on the phone from the sending school or by receiving paperwork. Access SLDS for an additional resource of verification of services. As soon as you get verification that the student is a student with a disability you must begin serving immediately. You cannot send the student home or defer services until all paperwork is received.
2. Contact the Director of Student Information Systems to see if the student has ever received Special Education services.
3. Get Parental Consent for Placement.
4. Have a parent sign release for information. Parent signature is not required by law for records to be transferred; however, some systems continue to ask for it. A signed release form allows us to get records without any problems or delays. If appropriate, a separate release should be signed for medical records. All students being served under the category of Other Health Impaired (OHI) must have medical records.
5. Fax the release to the sending system for all Special Education records: current IEP, Psychological Evaluation, and current Eligibility Report. We must have all of these documents. All records should be sent to the Special Education office. If you have problems getting records

or need assistance please contact the Special Education office. We will be glad to help you access records. Once records are received, the student will have a mock eligibility and mock IEP entered into GO-IEP if they are transferring from a system that does not use GO-IEP.

6. A current Georgia eligibility from any Georgia school district can be accepted outright by Scintilla Charter Academy and that eligibility may remain in effect for up to 3 years of the date of the last formal eligibility determination. For in-state transfer students, formal evaluation is pursued only when deemed warranted by an IEP Team. Any evaluation under these circumstances is treated as a reevaluation, and the re-evaluation procedures apply.
7. Once you have received all the paperwork, you will need to make a special education file for the student. Folders and dividers for the folder(s) are available at the special education office if needed.
8. Send copies of all paperwork to the Special Education office if it is sent to you first.

### **Out of State Transfer**

If a child with a disability (who had an IEP that was in effect in a LEA in another State) transfers to Georgia within the same school year, the new LEA (in consultation with the parent) must provide the child with FAPE (including services comparable to those described in the child's IEP from the previous LEA until the new LEA.

- Conducts an evaluation if determined to be necessary by the new LEA
- Develops, adopts, and implements a new IEP, if appropriate

When a student transfers to Scintilla Charter Academy from out of state:

1. Verify services - You can get this verbally on the phone from the sending school or by receiving paperwork. As soon as you get verification that the student is a student with a disability you must begin serving immediately. You cannot send the student home or defer services until all paperwork is received.
2. Contact the Director of Student Information Systems to see if the student has ever received Special Education services.
3. Get Parental Consent for Placement.
4. Have a parent sign release for information for records from sending school and for medical records if appropriate.
5. Fax the release to the sending system for all Special Education records: current IEP, Psychological Evaluation, and current Eligibility Report. We must have all of these documents. All records should be sent to the Special Education office. If you have problems getting records or need assistance please contact the Special Education office. We will be glad to help you access records.
6. At this time we will accept their eligibility OR get consent to evaluate to determine eligibility in the state of Georgia. If we do not accept the out of state eligibility then it becomes an initial in

the state of Georgia and we are held to the 60 day timeline. The current eligibility from any Georgia school district can be accepted outright by Scintilla Charter Academy and that eligibility may remain in effect for up to 3 years of the date of the last formal eligibility determination.

7. Send copies of all paperwork to the Special Education office.

### **FERPA and the Transmittal of Records**

The new LEA in which the child enrolls must take reasonable steps to promptly obtain the child's records, including the IEP, supporting documents, and any other records relating to the provision of special education or related services to the child, from the previous LEA in which the child was enrolled, pursuant to the Family Educational Rights and Privacy Act (which does not require prior parental consent to disclose education records to officials of another school where the student seeks or intends to enroll); and the previous LEA in which the child was enrolled must take reasonable steps to promptly respond to the request from the new LEA.

### **Development of the IEP**

The IEP team should consider:

- The strengths of the child;
- The concerns of the parents for enhancing the education of the child;
- The results of the initial or most recent evaluation of the child;
- The results, as appropriate, of the child's Statewide or district wide assessments; and
- The academic, developmental, and functional needs of the child.

Special Factors to also be considered are:

- In the case of a child whose behavior impedes his or her learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior;
- In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP;
- In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child;
- Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode;
- Consider the need for assistive technology devices and services.

### **Extended School Year**

Extended School Year refers to special education and/or related services beyond the normal school year of a public agency for the purpose of providing a free, appropriate public

education (FAPE) to a student with a disability in accordance with the child's IEP, at no cost to the family. The need for ESY is determined by completion of the ESY eligibility. If the need for ESY is determined, the IEP Team must identify which goals in the current IEP are being extended or modified. ESY is not the same thing as summer school; however, ESY services may be provided during the school year as well as during the summer.

#### Progress Monitoring and Data Collection

- Progress monitor for ALL goals
- Collect data after long break
- If regression is observed, continue to progress monitor for recoupment

#### Factors to Consider for ESY

- Regression and Recoupment
- Degree of Progress
- Emerging Skills and Breakthrough Opportunities
- Interfering Behaviors
- Nature and/or Severity of the Disability

#### **Considerations of Extended School Year**

- IEP committees must consider extended school year as part of the IEP process. The IEP Team shall consider each child's need for ESY services annually. The individual needs of the child shall be considered and may include such factors as: the severity of the disability; the age of the child; any transitional needs; the rate of progress or regression that may limit the child's ability to achieve IEP goals/objectives; the relative importance of IEP goals at issue; whether the child is at a critical point of instruction, such as emerging skills; and whether any delays or interruptions in services occurred during the school year. Scintilla Charter Academy must ensure that extended school year services (ESY) are available as necessary to provide FAPE. ESY services must be provided only if a child's IEP Team determines, on an individual basis, that the services are necessary for the provision of FAPE to the child. Scintilla Charter Academy shall not limit ESY services to a particular disability category or unilaterally limit the type, amount or duration of those services.
- The IEP Team shall determine if ESY services are needed as part of the child's FAPE. In doing so it shall consider the individual needs of the child.
- If the IEP Team determines that ESY shall be provided, it shall:
  - Indicate which goals are being extended or modified to deliver FAPE; and,
  - State the specific services needed, the amount of time for each service, the beginning and ending dates for the services and the service provider and location.
- Scintilla Charter Academy shall provide ESY services as required by the child's IEP and all necessary transportation at no cost to the parent.

#### **Regular Education Teacher**

Requirements with respect to regular education teachers: A regular education teacher of a child with a disability, as a member of the IEP Team, must, to the extent appropriate, participate in the development of the IEP of the child, including the determination of:

- Appropriate positive behavioral interventions and supports and other strategies for the child; and
- Supplementary aids and services, accommodations, program modifications, and support for school personnel.

### **IEP Changes or Amendments**

Changes or amendments to the IEP may be made either by the entire IEP Team or at an IEP Team meeting or by agreement between the parents and LEA.

- In making changes to a child's IEP after the annual IEP Team meeting for a school year, the parent(s) of a child with a disability and Scintilla Charter Academy may agree not to convene an IEP Team meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the child's current IEP.
  - If changes are made to the child's IEP, Scintilla Charter Academy must ensure that the child's IEP Team is informed of those changes.
  - A parent must be provided with a revised copy of the IEP with the amendments incorporated.

### **Review and Revision of the IEP**

- Scintilla Charter Academy will ensure that the IEP Team Reviews the child's IEP periodically, but not less than annually, to determine whether the annual goals for the child are being achieved; and revises the IEP, as appropriate. Revisions of the IEP should address any lack of expected progress toward the annual goals and in the general curriculum, the results of any reevaluations conducted, information about the child provided to, or by, the parents, and the child's anticipated needs or other matters.
- Consolidation of IEP Team meetings: To the extent possible, the LEA must encourage the consolidation of reevaluation meetings for the child and other IEP Team meetings for the child.
- Consideration of special factors. In conducting a review of the child's IEP, the IEP Team must consider the special factors listed above in the Development of the IEP section.
- A regular education teacher of the child, as a member of the IEP Team, must participate in the review and revision of the IEP of the child.
- Failure to meet transition objectives-
  - Participating agency failure. If a participating agency, other than Scintilla Charter Academy, fails to provide the transition services described in the IEP, Scintilla Charter Academy must reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the child set out in the IEP.
  - Nothing in this part relieves any participating agency, including the State vocational rehabilitation agency, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to children with disabilities who meet the eligibility criteria of that agency.
- Children with disabilities in adult prisons:
  - The following requirements do not apply to children with disabilities who are convicted as adults under State law and incarcerated in adult prisons (Dept of Corrections):
    - Participation of children with disabilities in State and districtwide assessments; and

- The requirements related to transition planning and transition services do not apply to children whose eligibility under Part B of the IDEA will end, because of their age, before they will be eligible to be released from prison based on consideration of their sentence and eligibility for early release.
- Modifications of IEP or placement. The IEP Team of a child with a disability who is convicted as an adult and incarcerated in an adult prison may modify the child's IEP or placement if the State has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated.
- The IEP requirements in this Rule and Scintilla Charter Academy's requirements do not apply with respect to the modifications described above regarding children whose eligibility under Part B of the IDEA will end, because of their age, before they will be eligible to be released from prison.

### **Parent Notification of Meetings**

The parent must be notified of the proposed date, time, and location of an IEP meeting to give sufficient time to make arrangements to attend or contact the school to reschedule the meeting. The notice should include the purpose of the meeting (including transition, if appropriate); the proposed date, time and location of the meeting; and people who have been invited to the meeting. The parent may request to reschedule the IEP meeting or to participate by telephone if attending in person is not possible.

- Notification must be given 7-10 calendar days prior to the meeting.
- A minimum of three attempts must be made to involve a parent. One attempt must be a written notice. Attempts are required to be documented in go-iep. Attempts may include:
  - Telephone
  - Notice sent in mail
  - Notice sent with student
  - Home visit
  - Parent liaison or school social worker visit
  - Certified Mail

After three attempts to contact the parent have been made, the meeting may proceed without parental attendance. If three contacts have been made and a response is given stating that the parent will attend, you may proceed with the meeting with or without parents in attendance. If a parent requests to reschedule the meeting, you may **not** proceed without them. The meeting must be rescheduled.

### **Meeting Participants**

Participants to be included in the IEP meeting are the IEP Team and all team members should be established:

- Parents of the child or surrogate parent if the child is a ward of the state
- At least one regular education teacher of the child;
- At least one special education teacher of the child;
- A representative of the school system, LEA Representative
- Speech Therapist, if needed
- Related Service providers (OT, PT), if needed

- Student, if transition is being discussed
- Any other appropriate personnel

## **DEVELOPING THE IEP**

A. When beginning the IEP meeting:

- Review the purpose of the meeting
- Introduce all team members
- Review Parental Rights
- Discuss reason for referral, if appropriate

B. In a successful IEP meeting:

- Decisions are documented
- There is a clear understanding of who is responsible for designated tasks
- All team members are active participants
- Team members are positive, open and honest

C. IEP background information

- Student and Guardian demographics-be sure to verify identifying information with the parent and update this information with your registrar if new information is given. Only registrars have the rights to update personal information.

D. Eligibility date and Exceptionality classifications:

- Eligibility date is the INITIAL eligibility date. This date will not change unless exceptionality changes. If the exceptionality changes after the initial eligibility meeting, then it would be a re-evaluation determination. Re-evaluation date is the CURRENT eligibility date and must be within the last 3 years. Do not include future dates.
- Do not forget to include all areas of exceptionality as documented on eligibility report.

E. Parent Participation

Parent participation must be documented on the Notice of IEP Meeting, Meeting Attendance Form, and IEP team member listed on IEP.

## **MINUTES OF MEETING (MEETING NOTES)**

Scintilla Charter Academy will type a documented summary of the meeting minutes and it will be included in the Meeting Notes section of GO-IEP. It is recommended that any additional information that is not included in the IEP be documented on the Meeting Notes section of GO-IEP. When an IEP amendment is made, meeting notes must be documented to reflect the amended changes and committee agreement.

## **AMENDING THE IEP**

After the annual IEP meeting, there may be a need to change the IEP. This can be done either by reconvening the IEP Team to discuss recommendations or by mutual agreement between the parent and system to make changes to the IEP without a meeting. The parent always retains the right to request a meeting for any and all changes or amendments to the IEP. Regardless of the method of changing the IEP, the parent must be provided a copy of the changes in a

timely manner with an explanation of the changes made. Amendment statements must be documented in the meeting notes after completing an audit in GO-IEP. (See Amendment Quick Guide Reference)

## **PLACEMENT / RETENTION**

The IEP committee will review all relevant data and make decisions as a team regarding promotion, placement, or retention.

## **ENGLISH LANGUAGE LEARNERS**

It is important that you have open communication with the ESOL teacher at the school to determine which students are SWD. If a student is in both subgroups, then the ESOL teacher should be a member of the IEP team since that teacher has knowledge of the student's performance and is involved in the student's education. The ESOL teacher should be present and should participate in the development of the IEP as would the student's other teachers. The IEP should document the participation of the ESOL teacher in the IEP meeting for students eligible as both EL and SWD. The plan should include documentation of ESOL services as well as appropriate accommodations needed for ACCESS. IEP meeting notice and parental safeguards should be provided in the student's primary language. Language interpreters should attend all meetings if necessary.

## **FUNCTIONAL BEHAVIOR ASSESSMENT) AND BEHAVIOR INTERVENTION PLAN**

When a student engages in behavior, which interferes with the student's learning or that of other students, the IEP team is required to conduct an FBA. The FBA is then used to develop the BIP.

A Majority of students identified as Emotional Behavioral Disorder (EBD) should have a BIP. However, a BIP should be developed for a student in any categorical placement, if the student's behavior is negatively impacting the student's educational progress or the educational progress of other students.

The BIP should be reviewed at least annually, or sooner as appropriate.

## **PROCEDURE FOR OBTAINING (FBA) AND DEVELOPING A (BIP)**

### **1**

Student exhibits significant problem behavior(s) and has been unresponsive to previously implemented interventions. (Student is either at RTI-Tier 3 or has an IEP)

### **2**

RTI or IEP Team determines that an FBA may be needed. Parental permission must be obtained prior to conducting an FBA. RTI or IEP Team completes an FBA Referral Form and submits to Special Education Director.

### **3**

FBA Referral is assigned to the case manager, a school psychologist, or a behavior specialist for review.

**4**

If a behavior specialist or school psychologist was used in the creation of the FBA, that person will attend the next RTI or IEP meeting.

**5**

FBA is conducted and a report is sent to the referring RTI or IEP Team

**6**

RTI or IEP Team will convene to develop a Behavior Intervention Plan based on FBA data.

**7**

Behavior Intervention Plan is implemented and progress monitored by the RTI or IEP Team

**Providing IEP Information to Regular Education Teachers  
and Other School Officials**

- Each Special Education Teacher is responsible for providing school personnel working directly with a student with disabilities information that will assist in the educational progress of that student.
- This information should be given to school personnel during pre-planning.
  
- This includes:
  - Copies of the IEP (as needed)
  - Behavior Intervention Plan
  - IEP Testing Accommodations
  - Instructional modifications and support
  - Medical/medication information
  
- Some information may be needed by auxiliary personnel such as Guidance Counselor, Art, PE, Music, etc.
- Paraprofessionals also should be provided the information listed above.
- Transfer student or new student information should be given to school personnel in a timely manner.

## **State Rule: 160-4-7-.07 - Least Restrictive Environment (LRE)**

### **Definition**

The Least Restrictive Environment (LRE) is a term used to ensure that all students have a right to an education under IDEA and are educated, to the maximum extent appropriate, with nondisabled peers. Removal of students with disabilities from the general education environment occurs only when the nature or severity of the disability is such that education in a general education class with the use of supplementary aids and/or services cannot be satisfactorily attained.

### **LRE Requirements**

1. Scintilla Charter Academy Special Education staff will adhere to the following procedures to ensure that LRE is used to educate students with disabilities to the maximum extent appropriate, with nondisabled peers.
  - a. The IEP Teams will discuss the identified needs of individual students with disabilities as documented in respective IEPs and will consider appropriate placement of students only after the goals and objectives are determined.
  - b. The IEP Teams will consider a continuum of service placements to include instruction in general education classrooms, special classes, special schools, home instruction, and instruction in hospitals and institutions.
  - c. The IEP Team will contemplate the need for supplemental services (i.e. resource classrooms, itinerant teachers) and aids.
  - d. The IEP Team will determine placement of students with disabilities at least annually.
  - e. The IEP Team will discuss whether full-time placement of a student with a disability in the general education setting is appropriate, if, despite the provisions of supplemental aids and services, the student is so disruptive that participation in the general education classroom significantly impairs the education of other students.
  - f. Students with disabilities shall not be removed from age appropriate general education classrooms solely because modifications, supports, or services may be required in the general education classroom.
  - g. Students with disabilities shall not be removed from age appropriate general education classrooms for administrative convenience.
2. Scintilla Charter Academy will assure that no student with disabilities is denied access to and education in the LRE.
3. Scintilla Charter Academy will ensure that students with disabilities have an equal opportunity to participate in nonacademic, extracurricular services/activities (i.e. meals, recess periods, counseling services, athletics, transportation, health services, recreational activities, special interest groups, school or district sponsored clubs) with nondisabled peers. The IEP Team will identify supplementary aids and services appropriate and necessary to assist students with disabilities in the participation of nonacademic settings.
4. For school-aged students, placements may include the following:
  - a. General education classroom with age-appropriate non-disabled peers, if required by the IEP and staff utilize supplementary aids and services. The provision of services may be from personnel such as paraprofessionals, interpreters, or others
  - b. The student remains in the general education classroom with direct services from special education personnel on a consultative, collaborative, or co-teaching basis;
  - c. Instruction outside the general education classroom for individuals or small groups;
  - d. Separate date school or program;
  - e. Short-term home-based instruction, as long as the district and parents agree at an IEP meeting with the following considerations:

- i. FAPE is provided and includes access to the general curriculum and an opportunity to make progress toward the goals and objectives included in the IEP;
  - ii. Services must be reviewed every nine weeks by the IEP Team; and
  - iii. A reintegration plan is developed to assist in transitioning to the school setting.
- f. Residential placement in-state or out-of state.
- g. Hospital/Homebound (HHB) instruction is used for students with disabilities who are placed in a special education program and have a medically diagnosed condition that significantly interferes with the education and requires the student to be restricted to home or a hospital for a period of time.

## **Annual IEP Placement Determination**

In determining the educational placement of a child with a disability, including a preschool child with a disability, Scintilla will ensure that the placement decision:

1. Is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and
2. Is made in conformity with the LRE provisions contained in this rule.
  - a. The child's placement is determined at least annually, is based on the child's IEP and is as close as possible to the child's home;
  - b. Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled;
  - c. In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs; and
  - d. A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.

## **Continuum of Alternative Placements**

Scintilla will ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services. This continuum will include the following:

1. The alternative placements listed in the definition of special education (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions); and
2. Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

Preschool placements include:

1. A regular education early childhood program in the public school or community (such as Head Start, Bright from the Start Pre-Kindergarten, public or private daycare), and preschool programs with special education services delivered as:
  - a. Additional supportive services. The child remains in a regular early childhood program with supplementary aids and services provided to the teacher and/or child to implement the IEP. The services provided may be from personnel such as paraprofessionals, interpreters, or others.
  - b. Direct services

- i. The child remains in a regular early childhood program with direct services from special education personnel utilizing a consultative, collaborative or coteaching model.
- ii. The child is in the regular education early childhood program but special education and related services are provided outside a regular education early childhood program.

2. Placements for children not attending a regular early childhood program:

- a. A separate special education program housed in the public school or in a community-based setting, in a separate school or residential school or facility;
- b. A program provided at home as a natural environment;
- c. A program provided through service providers in their offices; or
- d. Any combination of the above and/or other settings based on the child's IEP.

3. School age placements:

- a. General education classroom with age-appropriate non-disabled peers, if required by the IEP:
  - i. Additional supportive services. The child remains in the regular classroom with supplementary aids and services provided to the teacher and/or child to implement the IEP. The services provided may be from personnel such as paraprofessionals, interpreters, or others.
  - ii. Direct services. The child remains in the regular classroom with direct services from special education personnel on a consultative, collaborative, or co-teaching basis.
- b. Instruction outside the general classroom for individuals or small groups.
- c. Separate day school or program.
- d. Home-Based instruction may be used as a short-term placement option on occasions when the parent and LEA agree at an IEP meeting with the following considerations:
  - i. A free and appropriate public education (FAPE) is provided and includes access to the general curriculum and an opportunity to make progress toward the goals and objectives included in the IEP;
  - ii. home-based services must be reviewed no less than quarterly by the IEP team; and
  - iii. all IEPs that require home-based placements will include a reintegration plan for returning to the school setting.
- e. Residential placement in-state or out-of-state.
- f. Hospital/homebound instruction program (HHB) is used for students with disabilities who are placed in a special education program and have a medically diagnosed condition that will significantly interfere with their education and requires them to be restricted to their home or a hospital for a period of time. The LEA shall provide hospital/homebound instruction to students with disabilities, under the requirements found in Georgia rule 160-4-2-.31 Hospital Homebound Services.

**DEFINITIONS**  
**Service Delivery Locations**

Service Delivery Locations	Description of Delivery Models
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Co-Teaching	Student with a disability receives special education services within the general education classroom where a regular education teacher and a special education teacher equally share teaching responsibilities for any part or all of the instructional day on a daily basis.
Separate Class	Any class where the student receives special education instruction outside of the general education classroom.
Separate School/Psycho-Educational Program (GNETS)	Services for students with severe emotional disorders or autism.
Home-Based Program	Services determined by the IEP Team
Hospital/Homebound Instruction Program	Students with disabilities who have a medically diagnosed physical condition.
Residential Program	Must be provided when a student with a disability cannot function educationally in any of the other delivery models in the LEA.
State-Operated Schools	May be considered for students with severe sensory impairments

### **Non-academic and Extracurricular Settings**

Extracurricular services and activities, including meals, recess periods, and other services and activities, Scintilla will ensure that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child. Scintilla will ensure that each child with a disability has the supplementary aids and services determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings.

Scintilla will ensure the provision of supplementary aides and services determined appropriate by the IEP team in order to allow children with disabilities an equitable opportunity for participation in nonacademic and extracurricular activities.

Nonacademic and extracurricular services may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the LEA, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the public agency and assistance in making outside employment available.

## **State Rule: 160-4-7-.08 - Confidentiality of Personally Identifiable Information**

### **Confidentiality Procedures**

- Teachers should ensure the confidentiality of any personally identifiable information for students with disabilities.
- Teachers and administrators directly involved in the educational interest of the student should have access to confidential information.
- Maintain a record of those who have had access to the educational records and for what purpose by providing a Record of Access log in the teacher's Due Process Files.
- Provide access to these records to the parent(s)/guardian(s)/surrogate(s) or eligible students.
- Copies of records should come from the Special Education Office.
- Provide access to information concerning the student on a "need to know basis".
- Protect the confidentiality of personally identifiable information at all times.
- Provide a safe location for personally identifiable information on the student. Such as:
  - Locked File Cabinet
  - Locked Desk Drawer
  - Vault
- Keep documentation notes clear, simple, and descriptive of events with date and time of event(s). Sign or initial your documentation.
- Describe clearly in your documentation; don't analyze or put in opinions.
- Use appropriate terminology. Write legibly.
- Be cautious with whom you are speaking over the telephone, if you determine that the person who called is not the parent or legal guardian, call the parent or legal guardian and let them know about the call and document that you have done so.
- Do not allow access of unauthorized persons to personally identifiable information without consent from the parent(s)/guardian (s)/surrogate(s) or eligible students. This is forbidden.
- Do not openly discuss a student in the teacher's lounge, in the grocery store, in church or other places.
- Do not hold a meeting on a student without the pertinent documentation and information to speak intelligently about the student's status.
- Do not use the names of other students or discuss another student in an IEP Team Meeting for a particular student.
- Do not have any information about any other student within another student's Due Process File.

Caution! If in doubt when faced with a questionable situation, ask your administrator or the Director of Special Education for advice.

### **Confidential Information**

1. Education records means the type of records covered under the definition of "education records" in 34 C.F.R. p a r t 99.
2. In Scintilla's Family Handbook, a description is provided of the children on whom personally identifiable information is maintained, the types of information sought, the methods the LEA intends to use in gathering the information, and the uses to be made of the information .
3. Confidentiality information shall be given in native languages by request of the family.
4. In Scintilla's Family Handbook, notice is provided that adequately fully informs all parents concerning the policies and procedures that Scintilla follows regarding storage, disclosure to third parties, and retention and destruction of personally identifiable information

5. A description of all of the rights of parents and children regarding this information, including the rights under FERPA and implementing regulations in 34 C.F.R. Part 99 is provided in Scintilla's Family Handbook.

### **Access Rights and Records**

1. Scintilla permits parents to inspect and review any education records relating to their children that are collected, maintained, or used by the LEA. Scintilla will comply with a request without unnecessary delay and before any meeting regarding an IEP, any due process hearing, or resolution session, and in no case more than 45 days after the request has been made.
2. The rights of parents regarding education records are transferred to the adult student at age 18.
3. The right to inspect and review all education records includes:
  - a. The right to a response from the LEA to reasonable requests for explanations and interpretations of the records;
  - b. The right to request that the LEA provide copies of the records containing the information if failure to provide those copies would effectively prevent the parents from exercising the right to inspect and review the records; and
  - c. The right to have a representative of the parents inspect and review the records.
4. Scintilla may presume that the parents have the authority to inspect and review all records relating to their child unless Scintilla has been advised that the parents do not have the authority under applicable State law governing such matters as guardianship, separation, and divorce.
5. Scintilla will keep a record of parties obtaining access to education records collected or maintained (except access by the parents and authorized employees of the LEA), including the name of the party, the date access was given, and the purpose for which the party is authorized to review or use the records.
6. If any education record includes information on more than one student, the parent(s) of those students have the right to inspect and review only the data relating to their child or be informed of that specific information.
7. Upon request, the Scintilla will provide the parents a list of the types and locations of education records collected, maintained, or used by the school.
8. Scintilla may charge a fee for copies of records that are made for parents under this Rule if the fee does not effectively prevent the parents from exercising their right to inspect and review those records. Scintilla will not charge a fee to search for and retrieve information.

### **Parental Review of Records and/or Obtaining Copies of Records**

Parent(s), guardian(s), surrogate(s) may request to review or have copies made of special education records.

1. Send the request to review records to the Director of Student Information.
2. Parents may review Due Process Files at the school through an appointment.
3. Copies will be provided without unnecessary delay, but no longer than 45 days.

Outside agencies, other school systems outside of Georgia, doctors, lawyers, SSI may request to review or have copies of special education records. These records will be provided as permission to release information is given by the parent.

1. Send these requests to the Director of Student Information.
2. Copies will be provided without unnecessary delay, but no longer than 45 days.

Note: A Record of Access form should be attached to the Due Process File for every student. The Record of Access should be completed (including date, purpose, and signature) each time the

students file is accessed and each time copies are provided to the parent(s) guardian(s), surrogates(s) or eligible students.

### **Parents' Request to Amend Records Procedures**

Parent(s), guardian(s), surrogate(s) may request an amendment to, removal of information, data collected or maintained within the Due Process file that they believe to be inaccurate or misleading or may violate the privacy or other rights of the student by the school system.

1. This request should be referred to the child's Special Education Case Manager.
2. Within a reasonable period of time of receipt of the request, not to exceed 30 school days, a decision to permit or deny the request will be made.
3. If Scintilla decides to refuse to amend the information in accordance with the request, it must inform the parents of the refusal and advise the parents of the right to a hearing provided
4. The LEA must, on request, provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child. The hearing must be conducted according to the procedures under FERPA and its regulations.

### **Results of Hearing**

1. If, as a result of the hearing, the LEA decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, it must amend the information accordingly and so inform the parents in writing.
2. If, as a result of the hearing, the agency decides the information is accurate and not misleading or otherwise in violation of the privacy or other rights of the student, it must inform the parents of their right to place in the records it maintains on the child, a statement commenting on the information and setting forth the reasons for disagreeing with the decision of the L EA.
3. Any explanation placed in the records of the student must be maintained by the LEA as part of the records of the child as long as the record or contested portion thereof is maintained by the LEA . If the records of the child, or the contested portion thereof, are disclosed by the L EA to any party, the explanation must also be disclosed to the party.

### **Parent Consent**

Parental consent must be obtained before personally identifiable information is disclosed to other parties in accordance with 34 C.F.R. § 99.30, unless the disclosure is authorized without parental consent under 34 C.F.R. § 99.31. Under 34 C.F.R. § 99.31, prior consent is not required to release information to :

1. Parents or eligible children ;
2. Other school officials, including teachers, within the agency or institution whom the agency or institution has determined to have legitimate educational interests. This includes teachers within the LEA, legally constituted cooperating agencies or other agencies providing shared services ;
3. Officials of another school, school system, or institution of postsecondary education in which the child seeks or is eligible to enroll, upon condition that the student's parents be notified of the transfer, receive a copy of the record, if desired, and have an opportunity for a hearing to challenge the content of the record ;
4. Authorized Federal, State or local representatives in connection with an audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements which relate to those programs. The information must be protected in a manner that does not permit personal identification of individuals by anyone except the officials referred to above and must be destroyed when no longer needed.

- 5 . In connection with a child's application for or receipt of financial aid for which the child has applied or which the student has received, if the information is necessary;
- 6 . State and local officials or authorities to whom this information is specifically allowed to be reported or disclosed pursuant to a State statute concerning the juvenile justice system;
- 7 . Organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate, or administer predictive tests ; administer student aid programs; or improve instruction . Information may only be disclosed if the study is conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization and the information is destroyed when no longer needed;
- 8 . Accrediting organizations to carry out their accrediting functions;
- 9 . In compliance with a judicial order or a lawfully issued subpoena . The LEA must make a reasonable attempt to notify the child's parents of the judicial order or subpoena before releasing the records, unless the disclosure is in compliance with a Federal grand jury subpoena or other subpoena issued for law enforcement purposes and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed;
- 10 . Disclosure in connection with a health information is necessary to protect the health or safety emergency, if the knowledge of the or safety of the child or other individuals .
- 11 . The disclosure is information the LEA has designated as "directory information" and the LEA has given public notice to parents and eligible students of the types of personally identifiable information that the LEA has designated as directory information, a parent's or eligible student's right to refuse to let the LEA to designate any or all of those types of information about the student as directory information, and the period of time within which a parent or eligible student has to notify the LEA in writing that he or she does not want any or all of those types of information about the student designated as directory information.
- 12 . The Office for Civil Rights ;
- 13 . Officials within the Department of Human Resources (D H R), Department of Corrections (DOC), Department of Juvenile Justice (DJJ) and Department of Labor (DOL) for the purpose of making appropriate educational decisions regarding placements .

### **Safeguards**

1. Each LEA must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction states. The LEA's superintendent or designee must ensure the confidentiality of any personally identifiable information . Access of unauthorized persons to personally identifiable information without parent's consent is forbidden .
2. All persons collecting or using personally identifiable information must receive training or instruction regarding department policies and procedures concerning personally identifiable information .
3. Each LEA must maintain, for public inspection, a current listing of the names and positions of employees within the LEA who may have access to personally identifiable information.

### **Destruction of Information**

Destruction means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

The LEA must establish a procedure for destruction of information and must inform parents that personally identifiable information collected, maintained, or used in the provision of a FAPE is no longer needed to provide educational services to the child. These procedures must be in accordance with FERPA and its regulations.

The information must be destroyed at the request of the parents when the information is no longer needed to provide educational services to the child. However, a permanent record of a

child's name, address and telephone number, grades, attendance record, classes attended, grade level completed and year completed may be maintained without time limitation.

## State Rule: 160-4-7-.09 – Procedural Safeguards and Parent Rights

### **Definition**

Procedural Safeguards/Parent Rights are procedures designed to protect the legal rights of students and parents.

### **Requirements**

1. The term “Procedural Safeguards Notice” also refers to the document commonly identified as “Parent Rights” which, must be given to parents only one time per school year, except that a copy shall also be given to parents in the following circumstances:
  - a. Upon initial referral or parent request for evaluation;
  - b. Upon receipt of the first state complaint in a school year;
  - c. Upon receipt of the first request for a due process hearing in a school year;
  - d. Upon notification by the LEA to the parent of the decision to remove the child from his or her current placement and the removal constitutes a change of placement under the discipline provisions of IDEA and state rules because of a violation of a code of student conduct; and
  - e. Upon request by the parent.
  - f. The parent may elect to receive the Procedural Safeguard/Parent Rights notice by electronic mail, if the district makes the option available.
2. Scintilla Charter Academy may place a copy of the Procedural Safeguards/Parent Rights on its website.
3. The content of the notice must include a full explanation of all the procedural safeguards available relating to:
  - a. Independent educational evaluations;
  - b. Prior written notice;
  - c. Parental consent;
  - d. Access to education records;
  - e. Opportunity to present and resolve complaints through the State complaint procedures and a due process hearing including:
    - i. The time period in which to file a complaint or due process hearing;
    - ii. The opportunity for the agency to resolve the complaint; and
    - iii. The difference between the due process hearing and the state complaint process, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures;
  - f. The availability of mediation;
  - g. The child’s placement during the pendency of any due process hearing;
  - h. Procedures for children who are subject to placement in an interim alternative educational setting;
  - i. Requirements for unilateral placement by parents of children in private school at public expense;
  - j. Due process hearings, including requirements for disclosure of evaluation results and recommendations;
  - k. Appeals of due process hearings, including the time period in which to file those actions;
  - l. Attorneys’ fees; and
  - m. Notice provided in a language understandable to the parents.
4. Scintilla Charter Academy will establish and maintain procedures to provide an opportunity for the parents of a child with a disability to:
  - a. Inspect and review all education records relating to the identification, evaluation, educational placement and provision of FAPE to the child.
  - b. Participate in meetings with respect to the identification, evaluation, and educational placement of the child and the provision of FAPE to such child.

- c. Obtain an independent educational evaluation of the child.
5. Scintilla Charter Academy will establish and maintain procedures to provide to ensure that parents:
  - a. Receive notice before the school initiates or changes (or refuses to initiate or change) the identification, evaluation, educational placement of the child, or the provision of FAPE to the child.
  - b. Receive notice of places to contact for assistance in understanding the procedural safeguards/parents' rights.
  - c. Receive procedural safeguards notice and a full explanation of the procedural safeguards.

### **Parental Opportunity to Examine Records**

1. Scintilla Charter Academy has procedures which permit the parents of a child with a disability an opportunity to inspect and review any education records relating to their children that are collected, maintained or used in the identification, evaluation, educational placement and provision of FAPE. These rights include the right to a response from the LEA to reasonable requests for explanations and interpretations of the records, the right to request the LEA to provide copies of the records and the right to have a representative of the parent to inspect and review the records. All rights of parents to examine education records shall transfer to the child at age eighteen (18). Scintilla may presume that the parent has these rights unless the district has been advised that the parent does not have the authority due to State law governing, guardianship, separation and divorce.

### **Parental Participation in Meetings**

1. The parents of a child with a disability must be afforded an opportunity to participate in meetings with respect to the identification, evaluation, educational placement and the provision of FAPE to the student.
2. A meeting does not include informal or unscheduled conversations involving district personnel and does not include conversations on issues such as teaching methodology, lesson plans, or coordination of service provision.
3. A meeting also does not include preparatory activities that district personnel engage to develop a proposal or to respond to the parent's proposal that will be discussed at a later meeting.
4. Scintilla Charter Academy shall ensure that a parent of each student with a disability is a member of any group that makes decisions on the educational placement of the parent's child.
5. If the parents cannot participate in a meeting in which a decision is to be made relating to the educational placement of their child, the district shall use other methods to ensure their participation, including individual or conference telephone calls or video conferencing.
6. A placement decision may be made by a group without the involvement of the parent(s) if the district is unable to obtain their participation in the decision. In this case, Scintilla must have a record of its attempts to ensure their involvement.
7. Scintilla Charter Academy shall make reasonable efforts to ensure that the parents understand and are able to participate in any group discussions relating to the educational placement of their child, including arranging for an interpreter for parents with deafness or whose native language is other than English.
8. The district shall provide notices to ensure that parents of children with disabilities have the opportunity to participate in meetings.

### **Independent Educational Evaluation**

1. Parents have the right to an independent educational evaluation at public expense if the parents disagree with an evaluation conducted/obtained by the district.

- a. If a parent requests an independent educational evaluation at public expense, Scintilla Charter Academy shall, without unnecessary delay either, initiate an impartial due process hearing to show that its evaluation is appropriate, or ensure that an independent educational evaluation is provided at public expense, unless the district demonstrates in a hearing that the evaluation obtained by the parent did not meet agency criteria.
  - b. If the final decision is that the district's evaluation is appropriate, the parents still have the right to an independent educational evaluation but not at public expense.
  - c. If a parent requests an independent educational evaluation, the district may ask for the parent's reason why he or she objects to the public evaluation. However, the explanation by the parent may not be required and the district may unreasonably delay either providing the independent educational evaluation at public expense or initiating an impartial due process hearing to defend the LEA's evaluation.
  - d. The district shall provide to the parents, upon request, information about where an independent educational evaluation may be obtained and the LEA's criteria applicable for independent educational evaluations.
2. If the parent obtains an independent educational evaluation at public or private expense, the results of the evaluation:
- a. Shall be considered by the district, if the evaluation results meet state and local criteria, in any decision made with respect to the provision of FAPE to the student; and
  - b. May be presented by either party as evidence at an impartial due process hearing.
  - c. If the administrative law judge or hearing officer conducting the impartial due process hearing requests an independent educational evaluation as part of a hearing, the cost of the evaluation shall be at public expense.
  - d. Whenever the state or LEA pays for an independent educational evaluation, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, shall be the same as the criteria which the state or LEA uses when it initiates an evaluation. Except for the criteria described in the aforementioned, the district may not impose conditions or timelines related to obtaining an independent educational evaluation at public expense.
  - e. A parent is entitled to only one independent education evaluation at public expense each time the district conducts an evaluation with which the parent disagrees.

### **Notice to Parents/Guardian/Surrogate**

1. The parents shall be provided notice written in language understandable to the general public a reasonable time before the district proposes to initiate or change the identification, evaluation or educational placement of a child or the provision of FAPE to the student. Written notice shall also be provided if the district refuses to take such action. After rights have been transferred to a child who has reached the age of majority, any written notice shall be provided to both the student and to the parent(s) of the student.
2. Scintilla Charter Academy shall provide a full explanation of all procedural safeguards/parents' rights available to the parent(s). The communication to the parent(s) shall include a description of the action proposed or refused by the district, an explanation of why the district proposes or refuses to take the action, and a description of any options the district considered and the reasons why those options were rejected. Communication to the parent(s) shall include a description of each evaluation procedure, assessment, record, or report the district used as a basis for the proposed or refused action. Also included shall be a description of any other factors which are relevant to Scintilla's proposal or refusal, a statement that the parent(s) of a student with a disability has protection under the procedural safeguards/parents' rights, a statement of the means by which a copy of the

procedural safeguards/parents' rights may be obtained, and information providing sources to contact for assistance in understanding the procedural safeguards/parents' rights.

3. In most cases, notice requirements can be addressed by providing the parent(s) with a copy of documents such as the consent to evaluate, consent for placement, evaluation report, eligibility report, invitation to a meeting, the full individualized education program (IEP) (with minutes, if taken), and/or other relevant documents, as appropriate. However, there may be circumstances when a parent makes a request but these items have not yet been generated for the child. In such a case, the district must respond to the request through an alternative manner, such as through a letter to the parent(s), which provides all of the required elements previously identified.
4. Graduation from high school with a regular education diploma constitutes a change in placement and requires written prior notice.

### **Language Understandable to the General Public**

1. Scintilla Charter Academy shall ensure that notices shall be written in language understandable to the general public, provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.
2. If the native language or other mode of communication of the parent is not a written language, Scintilla will take steps to ensure the notice is translated orally or by other means to the parent in his or her native language or other mode of communication;
  - a. The district must ensure the parent understands the content of the notice; and
  - b. There is written evidence that the requirements have been met.

### **Consent**

At a minimum, informed parental consent shall be obtained before:

- c. Conducting an initial evaluation to determine if the child qualifies as a child with a disability;
- d. Conducting any re-evaluation of a child with a disability;
- e. Providing initial special education and related services to a student with a disability;
- f. Consent to provide special education and related services applies to all services described in the IEP which will ensure FAPE.
- g. Annual decisions about what services are to be provided are made through the IEP process and are not part of the consent requirement.
3. Scintilla Charter Academy special education staff shall not disclose personally identifiable information.
4. Accessing a child's or parent's public benefits or insurance for the first time as describe in Rule 160-4-7-.02 (Free Appropriate Public Education)
5. Except for an initial evaluation, initial placement, and re-evaluation, consent is not required as a condition of any benefit to the parent(s) or child.
6. Consent for initial evaluation shall not be construed as consent for initial provision of special education and related services.
7. The district must make reasonable efforts to obtain the informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability.
8. For initial evaluations only, if the child is a ward of the state and is not residing with the child's parent, the district is not required to obtain informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability if:
  - a. Despite reasonable efforts to do so, the LEA cannot discover the whereabouts of the child's parent;
  - b. The rights of the parents of the child have been terminated in accordance with state law;
  - c. The rights of the parent to make educational decisions have been subrogated by a judge in accordance with state law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.

9. If the parent of a child in public school or seeking to enroll in public school does not provide consent for initial evaluation or the parent fails to respond to a request to provide consent, the district may, but is not required to pursue, the initial evaluation by utilizing the procedural safeguards of mediation or due process hearings.
10. The district does not violate its obligations under Child Find if the district declines to pursue the evaluation.
11. The district must obtain informed consent from the parent of the child before the initial provision of special education and related services to the student.
12. If the parents of a child fail to respond or refuse to consent to services, the district may not utilize the procedural safeguards of mediation or a due process hearing in order to obtain agreement that service may be provided.
13. If the parents of the child do not provide consent for the initial provision of special education and related services, or the parents fail to respond to a request to provide consent for the initial provision of special education and related services, the district will not be considered in violation of the requirement to make FAPE available to the child for which the LEA sought consent.
14. The LEA is not required to convene an IEP Team meeting or develop an IEP for the student with whom the district requests consent.
15. The district must obtain informed parental consent prior to conducting a reevaluation of a student with a disability.
16. If the parent refuses to consent to the re-evaluation, the district may, but is not required to, pursue the re-evaluation by using the consent override procedures by accessing the mediation or due process hearing procedures.  
Scintilla Charter Academy does not violate its obligation if it declines to pursue the evaluation.
17. The district does not have to obtain informed parental consent if the district can demonstrate that:
  - a. The LEA made reasonable efforts to obtain such consent;
  - b. The child's parents failed to respond.
18. Parental consent is not required before:
  - a. Reviewing existing data as a part of an evaluation or re-evaluation; or
  - b. Administering a test or other evaluation that is administered to all children unless consent is required of parents of all children.
  - c. The LEA may not use a parent's refusal to consent to one service or activity.
  - d. If the parent of a child who is home schooled or placed in a private school by the parents at their own expense does not provide consent for the initial evaluation or reevaluation, or the parent fails to respond to a request to provide consent, the district may not use the consent override procedures
    - i. The LEA is not required to consider the child as eligible for services.
    - ii. To meet the reasonable efforts requirement in the consent section of this rule, the district must document its attempts to obtain parental consent.
  - e. A parent may revoke consent for the receipt of special education and related services once the student is initially provided special education and related services
  - f. Revocation of consent to provide special education and related services is for all special education and related services; not individual services.
  - g. The intent to withdraw the child from special education and related services must be made in writing by the parent to the school system.
19. The school system may not continue to provide special education and related services to the child; but must, prior to removing the child from special education and related services, provide the parent prior written notice.
20. The school system may not use the procedures of mediation or due process hearings to override the withdrawal of consent.

21. The school system will not be in violation of the responsibility to provide a free and appropriate public education (FAPE) to a child with a disability because of the failure to provide further special education and related services.
22. The school system is not required to convene an IEP meeting for a student whose consent to receive special education and related services has been revoked.
23. Subsequent referrals for special education and related services shall be considered an initial evaluation and subject to the sixty day evaluation time period.
24. The school system is not required to amend the records of the student to remove any references to the provision of special education and related services prior to the receipt of the revocation of consent.

### **Parental Training and Awareness**

(a) Parents may be provided assistance:

- (i) To understand the special needs of their child and information about child development;  
and
- (ii) To acquire the necessary skills to support the implementation of their child's IEP if determined by the IEP Team as a related service.

## **State Rule: 160-4-7-10 - Discipline**

### **Definition**

Discipline is the practice of training people to obey rules or codes of behavior, using punishment to correct infractions.

### **Requirements**

1. Student codes of conduct shall apply to all students unless a student's IEP specifically states otherwise.
2. When the Eligibility Team determines that a student is eligible for special education and related services, Scintilla Charter Academy staff will ensure that parents and students with disabilities receive notification about the rules and regulations applicable to students with disabilities with respect to child management, discipline, suspension/expulsion.
3. Scintilla Charter Academy staff will ensure that student codes of conduct are addressed during annual IEP meetings.
4. Once a student violates the student code of conduct, the IEP Team will determine whether a change of placement should occur.
5. School administration has an option of removing a student with disabilities from the current placement to an appropriate interim alternative educational setting, another setting or suspension, for not more than ten (10) consecutive school days, when the student violates the code of conduct.
6. School administration may, also, issue additional removals of not more than ten (10) consecutive school days within the same school term for separate incidents of misconduct, as long as the removals do not constitute a change in placement.
7. If a student with disabilities has been removed from the current placement for ten (10) school days in the same school year, Scintilla Charter Academy shall provide special education and related services during any subsequent days of removal.
8. When disciplinary infractions result in removals that exceed ten (10) consecutive school days and the IEP Team, with the parent present, has determined that the violation of the students' conduct code is not a manifestation of the student's disability, school administration may issue disciplinary consequences in the same manner and for the same duration as the procedures utilized for nondisabled students.
  - A. The IEP Team will ensure that a student who is removed for more than ten (10) consecutive school days continues to receive educational services. Continued services will enable the student to participate in the general education curriculum and to progress toward meeting the goals set in the student's IEP.
  - B. Scintilla Charter Academy Special Education staff will administer a functional behavioral assessment (FBA).
  - C. The IEP Team will review behavioral intervention services and modifications, as identified in the student's behavioral intervention plan (BIP) and IEP, to address the conduct violations to alleviate recurrences.
  - D. The IEP Team, including administrative staff, may consider providing services in an interim alternative educational setting.
9. Scintilla Charter Academy System is not required to provide educational services to students with disabilities for removal of ten (10) school days or less, since the district does not provide educational services to nondisabled students.

### **Manifestation Determination**

1. Within ten (10) school days of a student with disabilities change of placement, the IEP Team, with the parent present, will review the student's educational file and all other pertinent information to determine if the conduct in question was caused by or a direct and substantial

relationship to the student's disability of if the conduct was the direct result of the district's failure to implement the student's IEP.

2. If the IEP Team, with the parent present, determines that the conduct was the direct result of the district's failure to implement the student's IEP, Scintilla Charter Academy's Special Education Department will immediately rectify deficiencies.
3. If the IEP Team, with the parent present, determines that the code violation was a manifestation of the student's disability, the IEP team, with the parent present, must conduct an FBA and implement a BIP. When a BIP already exists, the IEP team, with the parent present, will review the plan and make the necessary modifications to address the behavior. After the BIP revisions, the student is returned to the placement setting in which the student was removed. The IEP Team, with the parent present, may agree to a change of placement as a part of the BIP revisions.

### **Special Circumstances**

1. School administration may request an IEP Team meeting in order to remove a student to an interim alternative educational setting for forty-five (45) school days or less, without conducting a manifestation determination, if the student:
  - A. Carries or possesses a dangerous weapon on school premises or at school functions;
  - B. Possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance on school premises or at school functions (A controlled substance does not include legally possessed substances provided and/or supervised by a licensed health-care professional);
  - C. Inflicts serious bodily injury upon another person on school premises or at a school function;
2. The interim alternative education setting is an IEP Team decision.

### **Notification**

1. When the IEP team agrees to a change of placement for conduct violations, Scintilla Charter Academy's Special Education Department will notify the parents of the team's decision. The communication must include the parents' procedural safeguards notice.

### **Appeal**

1. If a parent of a student with disabilities disagrees with the IEP decision regarding placement or manifestation determination, the parent may file a due process hearing request.
2. Scintilla Charter Academy personnel may request a due process hearing, if staff members believe that maintaining the current placement of a student is substantially likely to result in injury to the student or others.
3. A judge or hearing officer submits a decision regarding the parents' or district's appeal. The administrative law judge or hearing officer may:
  - A. Return the student to the placement from which the student was removed, or
  - B. Order a change of placement for the student to an appropriate interim alternative educational setting for not more than forty-five (45) days.
4. Appeal procedures may be repeated, if Scintilla Charter Academy personnel believe that returning the student to the original placement would substantially likely to result in injury to the student or others.
5. When parties request a due process hearing for a dispute resolution, the Georgia Department of Education is responsible for expeditiously arranging the due process hearing. The due process hearing must occur within twenty (20) days of the date the complaint was filed, and the administrative law judge or hearing officer must make a determination within ten (10) school days after the hearing.
6. All parties must adhere to the aforementioned time frame, unless the parents and Scintilla Charter Academy agree, in writing, to waive the resolution meeting and agree to use the mediation process.

- A. A resolution meeting must occur within seven (7) days of receiving notice of the due process hearing request/complaint.
- B. The due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within fifteen (15) days of the receipt of the due process hearing request/complaint.
- C. The decisions on expedited due process hearings are appealable.

### **Placement During Appeals**

- 1. While waiting on the due process hearing, the student must remain in the interim alternative education setting, pending the decision of the administrative law judge or hearing officer or until the forty-five (45) day enrollment period in the interim alternative education setting has expired, whichever occurs first; unless both parties agree otherwise.
- 2. If Scintilla Charter Academy personnel suspect a possible disability and has initiated the referral and evaluation process on a student, the student, then, must receive the same protections as a student with an identified disability.
  - A. Scintilla Charter Academy personnel must have knowledge that a child is a child with a disability before the behavior that precipitated the disciplinary action.
  - B. The parent of the student has expressed concerns in writing to administrative personnel or a teacher that the student is in need of special education and related services.
  - C. The parent of the student has requested an evaluation of the student.
  - D. A teacher or other personnel has expressed specific concerns about a pattern of behavior demonstrated by the student to district and/or school administration.
- 3. Scintilla Charter Academy personnel would not be deemed to have knowledge that a student is suspected of a disability, if the parent of the student has not consented to a psychological evaluation or has refused services.
- 4. If the district has received parental consent for a psychological evaluation and an evaluation has been administered but the student has not met eligibility requirements for special education and related services, Scintilla Charter Academy personnel would have no knowledge that the student is a student with disabilities.
- 5. When school administrators have no knowledge that a student is a student with disabilities prior to disciplinary actions, the student may be subjected to the same consequences of a nondisabled student who has engaged in similar misconduct.
- 6. If a psychological evaluation request has been submitted during the time in which the student is subjected to disciplinary consequences, the Scintilla Charter Academy Special Education Department will communicate with the contracted school psychologist to expedite the evaluation date(s). The student, however, will remain in the education placement determined by the school administration until the evaluation is completed. Suspension or expulsion without educational services may be consequences issued by the school administration. If the student is determined to be eligible for special education and related services, Scintilla Charter Academy will make provisions to ensure that the student receives special education and related services.

### **Referral to and Action by Law Enforcement and Judicial Authorities**

- 1. Scintilla Charter Academy personnel will report any crime committed by a student with disabilities to the Lowndes County Police Department.
- 2. Reports made to the Lowndes County Police Department shall include special education and disciplinary records of the student, as long as the transmission of the records is not in violation of the Family Educational Rights and Privacy Act (FERPA).

### **Change of Placement Because of Disciplinary Removals**

- 1. A change of placement occurs if:
  - A. the removal is for more than ten (10) consecutive school days, or

B. the student has been subjected to a series of removals that constitute a pattern:

- (i) The series of removals total more than ten (10) school days in a school year;
- (ii) The student's behavior is substantially similar to the student's behavior in previous incidents that resulted in a series of removals; and
- (iii) The length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another are additional factors that must be reviewed.

2. Scintilla Charter Academy administration, including Scintilla Charter Academy Special Education Department staff, will determine on a case-by-case basis whether a pattern of removals constitutes a change of placement.

A. The decision is subject to review through due process hearings and judicial proceedings.

## **State Rule: 160-4-7-.11 - Surrogate Parent**

### **Appointment**

In order to provide every child eligible for a public education with the protection of procedural due process , a surrogate parent shall be appointed by the LEA when:

- (a) No parent can be identified;
- (b) The LEA, after reasonable efforts, cannot locate the parents;
- (c) The child is a ward of the State under the laws of Georgia ;
- or (d) The child is an unaccompanied homeless youth as defined in section 725(6) of the McKinney-Vento Homeless Assistance Act (42 U. S.C. 11434a(6)).

### **LEA Duties**

- (a) Scintilla will ensure procedures are in place to determine that a child needs a surrogate parent and the assignment of an individual to act as a surrogate for the child .
- (b) Scintilla will maintain a list of eligible persons to serve as surrogate parents .

### **Wards of the State**

In the case of a child who is a ward of the State , the surrogate parent alternatively may be appointed by the judge overseeing the child 's case, provided that the surrogate meets the requirements in paragraphs (4)(a)(i) and (4) of this section.

### **Criteria for Selection of Surrogate Parents**

Scintilla will ensure that a person selected as a surrogate parent -

- (i) Is not an employee of the GaDOE, Scintilla or any other agency that is involved in the education or care of the child;
- (ii) Has no personal or professional interest that conflicts with the interest of the child the surrogate parent represents; and
- (iii) Has knowledge and skills that ensure adequate representation of the child .

### **Surrogate Parent Responsibilities**

The surrogate parent may represent the child in all matters relating to -

- (a) The identification, evaluation, and educational placement of the child; and
- (b) The provision of FAPE to the child .

## **State Rule: 160-4-7-.12 - Dispute Resolution**

### **Definition**

Dispute resolution is the process of resolving disputes between the school system and the parents of students with disabilities.

### **Complaint Process**

1. An organization or individual, including an organization or individual from another state, may file a signed, written complaint regarding allegations of substance. The complaint shall include a statement that the district has violated requirements of IDEA and the facts on which the statement is based, the signature and contact information for the complainant, and, if alleging violations with respect to a specific child, the name and address of the residence of the child, the name of the school the child is attending, in the case of a homeless child or youth, available contact information for the child and the name of the school the child is attending, a description of the nature of the problem, including facts relating to the problem, and a proposed resolution to the problem to the extent known and available to the party at the time the complaint is filed.
  - A. The complaint must allege a violation that occurred not more than one year prior to the date the complaint is received.
  - B. The party filing the complaint must forward a copy of the complaint to the district at the same time the party files the complaint with the Georgia Department of Education.
  - C. The complaint shall be reviewed and investigated as necessary and appropriate action taken within sixty (60) calendar days of its receipt by the Georgia Department of Education.
  - D. If a written complaint is received that is also the subject of an impartial due process hearing or contains multiple issues, some of which are a part of an impartial due process hearing, the portions of the complaint that are not a part of that hearing shall be resolved, following the described time limits and procedures. The portions of the complaint which are also the subject of an impartial due process hearing shall be set aside pending the conclusion of the hearing.
  - E. If a written complaint is received which contains issues previously decided in an impartial due process hearing involving the same parties, the hearing decision is binding on that issue, and the complainant shall be informed by the Georgia Department of Education. However, a complaint alleging the district's failure to implement an impartial due process hearing decision shall be resolved, following the assigned time limit and procedures.
  - F. Through activities of the Georgia Department of Education and Scintilla Charter Academy, the state complaint procedures will be widely disseminated to parents and other interested individuals, including parent training and information centers, protection and advocacy agencies, independent living centers, and other appropriate entities.
  - G. The complaint procedure is as follows:
    - (i) Complaints from any organization or individual shall be signed and addressed in writing to:  
Director, Division for Special Education Services  
Georgia Department of Education  
1870 Twin Towers East  
Atlanta, Georgia 30334-5010
    - (ii) The party filing the complaint must forward a copy of the complaint to Scintilla Charter Academy, at the same time the party files the complaint with the State. The complaint should be forwarded to the following:  
Melissa Carter, Special Education Liaison  
Scintilla Charter Academy  
2171 East Park Avenue  
Valdosta GA 31601
    - (iii) The complaint shall include a statement that the Georgia Department of Education or Scintilla Charter Academy has violated a requirement of Part B of IDEA and the facts on which the statement is based, the signature and contact information for the complainant, and, if alleging violations with respect to a specific child, the name and address of the residence of

the child, the name of the school the child is attending, in the case of a homeless child or youth, available contact information for the child and the name of the school the child is attending, a description of the nature of the problem of the child, including facts relating to the problem, and a proposed resolution to the problem to the extent known and available to the party at the time the complaint is filed.

- (iv) The Divisions for Special Education Services and Supports shall address the issue with Scintilla Charter Academy in writing and request a response within ten (10) business days from the public agency directly involved.
  - a. The district shall respond directly in writing and shall describe any explanation and/or actions relevant to the allegations.
  - b. Copies of all correspondence shall be sent to the parties involved that include the complainant, the Georgia Department of Education, and Scintilla Charter Academy. In some cases, where the parent of the student is not the complainant, the parent shall also receive copies of all correspondence and the complainant may only receive copies of information that include personally identifiable information if the parent has provided consent to release such information.
- (v) The parent who files the complaint and Scintilla Charter Academy shall have the opportunity to voluntarily engage in mediation to resolve the issues within the complaint.
- (vi) Upon receipt of the first State complaint from a parent in a school year, the district shall provide the parent with a copy of procedural safeguards available to the parents of a student with a disability.
- (vii) The Divisions for Special Education Supports and Services shall review the district's response and a decision may then be made that no further action is required. If, however, the issue is not fully resolved, complaint investigators from the Divisions for Special Education Supports and Services shall be assigned to carry out an independent investigation, including an on-site visit, if necessary, to clarify the issue.
- (viii) The on-site complaint team shall gather information to determine whether there has been a violation of state rules and/or Part B of the IDEA. The on-site review may include examination of records, interviews, and classroom visits.
- (ix) The Divisions for Special Education Supports and Services shall give the complainant the opportunity to submit additional information, either orally or in writing, regarding the allegations in the complaint.
- (x) The Divisions for Special Education Supports and Services shall review all relevant information and make an independent determination as to whether the district is violating a requirement of Part B of the IDEA.
- (xi) The Divisions for Special Education Supports and Services shall issue a written decision to the district and the complainant that addresses each allegation in the complaint and includes findings of fact and conclusions and the reasons for the final decision.
  - a. The Divisions for Special Education Supports and Services shall include in the decision the steps necessary to resolve the complaint, including technical assistance activities, negotiations, and corrective actions to achieve compliance. This letter of notification shall include specific requirements and timelines that shall be met in order to continue to receive IDEA federal funds or state special education funds.
  - b. If the complaint findings indicate a failure to provide appropriate services, the complaint resolution process will address how the district is to remediate the denial of those services, including, as appropriate, the awarding of monetary reimbursement or other corrective action appropriate to the needs of the child and to the future provision of services for all students with disabilities.
  - c. The Georgia Department of Education must not make any final determination that the district is not eligible for assistance under part B of the Act without first giving the LEA reasonable notice and an opportunity for a hearing.

## **Withholding of Funds from Local Units of Administration**

1. An extension of the sixty (60) calendar-day time limit for resolution may be made by the Georgia Department of Education only when exceptional circumstances exist with respect to a particular complaint or if the parent or other complainant and the district involved agree to extend the time to engage in mediation, or to engage in other alternative means of dispute resolution.

### **Private School Complaints**

1. Complaints that the district has failed to meet the requirements regarding children who are parentally-placed in private schools must be filed under the aforementioned complaint procedures. Complaints regarding Child Find are to be filed with the district in which the private school is located and a copy forwarded to the Georgia Department of Education.

### **Mediation Process**

1. Scintilla Charter Academy shall ensure that procedures are established and implemented to allow parties to disputes involving any matter relating to the identification, evaluation, educational placement, or the provision of FAPE to resolve such disputes through a mediation process.
  - A. The mediation process shall be available on request of either party to resolve disputes.
  - B. Mediation shall be available and offered upon each receipt of a complaint or a due process hearing request.
  - C. The procedures shall ensure that the mediation process:
    - (i) Is voluntary on the part of the parties;
    - (ii) Is not used to deny or delay a parent's right to a hearing on the parent's due process complaint, or to deny any other rights afforded under Part B of IDEA; and
    - (iii) Is conducted by a qualified and impartial mediator who is trained in effective mediation techniques.
  - A. The district may establish procedures to offer to parents and schools that choose not to use the mediation process, an opportunity to meet at a time and location convenient to the parents with a disinterested party who is under contract with an appropriate alternative dispute resolution entity, a parent training and information center or a community parent resource center in the State, who would explain the benefits of and encourage the use of the mediation process to the parents.
  - B. The Georgia Department of Education shall maintain a list of individuals who are qualified mediators and knowledgeable in laws and regulations relating to the provision of special education and related services. Mediators shall be selected on a random, rotational or other impartial basis.
    - (i) An individual who serves as a mediator may not be an employee of the Georgia Department of Education or Scintilla Charter Academy; and
    - (ii) Mediators must not have a personal or professional interest that conflicts with the person's objectivity.
    - (iii) A person who otherwise qualifies as a mediator is not an employee of Scintilla Charter Academy or State agency solely because he or she is paid by the Georgia Department of Education to serve as a mediator.
    - (iv) The State shall bear the cost of the mediation process.
    - (v) Each session in the mediation process shall be scheduled in a timely manner and shall be held in a location that is convenient to the parties to the dispute.
    - (vi) If the parties resolve a dispute through the mediation process, the parties shall execute a legally binding agreement that sets forth the resolution and states that:
      - a. Discussions that occur during the mediation process shall be confidential and may not be used as evidence in any subsequent due process hearings or civil proceedings; and
      - b. Is signed by both the parent and a representative of Scintilla Charter Academy with the authority to bind the system.
  - C. The written signed mediation agreement is enforceable in any state court of competent jurisdiction, in a district court of the United States or through the State Complaint Process.

## **Impartial Due Process Hearings**

1. The impartial due process hearing is designed to provide a parent or school district an avenue for resolving differences with regard to the identification, evaluation, placement or provision of FAPE to a student with a disability.
2. The due process hearing request must allege a violation that occurred not more than two (2) years before the date the parent or the district knew or should have known about the alleged action that forms the basis of the due process hearing request.
3. The timeline does not apply to a parent if the parent was prevented from filing a due process complaint due to specific misrepresentations by the school district that it had resolved the problem forming the basis of the complaint, or the school district's withholding of information from the parent that was required to be provided to the parent.
4. Due process hearings are provided at no cost to either party; however, each party is responsible for his, her, or its costs associated with hiring legal counsel or expert witnesses unless a court awards the recovery of such costs to the prevailing party.
5. The district must inform the parents of low-cost or no cost legal and other relevant services available if the parent requests the information or whenever a due process request is received by the district.
6. Due Process Request Procedures are as follows:
  - A. The party filing a due process hearing request must provide a copy to the other party and the State. When the party filing a due process hearing request is not Scintilla Charter Academy, the party must provide a copy to the Superintendent at the same time it provides it to the State.
7. Either party, or the attorney representing either party, may file the due process hearing request.
8. The State and the parties shall keep the content of the due process request confidential.
9. The content of the complaint must include:
  - A. The name of the child;
  - B. The address of the residence of the child;
  - C. The name of the school and the district the child is attending;
  - D. For a homeless child, the contact information for the child and the name of the school and district the child is attending;
  - E. A description of the nature of the problem of the child relating to the proposed or refused initiation or change in the identification, evaluation, placement, or provision of FAPE including the facts relating to the problem;
  - F. A proposed resolution to the problem to the extent known and available to the party at the time.
10. A hearing may not occur until the party or the attorney representing the party files a request that meets the aforementioned requirements.
11. The request for the due process hearing must be deemed sufficient unless the receiving party notifies the hearing officer and the other party in writing, within fifteen (15) days of receipt of the due process request that the receiving party does not believe the request meets the aforementioned requirements.
  - A. Within five (5) days of receipt of notification of alleged insufficiency, the administrative law judge or hearing officer must make a determination on the face of the due process request of whether it meets the requirements and must immediately notify the parties in writing of that determination.
12. A party may amend its due process request only if:
  - A. The other party consents in writing to the amendment and is given the opportunity to resolve the due process request through mediation or a resolution meeting; or
  - B. The administrative law judge or hearing officer grants permission not later than five (5) days prior to the beginning of the hearing.

- C. If an amended due process hearing request is appropriately filed, the timelines for the resolution meeting and the resolution period begin anew.

### **LEA Response to a Due Process Hearing Request**

1. If the district has not sent prior written notice regarding the subject matter of the due process hearing request to the parent, the district must within ten (10) days of receiving the due process hearing request, send to the parent a response that includes:
  - A. An explanation of why the district proposed or refused to take action;
  - B. A description of other options that the IEP team considered and the reasons why these options were rejected;
  - C. A description of each evaluation procedure, assessment, record, or report the district used as the basis for the proposed or refused action;
  - D. A description of the other factors that are relevant to the district's proposed or refused action.
2. The district's response does not preclude the district from asserting that the parent's due process request is insufficient.
3. Unless responded to as above, any party receiving a due process hearing request must send to the other party within ten (10) days a response that specifically addresses the issues raised in the due process hearing request.

### **Resolution Process**

1. Within fifteen (15) days of receiving a parent's due process hearing request and prior to the initiation of a due process hearing, the district must convene a meeting with the parent and relevant members of the IEP Team who have knowledge of the facts identified in the due process request that:
  - A. Includes a representative of the district who has decision-making authority on district's behalf; and
  - B. May not include an attorney for the district unless the parent is accompanied by an attorney
  - C. The parent and the district determine the relevant members of the IEP Team to attend the meeting.
  - D. The purpose of the meeting is for the parent of the child to discuss the due process hearing request, and the facts that form the basis of the request, so that the district has the opportunity to resolve the dispute that is the basis of the request for a due process hearing.
  - E. The resolution meeting need not be held if the parent and the district agree in writing to waive the meeting; or the parent and the LEA agree to use mediation to attempt to resolve the due process hearing request.
  - F. If the district has not resolved the due process hearing request to the satisfaction of the parent within thirty (30) days of the receipt of the due process complaint, the due process hearing may occur.
  - G. The failure or refusal of the parent to participate in the resolution meeting shall delay the timelines for the resolution process and the due process hearing until the meeting is held, unless the parties have agreed to waive the resolution meeting or to participate in mediation.
  - H. If the district is unable to obtain the participation of the parent in the resolution meeting after reasonable efforts have been made, the district may at the conclusion of the thirty (30) day resolution period, request that an administrative law judge or hearing officer dismiss the parent's due process hearing request.
  - I. If the district fails to hold the resolution meeting within fifteen (15) days of receiving notice of a parent's due process hearing request or fails to participate in the resolution meeting, the parent may seek the intervention of an administrative law judge or hearing officer to begin the due process hearing timeline.
  - J. The timeline for issuing a decision in a due process hearing begins at the expiration of the thirty (30) day resolution period, unless an adjustment to the thirty (30) day resolution period is necessary.

- K. The forty-five (45) day timeline for the due process hearing starts the day after the administrative law judge or hearing officer has been informed of one of the following events:
- (i) Both parties agree in writing to waive the resolution meeting;
  - (ii) After either the mediation or resolution meeting starts but before the end of the thirty (30) day period, the parties agree in writing that no agreement is possible;
  - (iii) If both parties agree in writing to continue the mediation at the end of the resolution period, but later, the parent or district withdraws from mediation.
- L. If a resolution to the dispute is reached at the resolution meeting, the parties must execute a legally binding agreement that is signed by both the parent and a representative of the district who has the authority to bind the LEA.
- M. The agreement is enforceable in any State court of competent jurisdiction or in a district court of the United States, or through the State Complaint Process.
- N. If the parties execute an agreement, a party may void the agreement within three (3) business days of the agreement's execution.

### **Impartial Administrative Law Judge or Hearing Officer**

1. At a minimum, an administrative law judge or hearing officer:
- A. Must not be an employee of the Georgia Department of Education or Scintilla Charter Academy;
  - B. A person who otherwise qualifies to conduct a hearing is not an employee of the Georgia Department of Education or its representatives solely because he or she is paid by the Georgia Department of Education to serve as an administrative law judge or hearing officer;
  - C. Must not be a person having a personal or professional interest that conflicts with the person's objectivity in the hearing;
  - D. Must not be previously familiar with the student or the parents/guardian/surrogate unless through previous administrative procedures;
  - E. Must not be previously personally familiar with the specific program or services of the district at issue in the hearing. Information arising solely from previous due process hearings shall not impair an administrative law judge's impartiality, but information or personal knowledge from other sources about Scintilla Charter Academy or family, including the education or employment of the administrative law judge's family shall impair that particular individual's impartiality in the particular case;
  - F. When any factor or event may impair or appear to impair the impartiality of the administrative law judge, such factors shall be timely disclosed to all parties;
  - G. Must possess knowledge of, and the ability to understand, the provisions of the IDEA, Federal and State regulations pertaining to the IDEA, and legal interpretations of the IDEA by Federal and State courts;
  - H. Must possess the knowledge and ability to conduct hearings in accordance with appropriate, standard legal practice; and
  - I. Must possess the knowledge and ability to render and write decisions in accordance with appropriate, standard legal practice.
2. The Georgia Department of Education or its representatives must keep a list of the persons who serve as administrative law judges or hearing officers. The list must include a statement of the qualifications of each of those persons.

### **Subject Matter of Due Process Hearings**

1. The party requesting the due process hearing may not raise issues at the due process hearing that were not raised in the due process hearing request, unless the other party agrees otherwise.

### **Timeline for Requesting a Hearing**

1. A parent or agency must request an impartial hearing on their due process hearing request within two years of the date the parent or agency knew or should have known about the alleged action that forms the basis of the due process request.

### **Exception to the Timeline**

1. The timeline does not apply to a parent if the parent was prevented from filing a due process hearing request due to specific misrepresentations by the district that it had resolved the problem forming the basis of the due process hearing request; or the district's withholding of information from the parent that was required to be provided to the parent.
2. Any party to a due process hearing has the right to:
  - A. Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities;
  - B. Present evidence and confront, cross-examine, and compel the attendance of witnesses;
  - C. Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five business days before the hearing;
  - D. Obtain a written, or, at the option of the parents, electronic, verbatim record of the hearing;
  - E. Obtain written, or, at the option of the parents, electronic findings of fact and decisions;
  - F. Disclosure by each party to the other party at least five (5) business days prior to a hearing all evaluations completed by that date and recommendations based on the offering party's evaluations that the party intends to use at the hearing;
  - G. Bar any party that fails to comply with this disclosure rule from introducing the relevant evaluation or recommendation at the hearing without the consent of the other party; and
  - H. Obtain a list of all potential witnesses at least five (five) business days before the hearing. If the witness list, due to its length or other factors, does not reasonably disclose the potential witnesses in the hearing, any party or the administrative law judge on his/her own motion may require a party to amend his/her witness list to include only the names of such persons who may actually testify and the general thrust of their testimony.
2. The parties may agree to settle the matters in dispute at any time whereupon the administrative law judge, upon written request, shall enter an order dismissing the matter.
3. A party may file a motion for voluntary dismissal at any time, up until five (5) days before the scheduled date of the hearing. No motion for voluntary dismissal shall be considered if filed after that time.
4. Any motion for voluntary dismissal filed pursuant to this subsection shall include a statement of the reason(s) for requesting dismissal.
5. Within five (5) days after service of the motion for voluntary dismissal pursuant to this subsection, the opposing party may file a response to the motion for voluntary dismissal.
6. If the administrative law judge determines that the motion has been made for good cause, the case shall be dismissed without prejudice and the party shall be authorized to re-file the complaint within the time authorized under the applicable statute(s) of limitations.
7. If the administrative law judge determines that there is a lack of good cause, and the party fails to appear at any scheduled hearing, or to otherwise prosecute their case, the party's claims will be deemed abandoned and dismissed with prejudice.
8. The party seeking relief shall bear the burden of persuasion with the evidence at the administrative hearing. The administrative law judge or hearing officer shall retain the discretion to modify and apply this general principle to conform with the requirements of law and justice in individual cases under unique or unusual circumstances as determined by the administrative law judge or hearing officer.
9. Parents involved in hearings must be given the right to:
  - A. Have the child who is the subject of the hearing present;
  - B. Open the hearing to the public; and
  - C. Have the record of the hearing and the findings of fact and decisions provided at no cost to parents.

10. An administrative law judge or hearing officer's determination of whether a child received FAPE must be based on substantive grounds.
11. In matters alleging a procedural violation, an administrative law judge or hearing officer may find that a student did not receive a FAPE only if the procedural inadequacies:
  - A. Impeded the student's right to FAPE;
  - B. Significantly impeded the parent's opportunity to participate in the decision-making process regarding the provision of FAPE to the parent's child; or
  - C. Caused a deprivation of educational benefit.
12. The Georgia Department of Education, after deleting any personally identifiable information, must transmit the findings and decisions to the State advisory panel and make those findings and decisions available to the public.
13. A decision made in a due process hearing is final, except that any party involved in the hearing may appeal the decision.
14. The Georgia Department of Education must ensure that not later than forty-five (45) days after the expiration of the thirty (30) day resolution period or the adjusted resolution time periods that:
  - A. A final decision is reached in the hearing; and
  - B. A copy of the decision is mailed to each of the parties.
15. An administrative law judge or hearing officer may grant specific extensions of time beyond the periods set out in this rule at the request of either party. The hearing officer or administrative law judge must notify the parties in its written order granting the extension of the new date by which the decision shall be provided.
16. Each hearing must be conducted at a time and place that is reasonably convenient to the parents and child involved.

### **Civil Action**

1. Any party aggrieved by the findings and decision made by an administrative law judge or hearing officer has the right to bring a civil action with respect to the due process hearing request notice requesting a due process hearing.
2. The action may be brought in any State court of competent jurisdiction or in a district court of the United States without regard to the amount in controversy.
3. The party bringing the action shall have ninety (90) days from the date of the decision of the administrative law judge or hearing officer to file a civil action.
4. In any civil action, the court:
  - A. Receives the records of the administrative proceedings directly from the administrative law judge or hearing officer;
  - B. Hears additional evidence at the request of a party; and
  - C. Grants the relief that the court determines to be appropriate, basing its decision on the preponderance of the evidence.
5. The district courts of the United States have jurisdiction of actions brought under section 615 of the IDEA without regard to the amount in controversy.

### **Rule of Construction**

1. Nothing in this part restricts or limits the rights, procedures, and remedies available under the Constitution, the Americans with Disabilities Act of 1990, title V of the Rehabilitation Act of 1973, or other Federal laws protecting the rights of children with disabilities, except that before the filing of a civil action under these laws seeking relief that is also available under section 615 of the IDEA, the procedures under IDEA must be exhausted to the same extent as would be required had the action been brought under the IDEA.

### **Attorneys' Fees**

1. In any action or proceeding brought under the due process hearing provisions of the IDEA, the court, in its discretion, may award reasonable attorneys' fees as part of the costs to the prevailing party who is the parent of a child with a disability; or
2. To a prevailing party who is the Georgia Department of Education or Scintilla Charter Academy against the attorney of a parent who files a complaint or subsequent cause of action that is frivolous, unreasonable, or without foundation, or against the attorney of a parent who continued to litigate after the litigation clearly became frivolous, unreasonable, or without foundation; or
3. To a prevailing Georgia Department of Education or Scintilla Charter Academy against the attorney of a parent, or against the parent, if the parent's request for a due process hearing or subsequent cause of action was presented for any improper purpose, such as to harass, to cause unnecessary delay, or to needlessly increase the cost of litigation.
4. Funds under Part B of the IDEA may not be used to pay attorneys' fees or costs of a party related to any action or proceeding under the due process hearing provisions of the IDEA. This does not preclude a public agency from using funds under Part B of the IDEA for conducting an action or proceeding under section 615 of the IDEA.
5. If a court awards reasonable attorneys' fees, the fees must be based on rates prevailing in the community in which the action or proceeding arose for the kind and quality of services furnished. No bonus or multiplier may be used in calculating the fees.
6. Attorneys' fees may not be awarded and related costs may not be reimbursed in any action or proceeding under the due process hearing provisions of IDEA for services performed subsequent to the time of a written offer of settlement to a parent if:
  - A. The offer is made within the time prescribed by Rule 68 of the Federal Rules of Civil Procedure or, in the case of an administrative proceeding, at any time more than ten (10) days before the proceeding begins;
  - B. The offer is not accepted within ten (10) days; and
  - C. The court or administrative hearing officer finds that the relief finally obtained by the parents is not more favorable to the parents than the offer of settlement.
7. An award of attorney's fees and related costs may be made to a parent who is the prevailing party and who was substantially justified in rejecting the settlement offer.
8. Attorneys' fees may not be awarded relating to any meeting of the IEP Team unless the meeting is convened as a result of an administrative proceeding or judicial action, or at the discretion of the State, for mediation.
9. A meeting conducted pursuant to the resolution process shall not be considered a meeting convened as a result of an administrative hearing or judicial action, or an administrative hearing or judicial action, for purposes of this section.
10. The court may reduce the amount of the attorneys' fees awarded, if the court finds that:
  - A. The parent, or the parent's attorney, during the course of the action or proceeding, unreasonably protracted the final resolution of the controversy;
  - B. The amount of attorney's fees otherwise authorized to be awarded unreasonably exceeds the hourly rate prevailing in the community for similar services by attorneys of reasonably comparable skill, reputation, and experience;
  - C. The time spent and legal services furnished were excessive considering the nature of the action or proceeding; or
  - D. The attorney representing the parent did not provide to the district the appropriate information in the due process hearing request notice.
  - E. The provisions do not apply if the court finds that the State or district unreasonably protracted the final resolution of the action or proceeding or there was a violation of section 615 of IDEA.

### **Child's Status during Proceedings**

1. Except as noted in the Discipline section, during the pendency of any administrative or judicial proceeding regarding a due process complaint notice requesting a due process hearing,

unless the State or district and the parents of the child agree otherwise, the child involved in the complaint must remain in his or her current educational placement.

2. If the due process hearing request involves an application for initial admission to public school, the child, with the consent of the parents, must be placed in the public school until the completion of all the proceedings.
3. If the due process hearing request involves an application for initial services under this part from a child who is transitioning from Babies Can't Wait and is no longer eligible services because the child has turned three, the district is not required to provide the services that the child had been receiving. If the child is found eligible for special education and related services and the parent consents to the initial provision of special education and related services, the district must provide those special education and related services that are not in dispute between the parent and the LEA.
4. If the administrative law judge or hearing officer in a due process hearing conducted by the State agrees with the child's parents that a change of placement is appropriate, that placement must be treated as an agreement between the district and the parents.

### **Formal Complaints**

- A formal complaint is a written signed complaint alleging the violation of IDEA procedures.
- Any organization or individual may file a signed written complaint. The complaint must include:
  - a.) A statement that a public agency has violated a requirement of the IDEA; and
  - b.) The facts on which the statement is based.
  - c.) In addition, suggested resolutions to the problem are requested
- The violation must have occurred within one calendar year of receipt of the complaint.
- The rule for formal complaints can be found at <http://www.gadoe.org/External-Affairs-and-Policy/State-Board-of-Education/SBOE%20Rules/160-4-7-.12.pdf>

### Procedures for Filing a Complaint

- Formal complaints are filed in writing and sent to Scintilla Charter Academy and the Division for Exceptional Students (DES.) The form linked [here](#) may be used to submit a complaint. Supporting documentation should be provided if available.
- Upon receipt of the written complaint, the school system **must** contact the parent to propose a resolution to the complaint.
- Upon receipt of the written complaint, the DES will contact the school system to initiate the complaint notification and investigation process.
- If you indicated on the complaint form that you are interested in mediation, then the Georgia Department of Education (GDOE) will assign a mediator and you will be contacted about mediation within a few days.
- The school system must respond to the DES within ten days of receiving the notification and also send a copy to the person filing the complaint.
- The DES will conduct an investigation to confirm details and to get clarification of the issues.
- The investigation may include interviews with the parties, observations, on site visits and other activities as indicated by the nature of the allegation.
- The DES will give the complainant the opportunity to submit additional information in writing about the allegations of the complaint once they have seen the response from the school system.
- If the parent and the local system reach an agreement and resolve the complaint before the GDOE investigation is complete, the complaint will be closed without making a determination regarding compliance.
- If the parent and the system go to mediation and reach agreement, then the complaint will be closed without a decision regarding compliance.

- If the parent and the system go to mediation and do not reach an agreement, then the complaint investigation will continue.
- The DES will issue a written decision to the complainant that addresses each allegation in the complaint and contains findings of fact and determinations of compliance or noncompliance. The decision should be issued within 60 days of the receipt of the complaint. If mediation is being used, the timeline may be extended to accommodate for mediation.
- If there is a violation of the law or regulations, then a resolution will be required. The resolution may include technical assistance activities and corrective actions to achieve compliance.

### Why File a Complaint

- Filing a formal complaint will give you the opportunity to express your concerns regarding possible IDEA violations.
- The DES will review your complaint and will assist the parties in coming to a resolution.
- The process is simple and user friendly. Most individuals who file a complaint are not represented by legal counsel.

## **State Rule: 160-4-7-.13 - Private Schools**

As a state-commissioned charter school Scintilla Charter Academy, SCA is not required to provide services to students enrolled in private schools. In the event that SCA begins to serve private schools, this handbook will be amended to reflect all requirements for services to private school children.

## **State Rule: 160-4-7-.14 - Personnel, Facilities, and Caseloads**

### **Definitions**

Personnel are staff members employed by Scintilla Charter Academy.

Facilities are designated locations for providing job-related services.

Caseloads are the number of students assigned to a special education staff member who is responsible for the development, implementation, review, and revision of IEPs.

### **Requirements**

1. Maintaining current credentials for providing special education and related services are the sole responsibility of Scintilla Charter Academy personnel.
2. Copies of current credentials shall be forwarded to Scintilla Charter Academy for maintenance in an individual's personnel file.
3. Scintilla Charter Academy is responsible for recruiting, hiring, training, and retaining an adequate supply of highly qualified (certified or licensed) personnel, including special education, related services, and leadership personnel, to meet the needs of students with disabilities.
4. Related service personnel who deliver services in a particular discipline or profession must maintain current, State-approved or recognized certification, licensing, registration or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services. Related service personnel shall not have certification or licensure requirements waived on an emergency, temporary, or provisional basis.
5. The required standard credential for all personnel providing educational interpreting for children who are deaf or hard of hearing in Scintilla Charter Academy, regardless of the job title, shall hold a current Georgia Quality Assurance Screening (G-QAS) rating of Level III or higher in both interpreting and transliterating, as approved and maintained by the Georgia Department of Labor/Vocational Rehabilitation Program (DOL/VR), and/or documentation of advanced interpreting skills and qualifications through current national certification from the Registry of Interpreters for the Deaf (RID), and/or documentation of advanced interpreting skills and qualifications through current national certification from the National Association of the Deaf (NAD) Levels III, IV, or V, and/or documentation of advanced interpreting skills and qualifications through a current Educational Interpreter Performance Assessments (EIPA) rating of Level 3.5 or higher. The EIPA rating cannot be more than five years old.
6. Maintenance of current credentials shall be the ongoing responsibility of any educational interpreter employed by an LEA for purposes of educational interpreting for children who are deaf or hard of hearing. Scintilla Charter Academy shall maintain current credentials of educational interpreters and shall remain on file.

### **Facilities**

1. Scintilla Charter Academy shall provide a classroom of suitable size in a distraction-free area, as required by the type of program or services to be established, with appropriate furniture, materials, supplies, and equipment to meet the needs of the class or individual children to be served.
2. Thirty-eight (38) square feet shall be provided for each child in the class with a variance of 10 percent, depending upon the total number of personnel in the class at any time, the type of children and class, the kind and amount of furniture and equipment required and the necessity for storage capabilities. For special circumstances, Scintilla Charter Academy shall identify the unique situation in the local facility plan. The local facility plan shall be reviewed and approved by the Facilities Department of the Georgia Department of Education.

## Caseloads

### Class Sizes and Caseloads

Program Area	Self-Contained (SC) Resource (R)	Maximum w/o Paraprofessional	Maximum with Paraprofessional*
Intellectual Disabilities			
Mild	SC	10	13
	R	10	13
Moderate	SC	NA	11
Severe	SC	NA	7
Profound	SC	NA	6
Emotional and Behavior Disorder			
Emotional and Behavior Disorder	SC	8	11
	R	7	10
Specific Learning Disabilities			
Specific Learning Disabilities	SC	12	16
	R	8	10
Visual Impairments			
Visual Impairments	SC	NA	6
	R	3	4
Deaf/Hard of Hearing			
Deaf/Hard of Hearing	SC	6	8
	R	3	4
Deaf-Blind			
Deaf-Blind	SC	NA	6
Speech-Language Impairments			
Speech-Language Impairments	SC	11	15
	R	7	NA
Orthopedic Impairments			
Orthopedic Impairments	SC	NA	11
	R	4	5

Note: Each \*paraprofessional is equivalent to 1/3 teacher and affects individual class size, caseload, and system average proportionately. Three paraprofessionals are the maximum number that can be used to increase the maximum class size for any special education class.

Note: If students from different programs or delivery models are within the same segment, the class size shall be determined by the program or delivery model with the smallest class size. The caseloads shall be determined by averaging the respective caseloads.

Note: The placement of children with autism, traumatic brain injury, or other health impairments, and significant developmental delays (grades K and above) in the above program areas will not change class sizes.

Note: A student, with an IEP designating the service location for the delivery of goals and objectives to be the general education environment, shall be reported in the special education program category if instruction is provided in a team/collaborative model or consultative model.

## Computer Usage

- Classroom computers (teachers or students) should be used for school/business purposes only.
- Please limit internet usage to school/business purposes.

## Email

- Please limit email usage to school/business purposes.
- Do not forward a received email message without the sender's permission.
- Refrain from sending or forwarding mass mailings or spam (cute pictures/jokes, cartoons, video etc.) to others from classroom computers.
- **Always** place a confidentiality statement to an email that contains any student name.
- To set a Confidentiality Statement:
  - At your email page, select Tools
  - At Tools, scroll down to Options
  - At Options, choose the Signatures tab
  - Highlight New
  - In the text box type (or similar message)

### "CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message. Thank you."

## Professional Learning

- School administration will determine whether the activity strongly supports planned school initiatives as outlined on the school's implementation plan. If activity supports the plan, approval to move forward will be granted.
- Purchase Orders containing initiatives supported by Federal Funds will be forward to the appropriate Federal Programs Coordinator for approval.
- All Purchase Orders to support professional learning activities will be completed and given to the Finance Director to process. The Purchase Order should include a copy of the agenda you will receive at the training. Once processed, the original copy of the Purchase Order will be forwarded to school administration for approval.
- As a Special Education Teacher continued professional growth is encouraged by Scintilla Charter Academy. School administrators maintain a Professional Development Report of all professional learning activities completed.
- All Professional Learning activities that occur outside of school-wide Professional Learning opportunities must be pre-approved. There are specific guidelines from the Georgia Department of Education for lodging, meals and travel reimbursement.
- Remember to report all professional learning activities to school administrators.

## **Re-Delivery Expectations for Professional Learning**

If you have been to a Professional Learning Activity, you are expected to share what you have learned with colleagues. This can be accomplished during school-wide or grade level meetings. Re-delivery of new information will allow everyone to benefit from your experience.

## **State Rule: 160-4-7-.15 - Georgia Network for Educational and Therapeutic Support (GNETS)**

### **Definition**

GNETS are programs available to support the LEA's continuum of services by providing comprehensive special education and therapeutic support for students served.

### **Purpose**

The Georgia Network for Educational and Therapeutic Support (GNETS) is a service available within the continuum of supports for LEAs to consider when determining the least restrictive environment for students with disabilities, ages 5-21. GNETS services is an option in the continuum of supports that prevents children from requiring residential or more restrictive placement. Specifically, GNETS provides comprehensive educational and therapeutic support services to students who exhibit intense social, emotional and/or behavioral challenges with a severity, frequency or duration such that the provision of education and related services in the general education environment has not enabled him or her to benefit educationally based on the IEP.

### **Services**

GNETS services aim to support students with social, emotional and/or behavioral challenges. These students' behaviors may include but are not limited to, significant, aggressive, self-destructive, atypical, and withdrawal behaviors. Children receiving GNETS services are taught coping skills, behavior regulation, and adaptive behaviors, with a keen focus on developing positive interpersonal relationships with others.

GNETS services are implemented with greater intensity and frequency than what is typically delivered in a general education school environment. The supplemental aids and services available at GNETS must be appropriate and necessary in order for the child's IEP team to consider GNETS services.

GNETS will be staffed to meet the needs of a unique population of students requiring intensive individualized supports, including providing appropriate therapeutic services identified in the IEP. The staff receive specialized training in skills designed to deescalate major disruptive behaviors and assist students with meeting their IEP goals.

GNETS staff will collaborate with professionals from a variety of agencies to enhance students' social, emotional, behavioral and academic development based on their IEPs.

The IEP team will assess at least annually whether the student with disabilities is ready to transition to a less restrictive setting. Progress monitoring data aligned with IEP goals should be reviewed to determine if the student is ready to receive a free appropriate education (FAPE) in the lesser restrictive environment.

### **Consideration for GNETS Services**

Consideration for GNETS services is determined by the student's Individualized Education Program (IEP) team using the criteria set forth in SBOE Rule 160-4-7-.06.

IEP teams considering recommendation of GNETS services will follow the notice requirements of SBOE Rule 160-4-7-.06. The IEP meeting will include a GNETS director or his/her designee.

An individual student is considered for GNETS services only if his or her IEP team recommends GNETS services based on the existence of all of the following, which will be documented in the student's education record:

1. Documentation that indicates evidence of annual IEP reviews, progress monitoring data aligned with IEP goals, documentation indicating prior services were delivered in a lesser restrictive environment and the student's inability to receive FAPE in that environment.
2. A Functional Behavioral Assessment (FBA) and/or Behavior Intervention Plan (BIP) administered within the past year.
3. Documentation that a comprehensive reevaluation has been completed within the last 3 years.

### **Continuum of GNETS Service Delivery and Environments**

The IEP team must determine that GNETS services are necessary for students to receive FAPE. Removal from the general education setting will occur only when the nature or severity of students' social, emotional and/or behavioral challenges are such that education in a general education setting with the use of supplementary services and intensive individualized interventions cannot be achieved.

The IEP team will consider the various setting in which GNETS services may be delivered and determine whether the individual student is likely to receive FAPE in each environment, beginning with the least restrictive setting.

The GNETS continuum of services by environment may be delivered as follows:

1. Services provided in the general education setting in the student's Zoned School or other public school.
2. Services provided in the student's Zoned School or other public school setting by way of a "pull out" from the general education setting for part of the school day.
3. Services provided in the student's Zoned School or other public school for part of the school day in a setting dedicated to GNETS.
4. Services provided in the student's Zoned School or other public school for the full school day, in a setting dedicated to GNETS.
5. Services provided in a facility dedicated to GNETS for part of the school day.
6. Services provided in a facility dedicated to GNETS for the full school day.

### **LEA Duties and Responsibilities**

Scintilla will:

1. Ensure that FAPE is delivered to students recommended for GNETS services in the least restrictive environment (LRE).
2. Convene IEP team meetings as required by State Board of Education Rule 160- 4-7-.06.
3. Conduct FBAs/BIPs for any student considered for GNETS services in accordance with (3)(c)(2) of this rule.
4. Collaborate with the GNETS to determine opportunities for students to have access to general education activities.
5. Provide transportation to and from a GNETS, as required, including transportation to and from home/school for students receiving GNETS services for part of the school day and for students participating in extracurricular activities.
6. Maintain and report student record data in accordance with the State Board of Education Rule 160-5-1-.07 and GaDOE guidance.
7. Provide student outcome assessments and other relevant data to GNETS director or designee.
8. Monitor student IEP goals annually to determine students' progress and access to services in a lesser restrictive environment.

9. Provide ongoing professional learning opportunities and best practices for teachers to support students who exhibit social, emotional and/or behavioral challenges.
10. Allocate supports and resources, which may include in-kind services to GNETS to facilitate flexible models of service delivery and best practices for equitable educational support as appropriate.
11. To the maximum extent possible, collaborate with community service providers to deliver mental health services and/or family support in students' Zoned schools.
12. Collaborate with GNETS to examine student records and discuss the coordination of service provisions for students being considered for GNETS in accordance with 34 CFR §300.501(2)(3).
13. Provide GNETS staff access to longitudinal data for all students receiving GNETS services to ensure teachers can access records for students included on their rosters.
14. Submit student schedules to the GaDOE with the GNETS code.
15. Monitor facilities for safety and accessibility for students served by GNETS and report identified concerns to all key stakeholders such as fiscal agents, GNETS directors and any other appropriate parties.

## SPECIAL EDUCATION TERMS

### 160-4-7-.21 DEFINITIONS.

- (1) Accommodation** – Changes in instruction that enable children to demonstrate their abilities in the classroom or assessment/test setting. Accommodations are designed to provide equity, not advantage, for children with disabilities. Accommodations include assistive technology as well as alterations to presentation, response, scheduling, or settings. When used appropriately, they reduce or even eliminate the effects of a child's disability; but do not reduce or lower the standards or expectations for content. Accommodations that are appropriate for assessments do not invalidate assessment results.
- (2) Adult student** - A student with a disability, age 18 or older, to whom rights have transferred under the IDEA 2004 and Georgia Rule.
- (3) Age of majority** - The age at which, by law, a child assumes the responsibilities of an adult. In Georgia, the age of majority is 18.
- (4) Alternate assessment** - An assessment aligned with alternate achievement standards for children with the most significant cognitive disabilities designed by the State and required in lieu of regular Statewide assessments, when determined necessary by the child's IEP team. .
- (5) Assistive technology device** - Assistive technology device means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. The term does not include a medical device that is surgically implanted, or the replacement of that device. [34 C.F.R. § 300.5]
- (6) Assistive technology service** - Assistive technology service means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. The term includes:
- (a) The evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child's customary environment;
  - (b) Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;
  - (c) Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
  - (d) Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
  - (e) Training or technical assistance for a child with a disability or, if appropriate, that child's family; and
  - (f) Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of that child. [34 C.F.R. § 300.6]
- (7) Behavioral intervention plan (BIP)** - A plan for a child with disabilities, included in the IEP when appropriate, which uses positive behavior interventions, supports and other strategies to address challenging behaviors and enables the child to learn socially appropriate and responsible behavior in school and/or educational settings.
- (8) Braille** - A tactile system of reading and writing, used by children who have blindness or visual impairments, with an official code composed of Braille characters or cells that consist of various patterns of raised dots that correspond to alphabetic letters, punctuation marks and other symbols.
- (9) Charter school** - Has the meaning given the term in section 5210(1) of the Elementary and Secondary Education Act of 1965, as amended, 20 U.S.C. 6301 et seq. (ESEA). [34 C.F.R. § 300.7]
- (10) Child with a disability** – In general,
- (a) Refers to a child evaluated as having mental retardation, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance (referred to in this part as emotional disturbance), an orthopedic impairment, autism, traumatic brain injury, an other health impairment, a specific

learning disability, or deaf-blindness and who needs special education and related services. If it is determined, through an appropriate evaluation, that a child has one of the above disabilities identified but only needs a related service and not special education, the child **is not** a child with a disability. If the related service required by the child is considered special education rather than a related service, the child would be determined to be a child with a disability. [34 C.F.R. § 300.8(a)(1) – (2)]

(b) A child with a disability aged three through nine (or any subset of that age range, including ages three through five) experiencing developmental delays, may include a child -

1. Who is experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development; and
2. Who, by reason thereof, needs special education and related service. [34 C.F.R. § 300.8(b)(1) – (2)] .21 - 3

**(11) Consent** means that –

- (a) The parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication;
- (b) The parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and
- (c) The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time. If a parent revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked). [34 C.F.R. § 300.9]

**(12) Core academic subjects** - Refers to English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography. [34 C.F.R. § 300.10]

**(13) Day; business day; school day** -

- (a) Day is calendar day unless otherwise indicated as business day or school day.
- (b) Business day refers to Monday through Friday, except for Federal and State holidays (unless holidays are specifically included in the designation of business day).
- (c) School day equates to any day, including a partial day that children are in attendance at school for instructional purposes. School day has the same meaning for all children in school, including children with and without disabilities. [34 C.F.R. § 300.11]

**(14) Elementary school** - A nonprofit institutional day or residential school, including a public elementary charter school, which provides elementary education and contains any grade below four and does not contain any grade above grade eight. O.C.G.A. § 20-2-291(c) [34 C.F.R. § 300.13]

**(15) Eligibility Team** - A group of qualified professionals and the parent of the child, which determines whether the child is a child with a disability and determines the educational needs of the child. [34 C.F.R. § 300.306(a)(1)]

**(16) Evaluation** - Procedures used to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs. [34 C.F.R. § 300.15]

**(17) Evaluation report** - A summary of evaluation results obtained in the process of collecting information to determine if a child is a child with a disability and the educational needs of the child. The evaluation reports will vary from child to child, depending on the types of evaluations completed. An eligibility report or written statement of reevaluation considerations may serve as an evaluation report.

**(18) Excess costs** - Those costs that are in excess of the average annual per-child expenditure in a LEA during the preceding school year for an elementary school or secondary school child, as may be appropriate, and that must be computed after deducting amounts received under Part B of IDEA, Part A of Title I of the ESEA and Parts A and B of Title III of the ESEA. Any state

or local funds expended for programs that would qualify for assistance under any of the parts described in this section, but excluding

any amounts for capital outlay or debt service. [34 C.F.R. § 300.16]

**(19) Free appropriate public education (FAPE)** - Special education and related services that –  
(a) Are provided at public expense, under public supervision and direction, and without charge;  
(b) Meet the standards of the State, including the requirements of this part;  
(c) Include an appropriate preschool, elementary school, or secondary school education in the State involved; and

(d) Are provided in conformity with an individualized education program (IEP) that meets the requirements IDEA 2004. [34 C.F.R. § 300.17]

**(20) Functional behavioral assessment (FBA)** - A systematic process for defining a child's specific behavior and determining the reason why (function or purpose) the behavior is occurring. The FBA process includes examination of the contextual variables (antecedents and consequences) of the behavior, environmental components, and other information related to the behavior. The purpose of conducting an FBA is to determine whether a Behavioral Intervention Plan should be developed.

**(21) Homeless children** - Has the meaning given the term homeless children and youths in section 725 (42 U.S.C. 11434a) of the McKinney-Vento Homeless Assistance Act, as amended, 42 U.S.C. 11431 *et seq.* [34 C.F.R. § 300.19]

**(22) Include** - The items named are not all of the possible items that are covered, whether like or unlike the ones named. [34 C.F.R. § 300.20]

**(23) Individualized education program (IEP)** - A written statement for a child with a disability that is developed, reviewed, and revised in accordance with IDEA 2004. [34 C.F.R. § 300.22]

**(24) Individualized education program team (IEP Team)** - A group of individuals defined in Rule 160-4-7-.06 Individualized Education Program that is responsible for developing, reviewing, or revising an IEP for a child with a disability. [34 C.F.R. § 300.23]

**(25) Individualized family service plan (IFSP)** - A written plan for services to an infant or toddler in the Part C Babies Can't Wait early intervention program that may be used in the Part B preschool program until an IEP is written, if the IFSP meets all the requirements of the IEP. [34 C.F.R. § 300.24]

**(26) Infant or toddler with a disability** - (a) An individual under three years of age who needs early intervention services because the individual -

1. Is experiencing developmental delays, as measured by appropriate diagnostic instruments and procedures in one or more of the areas of cognitive development, physical development, communication development, social or emotional development, and adaptive development;  
or

2. Has a diagnosed physical or mental condition that has a high probability of resulting in a developmental delay. [34 C.F.R. § 300.25]

**(27) Limited English proficient** - Has the meaning given the term in section 9101(25) of the ESEA. [34 C.F.R. § 300.27]

**(28) Local educational agency (LEA)** – A public board of education or other public authority legally constituted within Georgia for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of the State, or for a combination of school districts or counties as are recognized in the State as an administrative agency for its public elementary schools or secondary schools. The term includes an educational service agency and any other public institution or agency having administrative control and direction of a public elementary or secondary school, including a public nonprofit charter school that is established as a LEA under State law. [34 C.F.R. § 300.28]

**(29) Modifications** - Alterations that change, lower, or reduce learning expectations.

Modifications can increase the gap between the achievement of students with disabilities and expectations for proficiency at a particular grade level. Consistent use of modifications could

adversely affect students throughout their educational career. Modifications in Statewide assessments may invalidate the results.

**(30) Native language** - (a) When used with respect to an individual who is limited English proficient, means the following:

1. The language normally used by that individual, or, in the case of a child, the language normally used by the parents of the child, except as provided in (a) 22. In all direct contact with a child (including evaluation of the child), the language normally used by the child in the home or learning environment.
- (b) For an individual with deafness or blindness, or for an individual with no written language, the mode of communication is that normally used by the individual (such as sign language, Braille, or oral communication). [34 C.F.R. § 300.29]

**(31) Parent** - (a) Refers to-

1. A biological or adoptive parent of a child;
  2. A foster parent;
  3. A guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child (but not the State if the child is a ward of the State);
  4. An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare; or
  5. A surrogate parent who has been appointed.
- (b) Except as provided in paragraph (c) below, the biological or adoptive parent must be presumed to be the parent unless the biological or adoptive parent does not have legal authority to make educational decisions for the child.
- (c) If a judicial decree or order identifies a specific person or persons under paragraphs (a)(1) through (4) to act as the —parent of a child or to make educational decisions on behalf of a child, then such person or persons shall be determined to be the —parent.¶

[34 C.F.R. § 300.30]

**(32) Parent training and information center** - A center assisted under sections 671 or 672 of IDEA. [34 C.F.R. § 300.31]

**(33) Part B** - Section of IDEA 2004 that relates to the assistance to states for the education of children with disabilities who are ages 3 through 21. Part B is administered by the Georgia Department of Education and carried out by LEAs and other public agencies.

**(34) Part C** - Section of IDEA 2004 that relates to the assistance to states for the education of children with disabilities and the early intervention programs for infants and toddlers, ages birth through 2, with disabilities. In Georgia, Part C is administered by the Department of Human Resources, Division of Public Health as the Babies Can't Wait program.

**(35) Personally identifiable** - Information that contains- (a) The name of the child, the child's parent, or other family member;

- (b) The address of the child;
- (c) A personal identifier, such as the child's social security number or student number; or
- (d) A list of personal characteristics or other information that would make it possible to identify the child with reasonable certainty. [34 C.F.R. § 300.32]

**(36) Related services** -

- (a) General. Related services means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, early identification and assessment of disabilities in children, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. Related services also include school health services and school nurse services, social work services in schools, and parent counseling and training.

- (b) Exception; services that apply to children with surgically implanted devices, including cochlear implants.
1. Related services do not include a medical device that is surgically implanted, the optimization of that device's functioning (e.g., mapping), maintenance of that device, or the replacement of that device.
  2. Nothing in paragraph ((b)(1)) -
    - (i) Limits the right of a child with a surgically implanted device (e.g., cochlear implant) to receive related services (as listed in paragraph (a) of this section) that are determined by the IEP Team to be necessary for the child to receive FAPE;
    - (ii) Limits the responsibility of a public agency to appropriately monitor and maintain medical devices that are needed to maintain the health and safety of the child, including breathing, nutrition, or operation of other bodily functions, while the child is transported to and from school or is at school; or
    - (iii) Prevents the routine checking of an external component of a surgically-implanted device to make sure it is functioning properly, as required.
  - (c) Individual related services terms defined. The terms used in this definition are defined as follows:
    1. Audiology includes -
      - (i) Identification of children with hearing loss;
      - (ii) Determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing;
      - (iii) Provision of habilitative activities, such as language habilitation, auditory training, speech reading (lip-reading), hearing evaluation, and speech conservation;
      - (iv) Creation and administration of programs for prevention of hearing loss;
      - (v) Counseling and guidance of children, parents, and teachers regarding hearing loss; and
      - (vi) Determination of children's needs for group and individual amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.
    2. Counseling services means services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.
    3. Early identification and assessment of disabilities in children means the implementation of a formal plan for identifying a disability as early as possible in a child's life.
    4. Interpreting services includes -
      - (i) The following, when used with respect to children who are deaf or hard of hearing: Oral transliteration services, cued language transliteration services, sign language transliteration and interpreting services, and transcription services, such as communication access real-time translation (CART), C-Print, and TypeWell; and
      - (ii) Special interpreting services for children who are deaf-blind.
    5. Medical services means services provided by a licensed physician to determine a child's medically related disability that results in the child's need for special education and related services.
    6. Occupational therapy – skilled services and interventions provided by a qualified occupational therapist/occupational therapy assistant that includes:
      - (i) Improving, developing, or restoring functions impaired or lost through illness, injury, or deprivation related to the student's ability to perform school related tasks as independently as possible by evaluating and establishing goals to address deficits in the following areas, as appropriate based on a student's individualized needs: fine and gross motor skills, sensorimotor skills, visual motor/perceptual skills, social integration, activities of daily living, feeding, positioning, and sensory processing and regulation for alertness/attention.
      - (ii) Improving ability to perform tasks for independent functioning if functions are impaired or lost; and
      - (iii) Preventing, through skilled intervention, initial or further impairment or loss of function.
      - (iv) Providing education and training of school personnel to support and monitor occupational therapy programs such as sensory diet, positioning, and feeding.
    7. Orientation and mobility services –

- (i) Services provided to blind or visually impaired children by qualified personnel to enable those children to attain systematic orientation to and safe movement within their environments in school, home, and community; and
  - (ii) Includes teaching children the following, as appropriate:
    - (I) Spatial and environmental concepts and use of information received by the senses (such as sound, temperature and vibrations) to establish, maintain, or regain orientation and line of travel (e.g., using sound at a traffic light to cross the street);
    - (II) To use the long cane or a service animal to supplement visual travel skills or as a tool for safely negotiating the environment for children with no available travel vision;
    - (III) To understand and use remaining vision and distance low vision aids; and
    - (IV) Other concepts, techniques, and tools.
8. Parent counseling and training means:
- (i) Assisting parents in understanding the special needs of their child;
  - (ii) Providing parents with information about child development; and
  - (iii) Helping parents to acquire the necessary skills that will allow them to support the implementation of their child's IEP or IFSP.
9. Physical therapy means services provided by a qualified physical therapist to include:
- (i) Improving, developing, or restoring function and participation that have been impaired related to the student's ability to perform educational and related tasks as independently as possible;
  - (ii) Physical therapy in school settings supports the purpose of IDEA to advance "further education, employment and independent living" of children with disabilities and addresses the students' goals for the educational environment.
  - (iii) School based physical therapy is a related service provided when it is required in order to assist a child with a disability to benefit from special education as determined by a student's IEP team.
  - (iv) Physical therapy provided in educational environments supports children's ability to function, access, and participate safely in all school environments. Physical therapists address issues involving safe access, balance, strength, motor skills, coordination, ambulation, transfers, safe mobility, and general independence as they relate to tasks required in educational environments. Physical therapists assist in providing equipment for students who need support for posture, positioning, proper structural alignment, class participation, and activities of daily living during school activities. This includes providing consult or training services to teaching staff and other personnel on behalf of students for training and monitoring physical therapy programs and equipment.
  - (v) Prevention, through prompt skilled intervention, initial or further impairment or loss of function and participation.
10. Psychological services includes -
- (i) Administering psychological and educational tests, and other assessment procedures;
  - (ii) Interpreting assessment results;
  - (iii) Obtaining, integrating, and interpreting information about child behavior and conditions relating to learning;
  - (iv) Consulting with other staff members in planning school programs to meet the special educational needs of children as indicated by psychological tests, interviews, direct observation, and behavioral evaluations;
  - (v) Planning and managing a program of psychological services, including psychological counseling for children and parents; and
  - (vi) Assisting in developing positive behavioral intervention strategies.
11. Recreation includes -

- (i) Assessment of leisure function;
- (ii) Therapeutic recreation services;
- (iii) Recreation programs in schools and community agencies; and
- (iv) Leisure education.

12. Rehabilitation counseling services means services provided by qualified personnel in individual or group sessions that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community of a child with a disability. The term also includes vocational rehabilitation services provided to a child with a disability by vocational rehabilitation programs funded under the Rehabilitation Act of 1973, as amended, 29 U.S.C. 701 et seq.

13. School health services and school nurse services means health services that are designed to enable a child with a disability to receive FAPE as described in the child's IEP. School nurse services are services provided by a qualified school nurse. School health services are services that may be provided by either a qualified school nurse or other qualified person.

14. Social work services in schools includes -

- (i) Preparing a social or developmental history on a child with a disability;
- (ii) Group and individual counseling with the child and family;
- (iii) Working in partnership with parents and others on those problems in a child's living situation (home, school, and community) that affect the child's adjustment in school;
- (iv) Mobilizing school and community resources to enable the child to learn as effectively as possible in his or her educational program; and
- (v) Assisting in developing positive behavioral intervention strategies.

15. Speech-language pathology services includes -

- (i) Identification of children with speech or language impairments;
- (ii) Diagnosis and appraisal of specific speech or language impairments;
- (iii) Referral for medical or other professional attention necessary for the habilitation of speech or language impairments;
- (iv) Provision of speech and language services for the habilitation or prevention of communicative impairments; and (v) Counseling and guidance of parents, children, and teachers regarding speech and language impairments.

16. Transportation includes -

- (i) Travel to and from school and between schools;
- (ii) Travel in and around school buildings; and
- (iii) Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability. [34 C.F.R. § 300.34]

**(37) Scientifically-based research (SBR)** - Research that applies rigorous, systematic, and objective procedures to obtain valid knowledge relevant to core academic development, instruction, and difficulties; and includes research that: (a) employs systematic, empirical methods that draw on observation or experiment; (b) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn; (c) relies on measurements or observational methods that provide valid data across evaluators and observers and across multiple measurements and observations; and (d) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review. [Section 9101(37) of ESEA; 34 C.F.R. § 300.35]

**(38) Secondary school** - A nonprofit institutional day or residential school, including a public secondary charter school that provides secondary education, as determined under State law, except that it does not include any education beyond grade 12. State law defines —middle school as a school which contains no grade below grade four and no grade above grade eight. State law defines —high school as a school which contains any grade above grade eight. O.C.G.A. § 20-2-291(c). [34 C.F.R. § 300.36]

**(39) Special education** - (a) General.

- 1. Specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability, including -

- (i) Instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and
  - (ii) Instruction in physical education.
2. Special education includes each of the following, if the services otherwise meet the requirements of (a) 1 —
- (i) Speech-language pathology services is considered special education and a related service under State standards;
  - (ii) Travel training; and
  - (iii) Vocational education.
- (b) Individual special education terms defined. The terms in this definition are defined as follows:
1. At no cost means that all specially-designed instruction is provided without charge, but does not preclude incidental fees that are normally charged to nondisabled children or their parents as a part of the regular education program.
  2. Physical education means the development of physical and motor fitness, fundamental motor skills and patterns and skills in aquatics, dance, and individual and group games and sports (including intramural and lifetime sports). It includes special physical education, adapted physical education, movement education, and motor development.
  3. Specially designed instruction means adapting, as appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction -
    - (i) To address the unique needs of the child that result from the child's disability; and
    - (ii) To ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the public agency that apply to all children.
  4. Travel training means providing instruction, as appropriate, to children with significant cognitive disabilities, and any other children with disabilities who require this instruction, to enable them to -
    - (i) Develop an awareness of the environment in which they live; and
    - (ii) Learn the skills necessary to move effectively and safely from place to place within that environment (e.g., in school, in the home, at work, and in the community).
  5. Vocational education means organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career not requiring a baccalaureate or advanced degree.
  6. Vocational and technical education means organized educational activities that offer a sequence of courses that -
    - (i) Provides individuals with the rigorous and challenging academic and technical knowledge and skills the individuals need to prepare for further education and for careers (other than careers requiring a Master's or doctoral degree) in current or emerging employment sectors;
    - (ii) May include the provision of skills or courses necessary to enroll in a sequence of courses that meet the requirements of this subparagraph; and
    - (iii) Provides, at the postsecondary level, for a 1- year certificate, an associate degree, or industry-recognized credential; and
    - (iv) Includes competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, and occupation-specific skills, or an individual.

[34 C.F.R. § 300.39]

**(40) State educational agency (SEA)** - The agency or officer primarily responsible for the State supervision of public elementary schools and secondary schools. [34 C.F.R. § 300.41]

**(41) Supplementary aids and services** - Aids, services, and other supports that are provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate in accordance with the requirements for a Free and Appropriate Public Education. [34 C.F.R. § 300.42]

**(42) Transition services** - (a) A coordinated set of activities for a child with a disability that –

1. Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
  2. Is based on the individual child's needs, taking into account the child's strengths, preferences and interests; and includes instruction; related services; community experiences; the development of employment and other post-school adult living objectives; and if appropriate, acquisition of daily living skills and functional vocational evaluation.
- (b) Transition services for children with disabilities may be special education, if provided as specially designed instruction, or a related service, if required to assist a child with a disability to benefit from special education. [34 C.F.R. § 300.43]

## APPENDIX

[LINK TO FORMS REFERENCED IN MANUAL](#)



# English Learner's Program Manual

## Enrollment/Registration Processes for All Students

### Federal Laws

Under Section 3113(b)(2) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA), each State educational agency (SEA) is required to establish and implement standardized statewide procedures for English learners (ELs) to enter and exit from EL status and language instruction educational programs (LIEPs). (*Sept. 23, 2016 Non-Regulatory Guidance Addendum: English Learners and Title III of the ESEA/ESSA*) This means the procedures must be consistently applied across the State. Statewide procedures for entrance include: the home language survey questions that Local education agencies (LEAs) must use, the specific English Language Proficiency (ELP) screener LEAs must administer, the scores on the ELP screener that will result in the identification of an English Learner, and the timeline for implementing the process.

According to the *OCR Dear Colleague Letter* (Jan 2015), all public schools must have procedures in place to accurately and timely identify potential English learners and then determine if they are EL students through a valid and reliable ELP screener.

### State Guidance

All public-school systems in Georgia are required to use a **Home Language Survey (HLS)** at the time of enrollment to identify the primary (home) language(s) of all Kindergarten - Grade 12 students enrolled in the public-school system. If the students are new to U.S. schools, i.e. Kindergarten students and newly arrived immigrants, then the original HLS serves as a trigger to determine which students should be administered the ELP screener to identify whether they are or are not English learners entitled to English language instructional programs.

- Registration staff must administer the HLS **at the time of enrollment** and not thereafter.
- Parents may not decline to complete a Home Language Survey. (The generic use of the term “parents” in this guidance document refers to any legal guardians and primary caregivers enrolling the student.)
- Per OCR and ESEA Title I, Part A requirements, the HLS must be in a language the parents can understand to the extent practicable.
- State translations of the [HLS](#) are available in several languages at the GaDOE ESOL language Program Forms Bank.
- If written translations are not practicable, LEAs must offer limited English proficient parents’ free oral interpretation of the written information (*OCR Dear Colleague Letter, Jan 2015*)

All students enrolling in a U.S. school for the first time must answer the state-required three HLS questions in order. However, the EL records of all transferring students must be used to identify whether the in-state or out-of-state transfer student is an EL or not. (For more information on transfer student procedures, go to pg.10.)

### Home Language Survey Questions

The state-required three questions on the *Home Language Survey* is found at [GaDOE ESOL website](#).

1. Which language does your child best understand and speak?

2. Which language does your child most frequently speak at home?
3. Which language do adults in your home most frequently use when speaking with your child?

Given that the HLS process must be standardized statewide, LEAs may not use different questions or other questions, such as the data collection question about parent's preferred language for school communication.

For students new to U.S. schools, including Kindergarten students and recently arrived immigrants, the answer to [any of the three state-required questions](#) indicates a language other than English, the student has a Primary Home Language Other Than English (PHLOTE) and, as such, is considered a [potential English Learner](#) and must be administered the state-required grade-level appropriate ELP screener. Since this is part of a school's legal obligation to potential EL students, parent permission is not required to administer the ELP screener.

If the answer to all three questions is English, the student is NOT a potential English learner and **should not** be administered the ELP screener. Transfer students' original HLS (signed, dated, and in a language parents understood) and prior EL documents take precedence in this process.

If the answers to all three questions are several languages, the school must interview the parents to determine which language is the child's primary or dominant language, or to determine if the family is multilingual, multiliterate, and multicultural and the student is simultaneously or concurrently developing of two or more languages and is just as proficient in one language as the other(s). (See HLS multilingual/multiliterate addendum process on pg.12.)

Enrollment personnel must be trained on the importance of using enrollment forms in a language parents understand (to the extent practicable) and securing interpretation supports so that non-English-speaking parents understand all aspects of the enrollment process, including the intent and purpose of the *Home Language Survey*. Extensive training of school personnel who are assisting parents in the enrollment process could lead towards the reduction of students incorrectly identified as potential English Learners and/or erroneously screened for English proficiency.

**NOTE:** The Home language Survey (HLS) is a one-time document. It must be signed and dated by the parents and maintained in the student's permanent/cumulative file. As part of the enrollment packet, it is possible that the HLS is administered more than once. Receiving local education agencies (LEAs) will make every effort to obtain the original HLS from transferring LEAs. In absence of the original HLS, schools will maintain a copy in the student's records that hopefully mirrors the original one that triggered the ELP screening.

## Timeline

Under ESEA/ESSA Sec. 3113(b)(2), a student who may be an English Learner must be assessed for such status within 30 days of enrollment in a school in the state. A SEA should also have procedures in place to identify in a timely manner EL student who may not have been identified during this initial identification period. A SEA should make every effort to identify students who are EL students as soon as possible to provide timely support for students who may be in need of language services. (See *September 26, 2016, Nonregulatory Guidance: English Learners and Title III, Addendum Selected Topic 2.*)

Under ESEA/ESSA Sec. 1112(e)(3) parents must be notified within 30 calendar days after the beginning of the school year that their child was placed in a language instruction educational program (LIEP), and if this occurs during the school year, two weeks after placement in a LIEP. Therefore, for students that enroll after the beginning of the school year, there are 30 days for identification and placement into an EL language instruction program and two weeks after the placement to provide parent notice, consistent with the statute.

### Pre-Kindergarten Students

If students are screened prior to the start of Kindergarten, the 30-day window starts the first day of Kindergarten. Although all students enrolled in a Pre-Kindergarten program will most likely use the 1<sup>st</sup> day of Pre-Kindergarten as the U.S. school start date, the 1<sup>st</sup> day of Kindergarten, not Pre-Kindergarten, is considered by the US Department of Education (ED) as the official start date for EL eligibility (and/or Immigrant eligibility). Since an LEA must administer the ELP assessment annually to all ELs in schools served by the state in all grades in which there are EL students, Kindergarten through Grade 12, an LEA should only include students in Kindergarten through Grade 12 for all EL student and Immigrant student reporting requirements under Title III, Part A. [See 34 C.F.R. §200.5(a)(2).]

In addition to following the federal timelines for potential EL identification and parent notification, LEAs should establish ongoing procedures and processes for ensuring all students have an HLS on file in case potential EL students are inadvertently overlooked. It is recommended that LEAs establish periodic student record checks to ensure all potential ELs have been identified as applicable.

### LEA Checklist for Home Language Survey (HLS) Process

Since the parents' answers to the *HLS* questions provide evidence that the LEA followed federal and state EL entrance procedures to screen or not to screen a student, LEAs may want to use the following questions as a checklist:

- Is the HLS part of our school's initial enrollment processes?
- Is it only administered once to parents during their child's initial U.S. enrollment?
- Is it maintained in the student's permanent /cumulative file?
- Is it in a language parents have indicated they understand?
- Has it been completed, signed, and dated by the parent enrolling the student?

The Office for Civil Rights (OCR) has identified compliance issues in schools and school systems that do not have a process to initially identify the primary or home language of all enrolled students and those that use an inadequate HLS that fails to identify a significant number of potential EL students.

**Part I: EL Entrance Procedures**  
**Process: Screening for Eligibility**

Initial Questions to Consider & Summary of Related Process

Is this the student's first-time enrolling in a U.S. school?	Has the student been enrolled in a GA school before? (In-state transfer)	Has the student been enrolled in a U.S. school in another state?
<ol style="list-style-type: none"> <li>1. Administer the HLS</li> <li>2. If a language other than English is indicated for any of the three state-required questions, the student is a potential English learner.</li> <li>3. Administer the grade-level appropriate ELP Screener.</li> </ol> <p>Note: If the potential EL has an established IEP/504 plan, please screen with the appropriate accommodations.</p> <ol style="list-style-type: none"> <li>4. Follow the state ELP screener eligibility criteria to determine whether the potential EL qualifies for the EL status.</li> </ol> <p><a href="#">New WIDA Kindergarten Screener Flowchart</a>  <a href="#">Grades 1-12 WIDA Screener Flowchart</a></p> <ol style="list-style-type: none"> <li>5. Code student appropriately in the SIS.</li> </ol>	<p>Identify if the student is an English Learner <u>based on transferring LEA records</u> and/or the original HLS, original screener, or the latest WIDA ACCESS for ELLs assessment.</p> <ol style="list-style-type: none"> <li>1. Claim the student in GUIDE to see if he has an EL status code in Georgia.</li> <li>2. Check the student's previous enrollment history in SLDS.</li> <li>3. Check the student's records in SLDS to see if there are any former ACCESS test results. Check prior ACCESS test results against state or LEA entrance/exit criteria for that year.</li> <li>4. When applicable, open the SLDS EL Tab and check to see if the student was previously screened. Even if the LEA is not using the SLDS EL Tab, it can be opened to see transferring LEA information.</li> <li>5. Make every effort possible to obtain prior EL records and identify EL status within 30 days of enrollment.</li> </ol>	<p>Identify if the student is an English Learner <u>based on transferring LEA records.</u></p> <ol style="list-style-type: none"> <li>1. Contact the previous school or LEA and ask for: <ol style="list-style-type: none"> <li>a. The original Home Language Survey,</li> <li>b. Screening documents, and/or</li> <li>c. English Language Proficiency (ELP) testing results.</li> </ol> </li> <li>2. Contact the previous school or school system again.</li> <li>3. Contact the previous school or school system again.</li> <li>4. Make every effort possible to obtain prior EL records to determine EL status within 30 days of enrollment.</li> </ol>

## Part II: English Learner Exit Procedures

Under Sec. 3113(b)(2) of the ESEA/ESSA, the state educational agency (SEA) must establish and implement standardized statewide entrance and exit procedures for ELs. The requirement that the procedures be “statewide” means they must be consistently applied across the State. The state must ensure that these procedures are consistent with Federal civil rights obligations under Title VI (42 U.S.C. §2000d to d-7). Title VI regulations have been interpreted by case law to require that a student demonstrate proficiency on a valid and reliable ELP assessment in order to be exited from EL status (*Rios v. Read*, 480 F. Supp. at 23.)

In Georgia, the standardized statewide EL Exit Procedures are as follows:

1. LEAs must administer the annual ELP assessment to all English Learners (Kindergarten ACCESS, Grades 1-12 ACCESS for ELLs, & Alternate ACCESS, as applicable) per Title I, Part A requirement. In collaboration with Title III, Part A, Title I Part A will be monitoring each LEA's EL ACCESS Participation Rate on an annual basis. Please see [Federal Programs Monitoring Process](#).
2. LEAs must follow the standardized statewide ACCESS for ELLs<sup>®</sup> Overall Composite Proficiency Level criteria as well as the Listening, Speaking, Reading, and Writing language domain criteria (when applicable) to identify EL students who have met the criteria to exit EL status. (Please see the updated EL Exit Flowcharts on the [ESOL Language Program website](#).)
  - a. [Kindergarten EL Exit Flowchart](#):
    - o Must exit all Kindergarten EL students who score CPL  $\geq 5$ , and Listening, Speaking, Reading  $\geq 5$ , and Writing  $\geq 4.5$  on the Kindergarten ACCESS.
  - b. [Grades 1-12 EL Exit Flowchart](#):
    - o Must exit all EL students who score Overall CPL  $\geq 5$  on the ACCESS for ELLs
    - o LEAs may establish written procedures an EL Exit minimum criterion within the state-approved range ACCESS CPL 4.3-4.9. An LEA may include additional measures in its standardized exit procedures that are valid, reliable, objective and applied and weighted consistently across the LEA.
    - o Therefore, in order for LEA input to be applied and weighted consistently across the state, LEAs must convene an EL Reclassification Team to complete an [EL Reclassification Form](#) on all EL students scoring at or above the LEA-established minimum exit criterion, when this criterion is in the 4.3-4.9 range.
      - Using the [EL Reclassification Form](#), the EL Reclassification Team will decide whether to exit the EL student or not. (Federal guidance states that any additional measures used for this decision should not be measures that do not measure English language proficiency, such as the results of the mathematics content assessment.)
      - The final decision (whether to exit or not) must be recorded on the [EL Reclassification Form](#), which must be maintained in the exited EL student's permanent/cumulative file (DO NOT PURGE!).

c. [Alternate ACCESS EL Exit Procedures](#)

- d. Exit Procedures for ELs with a Disability that precludes assessment in one or more language domains (See [Less-than-Four-Domains Exit Procedures](#))

### EL Reclassification Team Decision

Reclassification is a term that is used when an EL student's English language proficiency level reaches the state and LEA's definition of English proficient, and the student is then exited from EL status and the student's status is reclassified from English Learner=Yes (EL=Y) to English Learner Monitor Year 1 or EL=1.

The state-mandated English language proficiency assessment, ACCESS for ELLs® or Alternate ACCESS, is used to initiate a student's exit from EL status. If the LEA has chosen an EL exit ACCESS Overall Composite Proficiency Level (CPL) score between the state-flexibility 4.3 and 4.9, then an EL Reclassification Team must be convened for each EL student scoring at or above the LEA chosen criteria, up to CPL 4.9. SCA has chosen to use the state-established clear exit criteria and not consider reclassification.

#### Notes:

- The name of the *EL Reclassification Form* may be misleading. The intent of this form is that the EL Reclassification Team will consider for exit all students whose ACCESS 2.0 scores fall within the LEA's established range up to 4.9. The team may decide to exit some EL students and not exit other EL students who may have similar ACCESS score results. Thus, the *EL Reclassification Form* provides the documentation for this decision, when communicating with parents, transferring schools, and other stakeholders. You may want to think of the form as an *EL Consideration-for-Reclassification Form*.
- An English Learner must be exited from EL status for ESEA purposes (i.e. for purposes of Title I and Title III requirements) when the student satisfies the state's standardized statewide exit procedures.
- The LEA may no longer use Title III funds for services for that exited student. However, an exited student may continue to receive English language services with local or state funds after exiting EL status.
- o BUT, if many exited students are needing continued language support, an LEA should verify *that ELs are not being exited prematurely due to a score of proficiency on the state ELP assessment (ACCESS for ELLs) that is set too low to ensure actual English language proficiency* and, therefore, a student's ability to succeed in the classroom. (Excerpt from the Addendum to September 23, 2016, *Non-Regulatory Guidance: English Learners and Title III of the ESEA, as Amended by the ESSA*, p. 5)

### Timeline for EL Exit Procedures

#### May

- Schools receive ACCESS for ELLs Score Results
- School teachers and leaders review EL students' ACCESS for ELLs and Alternate ACCESS score results to determine which EL students meet the state ACCESS criteria for exit. (See Kindergarten and Grades 1-12 EL Exit Flowcharts with state established criteria.)

- When school systems have chosen to “consider for exit” ELs in grades 1-12 scoring within the state’s flexibility range of ACCESS Overall CPL 4.3-4.9, then schools schedule EL Reclassification Team Meetings to determine whether the students will be exited from EL status. In the case of ELs with significant cognitive disabilities meeting the ALTERNATE ACCESS exit criteria to consider for exit, IEP teams will be convened to make the exit determinations.
- Most EL Reclassification Team meetings and final decisions will occur before the end of the school or immediately after, although the student’s EL status change should not be recorded in the SIS until after the June 30<sup>th</sup> Student Record Sign-Off is completed. Remember, if the EL Reclassification Team meeting is held at the beginning of the new school year, the decision is made for the end of the school year when the student received the ACCESS exit score. It is important to note that when the EL Exit Date is recorded in the SIS; please ensure you use an end-of-school-year date or June 30.

July – Exited EL students’ status is changed in the SIS, although the EL Exit Date must be an end-of- the-school year date or June 30. Please ensure that a July or August date is not used for the EL Exit Date. The student is only exited at the end of a school year, not the beginning of a school year.

August/September -

- If schools cannot meet the “end-of-school-year” deadline for EL or IEP Reclassification team meetings, they may convene some of these at the beginning of the school year, but not later than 30 days after the beginning of the school year. The decision to exit a student from EL status must be made at the end of the school year or immediately at the beginning of the next school year to schedule the student for appropriate ESOL language instruction when applicable. EL Reclassification team meetings may not occur at any other time during the school year. (See important information above on recording the Date for EL Exit.)

### Annual ELP Assessment

It is a federal and state requirement that LEAs administer the WIDA *ACCESS for ELLs*® annually to all English Learners in Georgia. See ESEA/ESSA Section 1111(b)(2)(B)(ix) and Section 1111(b)(2)(G). This assessment meets the federal requirements to measure EL students’ academic English language proficiency. It assesses social and instructional English as well as the language associated with language arts, mathematics, science, and social studies within the school context and across the four language domains of speaking, listening, reading, and writing.

Only certified personnel who have completed the required WIDA training for the *ACCESS for ELLs*® are permitted to administer the annual proficiency assessment. GaDOE Assessment and Accountability division requires annual WIDA *ACCESS for ELLs*® certification for all certified personnel who will

administer the assessment and provides the LEA System Testing Coordinators (STC) with information regarding access to the WIDA training website.

LEAs must record the reasons why EL students did not participate in the annual ELP assessment, defined as not having an overall composite proficiency level. These reasons will be reported in the accountability nonparticipation application during the summer. All LEAs will have access to their ELP Assessment Participation Rate in the myGaDOE Portal *ELP Assessment Participation* application. Federal Programs, Title I, Part A and Title III, Part A oversees the monitoring of LEA’s ELP Assessment participation rate. Title I, Part A has established a 95% minimum participation rate threshold.

## WIDA ACCESS for ELLs®

- *ACCESS for ELLs®* is administered, annually, to all English learners in Georgia. It is an English language proficiency test designed to measure English learners' social and academic proficiency and progress in English. It assesses social and instructional English as well as the language associated with language arts, mathematics, science, and social studies within the school context across the four language domains of speaking, listening, reading, and writing. *ACCESS for ELLs* meets the Title I mandate to evaluate the English language proficiency progress of all Grades K- 12 EL students.
- Under the ESSA, all Grade K-12 students identified as English learners must take the *ACCESS for ELLs®* English language proficiency (ELP) assessment annually, including students whose parents have waived ESOL services, and including EL students with disabilities. Section 1111(b)(2)(G); 34 C.F.R. §§ 200.5(a)(2), 200.6(h)
- Federal Programs Titles I and III, Part A will be monitoring school system's EL ACCESS Participation Rates annually.
- Students who have formally exited language assistance services are not administered the ACCESS assessment, including those who just exited EL services (EL-1 & EL-2).

## Post-exit Monitoring Procedures

EL students who meet the standardized, statewide criteria for English proficiency and no longer meet the definition of an English Learner must be exited from EL status. They are no longer eligible to participate in the ESOL language program and assessment, nor in the Title III Part A supplemental language services. OCR considers a compliance issue if a school fails to exit EL students from EL programs after the students demonstrate proficiency in English.

## Rationale

The Office for Civil Rights (OCR) requires that LEAs monitor the academic progress of post- exit EL students for two calendar years to ensure that:

- Students have not been prematurely exited;
- Any academic deficits incurred have been remedied; and
- Students are meaningfully participating in standards-based instruction and assessment comparable to their never-EL peers.

OCR considers a compliance issue if a school fails to monitor the progress of exited EL students for two years post-exit. (See [Dear Colleague Letter, 2015](#), p. 34.)

If an exited student transfers from another state or a private school during the two-year monitoring period, the LEA is required to monitor the student's academic progress for the remainder of the two years. The school system must also maintain documented evidence that the student was monitored throughout the two-year monitoring phase.

## Accommodations on State Assessments

For state assessment purposes post-exit EL students who are in the two-year monitoring period are eligible for appropriate standard accommodations as outlined on the EL/TPC form. See the current GaDOE Student Assessment Handbook on the [Assessment webpage](#). Please note, that after the two-year monitoring period ends, EL-3 and EL-4 students are no longer eligible for any EL-related testing accommodations.

## Monitoring Exited EL Students' Progress

LEAs have flexibility to design how the monitoring process will be implemented and documented. It is a best practice to make an initial follow-up progress check on a recently-exited EL student within two weeks of exiting EL status and ESOL language program services.

At the end of each progress reporting period, LEAs could choose to have ESOL teachers contact each of the student's teachers to determine if the student is adjusting and succeeding academically, and to identify any academic adjustments needed based on data from:

- Periodic review of grades and formative assessments
- Periodic review of benchmark assessments
- Periodic review of standardized test scores
- Periodic review of portfolio assessments
- Periodic student interviews
- Parent input
- Any other locally defined data

LEAs have flexibility to design their own monitoring processes and forms for ESOL teachers to use. Electronic monitoring processes are acceptable. [Chapter 8](#) of ED's [English Learner Toolkit](#) provides LEAs with a variety of monitoring form samples and vendors' tools for examining the progress of exited EL students.

## Post-Exit Reversal of Reclassification Decisions

As students become proficient in English and their need for support begins to decline, their progress must be monitored regularly. This monitoring process provides a safety net to ensure that if the student should begin to struggle due to language proficiency, it is caught quickly, and appropriate support is reinstated.

According to the OCR *Dear Colleague Letter* (2015, p. 34) and the English Learner Toolkit, Chapter 8, *"If an exited EL is not progressing academically as expected and monitoring suggests a persistent language need, LEAs should re-test the student's English language proficiency with a valid, reliable, and grade-appropriate ELP test to see if the student must be offered additional language assistance services. In no case should re-testing of an exited student's ELP be prohibited. If the student is reentered into EL services, however, the LEA should document the reasons why and the parent's consent to reentry."*

In Georgia, it is the responsibility of the MTSS or RtI team to determine whether the EL-exited student is struggling because of a lack of content knowledge or whether the EL-exited student is struggling because of a lack of English language proficiency. ESOL teachers are essential to the MTSS or RtI review process as they understand the process and timeframe of second language acquisition, especially those ESOL teachers who have taught the exited EL in recent years. The team may want to administer a valid ELP assessment from among vendor choices, however, the WIDA ELP assessment is not an option for an exited EL students.

- First, an LEA should examine whether its locally chosen exit criteria is ensuring that EL

students are proficient enough in English to be successful in the classroom. If an LEA finds that changes to locally designed exit criteria are necessary, appropriate training would be provided to teachers and staff.

- Secondly, an LEA should ensure that the struggling student is provided all instructional support available to all students within the school.
- The third step is to ensure that the MTSS or RtI team is aware of the student's lack of academic progress and success. The MTSS or RtI team should examine student data and determine appropriate interventions or appropriate increases in the intensity and duration of such interventions, following MTSS or RtI protocols. Tier 2 or 3 progress monitoring processes should be implemented as for any other student.

Questions for the MTSS or RtI team to consider:

1. Was the exited student educated formally in his/her home country? Was schooling consistent or did the student's education have prolonged periods of interrupted schooling or no schooling?
2. What were the exited EL student's *ACCESS for ELLs* scores and sub-scores in each domain?
3. Was the student exited from EL status based on a prior Language Assessment Conference?  
(*Note: The state-directed LAC protocol was discontinued in Spring 2017.*)
  - o If a LAC determination had been made in the past, were the *ACCESS for ELLs* overall CPL scores at the high end of the 4.0-4.9 range or was the Literacy sub-score close to 4.8?
4. Was the student exited from English language assistance services based on English Learner Reclassification Review Committee decision? (*Note: The LEA-directed Reclassification process was introduced Spring 2018.*)
  - o Was the student's *ACCESS for ELLs*® overall CPL score at the high end of the 4.3 - 4.9 range or at the low end?
5. Were the exited student's Georgia Milestones Language Arts/ELA End-of-Course scores borderline for meeting standards or were they significantly above the minimum requirement?
6. In the courses in which the exited student is struggling, what is her main area of difficulty?
  - a. Is she having difficulty specifically in the domain of writing, or reading, for example, or are there factors outside of language that are involved?
  - b. Is he struggling in a course in which he has always had difficulty?
  - c. Are the teachers differentiating instruction specifically to reach and support multi-lingual students?
  - d. Is it a lack of concentrated effort on the exited student's part, or does she turn in all assignments, but perhaps the quality of the work does not meet the requirements for a passing grade?
  - e. If so, would appropriate differentiation allow this student to adequately demonstrate his knowledge and comprehension of the content, or does he lack the background content information to be able to access the curriculum and fully comprehend the material?
  - f. Is this student receiving academic support to compensate for any lack of background information?

The final analysis of the Team reviewing all this evidence and data is to determine whether the problem truly is a lack of language proficiency, rather than a lack of content knowledge, cognitive issues, or a disability. (See Guidance on Comparison of Language Differences vs. Learning Differences in *Supporting Learning Environment System*.)

If it is determined that the problem is a lack of English language proficiency, then the MTSS or Rtl team should follow the following *Reverse-Reclassification EL Entrance* procedures

1. Conduct an EL Reverse Reclassification team Meeting and document the team's decision on the

*EL Reclassification Form*.

2. If the team has determined that the student's status should remain as Exited Student (EL=1 or EL=2), no changes should be made in the Student Information System (SIS). All documentation should be maintained in the student's permanent/cumulative record.

3. If the team has determined that the student's status should reverse back to EL status, then parent's consent must be obtained, per OCR Guidelines.

4. Timeline for changing student's status in SIS from EL=1 or EL=2 to EL=Y:

a. If the *Reverse-Reclassification* decision is made in August or September before the Oct FTE count:

o Then, change the status back to EL immediately and serve the student in the ESOL language program again.

b. If the *Reverse-Reclassification* decision is made between Oct FTE and March FTE:

o Then, change the status back to EL immediately and serve the student in the ESOL language program again.

o However, you will need to explain the Data Collections Error you receive!

c. If the *Reverse-Reclassification* decision is made after the March FTE count:

o Then, wait until after the June 30 Student Record sign-off to change the student's status back to EL=Y.

· All documentation should be maintained in the student's permanent/cumulative record.

· After the student's status is reversed, and is identified again as an EL student, then the WIDA ACCESS for ELLs assessment can be administered during the state testing window.

· When the student meets the LEA's EL exit criteria for a 2<sup>nd</sup> time and is reclassified as English proficient for a 2<sup>nd</sup> time, then the two-year monitoring period must begin again – for a 2<sup>nd</sup> time.

\*This manual was developed using the GADOE's State Guidance for EL Language Programs. Additional guidance can be found [here](#).



## **Student Eligibility for English to Speakers of Other Languages (ESOL) Program and Supplemental Language Instruction Services**

Student Name: \_\_\_\_\_

Grade: \_\_\_\_\_ Homeroom Teacher: \_\_\_\_\_

The purpose of this letter is to inform you that your child is enrolled in our school's ESOL language program because he/she has been identified as an English Learner (EL) based on the following English Language Proficiency Test:

\_\_\_\_\_ Kindergarten Screener

\_\_\_\_\_ WIDA Screener (Grades 1-12)

\_\_\_\_\_ ACCESS for ELLs 2.0

\_\_\_\_\_ Alternate ACCESS for ELLs

Your child is receiving the following supports:

\_\_\_\_\_ Pull-out

\_\_\_\_\_ Push-in/Collaborative

\_\_\_\_\_ Scheduled ESOL class period

\_\_\_\_\_ Resource Center/Lab

\_\_\_\_\_ Innovative

\_\_\_\_\_ Consultative

## CHARTER FOR SCINTILLA CHARTER ACADEMY

This charter for Scintilla Charter Academy (“Charter”) is entered into by and between Scintilla Charter Academy, Inc. (“Petitioner”) and the State Charter Schools Commission of Georgia (“SCSC”) (collectively referred to as “the parties”).

WHEREAS, the Petitioner submitted a petition proposing to establish a state charter school pursuant to O.C.G.A. § 20-2-2060 *et seq.*, the Charter Schools Act of 1998 (“Charter Schools Act”) and O.C.G.A. § 20-2-2084;

WHEREAS, the SCSC 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 O.C.G.A. § 20-2-2084 and further finds that the petition is in the public interest; and

WHEREAS, pursuant to Article 31 and Article 31A of Chapter 2 Title 20 of the Official Code of Georgia Annotated, the SCSC grants this Charter to permit Petitioner to operate Scintilla Charter 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. Definitions. The terms below will be interpreted in accordance with the following definitions, unless and until federal or state law, or the state accountability system, is amended otherwise:
  - a. Education Service Provider means a nonprofit or for-profit organization that contracts with charter schools to provide multiple educational, operational, or comprehensive management services, including, but not limited to, curriculum design, instructional resources, professional development, financial and operational management, facilities management, or any combination thereof.
  - b. Georgia Department of Education (GaDOE or Department) means 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. Such management is subject to supervision and oversight by the State Board of Education.
  - c. Governing Board means the governing board of the nonprofit organization for a state charter school and which is the same as the governing board of the state charter school which is involved in school-level governance of the state charter school.
  - d. Local Educational Agency (LEA) means a public authority legally constituted with Georgia for administrative control or direction of public elementary or secondary schools. The Charter School shall act as its own LEA pursuant to O.C.G.A. § 20-2-2090 and SBOE Rule 160-4-9.04, including but not limited to data reporting, student enrollment counting procedures, student achievement reporting, and funding allocations.
  - e. School Leader means the individual with the highest authority in school administration regardless of title.
  - f. State Board of Education (SBOE or State Board) means the constitutional authority which defines education policy for public K – 12 education agencies in Georgia.
2. Charter Term. The SCSC grants this Charter to Petitioner to operate the Charter School for a five-year term beginning on July 1, 2023 and expiring on June 30, 2028.

## Scintilla Charter Academy

3. Grade Range. The Charter School shall serve grades K-12. The Charter School's total enrollment shall not exceed 1195 students at any point during the charter term.
4. Mission Statement. The mission of Scintilla Charter Academy is to provide a deeper learning experience in which each child is empowered through creativity, collaboration, inquiry, and critical thinking to achieve his or her unique potential and acquire a love of learning, along with a strong sense of community and character.
5. Essential or Innovative Features. The Charter School guides all students to reach their full potential through social, emotional, and academic growth in an engaging and innovative learning environment. The Charter School's educational approach uses a deeper learning model which includes a focus on problem-solving, critical thinking, written and oral communication, research, and collaboration. Deeper learning experiences will incorporate projects, case studies, and service learning opportunities to expose students to aspects of the community that expand their life experiences. Student-engaged assessment practices are used to empower students to be leaders of their own learning. The school offers a variety of elective opportunities and a set of character standards are used school-wide, creating a school culture based on intrinsic motivation, helpfulness, problem-solving, and connection.
6. 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 grade level eligible student who resides in Brooks County, Lowndes County or Valdosta City, Georgia.
  - b. Application. Prospective students must submit an application to the Charter School by the deadline set by the Charter School to be eligible for enrollment. The Charter School shall require proof of residency in the Attendance Zone at the time of application or enrollment.

The application process must comply with O.C.G.A. § 20-2-2066 and SCSC Rule 691-2-.05. The application shall only request information to identify the student and determine the grade to which the student will be enrolled, including the student's name and grade as well as basic contact information for the parent, such as a telephone number and email address. 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 gather other relevant information from students in compliance with applicable law 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 selection process in accordance with O.C.G.A. § 20-2-2066(a)(1)(A) and SCSC Rule 691-2-.05. The Charter School shall not conduct more than one lottery per grade per admissions cycle.

## Scintilla Charter Academy

- d. Statutory Enrollment Priorities. In accordance with O.C.G.A. § 20-2-2066(a)(1)(A) and SCSC Rule 691-2-.05, the Charter School may give enrollment priority to the following categories of applicants and in the following priority:
    - i. A sibling of a student enrolled in the Charter School; and
    - ii. A student 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.
  - e. Outreach and Marketing. The Charter School shall utilize reasonable outreach and marketing measures to make all potential applicants aware of opportunities for enrollment at the Charter School, including, but not limited to, seeking the enrollment of a cross section of the school-age population throughout the attendance zone, consistent with the requirements of O.C.G.A. § 20-2-2066. The SCSC, upon a finding that the outreach and marketing measures taken by the Charter School are inconsistent with applicable law or the representations made by the Charter School in the Application and/or other representations or submissions to the SCSC, may require the Charter School to take further action, including but not limited to, requiring the Charter School to extend its enrollment period, delay or void its random lottery, and/or conduct further specified outreach and marketing steps.
  - f. Use of Parental Agreements for Withdrawal or Reenrollment. The Charter School may adopt policies setting forth parental volunteer or service expectations and may require parent to sign an acknowledgement of those expectations. The Charter School may not withdraw, decline to reenroll, or otherwise discipline a student for a parent's failure to meet such expectations. The Charter School may not communicate to a student or parent that it has the authority to withdraw, decline to reenroll, or otherwise discipline a student for a parent's failure to meet volunteer or service expectations.
  - g. Enrollment Opportunity. The Charter School shall also ensure open enrollment for each grade served for which space is available and shall not adopt any policy or practice that restricts enrollment to specific grade levels within the grade span served by the school or to a particular class of students served by the school. The Charter School must offer at least one annual enrollment opportunity for each grade served for which space is available.
7. Maximum Flexibility Allowed by Law. In exchange for the Charter School's agreement to meet or exceed the performance-based goals and measurable objectives set forth in Section 9 below, the SCSC grants the maximum flexibility allowed by law to the Charter School. Pursuant to O.C.G.A. § 20-2-2065(a), the Charter School shall be entitled to the maximum flexibility allowed by law from the provisions of Title 20 of the Official Code of Georgia Annotated and from any state or local rule, regulation, policy, or procedure established by a local board of education, the SBOE, or the GaDOE. Notwithstanding this maximum flexibility, the Charter School shall comply with the terms of this Charter, the Charter Schools Act, including the provisions set forth in Section 16 below, and any rules, regulations, policies, or procedures established by the SCSC consistent with the Charter Schools Act.
  8. Accreditation. The Charter School shall ensure that it is accredited in accordance with, and meets other requirements of, an eligible high school as defined in O.C.G.A. 20-3-519(6)(A) prior to any student's high school graduation from the Charter School.
  9. Comprehensive Performance Framework and Performance Expectations.

## Scintilla Charter Academy

- a. Incorporation Into Charter Contract. The Comprehensive Performance Framework (CPF) adopted by the SCSC shall be incorporated into the Charter as Exhibit A. The CPF shall supersede and replace any and all assessment measures, educational goals and objectives, financial operations metrics, and organizational performance metrics set forth in the Application and not explicitly incorporated into the CPF or this charter contract. The specific terms, forms and requirements of the CPF, including any required indicators, measures, metrics, and targets, are maintained and disseminated by the SCSC and will be binding on the Charter School. Material amendments to the CPF shall require approval by the SCSC and shall be automatically incorporated into this Charter Contract upon SCSC approval without further amendment to the Charter Contract. If such modifications or amendments are required, including modifications to address amended laws, the SCSC will use best efforts to apply expectations for school performance in a manner consistent with those set forth in the CPF.
- b. Monitoring and Reporting. In accordance with SCSC Rule 691-2-.03, the SCSC shall monitor the Charter School's progress in relation to the indicators, measures, metrics and targets set out in the CPF, as well as other applicable rules and laws. The SCSC shall publicly report the Charter School's achievement and compliance at least annually following the completion of the Charter School's first year of operation.
- c. Performance Expectations. **The Charter School's performance in relation to the indicators, measures, metrics and targets set forth in the CPF shall provide the basis upon which the SCSC will decide whether to renew the Charter School's Charter Contract at the end of the charter term. This section shall not preclude the SCSC from considering other relevant factors in making renewal decisions.**
- d. Mission-Specific Goals. The operational portion of the CPF incorporated as Exhibit A, holds the Charter School accountable for the following mission-specific goals:
  - i. For each year of the charter term, 100% of the Charter School's scholars will participate in multiple deeper learning experiences that incorporate projects, cases students, experts, service-learning, and/or fieldwork opportunities.
  - ii. For each year of the charter term, 100% of instructional staff will participate in professional learning to support a deeper learning educational experience in which each child is empowered through creativity, collaboration, inquiry and critical thinking.
  - iii. For each year of the charter term, 100% of the Charter School's instructional staff will provide daily instruction designed to include routines and embedded instruction to support character development.
  - iv. For each year of the charter term, 80% of parents will attend at least one family engagement event during the school year designed to allow scholars to share and celebrate learning and growth.
- e. Performance Review Presentations. In the event that the Charter School fails to meet standards in accordance with the CPF, the Charter School may be required to make an annual, in-person report to the Commission ("Performance Review Presentation"). At least one Board member and one staff member must attend the Annual Performance Review Presentation. Presentations shall be in the form and manner requested by the SCSC.

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10. Assessment and Accountability. Notwithstanding Sections 7 and 9 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 41. The Charter School is further subject to all federal accountability requirements under the Elementary and Secondary Education Act, including its reauthorization as the Every Student Succeeds Act and any subsequent amendment thereto and provisions of state law or regulation that implement the federal law.

11. Annual Report. The Charter School shall submit an annual report by the deadline established by O.C.G.A. § 20-2-2067.1(c) of each year to the GaDOE and to the SCSC that complies with all requirements established by the GaDOE or applicable law.

12. Withdrawal Without Penalty. The Charter School shall comply with the provisions of O.C.G.A. § 20-2-2066(d) for withdrawing students. The Charter School agrees that a student may withdraw without penalty from the Charter School at any time and enroll in another public school in the local school system in which such student resides.

13. State and Federally Mandated Educational Services.

- a. Students with Disabilities. The Charter School shall comply with all federal education laws and regulations applicable to students with disabilities, 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 federal laws and regulations relating to the provision of education services to English Language Learners.
- c. Supplemental Education. The Charter School shall provide supplemental education services in required cases pursuant to the Elementary and Secondary Education Act, including its reauthorization as the Every Student Succeeds Act and any subsequent amendment thereto and provisions of state law or regulation that implement federal law.
- d. Remediation. The Charter School shall provide remediation in required cases pursuant to the Elementary and Secondary Education Act, including its reauthorization as the Every Student Succeeds Act and provisions of state law or regulation that implement federal law.

14. Governance Structure.

- a. Governing Board. The Charter School shall utilize an autonomous governing body in the form of a governing board (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. The Governing Board shall exercise substantive control over such areas as personnel decisions, financial decisions, curriculum and instruction, resource allocation, establishing and monitoring the achievement of school improvement goals, and school operations, which are listed by way of example and not by limitation.

## Scintilla Charter Academy

- b. 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 work collaboratively with school officials to ensure the Charter School complies with the performance goals enumerated in Section 9 above, to ensure effective organizational planning, and to ensure financial stability of the Charter School.
- c. Public Meetings.
  - i. Open Meetings Act. The Governing Board is subject to and shall comply with the Open Meetings Act, O.C.G.A. § 50-14-1 et seq., and any subsequent amendment thereof.
  - ii. Regular Meetings. The Governing Board shall conduct regular meetings consistent with principles of transparency and avoid actual or apparent conflicts of interest in the governance of the Charter School. The Governing Board shall conduct no less than ten (10) regular meetings each state fiscal year.
  - iii. Called Meetings with Less than 24 Hours' Notice. In addition to adhering to the specific notice requirements in the Open Meetings Act, if the Governing Board schedules a called meeting (i.e., a meeting that is not regularly scheduled) with less than twenty-four (24) hours' notice, the Governing Board shall also notify the SCSC Executive Director or his or her designee of the meeting via electronic mail or phone immediately after scheduling the called meeting.
  - iv. The Governing Board shall not vote on any official business, policy or public matter by e-mail.
- d. Public Records and Transparency. The Governing Board is subject to and shall comply with the Open Records Act, O.C.G.A. § 50-18-70 *et seq.*, and any subsequent amendment thereof. Pursuant to O.C.G.A. § 50-18-70(b)(2) the Governing Board shall ensure that all public records that are maintained or received by a private person or entity in the performance of a service or function for or on behalf of the Charter School are available to the public in the same manner and extent as records collected or maintained by the Charter School. The Governing Board shall maintain its adopted policies, budgets, meeting agendas and minutes, financial audits, and annual reports, and shall make such documents available for public inspection. Additionally, to promote transparency, the Charter School shall ensure that the following information, at a minimum, is easily accessible on the Charter School's website:
  - i. Governing Board membership;
  - ii. Governing Board meeting calendar;
  - iii. Meeting agendas for upcoming Governing Board meetings;
  - iv. Meeting minutes for past Governing Board meetings unless the Georgia Open Meetings Act limits their publication;

## Scintilla Charter Academy

- v. Procedure for contacting School Leader;
  - vi. Procedure for contacting the Governing Board;
  - vii. Any admissions application utilized by the school;
  - viii. Notification of enrollment and admission procedures required by SCSC Rule 691-2-.05, including the date, time, and location of any upcoming enrollment lottery;
  - ix. Annual operating budget or summary thereof as required by O.C.G.A. § 20-2-167.1; and
  - x. The Charter School's charter contract.
- e. Communication with Stakeholders. The Charter School, including the Governing Board and School Leader, must communicate in a timely manner with stakeholders, including, but not limited to: the SCSC, families, students, and other government agencies. The Governing Board or School Leader must use all reasonable efforts to promptly and expeditiously respond to and address stakeholder communications, complaints, and requests for information received via the procedures listed in Paragraph 14(d).
- f. Governing Board Eligibility
- i. Pursuant to O.C.G.A. § 20-2-2084(e), all members of the Governing Board shall be United States citizens, residents of Georgia, and shall not be employees of the Charter School.
  - ii. No person who has an immediate family member sitting on the Governing Board or serving as the Charter School's superintendent, Head of School, principal, assistant principal, or administrative staff can serve on the Governing Board unless the person discloses the conflict to the Governing Board in a writing wherein he or she agrees to recuse themselves from any discussion and/or Commission action regarding the immediate family member, and the Governing Board agrees to waiver of this provision in a public meeting. Immediate family member means a spouse, child, sibling, or parent or the spouse of a child, sibling or parent.
- g. Conflicts of Interest. The Governing Board shall establish a formal policy to prevent and disclose conflicts of interest and comply with the requirements of O.C.G.A. § 20-2-2084(e) and this Charter. Members of the Governing Board and all individuals employed at the Charter School shall abide by such conflicts of interest policy. Upon request, the Charter School shall provide conflict of interest forms to the SCSC demonstrating that governing board members are in compliance with the conflicts of interest policy.
- h. 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; however, this does not preclude the Charter School from using virtual-based instruction in a remote setting.

## Scintilla Charter Academy

- i. Director Compensation. No member of the Governing Board shall receive compensation for his or her service on the Governing Board in excess of reasonable expenses incurred in connection with actual attendance at board meetings or with performance of duties associated therewith.
- j. Contractual Interference. No party to this Charter may interfere with the legal right(s) and/or obligation(s) of another party to execute the provisions of this Charter.

### 15. Fiscal Control.

- a. Financial Reporting Requirements. The Charter School shall follow the financial requirements of the GaDOE's Financial Management for Georgia Local Units of Administration Manual for all funds received by the Charter School. This expressly includes, but is not limited to, developing and adhering to financial policies, preparing and adhering to operating budgets, accounting procedures, managing cash and investments, and segregation of duties and internal controls. The Charter School shall submit all information required by the State Accounting Office for inclusion in the State of Georgia Comprehensive Annual Financial Report.
- b. Annual Audit. The Charter School shall have an annual financial audit conducted by an independent certified public accountant licensed in the State of Georgia and submit its annual financial audit to the SCSC by November 1 each year or as otherwise required by applicable law. If the Charter School does not meet standards on the financial or operational sections of the CPF in the previous year, the SCSC may require the Charter School to utilize an independent certified public accountant selected by the SCSC to perform the subsequent year's annual audit.
- c. Financially At-Risk Schools. If the Charter School does not meet standards on the financial section of the CPF and/or demonstrates negligence which may lead to material financial misstatements of the Charter School's fiscal performance, the Charter School may be designated as financially at-risk and require more frequent financial monitoring. The nature of the additional financial monitoring will be determined by the SCSC Executive Director.
- d. Chief Financial Officer. The Charter School shall designate a Chief Financial Officer. The Chief Financial Officer may be a contractor rather than a school employee; however, the SCSC will hold the Charter School accountable for all financial operations of the Charter School. The Chief Financial Officer 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

## Scintilla Charter Academy

- ii. Documented experience of ten (10) or more years in the field of business and financial management.
- e. Federal Monitoring Requirements. The Charter School shall comply with all federal monitoring requirements related to the receipt of federal funds.
- f. Charter School Program Eligibility. In the event the Charter School seeks grant funds under the Federal Charter School Program, the Charter School must satisfy all federal eligibility requirements as a prerequisite to applying for and receiving such funds.
- g. 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.
- h. Surplus Funds. Under no circumstances shall any surplus funds be distributed to the Charter School's board member(s), educational service provider or educational management organization. This subsection shall be construed consistent with the provisions of O.C.G.A. § 20-2-167(a)(5).
- i. Responsibility for Debts. The Charter School is solely responsible for all debts incurred by the Charter School and its Governing Board. Except as agreed hereto, the SCSC shall not be contractually bound to the Charter School or to any third party with whom the Charter School has a contract or from whom the Charter School has purchased goods or services.
- j. Distribution of Funds and Assets. If the SCSC terminates the Charter or the Charter expires, the Governing Board shall conclude the business and affairs of the Charter School and cooperate with the SCSC to the extent necessary to provide an orderly return of the students to their local school. The Charter School shall remit any surplus or unencumbered funds derived from state or federal grants existing as of the effective date of termination or expiration ("closure date"), and any furniture, equipment or other assets purchased with state or federal grant funds, to the SCSC in the manner specified by SCSC within sixty (60) days of the closure date. All other assets of the Charter School shall revert to the SCSC after the Charter School's liabilities are satisfied. The SCSC is not responsible for the Charter School's unpaid debts in the event the Charter School does not have sufficient funds to pay all of its debts as of the closure date.
- k. Preference in Contracting. The Charter school shall give preference in contracting and purchasing of services and materials to businesses identified in O.C.G.A. § 20-2-2084(d)(2).
- l. Acquiring Debt. The Charter School shall inform the SCSC Executive Director before acquiring debt with a repayment schedule that exceeds the length of the current charter term, including but not limited to: monies derived from loans from financial institutions or through the sale of bonds.

## Scintilla Charter Academy

- m. Deficit Reduction. If at any time during the charter term the SCSC determines that the Charter School has a negative cash balance or an unrestricted days cash of less than fifteen (15) days, the Charter School may be required to submit a financial risk-avoidance plan, monthly SCSC Fiscal Compliance Template reports and monthly bank statements from all banks utilized by the Charter School. Submission shall be in the form and manner specified by the SCSC Executive Director. This subsection shall not be construed to limit any other SCSC authority to require the Charter School to submit additional financial reports unrelated to deficit reduction.
16. 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, but not limited to, the following provisions:
- a. Civil Rights, Insurance, Health, 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. Asbestos Remediation. The Charter School shall comply with the terms of any applicable asbestos remediation plan.
  - c. Unlawful Conduct. The Charter School shall be subject to all laws relating to unlawful conduct in or near a public school.
  - d. 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.
  - e. State Board of Education Rules. The Charter School shall operate in accordance with all SBOE 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 7 above.
  - f. 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, academic ability, the need for special educational services, or any other characteristic protected by local, state, or federal law.
  - g. 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.

## Scintilla Charter Academy

- h. 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.
  - i. Brief Period of Quiet Reflection. The Charter School shall comply with O.C.G.A. § 20-2-1050, which requires a brief period of quiet reflection.
  - j. Individual Graduation Plans. The Charter school shall comply with O.C.G.A. § 20-2-327 related to Individual Graduation Plans.
  - k. Family Educational Rights and Privacy Act. The Charter School is subject to all provisions of the Federal Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g. In the event the Charter School closes, it shall transmit all official student records in the manner prescribed by the State Board.
  - l. QBE Formula Earnings. The Charter School acknowledges that criteria used to calculate Quality Basic Education (QBE) funding may not be waived.
  - m. School Nursing Program. The Charter School shall implement a nursing program in accordance with O.C.G.A. § 20-2-771.2.
  - n. Student Fees and Charges. The Charter School shall comply with SBOE Rule 160-5-1-.12 to preserve the rights of students regarding payments and fees.
17. SCSC Administrative Withhold: Pursuant to O.C.G.A. § 20-2-2089, the SCSC is authorized to withhold up to three (3) percent of the Charter School's funds received through O.C.G.A. § 20-2-2089(a)(1) for administering the duties required of the SCSC pursuant to O.C.G.A. § 20-2-2083.
- a. Return of SCSC Administrative Withhold Funds. Upon satisfaction of annually budgeted expenses, the SCSC may vote to return any surplus funds from its authorized administrative withhold to its Charter Schools on a pro rata basis. The SCSC does not guarantee any surplus of funds.
  - b. Restrictions on Returned SCSC Administrative Withhold Funds. Pursuant to a vote by the SCSC, the SCSC may place reasonable restrictions on any returned administrative withhold funds for reasons including, but not limited to, the failure to meet performance expectations based on the CPF and material breaches of its Charter Contract.
18. Education Service Providers. If the Charter School elects to contract or amend a contract with an Education Service Provider at any point during the term of the Charter, the Charter School shall seek and

## Scintilla Charter Academy

receive approval of the contract or amendment from the SCSC Executive Director prior to the execution of the contract or amendment.

19. Compliance with the Rules, Practices, Policies, and Procedures of the SCSC. The Charter School shall operate in accordance with SCSC rules, practices, policies, and procedures established under the authority granted by O.C.G.A. § 20-2-2080 *et seq.* This Charter is deemed automatically amended to reflect applicable changes or additions to SCSC rules, practices, policies, and procedures upon their effective date.
20. Employment Matters. Individuals employed at the Charter School shall not be considered employees of the State Board, Department, or the SCSC.
  - a. Criminal Record Checks. The Charter School shall adopt criminal record check procedures. The Charter School shall comply with all provisions of O.C.G.A. § 20-2-211.1 relating to fingerprint and criminal record checks for all prospective staff members or any individual that will have substantial contact with students prior to beginning work at the Charter School or having contact with students.
  - b. Clearance Certificates. The Charter School shall comply with O.C.G.A. § 20-2-211.1 which requires all teachers, school administrators, and other education personnel employed by a local unit of administration to hold a valid clearance certificate issued by the Georgia Professional Standards Commission (PSC).
  - c. Teachers' Retirement System. All qualified teachers at the Charter School shall be members of the Teachers Retirement System of Georgia ("TRS") and subject to its requirements. The Charter School is responsible for making arrangements with TRS and making monthly contributions for its teachers in accordance with state requirements. For the purposes of this subsection, the term "teacher" shall have the definition provided in O.C.G.A. § 47-3-1.
  - d. Employment Preference. The Charter School shall comply with O.C.G.A. § 20-2-2084(d)(1) regarding employment preference. The Charter School shall maintain and provide the SCSC, upon request, documentation to support the Charter School's compliance with O.C.G.A. § 20-2-2084(d)(1), including but not limited to: all advertisements for open positions, resumes received by the Charter School and records of interviews conducted by the Charter School. The Charter School shall not use third-party contractors to circumvent the requirements of this subsection.
  - e. Performance Evaluation System. The Charter School shall utilize the performance evaluation system adopted by the State Board pursuant to O.C.G.A. § 20-2-210 for all personnel for which it is required by rule or law, including personnel employed by an educational management organization or other educational service provider. At least two individuals employed by the Charter School shall be credentialed to administer the teacher evaluation system. At least two (2) individuals employed by the Charter School or on the Charter School Governing Board shall be credentialed to administer the leader evaluation system. The Charter School may not delegate the

## Scintilla Charter Academy

evaluation of its School Leader to any individual or entity who is not a member of the Charter School Governing Board.

- f. School Personnel. Teachers and other instructional staff and faculty must be employees of the Governing Board and may not be employed by an Educational Service Provider or other entity affiliated with an Educational Service Provider. The School Leader may be employed by an Educational Service Provider only if the Governing Board retains the authority to select and dismiss that individual from service at the Charter School. Non-instructional staff, such as the Chief Financial Officer, business manager, bookkeeper, maintenance personnel, may be employed by entities other than the Governing Board; however, the Governing Board shall remain responsible and accountable for all operations, compliance, and performance of any and all selected contractors. The Governing Board shall ensure that the School Leader establishes a regular and ongoing physical presence in the school that allows the individual to oversee daily operations.
21. Record Inspection. Subject to state and federal laws, the SBOE, the GaDOE and their agents, the SCSC and their agents and the State Auditor's office shall have the right to examine and copy all records, reports, documents, and files relating to any activity, program, or student of the Charter School. Any records maintained by a vendor for the services it performs on behalf of the Charter School that relate to school-level operations (such as personnel and financial records) shall be available for immediate access by the school as well as the State Board, Department, SCSC, and State Auditor in accordance with this section.
  22. Student Records. The Charter School shall adopt a records retention policy and comply with the requirements of SBOE Rule 160-5-1-.14 "Transfer of Student Records" and accompanying Guidance.
  23. Facilities. The Charter School shall comply with SCSC Rule 691-2-.06 State Charter School Sites and Facilities and the following requirements:
    - a. Reserved.
    - b. Approval of Site and/or Facility. If the Charter School contracts with an architect, construction manager, or other construction professional to manage the site or facility selection and development process, the SCSC will continue to hold the Charter School accountable for adhering to the Georgia Department of Education (GaDOE)'s requirements for site and facility approval. The Charter School shall contact the GaDOE Facilities Services Division regarding the following:
      - i. Site Code. The Charter School shall contact the Facilities Services Division to obtain site approval as soon as practicable. Failure to provide at least a six (6) months' notice to the Facilities Services Division prior to student occupation of the site or facility may delay the date that students can start occupying the site or facility. Once site approval has been granted, the Facilities Services Division will issue the Charter School a site code. Except as approved in writing by the SCSC Executive Director, the Charter School shall not

## Scintilla Charter Academy

commit to any certificate of lease or ownership, commence any construction, nor allow student occupation prior to receiving the site code.

- ii. Architectural Review. The Charter School shall submit and have approved by the Facilities Services Division all architectural plans for any facility that will house the Charter School during the charter term. The Charter School shall not commit to any certificate of lease or ownership, commence any construction, nor allow student occupation of the site or facility prior to architectural review.
- iii. School Code. The Charter School shall contact GaDOE and request a school code after securing both a site code and facility code. The Charter School shall obtain a school code prior to student occupation of the site or facility.

24. Transportation. To the extent the Charter School offers a transportation program for its students, the Charter School shall ensure that the program complies with all applicable laws governing transportation of students.

25. Food Services. To the extent the Charter School offers a food service program, the Charter School shall ensure that the program complies with all applicable laws governing food service for students.

26. Projected Enrollment. For the purpose of funding students enrolled in the Charter School each year the Charter School offers a new grade level, the Charter School may be required to provide the SCSC a projected student enrollment count that includes prospective student names, Georgia Testing Identifier (GTID), if available, and any other information as requested by the SCSC. The Charter School shall provide this information by the deadline established by the SCSC and in the form and manner as requested by the SCSC. The information provided by the Charter School pursuant to this section may be verified by the SCSC through an onsite visit or by other means.

27. Data Collections. The Charter School assumes sole responsibility for accurate and timely collection and transmission of required data submissions to the SCSC and other government agencies, including but not limited to: the GaDOE, the Georgia Professional Standards Commission, and the United States Department of Education. The Charter School shall utilize a Student Information System that is compatible with the system utilized by the GaDOE. Upon signature of the charter contract, the Charter School affirms its understanding that inaccurate or untimely data may have an adverse impact to the academic, financial and operational standing of the school and further affirms its understanding that the SCSC does not guarantee any opportunity or ability to correct any data reporting errors made by the Charter School.

28. Required Trainings.

## **Scintilla Charter Academy**

- a. Data Collections Conference. The Charter School shall send at least one representative to the annual Data Collections Conference held by the GaDOE each year of the Charter School's charter term.
- b. Federal Programs Conference. In each year the Charter School accepts federal funds from the United States Department of Education, the Charter School shall send at least one representative to the annual Federal Programs Conference held by the GaDOE.
- c. Governance Training. Each member of the Governing Board shall fulfill all training requirements required by rule and law, including the annual governance training obligation required by O.C.G.A. § 20-2-2084(f) and SCSC Rule 691-2-.03(4).

### **29. Termination of Charter.**

- a. Termination Procedures. The parties acknowledge and agree that this Charter may be terminated following the procedures set forth in O.C.G.A. § 20-2-2068, any applicable rule of the State Board, or SCSC Rule 691-2-.04.
- b. Grounds for Termination. The Charter School acknowledges that this Charter may be terminated for any reason set forth in law or any applicable rule of the State Board or SCSC, including, but not limited to:
  - i. The Charter School's failure to comply with any material provision set forth in this Charter, provided that they shall be notified by certified mail and be given thirty (30) days from receipt of notice to cure the breach. The nature and outcome of the breach shall be memorialized and maintained by the SCSC in accordance with applicable record retention schedules;
  - ii. The Charter School's failure to comply with any recommendation or direction of the State Board with respect to O.C.G.A. § 20-14-41;
  - iii. The Charter School's failure to adhere to any material term of this Charter, including but not limited to the performance goals set forth in Section 9 above;
  - iv. The Charter School's failure to meet generally accepted standards of fiscal management;
  - v. The Charter School's violation of applicable federal, state, or local laws, or court orders;
  - vi. The existence of competent substantial evidence that the continued operation of the Charter School would be contrary to the best interests of the students or the community;

## Scintilla Charter Academy

- vii. The Charter School's failure to comply with any provision of the Charter Schools Act; or
- viii. The existence of conditions that place the health, safety, or welfare of students or staff of the Charter School in danger.

30. School Closure. In the event the school ceases operations, either through non-renewal, early termination, voluntary closure, or other means, the school must, at minimum, take the following actions:

- a. Student Transition Plan. The Charter School shall create a transition plan to facilitate its students' transition to other educational institutions. The transition plan shall outline a variety of educational options available to students including traditional public schools, locally approved charter schools, state charter schools, and private educational options. The transition plan shall include protocols to ensure the appropriate transfer of student records. The Charter School shall provide the transition plan to the SCSC and parents of enrolled students within fourteen (14) calendar days of its decision to cease operations or the SCSC's decision to terminate or non-renew the Charter School's charter contract;
- b. School Records. The Petitioner shall retain ownership, including all incumbent responsibilities of an operational state charter school, of all records for a period of one year from the later of the date the charter contract expired, the date the charter contract was terminated, or the date the state charter school ceased operations. Incumbent responsibilities include, but are not limited to, transferring student records to public or private schools, schools operated by the Department of Juvenile Justice, and the local school system or schools from which the records are requested. After the one-year period, the Petitioner shall transfer all records, including student records, to the SCSC in the format and manner specified by the SCSC;
- c. School Website. The Charter School shall maintain the website of the Charter School for a minimum of six (6) months from the date education operations cease. For the purposes of this section, education operations mean any period during which instruction is provided by the Charter School to enrolled students. At minimum, the website shall include contact information and instructions regarding requests for student and employee records;
- d. Notification. The Charter School shall make reasonable efforts to inform stakeholders of the school's closure, including the staff and parents, general public, appropriate local districts, and creditors;
- e. Closure Monitor. The SCSC Executive Director will appoint an individual to monitor the closure activities of Charter School ("Closure Monitor") within fourteen (14) calendar days of its decision to cease operations or the SCSC's decision to terminate or non-renew the school's charter contract. The SCSC shall be responsible for all costs and expenses of the Closure Monitor;

## Scintilla Charter Academy

- f. Duties of Closure Monitor. The Charter School shall remain responsible for fulfilling all legal and contractual duties, including those arising from this Charter. The role of the Closure Monitor shall be to review the Charter School's actions to conclude its financial affairs, settlement of accounts, disposition of assets, return of surplus to the SCSC, and provision for maintaining student, employee, and school records in accordance with applicable retention schedules beyond the operation of the Charter School. The Closure Monitor shall notify the SCSC of any action taken by the Charter School that is inconsistent with the its legal or contractual obligations. The Charter School shall allow the Closure Monitor access to all records, reports, documents, and files pertaining to any activity or program of the Charter School;
- g. Closure Process. The Charter School shall align closure activities to the SCSC Closure Guide in a form and manner as requested by the SCSC to ensure orderly closure of the Charter School; and
- h. Surety. The Charter School shall maintain a surety bond throughout the entirety of its charter term and six months following the conclusion of the charter term to assure the faithful performance of the duties of the school and its employees, including the fulfillment of Charter School's obligations in closing the financial affairs in the event the school ceases operation. The bond shall be in an amount no less than \$150,000.00 to be payable to the State of Georgia through the State Charter Schools Commission. The bond shall be furnished by a company authorized to do business in Georgia. The provisions of this subsection shall not be interpreted to preclude Charter School from obtaining liability insurance coverage or surety or fidelity bonds in addition to or in excess of the requirements of this subsection.

31. Reserved.

32. Renewal, Non-Renewal, and Probationary Term.

- a. Renewal. The Charter may be renewed by agreement of the parties following the procedures set forth in the Charter Schools Act and accompanying SCSC Rule. The parties recognize that the renewal process will commence prior to the conclusion of the final year of the charter term and, as a result, the SCSC renewal decision will likely not include student achievement and school operational data from the final year of the charter term.
- b. Non-Renewal. Any grounds for termination stated in Section 25b above also may be grounds for non-renewal. In addition, the SCSC may elect not to renew the Charter if the petition for renewal does not comply with the Charter Schools Act and the rules, regulations, policies, and procedures promulgated in accordance with the Charter Schools Act or if the SCSC deems that the Charter School has not sufficiently increased student achievement or is no longer in the public interest notwithstanding the Charter School's performance on the SCSC Comprehensive Performance Framework.

## Scintilla Charter Academy

- c. Probationary Term. In the event the SCSC determines that the Charter School has failed to comply with any provision of this Charter, the SCSC may elect to grant a renewal for a probationary term, within which term the Charter School must come into compliance satisfactory to the SCSC.
33. Temporary Extension. At the discretion of the SCSC, this Charter may be extended for a grace period not exceeding sixty (60) days.
34. Amendments to the Charter. The terms of this Charter may be amended upon approval by the SCSC and a majority of the Governing Board of the Charter School. The Charter School shall submit a written request to amend the Charter to the SCSC in the form and manner required by the SCSC. Except as explicitly permitted in this Charter, no amendments are valid or effective unless in writing and signed by both parties.
35. Administrative Clarifications. Any clarification to a non-material term of this Charter, as determined by the SCSC, shall be submitted in writing to the SCSC for review. Any non-material term of this Charter may be clarified in writing by SCSC staff.
36. Indemnification.
  - a. The Charter School agrees to indemnify, defend and hold harmless the GaDOE, the SCSC, and the State Board, their officials, officers, employees, agents, volunteers, and assigns (all of whom hereinafter may collectively be referred to as "Indemnitees"), from any and all claims, demands, suits, actions, legal or administrative proceedings, losses, liabilities, costs, interest, and damages of every kind and description, including any attorneys' fees and/or litigation and investigative expenses, for bodily injury, personal injury, (including but not limited to the Charter School's employees), patent, copyright, or infringement on any intellectual property rights, or loss or destruction of property (including loss of use, damage or destruction of Indemnitee owned property) to the extent that any such claim or suit was caused by, arose out of, or contributed to, in whole or in part, by reason of any act, omission, professional error, fault, mistake, or negligence whether active, passive or imputed, of the Charter School, their employees, agents, representatives, or subcontractors, their employees, agents, or representatives in connection with or incidental to their performance of this Charter regardless of whether such liability, claim, damage, loss, cost or expense is caused in part by an Indemnitee.
  - b. The Charter School shall be excused from their indemnification obligations above: (a) If the claims, demands, suits, actions, proceedings, losses, liabilities arise solely and exclusively out of the negligence of the Indemnitee seeking indemnification; or (b) If the Indemnitee fails to (i) provide written notice of the third party claim or suit within a reasonable time, (ii) cooperate with reasonable requests of the Charter School related to the indemnification; or (iii) assist the Charter School with the defense of such claim or suit.

## Scintilla Charter Academy

- c. The Charter School's obligations to indemnify any Indemnitee shall survive the completion, expiration, or termination of this Agreement for any reason.
37. Non-Agency. The parties expressly acknowledge and agree that the Charter School is not acting as the agent of the State Board, Department, or SCSC except as required by law or this Charter. The Charter School acknowledges that it is without authority to, and will not, extend the faith and credit of the State Board, Department or SCSC to any third party.
38. Delegation. The Charter School acknowledges and agrees that the functions and powers provided for in this charter may be exercised only by the Charter School and may not be delegated to a third party without written agreement by the parties.
39. Assignment. This Charter shall not be assigned or transferred by the Charter School unless consented to in writing by the SCSC.
40. Third-Party Beneficiaries. There are no third-party beneficiaries to this Charter. The Charter School's staff, students, parents, or related organizations are not beneficiaries to this Charter.
41. Application of Amended Law. This Charter is subject to applicable federal and state laws, rules and regulations and shall be deemed amended to reflect applicable changes to those laws upon the effective date of any such change.
42. Non-Waiver. Except as specifically provided for in a written waiver signed by the parties, failure by either party at any time to require performance or claim a breach of this Charter does not constitute a waiver or affect the party's right to require performance or claim a breach of this Charter.
43. Severability. If any provision of this Charter is determined to be unenforceable or invalid for any reason, the remainder of the Charter shall remain in full force and effect.
44. Contradicting or Conflicting Provisions. If any provision of the Charter is determined to contradict or conflict with any other provision of the Charter, the contradiction or conflict shall be resolved in favor of the broad flexibility guaranteed pursuant to O.C.G.A. § 20-2-2065 *et seq.*
45. Governing Law and Venue. This Charter shall be governed by, subject to, and construed under the laws of the State of Georgia. This Charter shall be interpreted in accordance with O.C.G.A. §§ 20-2-2060 *et seq.* and §§ 20-2-2080 *et seq.*, as amended within the term of this Charter. Any action brought by one party to this Charter against another party shall be brought in the Superior Court of Fulton County.
46. Entire Agreement. This Charter sets forth the entire agreement between the Petitioner, and the SCSC with respect to the subject matter of this Charter. All prior contracts, representations, statements, negotiations,

## Scintilla Charter Academy

understandings, and undertakings between the Petitioner and the SCSC are superseded by this Charter. The Charter shall not preclude the Charter School from entering into or maintaining any agreement with the Local Board provided no such agreement supersedes, overrides or conflicts with any provision of this Charter. The petition submitted to the SCSC serves only as the formal application for the Charter School and does not constitute a contract between the SCSC and the Petitioner. This Charter supersedes and overrides any provisions contained in the petition that conflict with this Charter.

### George S. "Buzz" Brockway III

Buzz Brockway, Chairperson

(Date)

STATE CHARTER SCHOOLS COMMISSION OF GEORGIA

### Zachary Cowart

Governing Board President

(Date)

SCINTILLA CHARTER ACADEMY, INC.

Signature: Zachary Cowart  
Zachary Cowart (Apr 18, 2023 17:36 EDT)

Email: 

Signature: George S. Brockway III  
George S. Brockway III (Apr 19, 2023 08:37 EDT)

Email: 

# Scintilla Charter Academy Charter Contract

Final Audit Report

2023-04-19

Created:	2023-04-18
By:	Kiara Thompson ( [REDACTED] )
Status:	Signed
Transaction ID:	CBJCHBCAABAAp_G2Vx6VNNxWij8XMnwjUQwLm-8QH8ix


## "Scintilla Charter Academy Charter Contract" History

 Document created by Kiara Thompson ( [REDACTED] )  
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2023-04-18 - 7:57:47 PM GMT- [REDACTED]


 Signer [REDACTED] entered name at signing as Zachary Cowart  
2023-04-18 - 9:36:56 PM GMT- [REDACTED]


 Document e-signed by Zachary Cowart ( [REDACTED] )  
Signature Date: 2023-04-18 - 9:36:58 PM GMT - Time Source: server- [REDACTED]

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 Signer [REDACTED] entered name at signing as George S. Brockway III  
2023-04-19 - 12:37:46 PM GMT- [REDACTED]

 Document e-signed by George S. Brockway III ( [REDACTED] )  
Signature Date: 2023-04-19 - 12:37:48 PM GMT - Time Source: server- [REDACTED]

 Agreement completed.  
2023-04-19 - 12:37:48 PM GMT

Names and email addresses are entered into the Acrobat Sign service by Acrobat Sign users and are unverified unless otherwise noted.

Exhibit A



**COMPREHENSIVE PERFORMANCE FRAMEWORK**  
***for State Charter School Evaluation***

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## Exhibit A

### OVERVIEW:

# ***Comprehensive Performance Framework for State Charter Schools***

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## PURPOSE

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Quality charter school authorizers establish standards for school performance that are clear, quantifiable, rigorous, and attainable. The SCSC Performance Framework includes academic, financial, and organizational performance measures that establish expectations, guide practice, assess progress, and inform decision making over the course of the charter term and at renewal or revocation.

The three areas of performance covered by the frameworks—academic achievement, financial management, and organizational compliance— correspond directly with the three components of a strong charter school application and are the three areas on which a charter school’s performance should be evaluated. In each of the three areas, the framework asks a fundamental question:

- Academic Performance: Is the charter school offering students a better educational opportunity than they would otherwise receive at the traditional local school?
- Financial Performance: Is the charter school fiscally viable and responsible?
- Organizational Performance: Is the organization effective, compliant, and well-run?

Exhibit A

SECTION I: ACADEMIC PERFORMANCE

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FUNDAMENTAL QUESTION

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Is the charter school offering students a better educational opportunity than they would otherwise receive at the traditional local school?

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INDICATORS

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To answer the above question, the SCSC uses performance metrics derived from:

- the [College and Career Readiness Performance Index \(CCRPI\)](#), the statewide accountability tool. The CCRPI includes a content mastery component that assesses student proficiency and a progress component that uses student growth percentiles to assess student growth, among other measures. And from,
- The [Value-Added Model](#), a statistical predictive measure that considers a student’s individual characteristics and the school’s student body makeup.

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MEETING GOALS

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A state charter school can meet annual SCSC academic accountability standards by outperforming its comparison zone, the school/districts from which its students are zoned to attend, in terms of student achievement or growth as measured by CCRPI Content Mastery, CCRPI Progress, CCRPI Grade Band Score, or Value-Added Model impact scores.

A state charter school only needs to outperform one of the comparison zones [schools or district(s)] on Indicator 1, Grade Band Measures, or one of the measures included in Indicator 2, Schoolwide Measures, not both, in order to receive an overall Meets designation for a given year.

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SECTION I: OVERALL DETERMINATION OF COMPLIANCE

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As measured by the indicators and measures set forth in this section, is the school meeting academic performance standards?

SCORING CATEGORIES:

Exceeds Standards	Outperforms its comparison zone by 10 or points
Meets Standards	Outperforms its comparison zone
Approaches Standards	Performs as well as its comparison zone
Does Not Meet Standards	Performs below its comparison zone

**Exhibit A**

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**INDICATOR PERFORMANCE**

---

**SECTION I, INDICATOR 1: GRADE BAND MEASURES**

All state charter schools must demonstrate their ability to positively impact students' academic performance either through high levels of achievement or growth across all grade bands served.

<u>Measure</u>	<u>Designation Earned</u>	<u>Explanation</u>
CCRPI Content Mastery	i.e. MEETS	<p><i>Exceeds Standard:</i> The state charter school's score is 10 or more points higher than the comparison zone [the schools/districts from which its students are zoned to attend] on any one or combination of the academic measures in all grade bands served.</p>
CCRPI Progress		<p><i>Meets Standard:</i> The state charter school's score is 1 to 9 points higher than the comparison zone [the schools/districts from which its students are zoned to attend] on any one or combination of the academic measures in all grade bands served.</p>
CCRPI Grade Band		<p><i>Approaches Standard:</i> The state charter school' score is no more than 2 points below the comparison zone [the schools/districts from which its students are zoned to attend] on any one or combination of the academic measures in all grade bands served.</p>
Value-Added Model		<p><i>Does Not Meet Standard:</i> The state charter school's score is more than 2 points below the comparison zone [the schools/districts from which its students are zoned to attend] on any one or combination of academic measures in all grade bands served.</p>

## Exhibit A

### SECTION I, INDICATOR 2: SCHOOLWIDE MEASURES

All state charter schools must demonstrate their ability to positively impact students' academic performance either through high levels of achievement or growth across all students served.

<u>Measure</u>	<u>Designation Earned</u>	<u>Explanation</u>
<ul style="list-style-type: none"> <li>CCRPI Content Mastery-Whole School Score</li> </ul>	i.e. MEETS	<p><i>Exceeds Standard:</i> The state charter school's score is 10 or more points higher than the comparison zone [the schools/districts from which its students are zoned to attend] on any one of the schoolwide academic measures.</p>
<ul style="list-style-type: none"> <li>CCRPI Progress-Whole School Score</li> </ul>		<p><i>Meets Standard:</i> The state charter school's score is 1 to 9 points higher than the comparison zone [the schools/districts from which its students are zoned to attend] on any one of the schoolwide academic measures.</p>
<ul style="list-style-type: none"> <li>CCRPI Grade Band-Whole School Score</li> </ul>		<p><i>Approaches Standard:</i> The state charter school's score is no more than 2 points below the comparison zone [the schools/districts from which its students are zoned to attend] on any one of the schoolwide academic measures.</p> <p><i>Does Not Meet Standard:</i> The state charter school's score is more than 2 points below the comparison zone [the schools/districts from which its students are zoned to attend] on any of the schoolwide academic measures.</p>

## Exhibit A

### CALCULATION METHODS

Score	Calculation Explained																								
District Comparison Zone Score	<p>This score is calculated based on the proportion of students the state charter school enrolls from each district served. If a school serves a single district, it is compared to that district's score because 100% of students enrolled in the state charter school are zoned to attend that district. However, if a state charter school serves multiple districts or has a statewide attendance zone, a weighted comparison score is generated based on the proportion of students the state charter school enrolls from each district. For instance, if a state charter school enrolls 80% of its students from District A and 20% from District B, then the comparison score will comprise 80% of District A's CCRPI score and 20% of District B's CCRPI score. The SCSC uses the GaDOE Data Collections Student Record report to determine district enrollment proportions.</p>																								
School Comparison Zone Score	<p>This score is calculated based on the proportion of students the state charter school enrolls from each local school attendance zone served. The student-level address element in the GaDOE Data Collections Student Record report is used to determine which school each student enrolled in a state charter school is zoned to attend [the school the student would attend if they were not enrolled in the charter school]. The SCSC weights those schools' CCRPI scores based on the proportion of students enrolled. This is the same process that is used to generate the District Comparison Zone Scores, just at the more granular, school level.</p>																								
Whole School Score	<p>This score is calculated based on the proportion of students the state charter school enrolls in each grade band served. For instance, if a state charter school serves grades K-8 and enrolls 60% of its students in the elementary grade band and 40% of its students in the middle-grade band, then the Whole School Score is 60% of the school's elementary school score plus 40% of the school's middle school score. The state charter school's score is then compared to the same weighting of the District Comparison Zone Score and the School Comparison Zone Score. For state charter schools that serve across grade bands, this measure seeks to determine whether, as a whole, the school is providing a better opportunity for most students. The SCSC uses the GaDOE Data Collections FTE-3 report to determine district enrollment proportions.</p>																								
CCPRI Grade Band Score	<p>This score is calculated using the CCRPI Scoring by Component data file published by GaDOE annually and by following the grade band score calculation methodology as described in the 2019 CCRPI Calculation Guide<sup>1</sup>. Specifically, each CCRPI Component is weighted and combined into an overall score by grade band. The table below displays the weights by component and grade band.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th style="text-align: center;">Elementary</th> <th style="text-align: center;">Middle</th> <th style="text-align: center;">High</th> </tr> </thead> <tbody> <tr> <td style="text-align: left;">Content Mastery</td> <td style="text-align: center;">30%</td> <td style="text-align: center;">30%</td> <td style="text-align: center;">30%</td> </tr> <tr> <td style="text-align: left;">Progress</td> <td style="text-align: center;">35%</td> <td style="text-align: center;">35%</td> <td style="text-align: center;">30%</td> </tr> <tr> <td style="text-align: left;">Closing Gaps</td> <td style="text-align: center;">15%</td> <td style="text-align: center;">15%</td> <td style="text-align: center;">10%</td> </tr> <tr> <td style="text-align: left;">Readiness</td> <td style="text-align: center;">20%</td> <td style="text-align: center;">20%</td> <td style="text-align: center;">15%</td> </tr> <tr> <td style="text-align: left;">Graduation Rate</td> <td style="text-align: center;">--</td> <td style="text-align: center;">--</td> <td style="text-align: center;">15%</td> </tr> </tbody> </table>		Elementary	Middle	High	Content Mastery	30%	30%	30%	Progress	35%	35%	30%	Closing Gaps	15%	15%	10%	Readiness	20%	20%	15%	Graduation Rate	--	--	15%
	Elementary	Middle	High																						
Content Mastery	30%	30%	30%																						
Progress	35%	35%	30%																						
Closing Gaps	15%	15%	10%																						
Readiness	20%	20%	15%																						
Graduation Rate	--	--	15%																						

All scores are calculated to the nearest whole number.

<sup>1</sup> The 2018-2019 school year was the last year that GaDOE calculated overall school scores.

Exhibit A

SECTION II: FINANCIAL PERFORMANCE

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FUNDAMENTAL QUESTION

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Is the charter school fiscally viable and responsible?

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INDICATORS

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To answer whether the school is fiscally viable, the SCSC assesses a state charter school’s performance on both near-term financial health and long-term financial sustainability measures using data derived from each school’s independent financial audit. Near-term measures are designed to depict the school’s financial position and viability in the upcoming year. Sustainability measures are used to determine a charter school’s ability to cover long-term obligations and control costs effectively over time.

To answer whether the school is fiscally responsible, the SCSC assesses a state charter school’s performance on both fiscal management and oversight measures using data derived from annual monitoring practices and SCSC and GaDOE enrollment data collections. Fiscal management and oversight measures are used to evaluate a charter school’s ability to comply with relevant rules and laws, manage funds responsibly, and provide a more qualitative look at performance irrespective of near-term and long-term calculations.

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MEETING GOALS

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A state charter school can satisfy annual financial accountability requirements by earning at least 80 points across the near-term and sustainability measures and at least 80 points across the oversight and management measures. In other words, a state charter school must earn a “Meets Standards” designation on both Indicator 1 and Indicator 2 in order to receive an overall “Meets Financial Standards” designation for a given year. Indicators 1 and 2 are calculated separately, and both add up to 100 points independently.

If a school earns below 70 points (a Does Not Meet rating) on both Indicator 1 and Indicator 2, it will be designated as “Does Not Meet” financial standards. Any other combination of points/ratings will result in an “Approaches Standards” designation in the financial section of the CPF for the given year.

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SECTION II: DETERMINATION OF COMPLIANCE

---

As measured by the indicators and measures set forth in this section, is the school meeting financial performance standards?

SCORING CATEGORIES:

Meets Standards	80-100 points
Approaches Standards	70-79 points
Does Not Meet Standards	0-69 points

## Exhibit A

### INDICATOR PERFORMANCE

#### SECTION II, INDICATOR 1: FISCAL VIABILITY

NEAR-TERM MEASURES	
<u>Measure 1a, Current Ratio (Working Capital Ratio): Current assets divided by current liabilities</u> Does the school have the ability to cover short-term financial obligations?	Points Available
<i>Meets Standard:</i>	15
<ul style="list-style-type: none"> <li>• Current Ratio is greater than 1.0</li> </ul>	
<i>Approaches Standard:</i>	10
<ul style="list-style-type: none"> <li>• Current Ratio is between 0.9 and 1.0 or equal to 1.0</li> </ul>	
<i>Does Not Meet Standard:</i>	0
<ul style="list-style-type: none"> <li>• Current Ratio is less than or equal to 0.9</li> </ul>	
<u>Measure 1b, Unrestricted Days Cash: Unrestricted Cash divided by (Total Expenses/365)</u> Does the school maintain an appropriate balance of cash on hand?	Points Available
<i>Meets Standard:</i>	20
<ul style="list-style-type: none"> <li>• Days Cash is greater than 60 days</li> </ul>	
<i>Approaches Standard:</i>	10
<ul style="list-style-type: none"> <li>• Days Cash is between 15 and 60 days</li> </ul>	
<i>Does Not Meet Standard:</i>	0
<ul style="list-style-type: none"> <li>• Days Cash is less than 15 Days Cash</li> </ul>	
<u>Measure 1c, Annual Debt to Income : Total Annual Debt Payments (Debt Service) / Total Revenue</u> Does the school have enough income to cover short-term debt payments?	Points Available
<i>Meets Standard:</i>	20
<ul style="list-style-type: none"> <li>• Annual Debt to Income is below 5 percent</li> </ul>	
<i>Approaches Standard:</i>	10
<ul style="list-style-type: none"> <li>• Annual Debt to Income is between 5 and 15 percent</li> </ul>	
<i>Does Not Meet Standard:</i>	0
<ul style="list-style-type: none"> <li>• Annual Debt to Income is above 15 percent</li> </ul>	
<u>Measure 1d, Default</u> Is the school repaying debts in a timely manner?	Points Available
<i>Meets Standard:</i>	10
<ul style="list-style-type: none"> <li>• School is not in default of loan covenant(s) or delinquent with debt service payments nor does the school have any outstanding debt</li> </ul>	
<i>Does Not Meet Standard:</i>	0
<ul style="list-style-type: none"> <li>• School is in default of loan covenant(s), is delinquent with debt service payments or the school has any outstanding debt</li> </ul>	
SUSTAINABILITY MEASURES	
<u>Measure 1e, Efficiency Margin: (Change in Net Assets+Change in Pension Related Accts) divided by Total Revenues</u> Does the school manage costs appropriately?	Points Available
<i>Meets Standard:</i>	15
<ul style="list-style-type: none"> <li>• Aggregated Three-Year Efficiency Margin is greater than 0.</li> </ul>	
<i>Approaches Standard:</i>	10
<ul style="list-style-type: none"> <li>• Aggregated Three-Year Efficiency Margin is between -.01 and -10 percent</li> </ul>	

## Exhibit A

<i>Does Not Meet Standard:</i> <ul style="list-style-type: none"> <li>• Aggregated Three-Year Efficiency Margin is less than -10 percent</li> </ul>	0
<b>Measure 1f, Debt to Asset Ratio: <math>(\text{Total Liabilities} - \text{Deferred Pension Liability}) \div \text{Total Assets}</math></b> Does the school maintain an appropriate balance between assets and liabilities over time?	Points Available
<i>Meets Standard:</i> <ul style="list-style-type: none"> <li>• Debt to Asset Ratio is less than 95 percent</li> </ul>	20
<i>Approaches Standard:</i> <ul style="list-style-type: none"> <li>• Debt to Asset Ratio is between 95 and 100 percent</li> </ul>	10
<i>Does Not Meet Standard:</i> <ul style="list-style-type: none"> <li>• Debt to Asset Ratio is greater than 100 percent</li> </ul>	0

**Total Points Available—Indicator 1: 100 points**

## Exhibit A

### SECTION II, INDICATOR 2: FISCAL MANAGEMENT & OVERSIGHT

<u>Measure 2a, Adherence to GAAP Standards</u> Is the school following Generally Accepted Accounting Principles (GAAP)?	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school complied with all applicable laws, rules, regulations, and provisions of the charter contract relating to financial management and oversight expectations as evidenced by an annual independent audit that includes:               <ul style="list-style-type: none"> <li>○ An unqualified audit opinion;</li> <li>○ An audit devoid of significant findings and conditions, material weaknesses, or significant internal control weaknesses;</li> <li>○ An audit that does not include a going concern disclosure in the notes or an explanatory paragraph; and</li> <li>○ No other adverse statement indicating noncompliance with applicable laws, rules, regulations, and provisions of the charter contract relating to financial management and oversight.</li> </ul> </li> </ul>	20
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, or provision of its charter contract relating to financial management and oversight expectations as evidenced by an annual independent audit.</li> </ul>	0
<u>Measure 2b, Adherence to Federal Financial Requirements</u> Is the school following all applicable financial requirements when expending federal funds?	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school complied with all applicable laws, rules, regulations, and provisions of the charter contract relating to proper internal controls, expenditures, inventory, drawdowns, and cost principles when expending federal funds, including but not limited to:               <ul style="list-style-type: none"> <li>○ Proper segregation of duties;</li> <li>○ Source documentation for expenditures paid with federal funds;</li> <li>○ Complete and on-time submission of program budgets (Title I, IDEA, and grant budgets); and</li> <li>○ Maintaining inventory controls and documentation in accordance with federal regulations for items purchased with federal funds.</li> </ul> </li> </ul>	15
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with all applicable laws, rules, regulations, and provisions of the charter contract relating to proper internal controls, expenditures, inventory, drawdowns, and cost principles when expending federal funds during its SCSC onsite or desk monitoring visit, but the school adequately remedied its finding(s) and regained compliance.</li> </ul>	10
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with all applicable laws, rules, regulations, and provisions of the charter contract relating to proper internal controls, expenditures, inventory, drawdowns, and cost principles when expending federal funds.</li> </ul>	0
<u>Measure 2c, Adherence to the Local Units of Administration Manual</u> Is the school following the Local Units of Administration (LUA) Manual?	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school complied with all material provisions of the LUA manual.</li> </ul>	15

## Exhibit A

<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>The school failed to comply with at least one material provision of the LUA manual during its SCSC onsite or desk monitoring visit, but the school adequately remedied its finding(s) and regained compliance.</li> </ul>	10
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>The school failed to comply with one or more material provisions of the LUA manual.</li> </ul>	0
<p><b><u>Measure 2d, Adherence to the School’s Own Financial Policies and Procedures</u></b> Is the school adhering to its own financial policies and procedures?</p>	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>The school adhered to its own financial policies and procedures approved by the school’s governing board and/or developed by school staff.</li> </ul>	20
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>The school failed to comply with at least one of its own financial policies and/or procedures approved by the school’s governing board and/or developed by school staff, but the school adequately remedied its finding(s) and regained compliance.</li> </ul>	10
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>The school failed to comply with at least one of its own financial policies and/or procedures approved by the school’s governing board and/or developed by school staff.</li> </ul>	0
<p><b><u>Measure 2e, Enrollment Variance: [Actual Enrollment during the October FTE Count (fiscal year x) – school enrollment projection (fiscal year X)] / school enrollment projection (fiscal year X)</u></b> Is the school able to project enrollment in a way that enables adequate budgeting?</p>	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>Enrollment Variance equals less than 3 percent</li> </ul>	15
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>Enrollment Variance is between 3 and 8 percent</li> </ul>	10
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>Enrollment Variance is greater than 8 percent</li> </ul>	0
<p><b><u>Measure 2f, Timely Audit Submission</u></b> Does the school have the proper financial documentation to allow for a timely audit review and submission?</p>	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>The school submitted its financial audit on time, on or before November 1st.</li> </ul>	20
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>The school submitted its financial audit late, on or before December 1<sup>st</sup>.</li> </ul>	10
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>The school submitted its financial audit late, after December 1st.</li> </ul>	0

**Total Points Available—Indicator 2: 100 points**

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**Exhibit A**

**SECTION III: OPERATIONAL PERFORMANCE**

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**FUNDAMENTAL QUESTION**

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Is the organization effective, compliant, and well-run?

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**INDICATORS**

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To answer the question above, the SCSC uses data from agency monitoring and other sources, as noted in the appendix of this document, to determine compliance with the indicators listed below.

- Educational Program Compliance
  - Governance, Ethics, and Transparency
  - Obligations to Students
  - Employer Obligations
  - School Environment
  - Additional and Continuing Obligations
- 

**MEETING GOALS**

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In any year of the charter term, a state charter school will be deemed operationally compliant if it adheres to the requirements of its charter contract, all applicable rules and laws as measured by the indicators listed above, thus earning a score of at least 80 in the Operations section of the CPF.

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**SECTION III: DETERMINATION OF COMPLIANCE**

---

As measured by the indicators and measures set forth in this section, is the school meeting operational performance standards?

**SCORING CATEGORIES:**

Meets Standards	80-100 points
Approaches Standards	70-79 points
Does Not Meet Standards	0-69 points

## Exhibit A

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### INDICATOR PERFORMANCE

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#### SECTION III, INDICATOR 1: EDUCATIONAL PROGRAM COMPLIANCE

A charter school's overall purpose is to provide its students with a quality and innovative educational program. Schools must adhere to the educational program identified in its charter contract that was awarded on the basis of the program outlined in its petition.

<b>Measure 1a, Essential or Innovative Features and Mission-Specific Goals</b>	Points Available
Is the school implementing all essential or innovative features of its program as defined in its current charter contract, and is the school's curricular and educational program aligned with its stated mission as evidenced through the attainment of mission-specific goals?	
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school has fully implemented all essential or innovative features of its education and operational program as defined in the charter contract in all material respects, and the school has met all mission-specific goals included in its charter contract (if applicable)</li> </ul>	4
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school has at least fully implemented one essential or innovative features of its education and operational program as defined in the charter contract in all material respects or the school has met at least one mission-specific goal included in its charter contract (if applicable).</li> </ul>	2
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to fully implement any essential or innovative features of its education and operational program as defined in the charter contract in all material respects, and the school failed to meet any mission-specific goals included in its charter contract (if applicable).</li> </ul>	0
<b>Measure 1b, State Education Requirements</b>	Points Available
Is the school complying with applicable state education requirements?	
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school complied with all applicable state laws, rules, regulations, provisions of its charter contract, and the school's own policies and procedures relating to state education requirements, including but not limited to:               <ul style="list-style-type: none"> <li>○ Provided all state mandated programs;</li> <li>○ Adhered to graduation requirements;</li> <li>○ Implemented state-adopted content standards; and</li> <li>○ Administered state assessments in the manner required by law and rule.</li> </ul> </li> </ul>	4
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable state law, rule, regulation, provision of the charter contract, or the school's own policies and procedures relating to state education requirements during its SCSC onsite or desk monitoring visit, but the school adequately remedied its finding(s) and regained compliance.</li> </ul>	2
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable state law, rule, regulation, provision of the charter contract, or the school's own policies and procedures relating to state education requirements.</li> </ul>	0
<b>Measure 1c, Federal Education Requirements</b>	Points Available
Is the school complying with applicable federal education requirements?	
<i>Meets Standard:</i>	4

## Exhibit A

<ul style="list-style-type: none"> <li>• The school complied with all applicable federal laws, rules, regulations, and the school’s own policies and procedures relating to federal education requirements, including but not limited to:               <ul style="list-style-type: none"> <li>○ Federal assessment security and reporting of accountability requirements; and</li> <li>○ Charter School Program grant, Title I, IV, and V requirements.</li> <li>○ McKinney-Vento Homeless Assistance Act, Charter School Program grant, Title I, IV, and V requirements.</li> </ul> </li> </ul>	
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable federal law, rule, regulation, provision of the charter contract, or the school’s own policies and procedures relating to federal education requirements.</li> </ul>	2
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with two or more applicable federal laws, rules, regulations, provisions of the charter contract, or the school’s own policies and procedures relating to federal education requirements.</li> </ul>	0
<p><b>Measure 1d, Data Reporting</b></p> <p>Is the school complying with all data and financial reporting requirements?</p>	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school complied with all applicable laws, rules, regulations, and provisions of its charter contract relating to relevant reporting requirements, including timelines and deadlines, to the SCSC, GaDOE, and/or federal authorities, including but not limited to:               <ul style="list-style-type: none"> <li>○ QBE/FTE Data Reporting;</li> <li>○ Personnel Reporting;</li> <li>○ Student Record Reporting;</li> <li>○ CCRPI Data Reporting;</li> <li>○ Consolidated LEA Implementation Plan (CLIP) for federal programs;</li> <li>○ Special Education Data Reporting;</li> <li>○ Required Data Surveys;</li> <li>○ Complete and on-time submission of financial reports, such as its annual budgets, revised budgets, and/or DE 046, in the manner prescribed by GaDOE or the SCSC;</li> <li>○ Timely periodic financial reports as required by the SCSC, GaDOE, or other state agencies;</li> </ul> </li> </ul> <p>On-time submission and completion of its annual independent audit by the deadline established by the SCSC.</p>	5
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with one applicable law, rule, regulation, or provision of its charter contract relating to relevant reporting requirements, including timelines and deadlines, to the SCSC, GaDOE, and/or federal authorities.</li> </ul>	3
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with two or more laws, rules, regulations, or provisions of its charter contract relating to relevant reporting requirements, including timelines and deadlines, to the SCSC, GaDOE, and/or federal authorities.</li> </ul>	0

**Total Points Available—Section III, Indicator 1: 17 points**

**Exhibit A**

**SECTION III, INDICATOR 2: GOVERNANCE, ETHICS, AND TRANSPARENCY**

A charter school's governing board must provide adequate oversight of school management and operations to ensure that the school is fulfilling its duties to students, employees, parents, and the general public.

<u>Measure 2a, General Governance</u> Is the governing board complying with all applicable general governance requirements?	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school complied with all applicable laws, rules, regulations, provisions of its charter contract, and its policies relating to governance by its board, including but not limited to:               <ul style="list-style-type: none"> <li>○ Board policies;</li> <li>○ Board bylaws;</li> <li>○ Code of ethics;</li> <li>○ Conflicts of interest;</li> <li>○ Board composition and/or membership laws and rules; and</li> <li>○ Restrictions on compensation.</li> </ul> </li> </ul>	4
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, provision of the charter contract, or its policies relating to governance by its governing board during its SCSC onsite or desk monitoring visit, but the school adequately remedied its finding(s) and regained compliance.</li> </ul>	2
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, provision of the charter contract, or its policies relating to governance by its board.</li> </ul>	0
<u>Measure 2b, Open Governance</u> Is the governing board complying with all applicable open governance requirements?	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school complied with all applicable laws, rules, regulations, provision of its charter contract, and its policies relating to the Georgia Open Meetings Act and Open Records Act requirements.</li> </ul>	4
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with all applicable laws, rules, regulations, provision of its charter contract, or its policies relating to the Georgia Open Meetings Act and Open Records Act requirements during its SCSC onsite or desk monitoring visit, but the school adequately remedied its finding(s) and regained compliance.</li> </ul>	2
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with all applicable laws, rules, regulations, provision of its charter contract, or its policies relating to the Georgia Open Meetings Act and Open Records Act requirements.</li> </ul>	0
<u>Measure 2c, Governance Training</u> Is the governing board complying with all applicable governance training requirements?	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school took action to ensure that all governing board members comply with all applicable laws, rules, regulations, provision of its charter contract, and its policies relating to the participation of its governing board in required trainings, including, but not limited to, annual attendance by the entire governing board at SCSC provided or approved training pursuant to O.C.G.A. § 20-2-2084(f).</li> </ul>	4

## Exhibit A

<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to take action to ensure that all governing board members comply with all applicable laws, rules, regulations, provision of its charter contract, and its policies relating to the participation of its governing board in required trainings, including, but not limited to, annual attendance by the entire governing board at SCSC provided or approved training pursuant to O.C.G.A. § 20-2-2084(f).</li> </ul>	0
<p><u>Measure 2d, Transparent Governance and Communication with Stakeholders</u> Is the governing board operating transparently and effectively communicating with stakeholders?</p>	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school complied with all applicable laws, rules, regulations, provisions of its charter contract, or its policies relating to operating transparently and effectively communicating with stakeholders, including but not limited to: <ul style="list-style-type: none"> <li>○ Following provisions in SCSC rule 691-2-.03 regarding providing the public easy access to informational items on the school’s website;</li> <li>○ Communicating school leadership and other major school changes in a timely and transparent matter; and</li> <li>○ Appropriately and promptly responding to stakeholder complaints, questions, and concerns.</li> </ul> </li> </ul>	4
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with all applicable laws, rules, regulations, provisions of its charter contract, or its policies relating to operating transparently and effectively communicating with stakeholders during its SCSC onsite or desk monitoring visit, but the school adequately remedied its finding(s) and regained compliance.</li> </ul>	2
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with all applicable laws, rules, regulations, provisions of its charter contract, or its policies relating to operating transparently and effectively communicating with stakeholders.</li> </ul>	0
<p><u>Measure 2e, Budget Approved in Accordance with State Law</u> Did the school approve its budget in accordance with state law?</p>	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school’s budget was approved in accordance with state law, including but not limited to performing the following items from O.C.G.A. § 20-2-167.1 related to the school’s budget approval: <ul style="list-style-type: none"> <li>○ Conducting two public meetings to provide an opportunity for public input on the proposed budget;</li> <li>○ Advertising the two public meetings in the school’s legal organ; and</li> <li>○ Making a summary of the proposed annual operating budget a publicly available area of the school’s website.</li> </ul> </li> </ul>	4
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable state law requirement regarding the passage of the school’s annual budget.</li> </ul>	0

**Total Points Available—Section III, Indicator 2: 20 points**

## Exhibit A

### SECTION III, INDICATOR 3: OBLIGATIONS TO STUDENTS

Families entrust schools with the education and welfare of their children, and the school must afford those children the appropriate rights and care.

<u>Measure 3a, Rights of All Students</u>	Points Available
Is the school protecting the rights of all students?	
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school complied with all applicable laws, rules, regulations, provisions of its charter contract, and its policies relating to the rights of students, including but not limited to:               <ul style="list-style-type: none"> <li>○ Policies and practices related to admissions, lottery, waiting lists, fair and open recruitment, and enrollment (including rights to enroll or maintain enrollment);</li> <li>○ The collection and protection of student information (that could be used in discriminatory ways or otherwise contrary to law);</li> <li>○ Due process protections, privacy, civil rights, and student liberties requirements, including First Amendment protections and the Establishment Clause restrictions prohibiting public schools from engaging in religious instruction; and</li> <li>○ Conduct of discipline (discipline hearings and suspension and expulsion policies and practices).</li> </ul> </li> </ul>	6
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, provision of its charter contract, or its policies relating to the rights of students during its SCSC onsite or desk monitoring visit, but the school adequately remedied its finding(s) and regained compliance.</li> </ul>	3
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, provision of its charter contract, or its policies relating to the rights of students.</li> </ul>	0
<u>Measure 3b, Rights of Students with Disabilities</u>	Points Available
Is the school protecting the rights of students with disabilities?	
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• Consistent with the school's status and responsibilities as a Local Education Agency (LEA), the school complied with all applicable laws, rules, regulations, and provisions of the charter contract (including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act) relating to the treatment of students with identified disabilities and those suspected of having a disability, including but not limited to:               <ul style="list-style-type: none"> <li>○ Identification and referral of students who may have a disability;</li> <li>○ Operational compliance regarding the academic program, assessments, and all other aspects of the school's program and responsibilities;</li> <li>○ Discipline, including due process protections, manifestation determinations, and behavioral intervention plans;</li> <li>○ Appropriately implementing student Individualized Education Programs and Section 504 plans;</li> <li>○ Ensuring appropriate access to the school's facilities and programs to students and parents.</li> </ul> </li> </ul>	6
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, or provision of its charter contract relating to the treatment of students with identified disabilities and those suspected of having a disability during its SCSC onsite or desk monitoring visit but the school adequately remedied its finding(s) and regained compliance.</li> </ul>	3

**Exhibit A**

<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, or provision of its charter contract relating to the treatment of students with identified disabilities and those suspected of having a disability.</li> </ul>	0
<p><b>Measure 3c, Rights of Students who are English Learners (ELs)</b> Is the school protecting the rights of English Learners (ELs)?</p>	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school complied with all applicable provisions of Title III of the Every Student Succeeds Act (ESSA) and all applicable state and federal laws, rules, regulations, and provisions of its charter contract relating to EL requirements, including but not limited to:             <ul style="list-style-type: none"> <li>○ Required policies related to the service of EL students;</li> <li>○ Proper steps for identification of students in need of EL services;</li> <li>○ Appropriate and equitable delivery of services to identified students;</li> <li>○ Appropriate accommodations on assessments;</li> <li>○ Exiting of students from EL services; and</li> <li>○ Ongoing monitoring of exited students.</li> </ul> </li> </ul>	6
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, or provision of its charter contract relating to EL requirements during its SCSC onsite or desk monitoring visit, but the school adequately remedied its finding(s) and regained compliance.</li> </ul>	3
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, or provision of its charter contract relating to EL requirements.</li> </ul>	0

**Total Points Available—Section III, Indicator 3: 18 points**

## Exhibit A

### SECTION III, INDICATOR 4: EMPLOYER OBLIGATIONS

The school must respect its employees and ensure that they are duly qualified to further the education and welfare of students.

Measure 4a, Employee Qualifications, Evaluations, and Criminal Records Checks	Points Available
Is the school meeting teacher and other employee qualification and criminal background check requirements?	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school complied with all applicable laws, rules, regulations, and provisions of its charter contract relating to employee qualifications, employee evaluations, and criminal background checks, including but not limited to:               <ul style="list-style-type: none"> <li>○ Title II, Part A requirements;</li> <li>○ Implementation of the Teacher and Leader Keys Effectiveness Systems (TKES and LKES);</li> <li>○ Ensuring staff have a proper background check or clearance certificate issued by the Georgia Professional Standards Commission.</li> </ul> </li> </ul>	5
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, or provision of its charter contract relating to employee qualifications, employee evaluations, and criminal background checks requirements during its SCSC onsite or desk monitoring visit, but the school adequately remedied its finding(s) and regained compliance.</li> </ul>	2
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, or provision of its charter contract relating to employee qualifications, employee evaluations, and criminal background checks requirements.</li> </ul>	0
Measure 4b, Employee Rights	Points Available
Is the school respecting employee rights?	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school complied with all applicable laws, rules, regulations, provisions of its charter contract, and its governing policies relating to employment, including, but not limited to, professional qualifications, nepotism and conflict of interest policies, the Fair Labor Standards Act, the Family Medical Leave Act, the Americans with Disabilities Act, and employment contracts.</li> </ul>	5
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, provision of its charter contract, or its governing policies relating to employment, including, but not limited to, professional qualifications, nepotism and conflict of interest policies, the Fair Labor Standards Act, the Family Medical Leave Act, the Americans with Disabilities Act, and employment contracts.during its SCSC onsite or desk monitoring, but the school adequately remedied its finding(s) and regained compliance.</li> </ul>	2
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, provision of its charter contract, or its governing policies relating to employment, including, but not limited to, professional qualifications, nepotism and conflict of interest policies, the Fair Labor Standards Act, the Family Medical Leave Act, the Americans with Disabilities Act, and employment contracts.</li> </ul>	0
Measure 4c, Employee Civil Rights	Points Available
Does the school adhere to applicable requirements to ensure the protection of employee civil rights?	Points Available

## Exhibit A

<i>Meets Standard:</i> <ul style="list-style-type: none"><li>The school complied with applicable notice, grievance procedure, and substantive requirements of federal and state laws, rules, or regulations prohibiting employment discrimination.</li></ul>	5
<i>Approaches Standard:</i> <ul style="list-style-type: none"><li>The school failed to comply with at least one applicable law, rule, or regulation prohibiting employment discrimination, but the school adequately remedied its findings (s) and regained compliance.</li></ul>	2
<i>Does Not Meet Standard:</i> <ul style="list-style-type: none"><li>The school failed to comply with at least one applicable law, rule, or regulation prohibiting employment discrimination.</li></ul>	0

**Total Points Available—Section III, Indicator 4: 15 points**

## Exhibit A

### SECTION III, INDICATOR 5: SCHOOL ENVIRONMENT

A safe and healthy school environment is critical to creating a conducive learning environment and protecting the well-being of students and employees.

Measure 5a, Facility	Points Available
Is the school complying with facilities requirements?	
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school complied with all applicable laws, rules, regulations, and provisions of its charter contract relating to the school's facilities including but not limited to:               <ul style="list-style-type: none"> <li>○ Fire inspections and related records;</li> <li>○ Viable certificate of occupancy;</li> <li>○ Documentation of requisite insurance coverage;</li> <li>○ Approval from GaDOE regarding initial site selection and facility requirements; and</li> <li>○ Subsequent reports and approvals related to facility agreements, changes, maintenance, modifications, and expansion, as required by law, SCSC and GaDOE rules, regulations, and policies.</li> </ul> </li> </ul>	6
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, or provision of its charter contract relating to facility safety and the protection of student and employee health during its SCSC facility visit or policy, procedure, and practice review, but the school adequately remedied its finding(s) and regained compliance.</li> </ul>	3
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, or provision of its charter contract relating to the school's facilities.</li> </ul>	0
Measure 5b, Health and Safety	Points Available
Is the school complying with health and safety requirements?	
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school complied with all applicable laws, rules, regulations, and provisions of its charter contract relating to safety and the protection of student and employee health, including, but not limited to:               <ul style="list-style-type: none"> <li>○ School Health Nurse Program;</li> <li>○ Conducting child abuse and neglect training;</li> <li>○ Annual health assessments of students;</li> <li>○ Diabetes Medical Management Plans;</li> <li>○ Access to auto-injectable epinephrine and automated external defibrillators as appropriate;</li> <li>○ Scoliosis screening; and</li> <li>○ A physically safe and secure environment.</li> </ul> </li> </ul>	6
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, or provision of its charter contract relating to safety and the protection of student and employee health during its SCSC onsite or desk monitoring visit, but the school adequately remedied its finding(s) and regained compliance.</li> </ul>	3
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, or provision of its charter contract relating to safety and the protection of student and employee health.</li> </ul>	0

**Exhibit A**

<p><b>Measure 5c, Information, Data, and Communication</b>                      Is the school maintaining student and employee information and data securely and communicating with stakeholders appropriately?</p>	<p align="center">Points Available</p>
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school complied with all applicable laws, rules, regulations, provisions of its charter contract, governing board policies, and SCSC directives relating to providing required federal notices and the handling of information and stakeholder communication, including but not limited to:                             <ul style="list-style-type: none"> <li>○ Giving appropriate notices and maintaining the security of providing access to student records under the Family Educational Rights and Privacy Act and other applicable authorities;</li> <li>○ Transferring of student records; and</li> <li>○ Confidentiality of personnel records not subject to open records requirements.</li> </ul> </li> </ul>	<p align="center">6</p>
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, provision of its charter contract, governing board policy, or SCSC directive relating to providing required federal notices and the handling of information and stakeholder communication during its SCSC onsite or desk monitoring visit, but the school adequately remedied its finding(s) and regained compliance.</li> </ul>	<p align="center">3</p>
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one applicable law, rule, regulation, provision of its charter contract, governing board policy, or SCSC directive relating to providing required federal notices and the handling of information and stakeholder communication.</li> </ul>	<p align="center">0</p>

**Total Points Available—Section III, Indicator 5: 18 points**

## Exhibit A

### SECTION III, INDICATOR 6: ADDITIONAL AND CONTINUING OBLIGATIONS

A charter school must faithfully fulfill all its obligations and quickly remedy any instance of noncompliance.

Measure 6a, Additional Obligations Is the school complying with all other obligations?	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school complied with all other legal, statutory, regulatory, or contractual requirements, including those contained in its charter contract, that are not otherwise explicitly addressed in these Operational Performance Standards, including but not limited to requirements from the following sources:               <ul style="list-style-type: none"> <li>○ Revisions to state charter law;</li> <li>○ Consent decrees;</li> <li>○ Provisions of the National School Lunch Program, School Breakfast Program, and/or After-School Snack Program, including nutritional and reimbursement requirements thereof, if food service is provided;</li> <li>○ School bus specifications, bus driver training and licensing requirements, and transportation survey deadlines, if transportation is provided;</li> <li>○ Intervention requirements by the authorizer; and</li> <li>○ Requirements by other entities to which the charter school is accountable (e.g., Georgia Department of Education, Professional Standards Commission, Department of Labor, etc.)</li> </ul> </li> </ul>	6
<p><i>Approaches Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one other legal, statutory, regulatory, or contractual requirement, including those contained in its charter contract that is not otherwise explicitly addressed in these Operational Performance Standards during its SCSC onsite or desk monitoring visit, but the school adequately remedied its finding(s) and regained compliance.</li> </ul>	3
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• The school failed to comply with at least one other legal, statutory, regulatory, or contractual requirement, including those contained in its charter contract that is not otherwise explicitly addressed in these Operational Performance Standards.</li> </ul>	0
Measure 6b, Continuing Obligations Is the school remedying noncompliance after proper notification?	Points Available
<p><i>Meets Standard:</i></p> <ul style="list-style-type: none"> <li>• The school fulfilled the terms of a corrective action plan required because of the school’s probationary status, and the SCSC determined that the conditions which precipitated the probation no longer exist and that no new conditions necessitate probationary status.</li> </ul>	6
<p><i>Does Not Meet Standard:</i></p> <ul style="list-style-type: none"> <li>• Failure to adhere to probation requirements, including but not limited to failure to implement a corrective action plan; failure to implement a required corrective action plan timely; failure to produce interim reports in the form and at the time required by the SCSC, or failure to remediate conditions that precipitated the probationary status.</li> </ul>	0

**Total Points Available—Section III, Indicator 6: 12 points**

**Exhibit A**

**DATA SOURCES COMPILED**

Academic Performance:

Indicator	Data Source
Grade Band Scores	GaDOE: CCRPI Scoring by Component data file, CCRPI Calculation Guides, Student Record data file SCSC: Value- Added Impact report, Student Record data file
Schoolwide Scores	GaDOE: CCRPI Scoring by Component data file, CCRPI Calculation Guides, Student Record data file SCSC: Value- Added Impact report, Student Record data file

Financial Performance:

Indicators	Measures	Data Source
Fiscal Viability	Near-Term Measures	School Audit Report: Governmental Funds-Balance Sheet School Audit Report: Statement of Revenues, Expenditures, and Changes in Fund Balance School Audit Report: Notes
	Sustainability Measures	School Audit Report: Statement of Activities/Change in Net Position and Audit Notes School Audit Report: Statement of Net Position
Fiscal Management	Management and Oversight	SCSC Annual Enrollment Projection Form GaDOE: Data Collections, Student Enrollment by Grade Level GaDOE: Charter School Annual Report, SEA Program Monitoring, Financial Reports SCSC: Monitoring Activities, Complaint Investigations Other: Reports of Noncompliance from a State or Federal Agency, Independent Audit Report

Operational Performance:

Indicator	Data Source
Educational Program Compliance	GaDOE: Charter School Annual Report, SEA Program Monitoring SCSC: Monitoring Activities, Complaint Investigations Other: Reports of Noncompliance from a State or Federal Agency, Independent Audit Report
Governance, Ethics and Transparency	GaDOE: Charter School Annual Report, SEA Program Monitoring SCSC: Monitoring Activities, Complaint Investigations, Training Rosters Other: Reports of Noncompliance from a State or Federal Agency, Independent Audit Report
Obligations to Students	GaDOE: Charter School Annual Report, SEA Program Monitoring, Data Reports SCSC: Monitoring Activities, Complaint Investigations, Other: Reports of Noncompliance from a State or Federal Agency, Independent Audit Report
Employer Obligations	GaDOE: Charter School Annual Report, SEA Program Monitoring, Data Reports SCSC: Monitoring Activities, Complaint Investigations, Other: Reports of Noncompliance from a State or Federal Agency, Independent Audit Report
School Environment	GaDOE: Charter School Annual Report, SEA Program Monitoring, Data Reports SCSC: Monitoring Activities, Complaint Investigations, Training Rosters Other: Reports of Noncompliance from a State or Federal Agency, Independent Audit Report

## Exhibit A

Additional and Continuing Obligations	GaDOE: Charter School Annual Report, SEA Program Monitoring SCSC: Monitoring Activities, Complaint Investigations, Training Rosters Other: Reports of Noncompliance from a State or Federal Agency, Independent Audit Report
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## **SCA Transportation Policy**

Scintilla Charter Academy does not provide schoolwide transportation; however, transportation is a related service as defined by 34 CFR §300.34(c)(16) of the IDEA regulations and can include travel to and from school and between schools; travel in and around school buildings; and specialized equipment such as special or adapted buses, lifts, and ramps. A child's individualized education program (IEP) Team is responsible for determining both if transportation is required to assist a child with a disability to benefit from special education and related services, and how the transportation services should be implemented.

Although Scintilla Charter Academy does not provide schoolwide transportation, if the student continues enrollment at Scintilla Charter Academy while staying at a temporary residence, transportation will be provided to and from Scintilla Charter Academy if requested by the parent/guardian/caregiver/unaccompanied youth. Provision of transportation assistance will be made in the best interest of the child. Requests for transportation may be made directly to the homeless liaison or the school superintendent.

Scintilla Charter Academy works in collaboration with the local DFCS office to ensure they are familiar with our operational model, have our contact information, and work together to provide any updates needed to Scintilla's Foster Care Transportation Plan. Scintilla is prepared to coordinate with DFCS to support transportation of any student in foster care if necessary to retain continuity at student's school of origin.

Below is the link to Open Records Request on SCA's current website. Please find also the Executed Charter Contracts as well as By-Laws Indicating compliance with **Georgia Open Meetings Act (O.C.G.A. § 50-14-1 et. Seq)** and **Open Records Act (O.C.G.A. § 50-18-70 et. seq)** requirements.

[www.scintillacharteracademy.com](http://www.scintillacharteracademy.com) under "Official Notices:  
<https://scintillacharteracademy.com/official-notices/> (Open Records)

## CHARTER FOR SCINTILLA CHARTER ACADEMY

This charter for Scintilla Charter Academy (“Charter”) is entered into by and between Scintilla Charter Academy, Inc. (“Petitioner”) and the State Charter Schools Commission of Georgia (“SCSC”) (collectively referred to as “the parties”).

WHEREAS, the Petitioner submitted a petition proposing to establish a state charter school pursuant to O.C.G.A. § 20-2-2060 *et seq.*, the Charter Schools Act of 1998 (“Charter Schools Act”) and O.C.G.A. § 20-2-2084;

WHEREAS, the SCSC 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 O.C.G.A. § 20-2-2084 and further finds that the petition is in the public interest; and

WHEREAS, pursuant to Article 31 and Article 31A of Chapter 2 Title 20 of the Official Code of Georgia Annotated, the SCSC grants this Charter to permit Petitioner to operate Scintilla Charter 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. Definitions. The terms below will be interpreted in accordance with the following definitions, unless and until federal or state law, or the state accountability system, is amended otherwise:
  - a. Education Service Provider means a nonprofit or for-profit organization that contracts with charter schools to provide multiple educational, operational, or comprehensive management services, including, but not limited to, curriculum design, instructional resources, professional development, financial and operational management, facilities management, or any combination thereof.
  - b. Georgia Department of Education (GaDOE or Department) means 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. Such management is subject to supervision and oversight by the State Board of Education.
  - c. Governing Board means the governing board of the nonprofit organization for a state charter school and which is the same as the governing board of the state charter school which is involved in school-level governance of the state charter school.
  - d. Local Educational Agency (LEA) means a public authority legally constituted with Georgia for administrative control or direction of public elementary or secondary schools. The Charter School shall act as its own LEA pursuant to O.C.G.A. § 20-2-2090 and SBOE Rule 160-4-9.04, including but not limited to data reporting, student enrollment counting procedures, student achievement reporting, and funding allocations.
  - e. School Leader means the individual with the highest authority in school administration regardless of title.
  - f. State Board of Education (SBOE or State Board) means the constitutional authority which defines education policy for public K – 12 education agencies in Georgia.
2. Charter Term. The SCSC grants this Charter to Petitioner to operate the Charter School for a five-year term beginning on July 1, 2023 and expiring on June 30, 2028.

## Scintilla Charter Academy

3. Grade Range. The Charter School shall serve grades K-12. The Charter School's total enrollment shall not exceed 1195 students at any point during the charter term.
4. Mission Statement. The mission of Scintilla Charter Academy is to provide a deeper learning experience in which each child is empowered through creativity, collaboration, inquiry, and critical thinking to achieve his or her unique potential and acquire a love of learning, along with a strong sense of community and character.
5. Essential or Innovative Features. The Charter School guides all students to reach their full potential through social, emotional, and academic growth in an engaging and innovative learning environment. The Charter School's educational approach uses a deeper learning model which includes a focus on problem-solving, critical thinking, written and oral communication, research, and collaboration. Deeper learning experiences will incorporate projects, case studies, and service learning opportunities to expose students to aspects of the community that expand their life experiences. Student-engaged assessment practices are used to empower students to be leaders of their own learning. The school offers a variety of elective opportunities and a set of character standards are used school-wide, creating a school culture based on intrinsic motivation, helpfulness, problem-solving, and connection.
6. 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 grade level eligible student who resides in Brooks County, Lowndes County or Valdosta City, Georgia.
  - b. Application. Prospective students must submit an application to the Charter School by the deadline set by the Charter School to be eligible for enrollment. The Charter School shall require proof of residency in the Attendance Zone at the time of application or enrollment.

The application process must comply with O.C.G.A. § 20-2-2066 and SCSC Rule 691-2-.05. The application shall only request information to identify the student and determine the grade to which the student will be enrolled, including the student's name and grade as well as basic contact information for the parent, such as a telephone number and email address. 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 gather other relevant information from students in compliance with applicable law 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 selection process in accordance with O.C.G.A. § 20-2-2066(a)(1)(A) and SCSC Rule 691-2-.05. The Charter School shall not conduct more than one lottery per grade per admissions cycle.

## **Scintilla Charter Academy**

- d. Statutory Enrollment Priorities. In accordance with O.C.G.A. § 20-2-2066(a)(1)(A) and SCSC Rule 691-2-.05, the Charter School may give enrollment priority to the following categories of applicants and in the following priority:
    - i. A sibling of a student enrolled in the Charter School; and
    - ii. A student 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.
  - e. Outreach and Marketing. The Charter School shall utilize reasonable outreach and marketing measures to make all potential applicants aware of opportunities for enrollment at the Charter School, including, but not limited to, seeking the enrollment of a cross section of the school-age population throughout the attendance zone, consistent with the requirements of O.C.G.A. § 20-2-2066. The SCSC, upon a finding that the outreach and marketing measures taken by the Charter School are inconsistent with applicable law or the representations made by the Charter School in the Application and/or other representations or submissions to the SCSC, may require the Charter School to take further action, including but not limited to, requiring the Charter School to extend its enrollment period, delay or void its random lottery, and/or conduct further specified outreach and marketing steps.
  - f. Use of Parental Agreements for Withdrawal or Reenrollment. The Charter School may adopt policies setting forth parental volunteer or service expectations and may require parent to sign an acknowledgement of those expectations. The Charter School may not withdraw, decline to reenroll, or otherwise discipline a student for a parent's failure to meet such expectations. The Charter School may not communicate to a student or parent that it has the authority to withdraw, decline to reenroll, or otherwise discipline a student for a parent's failure to meet volunteer or service expectations.
  - g. Enrollment Opportunity. The Charter School shall also ensure open enrollment for each grade served for which space is available and shall not adopt any policy or practice that restricts enrollment to specific grade levels within the grade span served by the school or to a particular class of students served by the school. The Charter School must offer at least one annual enrollment opportunity for each grade served for which space is available.
7. Maximum Flexibility Allowed by Law. In exchange for the Charter School's agreement to meet or exceed the performance-based goals and measurable objectives set forth in Section 9 below, the SCSC grants the maximum flexibility allowed by law to the Charter School. Pursuant to O.C.G.A. § 20-2-2065(a), the Charter School shall be entitled to the maximum flexibility allowed by law from the provisions of Title 20 of the Official Code of Georgia Annotated and from any state or local rule, regulation, policy, or procedure established by a local board of education, the SBOE, or the GaDOE. Notwithstanding this maximum flexibility, the Charter School shall comply with the terms of this Charter, the Charter Schools Act, including the provisions set forth in Section 16 below, and any rules, regulations, policies, or procedures established by the SCSC consistent with the Charter Schools Act.
  8. Accreditation. The Charter School shall ensure that it is accredited in accordance with, and meets other requirements of, an eligible high school as defined in O.C.G.A. 20-3-519(6)(A) prior to any student's high school graduation from the Charter School.
  9. Comprehensive Performance Framework and Performance Expectations.

## Scintilla Charter Academy

- a. Incorporation Into Charter Contract. The Comprehensive Performance Framework (CPF) adopted by the SCSC shall be incorporated into the Charter as Exhibit A. The CPF shall supersede and replace any and all assessment measures, educational goals and objectives, financial operations metrics, and organizational performance metrics set forth in the Application and not explicitly incorporated into the CPF or this charter contract. The specific terms, forms and requirements of the CPF, including any required indicators, measures, metrics, and targets, are maintained and disseminated by the SCSC and will be binding on the Charter School. Material amendments to the CPF shall require approval by the SCSC and shall be automatically incorporated into this Charter Contract upon SCSC approval without further amendment to the Charter Contract. If such modifications or amendments are required, including modifications to address amended laws, the SCSC will use best efforts to apply expectations for school performance in a manner consistent with those set forth in the CPF.
- b. Monitoring and Reporting. In accordance with SCSC Rule 691-2-.03, the SCSC shall monitor the Charter School's progress in relation to the indicators, measures, metrics and targets set out in the CPF, as well as other applicable rules and laws. The SCSC shall publicly report the Charter School's achievement and compliance at least annually following the completion of the Charter School's first year of operation.
- c. Performance Expectations. **The Charter School's performance in relation to the indicators, measures, metrics and targets set forth in the CPF shall provide the basis upon which the SCSC will decide whether to renew the Charter School's Charter Contract at the end of the charter term. This section shall not preclude the SCSC from considering other relevant factors in making renewal decisions.**
- d. Mission-Specific Goals. The operational portion of the CPF incorporated as Exhibit A, holds the Charter School accountable for the following mission-specific goals:
  - i. For each year of the charter term, 100% of the Charter School's scholars will participate in multiple deeper learning experiences that incorporate projects, cases students, experts, service-learning, and/or fieldwork opportunities.
  - ii. For each year of the charter term, 100% of instructional staff will participate in professional learning to support a deeper learning educational experience in which each child is empowered through creativity, collaboration, inquiry and critical thinking.
  - iii. For each year of the charter term, 100% of the Charter School's instructional staff will provide daily instruction designed to include routines and embedded instruction to support character development.
  - iv. For each year of the charter term, 80% of parents will attend at least one family engagement event during the school year designed to allow scholars to share and celebrate learning and growth.
- e. Performance Review Presentations. In the event that the Charter School fails to meet standards in accordance with the CPF, the Charter School may be required to make an annual, in-person report to the Commission ("Performance Review Presentation"). At least one Board member and one staff member must attend the Annual Performance Review Presentation. Presentations shall be in the form and manner requested by the SCSC.

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10. Assessment and Accountability. Notwithstanding Sections 7 and 9 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 41. The Charter School is further subject to all federal accountability requirements under the Elementary and Secondary Education Act, including its reauthorization as the Every Student Succeeds Act and any subsequent amendment thereto and provisions of state law or regulation that implement the federal law.

11. Annual Report. The Charter School shall submit an annual report by the deadline established by O.C.G.A. § 20-2-2067.1(c) of each year to the GaDOE and to the SCSC that complies with all requirements established by the GaDOE or applicable law.

12. Withdrawal Without Penalty. The Charter School shall comply with the provisions of O.C.G.A. § 20-2-2066(d) for withdrawing students. The Charter School agrees that a student may withdraw without penalty from the Charter School at any time and enroll in another public school in the local school system in which such student resides.

13. State and Federally Mandated Educational Services.

- a. Students with Disabilities. The Charter School shall comply with all federal education laws and regulations applicable to students with disabilities, 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 federal laws and regulations relating to the provision of education services to English Language Learners.
- c. Supplemental Education. The Charter School shall provide supplemental education services in required cases pursuant to the Elementary and Secondary Education Act, including its reauthorization as the Every Student Succeeds Act and any subsequent amendment thereto and provisions of state law or regulation that implement federal law.
- d. Remediation. The Charter School shall provide remediation in required cases pursuant to the Elementary and Secondary Education Act, including its reauthorization as the Every Student Succeeds Act and provisions of state law or regulation that implement federal law.

14. Governance Structure.

- a. Governing Board. The Charter School shall utilize an autonomous governing body in the form of a governing board (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. The Governing Board shall exercise substantive control over such areas as personnel decisions, financial decisions, curriculum and instruction, resource allocation, establishing and monitoring the achievement of school improvement goals, and school operations, which are listed by way of example and not by limitation.

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- b. 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 work collaboratively with school officials to ensure the Charter School complies with the performance goals enumerated in Section 9 above, to ensure effective organizational planning, and to ensure financial stability of the Charter School.
  
- c. Public Meetings.
  - i. Open Meetings Act. The Governing Board is subject to and shall comply with the Open Meetings Act, O.C.G.A. § 50-14-1 et seq., and any subsequent amendment thereof.
  
  - ii. Regular Meetings. The Governing Board shall conduct regular meetings consistent with principles of transparency and avoid actual or apparent conflicts of interest in the governance of the Charter School. The Governing Board shall conduct no less than ten (10) regular meetings each state fiscal year.
  
  - iii. Called Meetings with Less than 24 Hours' Notice. In addition to adhering to the specific notice requirements in the Open Meetings Act, if the Governing Board schedules a called meeting (i.e., a meeting that is not regularly scheduled) with less than twenty-four (24) hours' notice, the Governing Board shall also notify the SCSC Executive Director or his or her designee of the meeting via electronic mail or phone immediately after scheduling the called meeting.
  
  - iv. The Governing Board shall not vote on any official business, policy or public matter by e-mail.
  
- d. Public Records and Transparency. The Governing Board is subject to and shall comply with the Open Records Act, O.C.G.A. § 50-18-70 *et seq.*, and any subsequent amendment thereof. Pursuant to O.C.G.A. § 50-18-70(b)(2) the Governing Board shall ensure that all public records that are maintained or received by a private person or entity in the performance of a service or function for or on behalf of the Charter School are available to the public in the same manner and extent as records collected or maintained by the Charter School. The Governing Board shall maintain its adopted policies, budgets, meeting agendas and minutes, financial audits, and annual reports, and shall make such documents available for public inspection. Additionally, to promote transparency, the Charter School shall ensure that the following information, at a minimum, is easily accessible on the Charter School's website:
  - i. Governing Board membership;
  - ii. Governing Board meeting calendar;
  - iii. Meeting agendas for upcoming Governing Board meetings;
  - iv. Meeting minutes for past Governing Board meetings unless the Georgia Open Meetings Act limits their publication;

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- v. Procedure for contacting School Leader;
  - vi. Procedure for contacting the Governing Board;
  - vii. Any admissions application utilized by the school;
  - viii. Notification of enrollment and admission procedures required by SCSC Rule 691-2-.05, including the date, time, and location of any upcoming enrollment lottery;
  - ix. Annual operating budget or summary thereof as required by O.C.G.A. § 20-2-167.1; and
  - x. The Charter School's charter contract.
- e. Communication with Stakeholders. The Charter School, including the Governing Board and School Leader, must communicate in a timely manner with stakeholders, including, but not limited to: the SCSC, families, students, and other government agencies. The Governing Board or School Leader must use all reasonable efforts to promptly and expeditiously respond to and address stakeholder communications, complaints, and requests for information received via the procedures listed in Paragraph 14(d).
- f. Governing Board Eligibility
- i. Pursuant to O.C.G.A. § 20-2-2084(e), all members of the Governing Board shall be United States citizens, residents of Georgia, and shall not be employees of the Charter School.
  - ii. No person who has an immediate family member sitting on the Governing Board or serving as the Charter School's superintendent, Head of School, principal, assistant principal, or administrative staff can serve on the Governing Board unless the person discloses the conflict to the Governing Board in a writing wherein he or she agrees to recuse themselves from any discussion and/or Commission action regarding the immediate family member, and the Governing Board agrees to waiver of this provision in a public meeting. Immediate family member means a spouse, child, sibling, or parent or the spouse of a child, sibling or parent.
- g. Conflicts of Interest. The Governing Board shall establish a formal policy to prevent and disclose conflicts of interest and comply with the requirements of O.C.G.A. § 20-2-2084(e) and this Charter. Members of the Governing Board and all individuals employed at the Charter School shall abide by such conflicts of interest policy. Upon request, the Charter School shall provide conflict of interest forms to the SCSC demonstrating that governing board members are in compliance with the conflicts of interest policy.
- h. 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; however, this does not preclude the Charter School from using virtual-based instruction in a remote setting.

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- i. Director Compensation. No member of the Governing Board shall receive compensation for his or her service on the Governing Board in excess of reasonable expenses incurred in connection with actual attendance at board meetings or with performance of duties associated therewith.
- j. Contractual Interference. No party to this Charter may interfere with the legal right(s) and/or obligation(s) of another party to execute the provisions of this Charter.

### 15. Fiscal Control.

- a. Financial Reporting Requirements. The Charter School shall follow the financial requirements of the GaDOE's Financial Management for Georgia Local Units of Administration Manual for all funds received by the Charter School. This expressly includes, but is not limited to, developing and adhering to financial policies, preparing and adhering to operating budgets, accounting procedures, managing cash and investments, and segregation of duties and internal controls. The Charter School shall submit all information required by the State Accounting Office for inclusion in the State of Georgia Comprehensive Annual Financial Report.
- b. Annual Audit. The Charter School shall have an annual financial audit conducted by an independent certified public accountant licensed in the State of Georgia and submit its annual financial audit to the SCSC by November 1 each year or as otherwise required by applicable law. If the Charter School does not meet standards on the financial or operational sections of the CPF in the previous year, the SCSC may require the Charter School to utilize an independent certified public accountant selected by the SCSC to perform the subsequent year's annual audit.
- c. Financially At-Risk Schools. If the Charter School does not meet standards on the financial section of the CPF and/or demonstrates negligence which may lead to material financial misstatements of the Charter School's fiscal performance, the Charter School may be designated as financially at-risk and require more frequent financial monitoring. The nature of the additional financial monitoring will be determined by the SCSC Executive Director.
- d. Chief Financial Officer. The Charter School shall designate a Chief Financial Officer. The Chief Financial Officer may be a contractor rather than a school employee; however, the SCSC will hold the Charter School accountable for all financial operations of the Charter School. The Chief Financial Officer 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

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- ii. Documented experience of ten (10) or more years in the field of business and financial management.
- e. Federal Monitoring Requirements. The Charter School shall comply with all federal monitoring requirements related to the receipt of federal funds.
- f. Charter School Program Eligibility. In the event the Charter School seeks grant funds under the Federal Charter School Program, the Charter School must satisfy all federal eligibility requirements as a prerequisite to applying for and receiving such funds.
- g. 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.
- h. Surplus Funds. Under no circumstances shall any surplus funds be distributed to the Charter School's board member(s), educational service provider or educational management organization. This subsection shall be construed consistent with the provisions of O.C.G.A. § 20-2-167(a)(5).
- i. Responsibility for Debts. The Charter School is solely responsible for all debts incurred by the Charter School and its Governing Board. Except as agreed hereto, the SCSC shall not be contractually bound to the Charter School or to any third party with whom the Charter School has a contract or from whom the Charter School has purchased goods or services.
- j. Distribution of Funds and Assets. If the SCSC terminates the Charter or the Charter expires, the Governing Board shall conclude the business and affairs of the Charter School and cooperate with the SCSC to the extent necessary to provide an orderly return of the students to their local school. The Charter School shall remit any surplus or unencumbered funds derived from state or federal grants existing as of the effective date of termination or expiration ("closure date"), and any furniture, equipment or other assets purchased with state or federal grant funds, to the SCSC in the manner specified by SCSC within sixty (60) days of the closure date. All other assets of the Charter School shall revert to the SCSC after the Charter School's liabilities are satisfied. The SCSC is not responsible for the Charter School's unpaid debts in the event the Charter School does not have sufficient funds to pay all of its debts as of the closure date.
- k. Preference in Contracting. The Charter school shall give preference in contracting and purchasing of services and materials to businesses identified in O.C.G.A. § 20-2-2084(d)(2).
- l. Acquiring Debt. The Charter School shall inform the SCSC Executive Director before acquiring debt with a repayment schedule that exceeds the length of the current charter term, including but not limited to: monies derived from loans from financial institutions or through the sale of bonds.

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m. Deficit Reduction. If at any time during the charter term the SCSC determines that the Charter School has a negative cash balance or an unrestricted days cash of less than fifteen (15) days, the Charter School may be required to submit a financial risk-avoidance plan, monthly SCSC Fiscal Compliance Template reports and monthly bank statements from all banks utilized by the Charter School. Submission shall be in the form and manner specified by the SCSC Executive Director. This subsection shall not be construed to limit any other SCSC authority to require the Charter School to submit additional financial reports unrelated to deficit reduction.

16. 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, but not limited to, the following provisions:

- a. Civil Rights, Insurance, Health, 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. Asbestos Remediation. The Charter School shall comply with the terms of any applicable asbestos remediation plan.
- c. Unlawful Conduct. The Charter School shall be subject to all laws relating to unlawful conduct in or near a public school.
- d. 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.
- e. State Board of Education Rules. The Charter School shall operate in accordance with all SBOE 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 7 above.
- f. 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, academic ability, the need for special educational services, or any other characteristic protected by local, state, or federal law.
- g. 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.

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- h. 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.
  - i. Brief Period of Quiet Reflection. The Charter School shall comply with O.C.G.A. § 20-2-1050, which requires a brief period of quiet reflection.
  - j. Individual Graduation Plans. The Charter school shall comply with O.C.G.A. § 20-2-327 related to Individual Graduation Plans.
  - k. Family Educational Rights and Privacy Act. The Charter School is subject to all provisions of the Federal Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g. In the event the Charter School closes, it shall transmit all official student records in the manner prescribed by the State Board.
  - l. QBE Formula Earnings. The Charter School acknowledges that criteria used to calculate Quality Basic Education (QBE) funding may not be waived.
  - m. School Nursing Program. The Charter School shall implement a nursing program in accordance with O.C.G.A. § 20-2-771.2.
  - n. Student Fees and Charges. The Charter School shall comply with SBOE Rule 160-5-1-.12 to preserve the rights of students regarding payments and fees.
17. SCSC Administrative Withhold: Pursuant to O.C.G.A. § 20-2-2089, the SCSC is authorized to withhold up to three (3) percent of the Charter School's funds received through O.C.G.A. § 20-2-2089(a)(1) for administering the duties required of the SCSC pursuant to O.C.G.A. § 20-2-2083.
- a. Return of SCSC Administrative Withhold Funds. Upon satisfaction of annually budgeted expenses, the SCSC may vote to return any surplus funds from its authorized administrative withhold to its Charter Schools on a pro rata basis. The SCSC does not guarantee any surplus of funds.
  - b. Restrictions on Returned SCSC Administrative Withhold Funds. Pursuant to a vote by the SCSC, the SCSC may place reasonable restrictions on any returned administrative withhold funds for reasons including, but not limited to, the failure to meet performance expectations based on the CPF and material breaches of its Charter Contract.
18. Education Service Providers. If the Charter School elects to contract or amend a contract with an Education Service Provider at any point during the term of the Charter, the Charter School shall seek and

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receive approval of the contract or amendment from the SCSC Executive Director prior to the execution of the contract or amendment.

19. Compliance with the Rules, Practices, Policies, and Procedures of the SCSC. The Charter School shall operate in accordance with SCSC rules, practices, policies, and procedures established under the authority granted by O.C.G.A. § 20-2-2080 *et seq.* This Charter is deemed automatically amended to reflect applicable changes or additions to SCSC rules, practices, policies, and procedures upon their effective date.
20. Employment Matters. Individuals employed at the Charter School shall not be considered employees of the State Board, Department, or the SCSC.
  - a. Criminal Record Checks. The Charter School shall adopt criminal record check procedures. The Charter School shall comply with all provisions of O.C.G.A. § 20-2-211.1 relating to fingerprint and criminal record checks for all prospective staff members or any individual that will have substantial contact with students prior to beginning work at the Charter School or having contact with students.
  - b. Clearance Certificates. The Charter School shall comply with O.C.G.A. § 20-2-211.1 which requires all teachers, school administrators, and other education personnel employed by a local unit of administration to hold a valid clearance certificate issued by the Georgia Professional Standards Commission (PSC).
  - c. Teachers' Retirement System. All qualified teachers at the Charter School shall be members of the Teachers Retirement System of Georgia ("TRS") and subject to its requirements. The Charter School is responsible for making arrangements with TRS and making monthly contributions for its teachers in accordance with state requirements. For the purposes of this subsection, the term "teacher" shall have the definition provided in O.C.G.A. § 47-3-1.
  - d. Employment Preference. The Charter School shall comply with O.C.G.A. § 20-2-2084(d)(1) regarding employment preference. The Charter School shall maintain and provide the SCSC, upon request, documentation to support the Charter School's compliance with O.C.G.A. § 20-2-2084(d)(1), including but not limited to: all advertisements for open positions, resumes received by the Charter School and records of interviews conducted by the Charter School. The Charter School shall not use third-party contractors to circumvent the requirements of this subsection.
  - e. Performance Evaluation System. The Charter School shall utilize the performance evaluation system adopted by the State Board pursuant to O.C.G.A. § 20-2-210 for all personnel for which it is required by rule or law, including personnel employed by an educational management organization or other educational service provider. At least two individuals employed by the Charter School shall be credentialed to administer the teacher evaluation system. At least two (2) individuals employed by the Charter School or on the Charter School Governing Board shall be credentialed to administer the leader evaluation system. The Charter School may not delegate the

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evaluation of its School Leader to any individual or entity who is not a member of the Charter School Governing Board.

- f. School Personnel. Teachers and other instructional staff and faculty must be employees of the Governing Board and may not be employed by an Educational Service Provider or other entity affiliated with an Educational Service Provider. The School Leader may be employed by an Educational Service Provider only if the Governing Board retains the authority to select and dismiss that individual from service at the Charter School. Non-instructional staff, such as the Chief Financial Officer, business manager, bookkeeper, maintenance personnel, may be employed by entities other than the Governing Board; however, the Governing Board shall remain responsible and accountable for all operations, compliance, and performance of any and all selected contractors. The Governing Board shall ensure that the School Leader establishes a regular and ongoing physical presence in the school that allows the individual to oversee daily operations.
21. Record Inspection. Subject to state and federal laws, the SBOE, the GaDOE and their agents, the SCSC and their agents and the State Auditor's office shall have the right to examine and copy all records, reports, documents, and files relating to any activity, program, or student of the Charter School. Any records maintained by a vendor for the services it performs on behalf of the Charter School that relate to school-level operations (such as personnel and financial records) shall be available for immediate access by the school as well as the State Board, Department, SCSC, and State Auditor in accordance with this section.
  22. Student Records. The Charter School shall adopt a records retention policy and comply with the requirements of SBOE Rule 160-5-1-.14 "Transfer of Student Records" and accompanying Guidance.
  23. Facilities. The Charter School shall comply with SCSC Rule 691-2-.06 State Charter School Sites and Facilities and the following requirements:
    - a. Reserved.
    - b. Approval of Site and/or Facility. If the Charter School contracts with an architect, construction manager, or other construction professional to manage the site or facility selection and development process, the SCSC will continue to hold the Charter School accountable for adhering to the Georgia Department of Education (GaDOE)'s requirements for site and facility approval. The Charter School shall contact the GaDOE Facilities Services Division regarding the following:
      - i. Site Code. The Charter School shall contact the Facilities Services Division to obtain site approval as soon as practicable. Failure to provide at least a six (6) months' notice to the Facilities Services Division prior to student occupation of the site or facility may delay the date that students can start occupying the site or facility. Once site approval has been granted, the Facilities Services Division will issue the Charter School a site code. Except as approved in writing by the SCSC Executive Director, the Charter School shall not

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commit to any certificate of lease or ownership, commence any construction, nor allow student occupation prior to receiving the site code.

- ii. Architectural Review. The Charter School shall submit and have approved by the Facilities Services Division all architectural plans for any facility that will house the Charter School during the charter term. The Charter School shall not commit to any certificate of lease or ownership, commence any construction, nor allow student occupation of the site or facility prior to architectural review.
- iii. School Code. The Charter School shall contact GaDOE and request a school code after securing both a site code and facility code. The Charter School shall obtain a school code prior to student occupation of the site or facility.

24. Transportation. To the extent the Charter School offers a transportation program for its students, the Charter School shall ensure that the program complies with all applicable laws governing transportation of students.

25. Food Services. To the extent the Charter School offers a food service program, the Charter School shall ensure that the program complies with all applicable laws governing food service for students.

26. Projected Enrollment. For the purpose of funding students enrolled in the Charter School each year the Charter School offers a new grade level, the Charter School may be required to provide the SCSC a projected student enrollment count that includes prospective student names, Georgia Testing Identifier (GTID), if available, and any other information as requested by the SCSC. The Charter School shall provide this information by the deadline established by the SCSC and in the form and manner as requested by the SCSC. The information provided by the Charter School pursuant to this section may be verified by the SCSC through an onsite visit or by other means.

27. Data Collections. The Charter School assumes sole responsibility for accurate and timely collection and transmission of required data submissions to the SCSC and other government agencies, including but not limited to: the GaDOE, the Georgia Professional Standards Commission, and the United States Department of Education. The Charter School shall utilize a Student Information System that is compatible with the system utilized by the GaDOE. Upon signature of the charter contract, the Charter School affirms its understanding that inaccurate or untimely data may have an adverse impact to the academic, financial and operational standing of the school and further affirms its understanding that the SCSC does not guarantee any opportunity or ability to correct any data reporting errors made by the Charter School.

28. Required Trainings.

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- a. Data Collections Conference. The Charter School shall send at least one representative to the annual Data Collections Conference held by the GaDOE each year of the Charter School's charter term.
- b. Federal Programs Conference. In each year the Charter School accepts federal funds from the United States Department of Education, the Charter School shall send at least one representative to the annual Federal Programs Conference held by the GaDOE.
- c. Governance Training. Each member of the Governing Board shall fulfill all training requirements required by rule and law, including the annual governance training obligation required by O.C.G.A. § 20-2-2084(f) and SCSC Rule 691-2-.03(4).

### 29. Termination of Charter.

- a. Termination Procedures. The parties acknowledge and agree that this Charter may be terminated following the procedures set forth in O.C.G.A. § 20-2-2068, any applicable rule of the State Board, or SCSC Rule 691-2-.04.
- b. Grounds for Termination. The Charter School acknowledges that this Charter may be terminated for any reason set forth in law or any applicable rule of the State Board or SCSC, including, but not limited to:
  - i. The Charter School's failure to comply with any material provision set forth in this Charter, provided that they shall be notified by certified mail and be given thirty (30) days from receipt of notice to cure the breach. The nature and outcome of the breach shall be memorialized and maintained by the SCSC in accordance with applicable record retention schedules;
  - ii. The Charter School's failure to comply with any recommendation or direction of the State Board with respect to O.C.G.A. § 20-14-41;
  - iii. The Charter School's failure to adhere to any material term of this Charter, including but not limited to the performance goals set forth in Section 9 above;
  - iv. The Charter School's failure to meet generally accepted standards of fiscal management;
  - v. The Charter School's violation of applicable federal, state, or local laws, or court orders;
  - vi. The existence of competent substantial evidence that the continued operation of the Charter School would be contrary to the best interests of the students or the community;

## Scintilla Charter Academy

- vii. The Charter School's failure to comply with any provision of the Charter Schools Act; or
- viii. The existence of conditions that place the health, safety, or welfare of students or staff of the Charter School in danger.

30. School Closure. In the event the school ceases operations, either through non-renewal, early termination, voluntary closure, or other means, the school must, at minimum, take the following actions:

- a. Student Transition Plan. The Charter School shall create a transition plan to facilitate its students' transition to other educational institutions. The transition plan shall outline a variety of educational options available to students including traditional public schools, locally approved charter schools, state charter schools, and private educational options. The transition plan shall include protocols to ensure the appropriate transfer of student records. The Charter School shall provide the transition plan to the SCSC and parents of enrolled students within fourteen (14) calendar days of its decision to cease operations or the SCSC's decision to terminate or non-renew the Charter School's charter contract;
- b. School Records. The Petitioner shall retain ownership, including all incumbent responsibilities of an operational state charter school, of all records for a period of one year from the later of the date the charter contract expired, the date the charter contract was terminated, or the date the state charter school ceased operations. Incumbent responsibilities include, but are not limited to, transferring student records to public or private schools, schools operated by the Department of Juvenile Justice, and the local school system or schools from which the records are requested. After the one-year period, the Petitioner shall transfer all records, including student records, to the SCSC in the format and manner specified by the SCSC;
- c. School Website. The Charter School shall maintain the website of the Charter School for a minimum of six (6) months from the date education operations cease. For the purposes of this section, education operations mean any period during which instruction is provided by the Charter School to enrolled students. At minimum, the website shall include contact information and instructions regarding requests for student and employee records;
- d. Notification. The Charter School shall make reasonable efforts to inform stakeholders of the school's closure, including the staff and parents, general public, appropriate local districts, and creditors;
- e. Closure Monitor. The SCSC Executive Director will appoint an individual to monitor the closure activities of Charter School ("Closure Monitor") within fourteen (14) calendar days of its decision to cease operations or the SCSC's decision to terminate or non-renew the school's charter contract. The SCSC shall be responsible for all costs and expenses of the Closure Monitor;

## **Scintilla Charter Academy**

- f. Duties of Closure Monitor. The Charter School shall remain responsible for fulfilling all legal and contractual duties, including those arising from this Charter. The role of the Closure Monitor shall be to review the Charter School's actions to conclude its financial affairs, settlement of accounts, disposition of assets, return of surplus to the SCSC, and provision for maintaining student, employee, and school records in accordance with applicable retention schedules beyond the operation of the Charter School. The Closure Monitor shall notify the SCSC of any action taken by the Charter School that is inconsistent with the its legal or contractual obligations. The Charter School shall allow the Closure Monitor access to all records, reports, documents, and files pertaining to any activity or program of the Charter School;
- g. Closure Process. The Charter School shall align closure activities to the SCSC Closure Guide in a form and manner as requested by the SCSC to ensure orderly closure of the Charter School; and
- h. Surety. The Charter School shall maintain a surety bond throughout the entirety of its charter term and six months following the conclusion of the charter term to assure the faithful performance of the duties of the school and its employees, including the fulfillment of Charter School's obligations in closing the financial affairs in the event the school ceases operation. The bond shall be in an amount no less than \$150,000.00 to be payable to the State of Georgia through the State Charter Schools Commission. The bond shall be furnished by a company authorized to do business in Georgia. The provisions of this subsection shall not be interpreted to preclude Charter School from obtaining liability insurance coverage or surety or fidelity bonds in addition to or in excess of the requirements of this subsection.

31. Reserved.

32. Renewal, Non-Renewal, and Probationary Term.

- a. Renewal. The Charter may be renewed by agreement of the parties following the procedures set forth in the Charter Schools Act and accompanying SCSC Rule. The parties recognize that the renewal process will commence prior to the conclusion of the final year of the charter term and, as a result, the SCSC renewal decision will likely not include student achievement and school operational data from the final year of the charter term.
- b. Non-Renewal. Any grounds for termination stated in Section 25b above also may be grounds for non-renewal. In addition, the SCSC may elect not to renew the Charter if the petition for renewal does not comply with the Charter Schools Act and the rules, regulations, policies, and procedures promulgated in accordance with the Charter Schools Act or if the SCSC deems that the Charter School has not sufficiently increased student achievement or is no longer in the public interest notwithstanding the Charter School's performance on the SCSC Comprehensive Performance Framework.

## Scintilla Charter Academy

- c. Probationary Term. In the event the SCSC determines that the Charter School has failed to comply with any provision of this Charter, the SCSC may elect to grant a renewal for a probationary term, within which term the Charter School must come into compliance satisfactory to the SCSC.
33. Temporary Extension. At the discretion of the SCSC, this Charter may be extended for a grace period not exceeding sixty (60) days.
34. Amendments to the Charter. The terms of this Charter may be amended upon approval by the SCSC and a majority of the Governing Board of the Charter School. The Charter School shall submit a written request to amend the Charter to the SCSC in the form and manner required by the SCSC. Except as explicitly permitted in this Charter, no amendments are valid or effective unless in writing and signed by both parties.
35. Administrative Clarifications. Any clarification to a non-material term of this Charter, as determined by the SCSC, shall be submitted in writing to the SCSC for review. Any non-material term of this Charter may be clarified in writing by SCSC staff.
36. Indemnification.
  - a. The Charter School agrees to indemnify, defend and hold harmless the GaDOE, the SCSC, and the State Board, their officials, officers, employees, agents, volunteers, and assigns (all of whom hereinafter may collectively be referred to as "Indemnitees"), from any and all claims, demands, suits, actions, legal or administrative proceedings, losses, liabilities, costs, interest, and damages of every kind and description, including any attorneys' fees and/or litigation and investigative expenses, for bodily injury, personal injury, (including but not limited to the Charter School's employees), patent, copyright, or infringement on any intellectual property rights, or loss or destruction of property (including loss of use, damage or destruction of Indemnitee owned property) to the extent that any such claim or suit was caused by, arose out of, or contributed to, in whole or in part, by reason of any act, omission, professional error, fault, mistake, or negligence whether active, passive or imputed, of the Charter School, their employees, agents, representatives, or subcontractors, their employees, agents, or representatives in connection with or incidental to their performance of this Charter regardless of whether such liability, claim, damage, loss, cost or expense is caused in part by an Indemnitee.
  - b. The Charter School shall be excused from their indemnification obligations above: (a) If the claims, demands, suits, actions, proceedings, losses, liabilities arise solely and exclusively out of the negligence of the Indemnitee seeking indemnification; or (b) If the Indemnitee fails to (i) provide written notice of the third party claim or suit within a reasonable time, (ii) cooperate with reasonable requests of the Charter School related to the indemnification; or (iii) assist the Charter School with the defense of such claim or suit.

## Scintilla Charter Academy

- c. The Charter School's obligations to indemnify any Indemnitee shall survive the completion, expiration, or termination of this Agreement for any reason.
37. Non-Agency. The parties expressly acknowledge and agree that the Charter School is not acting as the agent of the State Board, Department, or SCSC except as required by law or this Charter. The Charter School acknowledges that it is without authority to, and will not, extend the faith and credit of the State Board, Department or SCSC to any third party.
38. Delegation. The Charter School acknowledges and agrees that the functions and powers provided for in this charter may be exercised only by the Charter School and may not be delegated to a third party without written agreement by the parties.
39. Assignment. This Charter shall not be assigned or transferred by the Charter School unless consented to in writing by the SCSC.
40. Third-Party Beneficiaries. There are no third-party beneficiaries to this Charter. The Charter School's staff, students, parents, or related organizations are not beneficiaries to this Charter.
41. Application of Amended Law. This Charter is subject to applicable federal and state laws, rules and regulations and shall be deemed amended to reflect applicable changes to those laws upon the effective date of any such change.
42. Non-Waiver. Except as specifically provided for in a written waiver signed by the parties, failure by either party at any time to require performance or claim a breach of this Charter does not constitute a waiver or affect the party's right to require performance or claim a breach of this Charter.
43. Severability. If any provision of this Charter is determined to be unenforceable or invalid for any reason, the remainder of the Charter shall remain in full force and effect.
44. Contradicting or Conflicting Provisions. If any provision of the Charter is determined to contradict or conflict with any other provision of the Charter, the contradiction or conflict shall be resolved in favor of the broad flexibility guaranteed pursuant to O.C.G.A. § 20-2-2065 *et seq.*
45. Governing Law and Venue. This Charter shall be governed by, subject to, and construed under the laws of the State of Georgia. This Charter shall be interpreted in accordance with O.C.G.A. §§ 20-2-2060 *et seq.* and §§ 20-2-2080 *et seq.*, as amended within the term of this Charter. Any action brought by one party to this Charter against another party shall be brought in the Superior Court of Fulton County.
46. Entire Agreement. This Charter sets forth the entire agreement between the Petitioner, and the SCSC with respect to the subject matter of this Charter. All prior contracts, representations, statements, negotiations,

## Scintilla Charter Academy

understandings, and undertakings between the Petitioner and the SCSC are superseded by this Charter. The Charter shall not preclude the Charter School from entering into or maintaining any agreement with the Local Board provided no such agreement supersedes, overrides or conflicts with any provision of this Charter. The petition submitted to the SCSC serves only as the formal application for the Charter School and does not constitute a contract between the SCSC and the Petitioner. This Charter supersedes and overrides any provisions contained in the petition that conflict with this Charter.

### George S. "Buzz" Brockway III

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Buzz Brockway, Chairperson

(Date)

STATE CHARTER SCHOOLS COMMISSION OF GEORGIA

### Zachary Cowart

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Governing Board President

(Date)

SCINTILLA CHARTER ACADEMY, INC.

Signature: Zachary Cowart  
Zachary Cowart (Apr 18, 2023 17:36 EDT)

Signature: George S. Brockway III  
George S. Brockway III (Apr 19, 2023 08:37 EDT)

Email: zcowart@scintillacharteracademy.com

Email: buzz.brockway@scsc.georgia.gov

**BYLAWS OF  
SCINTILLA CHARTER ACADEMY, INC.  
(A Non-Profit Georgia Corporation)**

**ARTICLE I  
NAME**

**Section 1.1. Name.** The name of the Corporation shall be SCINTILLA CHARTER ACADEMY, INC. (the "Corporation").

**ARTICLE II  
ORGANIZATION**

**Section 2.1. Statement of Purposes.** The purposes of this Corporation, as expressed in its Articles of Incorporation, shall be for the purpose of transacting any or all lawful business for which corporations may be incorporated under the Georgia Non-Profit Corporation Act, to operate within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 (the "Code"), to assist with the establishment, development and administration of charter schools, and to make grants to further elementary, middle and high school educational programs and facilities and other capital needs for such schools providing elementary, middle and high school educational programs through charter schools, and other charitable activities and to distribute the whole or any part of the income therefrom and the principal thereof exclusively for such purposes, either directly or by contributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Code issued pursuant thereto, as they now exist or as they may hereafter be amended.

**Section 2.2 Dissolution.** In the event of the dissolution of the Corporation, the Board of Directors ("Board") shall, after paying or making provision for the payment of all of the liabilities of the Corporation, dispose of all of the remaining assets of the Corporation, exclusively for the purposes of the Corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes, as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provisions of any future United States Internal Revenue Law), as the Board shall determine. Any of such assets not so disposed of shall be disposed of by the court having proper jurisdiction in the county where the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

**ARTICLE III  
MEMBERSHIP**

**Section 3.1. Members.** This Corporation is a non-profit, non-stock corporation and has no members. Actions which would otherwise require approval by a majority of all members require only approval by the majority of the Board of Directors (hereinafter "Board").

**ARTICLE IV  
BOARD OF DIRECTORS**

**Section 4.1. Management.** All powers of the Corporation shall be exercised by and under the authority of the Board, and the property, business and affairs of the Corporation shall be managed under the Board's direction.

**Section 4.2. Number of Directors.** The initial Board shall consist of the Directors named in the Articles of Incorporation. The number of Directors may at any time be increased to no more than eleven (11) and decreased to no fewer than three (3) by a two-thirds majority vote of sitting members of the Board. In the event of an increase in the number of Directors, the additional directorships created shall be filled in a manner prescribed herein for the Election of Directors in accordance with Section 4.4.

**Section 4.3. Nomination of Directors.** Not less than one month prior to a regular meeting, the Board may appoint a nomination committee to consist of no fewer than two (2) Board members. The nomination committee will compile and submit to the Board a slate of candidates for the directorships and offices to be filled at the upcoming meeting. These submissions shall be deemed to be nominations of each person named.

**Section 4.4. Election of Directors.** Directors shall be elected by the Board at any meeting when there is an expiring term from a slate of nominees nominated and vetted by the nomination committee.

**Section 4.5. Vacancies.** Vacancies occurring in an elected Directorship, however caused, shall be filled as soon as practicable by election in accordance with Section 4.4 hereinabove. Except for a Director elected due to the natural expiration of his predecessor's one-year term, a Director so elected to fill a vacancy shall hold office of the remainder of his predecessor's term.

**Section 4.6. Resignation or Removal of Directors.** A Director of the Corporation may resign at any time by tendering his resignation in writing to the Corporation, which resignation shall become effective upon the date specified therein, or if no date is specified, upon receipt by the Corporation at its principal place of business. The Board may remove a Director by the vote of a two-thirds majority of the Board at a special meeting called for that purpose, or at a regular meeting, called in accordance with the provisions of the Georgia Open Meetings Act. The Board may remove any Director who:

1. Has been declared of unsound mind by a final order of court;
2. Has been convicted of a felony, or a misdemeanor involving moral turpitude;
3. Has been found by a final order or judgment of any court to have breached any duty imposed by Georgia Law; or
4. For such other good causes as the Board may determine.

**Section 4.7. Compensation of Directors.** Directors will not receive compensation for services rendered in their capacities as Directors and no loans shall be made to any Director.

**Section 4.8. Meetings of the Board.** All meetings of the Board and its committees are subject to the Georgia Open and Public Meetings Law, O.C.G.A § 50-14-1, and notice of meetings shall be provided as required therein.

**4.8.1 Annual Meetings.** The annual meeting of the Board shall be held without other notice than this Bylaw in May of each year, unless the Chairman, or the Board by resolution, provide for a different time and place for the holding of such annual meetings. The annual meeting may be held at such other time and place, without other notice than such resolution.

**4.8.2. Special Meetings.** Special meetings of the Board may be called at any time by the Chairman of the Corporation. Further, special meetings of the Board must be called by the Chairman within fourteen (14) days of receipt of a written request of any two (2) or more Directors. Written notice of special meetings shall be given to each Director not less than two (2) days prior to such meeting. The notice shall set forth the time, place and purpose of the meeting. The business to be transacted at any special meeting shall be limited to those items set forth in the notice or waiver thereof.

**4.8.3. Regular Meetings.** The Board shall meet at least ten (10) times each year, including the annual meeting, each such meeting being approximately one(1) month from the date of the previous regular or annual meeting.

**Section 4.9. Quorum and Action of the Board.** A majority of all the Directors must be present in person at a meeting to constitute a quorum for the transaction of business at such meeting. Except as otherwise provided by law, the Articles of Incorporation, or these Bylaws, the affirmative vote of a majority of the Directors present at a meeting at which a quorum is present shall be necessary for an action of the Board. A majority of the Directors present, whether or not a quorum exists, may adjourn any meeting of the Board to another time and place. Notice of any such adjourned meeting shall be given to the Directors who were not present at the time of adjournment.

A two-thirds majority vote of the Directors shall be necessary for all actions by the Board relating to the following:

- 4.9.1.** Appointment of the School Chief Executive Officer, Superintendent, and/or Principal
- 4.9.2.** Approval of the school budget
- 4.9.3.** Financing of the school facility
- 4.9.4.** Removal of a Director
- 4.9.5.** Approval of charitable gifts, transfers, distributions, and grants by the Corporation to other entities;
- 4.9.6.** Adoption of an amendment to the Articles of Incorporation or the Bylaws;
- 4.9.7.** Organization of a subsidiary or affiliate by the Corporation; and
- 4.9.8.** Approval of any merger, consolidation or sale or other transfer of all or a substantial part of the assets of the Corporation.

## **ARTICLE V** **OFFICERS**

**Section 5.1. Number.** The Corporation may have a Chairman, Vice Chair, Secretary, and Treasurer, each of whom shall be elected by the Board. Such other officers and assistant officers as may be deemed necessary may be elected or appointed by the Board. Any two (2) or more offices may be held

by the same person. Officers need not be United States citizens or residents of the State of Georgia. The failure to elect an officer shall not affect the existence of the Corporation.

**Section 5.2. Election and Term of Office.** All officers of the Corporation shall be elected by a vote of the Board as set forth in Section 5.1 hereinabove at the annual meeting of the Board. A duly elected officer shall hold office for a term of one (1) year, commencing at the close of the annual meeting, and until their earlier death, resignation or removal.

**Section 5.3. Vacancies.** A vacancy in any office because of death, resignation, removal, disqualification or otherwise (including removal in the event an officer is not reelected during his term in office) shall be filled by an election by the Board as set forth in Section 5.1 for the remaining unexpired term of such office.

**Section 5.4. Resignation or Removal of officers.** An officer of the Corporation may resign at any time by tendering his resignation in writing to the Chairman or the Vice-Chairman. Resignations shall become effective upon the date specified therein or, if no date is specified, upon receipt by the Corporation. An officer of the Corporation may be removed at any time, with or without cause, at any meeting of the Board by a vote of the Board as set forth in Section 5.1 hereinabove.

**Section 5.5. Chairman.** The Chairman of the Board shall preside at all meetings of the Board and shall perform such other duties as may be assigned to him by the Board. He shall act as a duly authorized representative of the Board in all matters in which the Board has not formally designated some other person to act. He may sign, deeds, mortgages, bonds, contracts or other instruments which the Board has authority to execute and has approved such execution, except in cases where the signing and execution thereof shall be expressly delegated by the Board or by these Bylaws to some other officer or agent of the Corporation, or shall be required by law to be otherwise signed or executed.

**Section 5.6. Vice-Chairman.** The Vice-Chairman shall act in the place and stead of the Chairman in the event of the Chairman's absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required of him by the Board. The Vice-Chairman shall perform such other duties as may be prescribed by the Board.

**Section 5.7 Secretary.** The Secretary shall: (a) keep or cause to be kept, at the Corporation's principal office, or such other place as the Board may direct a book of minutes of all meetings of the Board and Board Committees, noting the time and place of the meeting, whether it was regular or special (and if special, how authorized), the notice given, the names of those present, and the proceedings; (b) keep or cause to be kept a copy of the Corporation's Articles of Incorporation and Bylaws, with amendments; (c) give or cause to be given notice of the Board and Committee meetings as required by these Bylaws and the Georgia Open Meetings Act; and (d) have such other powers and perform such other duties as the Board may prescribe.

**Section 5.8 Treasurer.** The Treasurer shall: (a) keep or cause to be kept adequate and correct accounts of the Corporation's properties, receipts and disbursements; (b) make the books of account available at all times for inspection by any Director; (c) deposit or cause to be deposited the Corporation's monies and other valuables in the Corporation's name and to its credit, with the depositories the Board designated; (d) disburse or cause to be disbursed the Corporation's funds as the Board directs; (e) render to the Chair and the Board, as requested but no less frequently than once every fiscal year, an account of the Corporation's financial transactions and financial condition; (f) prepare any reports on financial issues required by an agreement on loans; and (g) have such other powers and perform such other duties as the Board may prescribe.

**Section 5.9. Other Officers.** Other officers elected by the Board shall have such duties and responsibilities as the Board deems advisable.

**Section 5.10. Succession of Officers.** Unless otherwise directed by a vote of the Board, in the event that an officer of the Corporation has not resigned or been removed but is unable to act in such position for a period of one (1) month or more, whether due to disability or other reason, then another officer of the Corporation shall serve in that office until such officer is either removed or is able to perform his services in the following order:

**5.10.1.** The Treasurer shall perform the services of the Vice-Chairman.

**5.10.2.** The Vice-Chair shall perform the services of the Chairman.

**Section 5.11. Salaries.** Officers will not receive compensation for services rendered as officers of the Corporation.

## **ARTICLE VI** **COMMITTEES OF THE BOARD**

**Section 6.1. Committees of the Board.** The Board may, by resolution, establish standing committees and special committees of the Board. Unless otherwise specified by resolution of the Board or these Bylaws, the Chairman shall annually appoint the members and the chairmen of the standing committees and shall fill vacancies on any standing committee. Appointments by the Chairman shall be made at the annual meeting of the Board. In addition, the Chairman may, if so authorized by the Board, appoint the members and chairmen of such special committees as the Board may create, which members and chairmen may include persons who are not members of the Board. All committee appointments and chairmen appointments must be approved by a vote of the Board.

In addition, the Chairman may appoint to any committee such other non-Board members as the Board deems advisable. All members of such committees shall serve at the pleasure of the Board. The delegation of authority to any committee shall not operate to relieve the Board or any Director from any responsibility imposed by law.

**Section 6.2. Standing Committees.** Standing committees shall be created as required by resolution of the Board. The purpose, duties, number of members and reporting requirements of each standing committee shall be specified in the resolution creating the committee.

**Section 6.3. Special Committees.** Special committees shall be created as required by resolution of the Board. The purpose, duties, number of members and reporting requirements of each special committee shall be specified in the resolution creating the committee.

**Section 6.4. Committee Members' Term of Office.** Unless otherwise specified by resolution of the Board, members of each committee shall continue in office until the next annual meeting of the Board and until their successors are appointed, unless the committee of which they are members shall be sooner terminated by resolution of the Board or until their earlier death, resignation or removal as committee members.

**Section 6.5. Committee Meetings.** Meetings of any committee may be called by the chairman of such committee or upon the written request of one-third (1/3) of the committee members. The call for any meeting shall be by giving notice of such meeting to each member which sets forth its time and place and is delivered via first class or electronic mail at least two (2) days prior to such meeting. Notice shall also be provided to the public in accordance with any applicable provisions of Georgia's Open and Public Meetings Law, O.C.G.A. §§ 50-14-1 et seq. Unless otherwise provided in these Bylaws, a majority of the members of any committee shall constitute a quorum for the transaction of business. After a quorum has been established at a committee meeting, the subsequent withdrawal of committee members from the meeting so as to reduce the number of committee members present to fewer than the number required for a quorum shall not affect the validity of any action taken at the meeting. Each committee shall keep minutes of its meetings and report to the Board as necessary with recommendations.

**Section 6.6. Resignation or Removal of Committee Members.** A member of any committee may resign at any time by tendering his resignation in writing to the Chairman of the Board. The Board, by a vote, may remove, with or without cause, any member from a committee and specifically, but not by way of limitation, may remove any member from a committee for failing to attend three (3) consecutive meetings of the committee.

## **ARTICLE VII** **INDEMNIFICATION OF DIRECTORS AND OFFICERS**

**Section 7.1. Indemnification.** The Corporation shall indemnify to the fullest extent permitted by law each of its officers, Directors, whether or not then in office (and his executor, administrator and/or heirs) or any person who may have served at its request as a director or officer, of another corporation, partnership, joint venture, trust or other enterprise as well as the executor, administrator and heirs of any of them against all reasonable expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and necessarily incurred by him in connection with any threatened, pending or completed action, suit, proceeding or arbitration, whether civil or criminal, administrative or investigative (including any appeal thereof), to which he is or is threatened to be made a party because he is or was a Director, officer, employee or agent of this Corporation, or such other corporation, partnership, joint venture, trust or other enterprise. He shall have no right to reimbursement, however, in relation to matters as to which he has been adjudged liable to the Corporation for gross negligence or willful misconduct in the performance of his duties to the Corporation. The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which such Director, officer, employee or agent may be entitled.

**Section 7.2. Insurance.** The Corporation may purchase and maintain insurance on behalf of any person who is or was a Director, officer, employee or agent of the Corporation or who is or was serving at the request of the Corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise against any liability asserted against him and incurred by him in any such capacity or arising out of his status as such, whether or not the Corporation would have the power to indemnify him against such liability under the provisions of this Article.

## **ARTICLE VIII** **CONTRACTS, CHECKS, DEPOSIT BOOKS AND RECORDS**

**Section 8.1. Contracts.** The Board may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances.

**Section 8.2. Loans.** No loans shall be contracted on behalf of the Corporation and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the Board, which authority may be general or confined to specific instances.

**Section 8.3. Checks, Drafts, Etc.** All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer or officers, agent or agents of the Corporation and in such manner as shall from time to time be determined by resolution of the Board.

**Section 8.4. Deposits.** All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board may select.

**Section 8.5. Gifts.** The Board may accept, on behalf of the Corporation, any contributions, gifts, bequests or devises.

**Section 8.6. Books and Records.** The Corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its Board and committees of the Board and in compliance with the Georgia Open and Public Meetings Law, O.C.G.A § 50-14-1 et seq. Any books, records and minutes may be in written form or in any other form capable of being converted into written form within a reasonable time.

**Section 8.7. Financial Statements.** Not later than two (2) months after the close of each fiscal year, the Corporation shall prepare a balance sheet showing in reasonable detail the financial condition of the Corporation as of the close of its fiscal year, a profit and loss statement showing the results of the operations of the Corporation during its fiscal year, and any other financial statements as may be required by a resolution of the Board. The balance sheets and profit and loss statements shall be filed in the principal office of the Corporation, shall be kept for at least five (5) years, and shall be subject to inspection during business hours by any Board member.

**ARTICLE IX**  
**[INTENTIONALLY OMITTED]**

**ARTICLE X**  
**FISCAL YEAR**

**Section 10.1. Fiscal Year.** The fiscal year of the Corporation shall end on June 30 of each year.

**ARTICLE XI**  
**CORPORATE SEAL**

**Section 11.1. Corporate Seal.** The Board shall provide a corporate seal which shall be circular in form and shall have inscribed thereon the name of the Corporation and the state of incorporation and the words "Corporate Seal".

**ARTICLE XII**  
**NOTICE**

**Section 12.1. General.** Whenever, under the provisions of any statute, the Articles of Incorporation or these Bylaws, notice is required to be given to any Director or officer, it shall not be construed to require personal notice; rather, such notice may be given, unless otherwise required by these Bylaws, either (1) personally, (2) by depositing the same in a post office box in a prepaid envelope, or (3) by electronic mail; in the case of electronic or first class mail, the notice shall be addressed to such Director or officer at his proper address as the same appears in the records of the Corporation; and three days after the same shall be so mailed or emailed shall be deemed to be the time of the giving of such notice.

**Section 12.2. Waiver.** Whenever by law, the Articles of Incorporation or these Bylaws notice is required or permitted to be given to any Director or officer, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be equivalent to the giving of such notice. Attendance of a person at a meeting shall constitute a waiver of notice of such meeting, except when the person attends a meeting for the express purpose of objecting at the beginning of the meeting to the transaction of any business because the meeting is not lawfully called or convened. The business to be transacted and the purpose of any special meeting of the Board shall be specified in any written waiver of notice thereof.

**ARTICLE XIII**  
**AMENDMENTS**

**Section 13.1. By Directors.** These Bylaws may be amended or repealed wholly or in part, consistent with any bylaws adopted by the Board, at any meeting at which a quorum is present by an election by the entire Board in accordance with Article IV hereinabove.

**ARTICLE XIV**  
**MISCELLANEOUS**

**Section 14.1. Inspection of Bylaws.** The Corporation shall keep in its principal office, the original or a copy of these Bylaws, as amended or otherwise altered to date, certified by the Vice-Chairman, which shall be open to inspection by the Board of Directors at all reasonable times during office hours.

**Section 14.2. Policies and Procedures.** Any action by the Board establishing policy or methods of procedure – administrative, business, academic or otherwise – not contained in these Bylaws shall be known as “Policies and Procedures of the Board.”

**14.2.1.** Policies and Procedures of the Board may be adopted by the Board or may be amended or repealed, in whole or in part, at any meeting of the Board in accordance with the laws of the State of Georgia.

**Section 14.3. Conflicts of Interest**

**14.3.1 Conflict of Interest Policy.** Each Board Member will sign a conflict of interest policy annually affirming his or her unconflicted loyalty to the interest of Corporation.

**14.3.2 Inquiry into Self-Dealing Transactions.** If the Board or its committees is made aware that a proposed action could constitute a Self-Dealing Transaction, it shall first conduct appropriate inquiry before entering into such action. “Self Dealing Transaction” means any transaction having the School as one party and one or more of the following among the other proposed parties to the transaction:

- (1) Directors, Officers, or employees of the Corporation or school management company, or blood or marital relations of any of them;
- (2) An entity in which a Director, Officer or employee of the Corporation or school management company, or blood or marital relation of any of them, holds a significant ownership or investment interest;
- (3) An entity which employs or otherwise compensates a Director, Officer or employee of the Corporation or school management company, or employs or compensates a blood or marital relation; and/or
- (4) Any entity which has, as a member of its board of directors or trustees, a Director, Officer or employee of the Corporation or school management company, or a blood or marital relation of any of them.

**14.3.3 Approval of Self-Dealing Transactions.** A Self-Dealing Transaction, as defined above, shall be voidable at the sole election of the Corporation unless the following provisions are satisfied:

- (1) The Board shall hold one or more meeting(s) to discuss and vote on the transaction or arrangement resulting in the conflict of interest. An Interested Person may make a presentation to the Board, but after such presentation, shall leave the meeting(s) during the discussion of, and the vote on the conflict of interest transaction.
- (2) The Chair shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed arrangement with reasonable efforts from a person or entity that would not give rise to a conflict of interest.
- (3) After exercising due diligence to determine whether the Corporation can arrange an alternative transaction more favorable to the school with reasonable efforts, the Board of Directors concludes that it is in the Corporation’s best interests and is fair and reasonable to authorize the Self-Dealing Transaction
- (4) The Board of Directors authorizes, approves, or ratifies the transaction by the affirmative vote of a majority of the disinterested Directors, and with disclosure or knowledge of the material facts concerning the Self-Dealing Transaction.

Interested Directors may be counted in determining the presence of a quorum at a meeting of the Board of Directors (or a committee thereof) that authorizes, approves, or ratifies such contract or transaction.

ADOPTED this \_\_\_\_\_ day of April, 2015, I certify that the foregoing Bylaws of Scintilla Charter Academy, Inc. were approved and adopted by and on behalf of the Corporation by its Board of Directors, and are currently in effect.

By: \_\_\_\_\_

Title: Board Chair, Scintilla Charter Academy

← → ↻ [scsc.georgia.gov/find-location](https://scsc.georgia.gov/find-location) ☆

Map of all our locations

# Map of all our locations

SEARCH BY CITY, COUNTY, OR ZIP CODE

Services Offered: - Any -

FILTER →

The map displays the state of Georgia with several blue location pins. One pin in the southern part of the state is labeled 'Scintilla Charter Academy'. Other pins are scattered across the northern and central regions. The map interface includes a search bar, a 'Services Offered' dropdown menu, a 'FILTER' button, and a 'Reset Map' button. The map shows major cities like Atlanta, Columbus, Savannah, and Tallahassee, as well as interstate highways and state boundaries with Alabama and Florida.



## CSP SE Subgrant Application Assurances

All CSP Subgrant Applicants must agree to the requirements and conditions the subgrant and CSP program. **The Board Chair should initial each statement below and sign and date at the conclusion of the document.** A final grant application will be considered incomplete and will not be accepted if it does not include the Statement of Assurances for the federal Charter School Program Grant.

1. [REDACTED] Application grant contact (charter school authorized representative) possesses the legal authority to apply for this grant on behalf of the school. If the grant contact is not the chair of the governing body (due to conflict of interest), a resolution or motion has been adopted by the applicant's governing body directing and authorizing the grant contact the delegated responsibility to act on their behalf to submit this application, including all understanding and assurances of certifications contained herein, to execute the grant, if approved, to comply with certifications, budget, and fiscal requirements, and act as the governing body's authorized official for the grant program. The grant contact has no conflict of interest with any party (employee, management organization, contractor, vendor, etc.) that has a financial interest in the grant award.
2. [REDACTED] The applicant school certifies that they understand an approved charter application and a signed charter contract are required to be eligible for an award.
3. [REDACTED] Applicant school agrees to annually provide the U.S. Secretary of Education and the State Charter Schools Foundation of Georgia such information as may be required to determine if the charter school is making satisfactory progress toward achieving objectives described in this application (The Elementary and Secondary Education Act of 1965, as amended, Title V, Part B, Subpart 1 — Public Charter Schools Section 5203(b)(3)).
4. [REDACTED] Applicant school agrees to participate in all CSP Subgrantee data reporting and evaluation activities as requested or required by the U.S. Department of Education, the State Charter Schools Foundation of Georgia, State Charter Schools Commission of Georgia, and Georgia Department of Education, including on-site and desktop monitoring conducted by the SCSF or SCSC, annual independent audits required by the state that are publicly reported and include financial statements prepared with generally accepted accounting principles, annual reports, and a final expenditure report for the use of subgrant funds. This section includes participation in any federal or state funded charter school research or evaluations. Failure to submit required information may result in a withholding of grant funds or a non-renewal of subsequent year funding within the project period. Audits must also be submitted to the authorizer for review.
5. [REDACTED] The applicant school assures that they have provided their authorizer with "adequate and timely notice" of this grant application (as required by ESEA §4310 (6)(B)).
6. [REDACTED] The applicant school per ESEA §4303 (f)(1)(C)(i)(II), certifies that the Charter Contract from the authorizer articulates that student achievement and growth, as measured by the state's School Performance Framework, is one of the most important factors for renewal or revocation of the school's charter contract, and that the authorizer reserves the right to

revoke or not renew a school's charter based on financial, structural, or operational factors involving the management of the school, or if not included agree to amend the Charter Contract accordingly to include these before award monies are distributed. The applicant school will provide a copy of the charter contract, and the State Charter Schools Foundation of Georgia will review the contract to ensure that student achievement is one of the most important factors for renewal or revocation of the charter.

7. [REDACTED] The applicant school certifies that it will maintain a high degree of autonomy, consistent with the charter contract and the requirements of ESEA § 4310 (2) and ESEA § 4303 (f)(2)(A), including the school's autonomy over budget, operations, and personnel decisions, and that they have sought, or will seek, all the appropriate automatic and non-automatic state waivers, and any necessary district waivers, to support the level of autonomy negotiated in their charter contract.
8. [REDACTED] The applicant school shall include important information on the website of the school, as required by ESEA § 4303 (f)(2)(G), to help parents and the community to make informed decisions about the education options available to their children, including information on the educational program, student support services, parent contract requirements (including any financial obligations or fees and information regarding textbook assistance), and enrollment criteria. This section requires the school to also provide annual performance, including the State Report card, and enrollment data for the student body and subgroups of students on its website.

Board Chair Signature: \_\_\_\_\_

Date: 12/1/23

Name: \_\_\_\_\_

Zachary R. Cowart

Charter School/Network: Scintilla Charter Acddademy

## Profiles: Scintilla Charter Academy

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### Applicant Information

Please provide the following information about the applicant charter school/network.

**Name of Charter School/Network**

Scintilla Charter Academy

**School Identifier (NCES ID), if known**

130023604192

**Authorizer**

State Charter Schools Commission of Georgia

**Authorization Date**

07/01/2023

**Eligibility for CSP Subgrant**

Expansion

**Proof of Approved Expansion (expansion applicants only)**

**School Opening Date/Date of Expansion**

07/01/2023

**Name of Nonprofit Entity**

Scintilla Charter Academy

**Name of LEA**

Scintilla Charter Academy

**LEA Identifier (NCES District ID), if known**

1300236

**Applicant Street Address**

2171 East Park Avenue

**Applicant City**

Valdosta

**Applicant State**

Georgia

**Applicant Zip Code**

31,602

**Applicant County**

GA

Proposed Location of New/Replicated School or Expansion Site

**Proposed Street Address**

2171 East Park Avenue

**Proposed Applicant City**

Valdosta

**Proposed Applicant State**

Georgia

**Proposed Applicant Zip Code**

31,602

**Proposed Applicant County**

GA

**School/Network Website**

www.scintillacharteracademy.com

**Management Organization Type**

Freestanding

**Virtual Status**

Not virtual

**Grant Contact**

Amanda Miller

**Contact Title**

Assistant Superintendent/Director of Federal Programs

**Contact Email Address**

[REDACTED]

**Contact Phone Number**

[REDACTED]

**What school year will the school first enroll students? For expansion, what school year did the school first enroll students?**

2023-24

**Grades Offered during Grant Term (36 months from date of application)**

Kindergarten, 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th

**Projected Number of Students for First Three Years of Operation/Expansion (by year)**

For each year, note the projected number of students for this new school, replication, or as a result of the expansion (only the additional students from an expansion).

**Year 1**

80

**Year 2**

160

**Year 3**

240

**Does/will the school use a weighted lottery?**

No

**Are current governing board members listed on the school's website? If no, provide an attachment with a list of board members.**

Yes

**Has the applicant school notified the charter school authorizer of intent to apply for this CSP subgrant?**

Yes

**Please upload a copy of the letter of intent to authorizer that the applicant is applying for a CSP SE subgrant.**

Scintilla.pdf

**User Login**

[REDACTED]

## Profiles: File Attachments

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**Please upload a copy of the letter of intent to authorizer that the applicant is applying for a CSP SE subgrant.**

Scintilla.pdf

**From:** [Cerrone Lockett](#)  
**To:** [Mandy Brewington](#)  
**Cc:** [Erin Wright](#)  
**Subject:** RE: Scintilla  
**Date:** Wednesday, November 29, 2023 12:26:00 PM

---

Hi Mandy,

I'm unsure who is listed, but I'll file the school's notification.

Thank you!

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**From:** Mandy Brewington <[REDACTED]>  
**Sent:** Wednesday, November 29, 2023 11:59 AM  
**To:** Cerrone Lockett <[REDACTED]>  
**Subject:** Scintilla

Hi Cerrone! I know I am supposed to let the SCSC know that we are applying for the CSP grant, but I'm not sure who on staff I am to notify! Is it you? And, if not just let me know. My apologies!

--

Mandy Brewington  
Superintendent  
[www.scintillacharteracademy.com](http://www.scintillacharteracademy.com)  
[facebook.com/ScintillaCharterAcademy](https://facebook.com/ScintillaCharterAcademy)  
[twitter.com/Scintilla2015](https://twitter.com/Scintilla2015)



Name	Attachments
[REDACTED]   2024-02-06	No
[REDACTED]   2024-02-12	No
[REDACTED]   2024-02-14	No

**Review Completed Date**

02/06/2024

**Application**

Scintilla Charter Academy

**Reviewer**

[REDACTED]

**Reviewer Assignment Tag**

type:individual

**Responsiveness to community need**

On a scale of 1 to 30, where 1 is lowest and 30 is highest, how would you rate the applicant's responsiveness to community need? Applicants should provide evidence of community engagement and outreach. Applicants proposing to expand or replicate in an area of high charter school concentration must demonstrate community need for the unique model. All applicants must present a comprehensive needs analysis as a part of their application demonstrating local support, benefits to the community, evidence of the demand, and demographic projections (supporting a new charter school). Applicants will be rated based on the completeness of their analysis, benefit to the local community, and likelihood to achieve enrollment goals. Applicants should also describe ongoing effective parent, family, and community engagement strategies.

25

Comments - Responsiveness to community need (optional)

**Growth mindset**

On a scale of 1 to 10, where 1 is lowest and 10 is highest, how would you rate the applicant's growth mindset? Applicants should demonstrate their willingness to engage in open, transparent conversations with the SCSF and technical assistance providers and to welcome feedback with an open mind.

8

Comments - Growth mindset (optional)

**Commitment**

On a scale of 1 to 10, where 1 is lowest and 10 is highest, how would you rate the applicant's commitment? Applicants must demonstrate their willingness and capacity to adhere to the conditions of any subgrant awards and carry out the goals they set for the subgrant. Applicants must agree to attend all mandatory technical assistance opportunities, submit all required reports, and participate fully in monitoring activities.

8

Comments - Commitment (optional)

**Readiness**

On a scale of 1 to 10, where 1 is lowest and 10 is highest, how would you rate the applicant's readiness? Applicants must demonstrate their readiness to plan for and carry out the opening of a new charter school, replication of an existing charter school, or expansion of an existing charter school. For new schools, the evaluation team will seek evidence of adequate planning and qualified team members to carry out the academic model approved in the charter and sound operations. For replications and expansions, the evaluation team will review current and historical academic and operational performance, eligibility for expansion or replication, and mitigating factors.

8

Comments - Readiness (optional)

#### Racial and Socio-economic Diversity

On a scale of 1 to 10, where 1 is lowest and 10 is highest, how would you rate the applicant's racial and socio-economic diversity? All applicants must explain how they will establish and maintain a racially and socio-economically diverse student population and endeavor to recruit faculty and staff who are similarly diverse. If an applicant is proposing a location in a segregated/isolated community and/or offers a culturally responsive educational model, this requirement may be waived at the discretion of the Selection Committee.

9

Comments - Racial and Socio-economic Diversity (optional)

#### Budget Quality & Financial Sustainability

Please evaluate the budget on a scale of 1 to 30. Applicants should present a complete grant budget that adheres to the allowable cost guide and meets the objectives of the CSP SE Grant. Reviewers will look for adequate rationale in the budget narrative for each budget category and sufficient detail to demonstrate that the applicant has a realistic plan for utilizing subgrant funds within the grant period. Applicants should demonstrate a plan for maintaining financial sustainability after the end of the subgrant period.

25

Comments - Budget Quality & Financial Sustainability (optional)

#### Bonus Points

Does the applicant qualify for locating in a priority community?

Yes

Does the applicant propose offering high school?

Yes

Does the applicant propose a collaboration with a local public school or district to share resources and/or otherwise serve vulnerable populations?

No

Comments - Bonus Points (optional)

Score Before Bonus Points

83

Total Score

103

Comments - Overall (required)

N/A

**Review Completed Date**

02/12/2024

**Application**

Scintilla Charter Academy

**Reviewer**

[REDACTED]

**Reviewer Assignment Tag**

type:individual

**Responsiveness to community need**

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Comments - Growth mindset (optional)

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Comments - Commitment (optional)

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Comments - Readiness (optional)

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7

Comments - Racial and Socio-economic Diversity (optional)

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25

Comments - Budget Quality & Financial Sustainability (optional)

**Bonus Points**

Does the applicant qualify for locating in a priority community?

Yes

Does the applicant propose offering high school?

Yes

Does the applicant propose a collaboration with a local public school or district to share resources and/or otherwise serve vulnerable populations?

No

Comments - Bonus Points (optional)

Score Before Bonus Points

79

Total Score

99

Comments - Overall (required)

N/A

**Review Completed Date**

02/14/2024

**Application**

Scintilla Charter Academy

**Reviewer**

[REDACTED]

**Reviewer Assignment Tag**

type:individual

**Responsiveness to community need**

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23

Comments - Responsiveness to community need (optional)

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9

Comments - Growth mindset (optional)

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Comments - Readiness (optional)

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Comments - Racial and Socio-economic Diversity (optional)

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27

Comments - Budget Quality & Financial Sustainability (optional)

**Bonus Points**

Does the applicant qualify for locating in a priority community?

Yes

Does the applicant propose offering high school?

Yes

Does the applicant propose a collaboration with a local public school or district to share resources and/or otherwise serve vulnerable populations?

No

Comments - Bonus Points (optional)

Score Before Bonus Points

83

Total Score

103

Comments - Overall (required)

N/A