

## **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 VI, Part B; the McKinney-Vento Act; School Improvement 1003(a) and 1003(g) (SIG).

### Dispute Resolution

1. The complaints process may be initiated directly to the Dean.
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 Dean 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 Dean.
5. If the Parent, Guardian, or Unaccompanied youth does not agree with the decision of the Dean, 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 Dean, 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 with 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/Dean of School  
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  
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  
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 Director of Student Information Systems 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 Dean 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 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.

If you do not want Scintilla Charter Academy to disclose any or all of the types of information designated below as directory information from your child's education records without your prior written consent, you must notify the Scintilla Charter Academy in writing within 30 days from the first day of school. 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:

Stacie Haire, SCA Homeless Liaison



2171 East Park Avenue  
Valdosta, GA 31602  
Phone: 229.244.5750  
Fax: 229.333.0283  
Email: shaire@scintillacharteracademy.com

## **TITLE IX GRIEVANCE POLICY**

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:

### 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: Dean

If the complaint is not resolved at Level 2, the grievant may proceed to Level 3 by presenting a written appeal to the Dean 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 Dean or his/her designee. The Dean or his/her designee has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Dean 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 Dean. 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 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 Dean of School, Assistant Dean or designee, and shall submit a written report of the incident to the school's Dean of School, Assistant Dean or designee within 24 hours. If the Dean of School or Assistant Dean is the person accused of the sexual abuse or sexual misconduct, the oral and written reports should be made to the other.

C. Dean of School, Assistant Dean 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 Dean of School, Assistant Dean 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.