



April 14, 2021

Dear Parent/Guardian:

Thank you for being a valued member of the school community. The purpose of this letter is to inform you of some recent policy updates that you can find in the revised family handbook, which is accessible on the school's website. If you need a hard copy of the handbook, please call the main office at the number listed below.

Update 1	The policy on serving homeless students has been updated and included in the student handbook. A copy of the new policy is attached as <u>Exhibit A</u> to this letter.
Update 2	The school's student discipline policies have been updated and included in an updated student handbook. A copy of the new policies is attached as <u>Exhibit B</u> to this letter.
Update 3	The state mandated process policy has been updated. This policy governs student reports of inappropriate behavior by a teacher, administrator, or other school employee. This has also been updated in the student and staff handbooks. A copy of the new policy is attached as <u>Exhibit C</u> to this letter.
Update 4	The school's bullying policy and procedures have been updated. These updates are included in the revised student handbook. A copy of the new policy is attached as <u>Exhibit D</u> to this letter.

These policy updates were approved by the governing board and aligned with the mission of the school as well as applicable law, rules, and regulations.

Please feel free to contact me with any questions you have regarding these policy changes.

Sincerely,

A handwritten signature in black ink, appearing to be "Kamaria Finch", with a stylized flourish at the end.

Kamaria Finch, Interim Superintendent

**3825 Old Gordon Road NW
Atlanta, GA 30336
(678) 705-2307**



EXHIBIT A

Homlessness Policy

Attached.

**3825 Old Gordon Road NW
Atlanta, GA 30336
(678) 705-2307**



Harriet Tubman School of Science and Technology

Homelessness Policy

Purpose

The purpose of this policy is to clarify statutory rights of children and youths experiencing homelessness as provided by federal and state law. This policy shall be interpreted and implemented in conformance with federal and state law and shall supersede any other School policy provisions relating to children and youths experiencing homelessness.

It is the intent of this policy to ensure that homeless children and youths are provided with equal access to the same free, appropriate education as other students, have an opportunity to meet the same challenging academic standards to which all students are held, and are not segregated, separated or isolated on the basis of their status as homeless and shall establish safeguards that protect homeless students from being stigmatized or discriminated against on the basis of their homelessness.

Duration

This policy is permanent.

Policy

SECTION 1. Definitions

- a. **“homeless children and youths”** means, according to the McKinney-Vento Homeless Assistance Act, 42 U.S.C. § 11431 *et seq.* (the “**Act**”), children and youths who lack a fixed, regular, and adequate nighttime residence within the meaning of 42 U.S.C. § 11302(a)(1); and includes children and youths who:
 - i. are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;

- ii. are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
 - iii. are living in emergency or transitional shelters;
 - iv. are abandoned in hospitals;
 - v. are awaiting foster care placement;
 - vi. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
 - vii. are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - viii. are migratory children who qualify as homeless because the children are living in circumstances described in (i) through (vii) above.
- b. **“unaccompanied youth”** means a youth not in the physical custody of a parent or guardian.
 - c. **“school of origin”** means the school the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled.
 - d. **“enroll”** and **“enrollment”** means attending school and participating fully in school activities.
 - e. **“immediate”** means without delay.
 - f. **“parent”** means a person having legal or physical custody of a child or youth.
 - g. **“Liaison”** means the staff person designated by the School and each local education agency (LEA) in the state as the person responsible for carrying out the duties assigned to the liaison by the Act under 42 U.S.C. § 11432.

SECTION 2. Liaison (Assistant Executive Director)

The Liaison shall coordinate with and seek support from the State Coordinator for the Education of Homeless Children and Youth as well as public and private service providers in the community. Coordination will include attending outreach training and participating in the local continuum of care (i.e., homeless coalition, homeless steering committee, and other relevant groups).

SECTION 3. Identification

The School shall use the following methods to identify homeless children:

- a. Training school personnel on possible indicators of homelessness; sensitivity in identifying homeless children; techniques for collecting needed information; and School policy and procedures.
- b. Collaborating with community agencies to find and refer homeless children; and
- c. Collecting and maintaining data on the number of homeless children in the School's attendance zone and in the neighborhoods in close proximity to the School.

SECTION 4. School Selection

- a. Maintaining a stable school environment is crucial to a homeless student's success in school. To ensure stability, the School must consider the "best interest" of the homeless child or youth based on student-centered factors. The School must:
 - i. Continue the student's education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year even if the child or youth becomes permanently housed during an academic year; or
 - ii. Assist a public school that non-homeless students who live in the attendance area in which the child or youth, or the family of the child or youth, is actually living are eligible to attend enroll the student.
- b. When determining the child or youth's best interest, the School must assume that keeping the homeless student in the school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or the student if he or she is an unaccompanied youth.
- c. When determining the student's best interest, the School must also consider student-centered factors, including the impact of mobility on achievement, education, health, and safety of homeless students and give priority to the request of the student's parent or guardian, or youth (if an unaccompanied youth). The School also considers the school placement of siblings when making this determination.
- d. If the School finds that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian, or accompanied youth, the School must provide the individual with a written explanation and reason for the determination in a manner and form understandable to the parent, guardian or unaccompanied youth. This written explanation will include appeal rights and be provided in a timely manner.

SECTION 5. Enrollment

- a. The Executive Director shall notify the Liaison (Assistant Executive Director) when a homeless student is identified.
- b. If a homeless student arrives at school without a parent or guardian, the student is enrolled immediately, and the Executive Director is notified. The Executive Director shall contact the parent or guardian, if any, and will help facilitate completion of the enrollment process. The students must meet the School's age eligibility criteria for enrollment.
- c. A homeless student is enrolled immediately even if the student lacks records normally required for enrollment. When a student enrolls without education records (i.e., transcripts/grade reports, birth certificate, immunizations/health records), the Executive Director should:
 - 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; and
 - iii. Contact the Liaison (Assistant Director) for assistance in the referral of the student to Fulton County Board of Health for follow-up in acquiring required immunizations.
- d. Affidavit requirements for a homeless student are satisfied by completing the Student Enrollment form.
- e. The School shall provide the parent/guardian, if any, with a copy of the homeless student's enrollment documentation.
- f. Parents/guardians, if any, will provide the School with contact information.
- g. If the School is contacted by another school or school district for a homeless student's records, requested information is provided in accordance with the Family Educational Rights and Privacy Act ("FERPA") and school records are sent immediately, when possible, or no later than 15 days to the receiving school or school district.

SECTION 6. Transportation

Transportation is provided to and from the school of origin if requested by the

parent/guardian and where required by federal law, pursuant to 42 U.S.C. § 1432(g)(1)(J)(iii).

- a. The School shall promptly provide homeless students with transportation services that are comparable to those available to non-homeless students. At the request of the parent or guardian, or the Liaison (Assistant Director) in the case of an unaccompanied youth, the School shall provide or arrange for, transportation to and from the school of origin.
 - i. If the homeless student continues to live in the School's attendance zone, transportation shall be provided, or the School shall arrange for the student's transportation, to/from his/her school of origin.
 - ii. If the best interest determination is that the student should continue his/her education at the school of origin which is the School, the School and the school district in which the student resides shall agree upon a method to equitably apportion responsibility and costs for transportation to the school of origin. If there is no agreement, the School shall assume responsibility to transport the student to the School.
 - iii. If the homeless student resides in the School's attendance zone, but the best interest determination is that the student should continue his/her education at the school of origin in another district, the School and the school district which is the school of origin is located shall agree upon a method to equitably apportion responsibility and costs for transportation to the school of origin. If there is no agreement, the School shall assume responsibility to transport the student to the school of origin in the other district. Since Federal law requires the responsibility and costs of transportation services to be shared equally, the district in which the school of origin is located shall be invoiced for its share of the cost for transportation.
 - iv. When the student obtains permanent housing, transportation shall be provided to and from the school of origin until the end of the school year.
- b. The mode of transportation shall be determined in consultation with the parent or guardian, if any, and shall be based on the best interest of the student.
- c. In accordance with Federal law, the above transportation requirements still apply during the resolution of any dispute. The School will work with the State to resolve transportation disputes with other school districts. Until the districts reach an agreement, the responsibility and costs for transportation shall be shared equally.
- d. If the disputing district is in another State, the School will turn to the State for assistance, as Federal guidance dictates that both states should try to arrange an

agreement for the LEAs.

SECTION 7. Services

- a. A homeless student is provided services comparable to services offered to other students in the selected school, including
 - i. Transportation services;
 - ii. Educational services for which the student meets the eligibility criteria, including special education and related services and programs for English learners);
 - iii. Vocational and technical education programs;
 - iv. Gifted programs;
 - v. School nutrition programs (all identified homeless students are entitled to free meals pursuant to the Act)
 - vi. Before- and After-School programs, if eligible under the Act; and
 - vii. Preschool programs, if eligible under the Act.

- b. Homeless students are automatically eligible for services funded by Title I, Part A of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (ESSA), whether or not they attend a Title I school or meet the academic standards required for other eligible students. The School shall reserve such funds as are necessary to provide services comparable to those provided to Title I students to homeless students attending non-participating schools. Reserved funds are used to provide educationally-related support services to homeless students, both in school and outside of school, and to remove barriers that prevent regular attendance.

SECTION 8. Disputes

- a. If the School denies the enrollment, school of origin or transportation request, the parent/guardian shall receive a written explanation of the School's decision, including the right to appeal, and a copy of the dispute procedure. The School will adhere strictly to the School's dispute resolution procedure.

- b. If a parent/guardian disputes the School's decision:
 - i. The student is immediately admitted to the School, pending resolution of the dispute;
 - ii. The dispute is referred to the Liaison (Assistant Director) who will resolve and/or consult with the Executive Director for resolution;
 - iii. If the matter is not resolved at that level, the Governing Board

- shall issue the School's decision.
- iv. If the matter is not resolved at the School level, the parent/guardian may contact the Georgia Department of Education.

SECTION 9. Credits for Full or Partial Coursework

The School has an obligation to remove barriers to the academic success of homeless students. The School must contact the school last attended by the homeless student to obtain relevant academic or other records and provide credit for full or partial coursework satisfactorily completed at the previous school of enrollment.

Approval

Policy Approval Date: February 18, 2021

Policy Effective Date: February 18, 2021

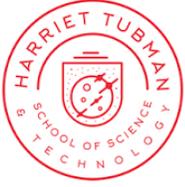


EXHIBIT B

Student Discipline Policy

Attached.

**3825 Old Gordon Road NW
Atlanta, GA 30336
(678) 705-2307**



Harriet Tubman School of Science and Technology

Student Code of Conduct and Guide to Disciplinary Hearings and Appeals

Purpose

The Governing Board of the School adopts this Student Code of Conduct and Guide to Disciplinary Hearing and Appeals to establish and implement an age-appropriate student code of conduct designed to create and sustain a learning environment that facilitates all students' efforts to learn. This Policy will comply with applicable law, rules and regulations, including O.C.G.A. § 20-2-753 and SBOE Rule 160-4-8-.15.

Duration

This policy is permanent.

Policy

SECTION 1. When and Where the Code of Conduct is in Effect.

- a. This Code of Conduct is in effect during the following times and in the following places:
 - i. At school or on school property at any time (including on-campus, after-school programs and extracurricular activities);
 - ii. Off school grounds at any school activity, function, or event and while traveling to and from such events;
 - iii. On vehicles provided for student transportation by the school.
- b. Students may also be disciplined for off-campus conduct that is felonious or that may pose a threat to the school's learning environment or to the safety of students and staff.

SECTION 2. Progressive Discipline.

When student behavior warrants disciplinary action, School administrators and staff will follow a progressive discipline process that assigns consequences to students based on the

severity of misbehavior, the student's discipline history, the age of the student, and other relevant factors.

Please note the lists of examples provided below are non-exhaustive. Further, administrators have the reasonable discretion to modify procedures and/or disciplinary actions depending upon the facts and circumstances of each individual case.

a. Level 1: Disruption of Teaching and Learning

- i. **“Level 1 Behavior”** is behavior that (1) distracts and/or disrupts staff members from teaching, supervising, or otherwise adequately performing their job; or (2) distracts and/or disrupts other students from learning and performing to the best of their abilities. Level 1 Behavior is often minor, and it is usually the classroom teacher's responsibility to facilitate a quick resolution at the time of the misbehavior.
- ii. Examples of Level 1 Behavior include:
 1. Wandering around classroom at inappropriate times
 2. Disrupting or distracting others from working
 3. Calling or speaking out of turn
 4. Talking while others are talking
 5. Purposeful slowness
 6. Refusing to work with others
 7. Refusing to participate
 8. Missing work, bookbag, and other materials necessary for class
 9. Possession of non-instructional items (including electronics)
 10. Intentional off-task behavior
 11. Not sharing instructional materials
 12. Destroying classroom materials
- iii. Procedures
 1. There is immediate intervention by the staff member who is supervising the student or observes the misbehavior.
 2. The classroom teacher will note behavior in behavior log.
 3. The staff member may decide to discuss the misbehavior with a parent/guardian, an administrator, and/or other appropriate staff members.
- iv. Possible Disciplinary Actions
 1. Student moved closer to staff member
 2. Behavior expectations/Tubman Tenets restated or clarified
 3. Student reminded of appropriate behavior
 4. Student discreetly redirected
 5. Student prompted to use relaxation exercises
 6. Student allowed time and space to cool down or refocus
 7. Brief conference with student outside classroom or privately after class
 8. Student assigned a task for redirection (e.g., handing out papers)

9. Temporary removal from activity
10. Confiscation of non-instructional item(s)

b. Level 2: Contribution to a Physical or Emotionally Unsafe Environment

- i. **“Level 2 Behavior”** is behavior that creates or contributes to a physically and/or emotionally unsafe learning environment for staff and/or students. Level 2 Behavior requires staff to immediately intervene and for student(s) to immediately stop and reflect on how such student(s) behavior impacts others.
- ii. Examples of Level 2 Behavior include:
 1. Repeat of Level 1 behaviors
 2. Wandering around the school at inappropriate times
 3. Intentionally disrupting or distracting others from working
 4. Using inappropriate or profane language
 5. Taunting, mocking, or making fun of students
 6. Roughhousing or playfighting
 7. Refusing to follow staff directions
 8. Arguing with a staff member
 9. Cursing at a classmate
 10. Habitually missing work, bookbag, and other materials necessary for class
 11. Destroying school property
 12. Cheating or copying another student’s work on a major assignment
 13. Inappropriate use of instructional technology
- iii. Procedures
 1. There is immediate intervention by the staff member who is supervising the student or observes the misbehavior.
 2. If misbehavior continues after interventions or is severe enough, the staff member will complete a classroom or advisor referral.
 3. Student will be removed from the activity and sent to the designated “think space” to reflect on behavior.
 4. The staff member may decide to discuss the misbehavior with a parent/guardian, an administrator, and/or other appropriate staff members
- iv. Possible Disciplinary Actions
 1. Parent notified
 2. Lunch or after-school detention
 3. Community service
 4. Temporary removal from class or activity
 5. Conference with parent/guardian, teacher, and/or administrator
 6. Confiscation of non-instructional item(s)
 7. Special seating arrangements
 8. Loss of relevant privileges
 9. Mediation
 10. Referral to counselor
 11. Referral to Student Support Team (SST)

12. Plagiarizing a major assignment

c. Level 3: Dangerous, Unsafe, or Illegal Behaviors

- i. **“Level 3 Behavior”** is behavior that is dangerous, unsafe, or illegal in a school environment. Level 3 Behavior requires staff to immediately intervene and for student(s) to immediately stop the behavior. Additionally, the Executive Director must conduct an investigation to determine whether student(s) acted in a way that was dangerous and/or illegal and to determine the appropriate disciplinary action.
- ii. Examples of Level 3 Behavior include:
 1. Repeat of Level 2 behaviors
 2. Engaging in, attempting to engage in, or threatening to engage in a physical or verbal altercation with another student (e.g., fighting)
 3. Knowingly intimidating or engaging in threats and/or harassment of a staff member or other school personnel
 4. Bullying or cyber-bullying
 5. Disrespectful conduct toward staff member(s) or school official(s)
 6. Damaging or defacing school or private property
 7. Stealing or attempting to steal school or private property, or knowingly receiving stolen or private property
 8. Using of profane, vulgar, or obscene words or actions
 9. Possession and/or distribution of obscene material
 10. Insubordination, disorderly conduct, disobeying school rules or regulations, and/or disobeying directives given by a staff member or school official
 11. Harassing, threatening, or intimidating a student witness
 12. Engaging in sexual harassment
 13. Engaging in threats and/or harassment based on race, nationality, gender, disability, sexuality, etc.
- iii. Procedures
 1. There is immediate intervention by the staff member who is supervising the student or observes the misbehavior.
 2. The staff member will complete a referral and student will be taken to the Executive Director or Assistant Executive Director to reflect on behavior.
 3. All persons involved (including staff members) complete a Witness to Incident report and submit to the Executive Director or Assistant Executive Director.
 4. The Executive Director or Assistant Executive Director will investigate the incident and initiate disciplinary action.
 5. The staff member may decide to discuss the misbehavior with a parent/guardian, an administrator, and/or other appropriate staff members.
- iv. Possible Disciplinary Actions
 1. Conference with Executive Director.

2. Suspension, in-school or out-of-school
3. Referral to outside agency
4. Removal from extracurricular school activities
5. Loss of privileges for a long time period
6. Recommendation to Tribunal Panel for long-term suspension
7. Behavior contract
8. Referral to SST
9. Referral to counseling

d. Level 4: Serious Threat to Safety

- i. **“Level 4 Behavior”** is behavior that is dangerous and poses a serious threat to the safety to staff and/or students. Level 4 Behavior requires staff to immediately intervene. The Executive Director must conduct an investigation to determine whether student(s) acted in a way that was dangerous and/or illegal (which may include involving the police), and for a parent/guardian to immediately come to the School to meet with administration and pick up their child. Further disciplinary action may result at the discretion of the administration.
- ii. Examples of Level 4 Behavior include:
 1. Repeat of Level 3 behaviors
 2. Attempting to or threatening to cause physical harm to a staff member or school personnel (assault)
 3. Use of physical violence against a staff member or school personnel (battery)
 4. Possession or use of a weapon, firearm, explosive, or other dangerous object
 5. Possession, sale, distribution, use, consumption, or under the influence of any narcotic, drug paraphernalia, alcoholic beverage, or other intoxicant
 6. Possession or use of tobacco in any form
 7. Possession, sale, distribution, use, consumption, or under the influence of a prescription or over-the-counter drug without a valid prescription
 8. Possession, sale, distribution, or attempt to sell a substance represented as drugs or alcohol
 9. Making terrorist threats, activating a fire alarm under false pretenses, or making a bomb threat
 10. Committing or attempting to commit sexual assault or battery
- iii. Procedures
 1. Teacher observing misbehavior intervenes, if appropriate.
 2. Staff member notifies the Executive Director or Assistant Executive Director.
 3. Student will be taken to Executive Director or Assistant Executive Director, if appropriate.
 4. All persons involved (including staff members) complete a Witness to Incident report and submit to the Executive Director or Assistant Executive Director.
 5. Executive Director or Assistant Executive Director will investigate the incident and initiate disciplinary action.
 6. Executive Director or Assistant Executive Director will meet with the student(s) and notify the parents/guardians of the misbehavior and resulting disciplinary action.
 7. An accurate record of the misbehavior and disciplinary action is maintained and

entered in the School's records.

iv. Possible Disciplinary Actions

1. Parent/guardian picks student up immediately from school
2. Suspension
3. Long-term suspension and recommendation to Tribunal Panel
4. Parents/guardians, student, administrator, and teachers must have a conference before the child is allowed to return to school
5. Police notification
6. Behavior contract upon return to school
7. Referral to counseling with an outside agency

SECTION 3. Definitions.

- a. **Assault:** Any threat or attempt to physically harm another person or any act that reasonably places another person in fear of physical harm. Example: Threatening language or swinging at someone in an attempt to strike.
- b. **Battery:** Intentionally making physical contact with another person in an insulting, offensive, or provoking manner or in a way that physically harms the other person. Example: Fighting.
- c. **Bullying:** The term "bullying" means an act that occurs on school property, on school vehicles, designated school bus stops, or at school-related functions or activities, or by use of or software that is accessed through a computer, computer system, computer network, other electronic technology provided by the School, and includes the following:
 1. Any willful attempt or threat to inflict injury on another person when accompanied by an apparent present ability to do so.
 2. Any intentional display of force that would give the victim reason to fear or expect immediate bodily harm.
 3. Any intentional written, verbal, or physical act, which a reasonable person would perceive as being intended to threaten, harass, or intimidate, that has any one of the following effects:
 - A. Causes another person substantial physical harm within the meaning of O.C.G.A. § 16-5-23.1 or visible bodily harm as such term is defined in O.C.G.A. § 16-5-23.1.
 - B. Substantially interferes with a student's education
 - C. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
 - D. Substantially disrupts the orderly operation of the school.

The term also applies to acts of "**Cyberbullying**," which occurs through the use of electronic communication, whether or not electronic act originated on school property or with school

equipment, if the electronic communication (1) is directed specifically at students or school personnel, (2) is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school, and (3) creates a reasonable fear of harm to the students' or school personnel's person or property or has a high likelihood of succeeding in that purpose.

Retaliation against any complainant or any participant in the complaint process is also prohibited.

- d. **Chronic Disciplinary Problem Student:** A student who exhibits a pattern of behavioral characteristics that interfere with the learning process of students around him or her and that are likely to recur.
- e. **Detention:** A requirement that the student report to a specified school location and to a designated teacher or school official to make up work missed. Detention may require the student's attendance before or after school. Students are given a one-day warning so that arrangements for transportation can be made by the parents/guardians.
- f. **Drug:** The term "drug" does not include prescriptions issued to the individual, aspirin or similar medications, and/or cold medications that are taken according to product use recommendations and Board policy. Caffeine pills are considered drugs.
- g. **Expulsion:** Suspension of a student from a school beyond the current school quarter or semester. Such action may be taken only by a disciplinary Tribunal Panel.
- h. **Extortion:** Obtaining money or goods from another student by violence, threats, or misuse of authority.
- i. **Fireworks:** The term "fireworks" means any combustible or explosive composition or any substance or combination of substances or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, as well as articles containing any explosive or flammable compound and tablets and other devices containing an explosive substance.
- j. **Gambling:** Engaging in a game or contest in which the outcome is dependent upon chance, even though potentially accompanied by some skill, and in which a participant stands to win or lose something of value.
- k. **Harassment:** To bother or upset someone repeatedly through words and/or actions.
- l. **In-School Suspension:** Removal of a student from class(es) or regular school program and the assignment of that student to an alternative program within the regular school but isolated from peers.
- m. **Suspension:** Removal of a student from the regular school program for a period not to exceed 10 days (short-term) or for a period greater than 10 days (long-term, which

may be imposed only by a disciplinary Tribunal Panel). During the period of suspension, the student is excluded from all school-sponsored activities, including practices, competitive events, and/or activities sponsored by the school or its employees. Each day a student is suspended, he/she must make up schoolwork assigned by teacher that is missed.

- n. **Theft:** The offense of taking or misappropriating any property of another with the intention of depriving that person of the property, regardless of the manner in which the property is taken or appropriated.
- o. **Waiver:** A waiver is an agreement not to contest whether a student has committed an infraction of the Code of Conduct and the acceptance of consequences in lieu of a hearing before a disciplinary Tribunal Panel.
- p. **Weapons:** The term “weapon” is defined as any object that is or may be used to inflict bodily injury or to place another in fear for personal safety or well-being.

SECTION 4. Disciplinary Hearing and Due Process Rights for Students.

- a. Students who have committed serious violations of the Code of Conduct are referred to the Tribunal Panel for a disciplinary hearing. The purpose of the Tribunal Panel is to consider the evidence brought forth by the student and other witnesses to determine if the student has violated the Code of Conduct. The Tribunal Panel will be comprised of an odd number of individuals approved by the Executive Director and may include an authorized hearing officer.
- b. At the Tribunal, the student, parent/guardian, Executive Director, and other student(s) or staff involved in the incident may provide evidence or context concerning the student or the incident.
- c. The Tribunal will afford sufficient due process to students. Consistent with *Goss v. Lopez*, 419 U.S. 565 (1975), its progeny, and other relevant federal and state law, the level of due process will depend on the severity of the infraction.
- a. The Tribunal Panel has discretion to take any action consistent with the following directives.
 - i. For an infraction that warrants suspension from school for fewer than ten days (“**Short-Term Suspension**”), the Tribunal Panel will advise a student of the nature of the misconduct and allow the student an opportunity to be heard, absent exigent circumstances requiring immediate action to prevent danger to life or serious damage to property.
 - ii. For any infraction that warrants suspension from school for ten days or longer or expulsion (“**Long-Term Suspension**”), the Tribunal Panel will

afford a student, at a minimum:

1. written notice of the charges within 24 hours of the occurrence of the infraction;
 2. an explanation of the evidence; and
 3. the time and date of a hearing, which will occur no later than ten (10) days after the beginning of the suspension unless the parent and the School mutually agree to an extension or the conduct of the student or parent causes a delay beyond said ten (10)-day period.
- iii. In preparation of the student's hearing, the student and such student's parent or guardian will be notified of the opportunity to have legal counsel present, and at the hearing, the student will have the opportunity to call witnesses and the opportunity to cross-examine witnesses.
- iv. After the hearing, the Tribunal Panel will determine the appropriate consequence or consequences based solely on the evidence presented at the hearing. The Tribunal Panel's decision will be based solely on the evidence presented at the hearing. If the Tribunal Panel determines that the student has violated the Code of Conduct, the Tribunal Panel may impose a range of sanctions that include conditional reinstatement into the School and permanent expulsion from the School.
- v. The Tribunal Panel will provide the student with an opportunity to appeal the decision within seven (7) days after the student receives notice of the Tribunal Panel decision.
- vi. The Board will hold a hearing to address the appeal within ten (10) days after receiving notice of the appeal. A student will never be subject to any disciplinary action due to the action or inaction of such student's parent or guardian. After an appeal to the Governing Board, the student will be informed of his or her right to appeal to the State Board of Education.
- b. In addition, the School's student discipline procedure for Long-Term Suspensions and expulsions complies with all state and federal laws, rules and regulations relating to due process for students receiving accommodations under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq. (504 Plan), and/or an Individualized Education Plan (IEP) pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.
- i. For such students, the Executive Director will convene a review committee to determine whether the student's misconduct was a manifestation of such student's disability. If the review committee determines that the student's misconduct was a manifestation of the student's disability, the School will conduct or amend a functional behavioral assessment and will implement or amend a behavior intervention plan. If the review committee determines, on the other hand, that the misconduct was not a manifestation of the student's disability, then the student will be disciplined in the same manner as any student without a disability, and the School will continue to provide services

in accordance with such student's 504 Plan or IEP. Notwithstanding anything to the contrary above and consistent with Section 300.530 of IDEA, school personnel may remove a student with a disability from the School for up to forty-five (45) days prior to the review committee's assessment of whether the student's misconduct was a manifestation of the student's disability if the child:

1. Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of the Georgia Department of Education or the School;
2. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of the Georgia Department of Education or the School; or
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the Georgia Department of Education or the School.

Approval

Policy Approval Date: 3/18/2021

Policy Effective Date: 3/18/2021

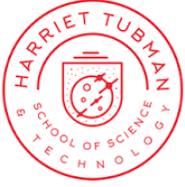


EXHIBIT C

State Mandated Process Policy

Attached.

**3825 Old Gordon Road NW
Atlanta, GA 30336
(678) 705-2307**



Harriet Tubman School of Science and Technology

Policy Regarding Student Reporting of Acts of Sexual Abuse or Sexual Misconduct

In accordance with the requirements found in O.C.G.A. § 20-2-751.7, the School complies with the Professional Standards Commission's state mandated process for students to follow when reporting instances of alleged inappropriate sexual behavior by a school employee.

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 system employee is urged to make an oral report of the act to any teacher, counselor, or administrator at the School.

Any teacher, counselor, or administrator receiving such a report shall make an oral report of the incident immediately by telephone or otherwise to the Executive Director and shall submit a written report of the incident to the Executive Director within 24 hours. If the Executive Director is the person accused of the sexual abuse or sexual misconduct, the oral and written reports should be made to the State Charter School Commission.

The Executive Director who receives a report of abuse as defined in O.C.G.A. § 19-7-5 shall make an oral report immediately, but in no case later than 24 hours from the time there is reasonable cause to believe a child has been abused. The report should be made by telephone and followed by a written report to a child welfare agency providing protective services, as designated by the Department of Human Resources, or, in the absence of such agency, to the appropriate police authority or district attorney.

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 or § 20-2-1184 shall be investigated immediately by the School. If the investigation of the allegation of sexual misconduct indicates a reasonable cause to believe that the report of sexual misconduct is valid, the Executive Director shall make an immediate written report to the State Charter School Commission and the Professional Standards Commission Ethics Division.

"Sexual abuse" means a person's employing, using, persuading, inducing, enticing, or coercing any minor who is not that person's spouse to engage in any sexual act as defined in O.C.G.A. 19-7-5.

"Sexual misconduct" includes behavior by an educator that is directed at a student and intended to sexually arouse or titillate the educator or the child. Educator sexual misconduct by an educator may include, but is not limited to, the following behavior:

1. Making sexual comments, jokes, or gestures.
2. Showing or displaying sexual pictures, photographs, illustrations, or messages.
3. Writing sexual messages/graffiti on notes or the internet.
4. Spreading sexual rumors.
5. Spying on students as they dress, shower, or use the restroom at school.
6. Flashing or "mooning" students.
7. Touching, excessively hugging, or grabbing students in a sexual way.
8. Forcing a student to kiss him/her or do something else of a sexual nature.

9. Talking or asking about a student's developing body, sexuality, dating habits, etc.
10. Talking repeatedly about sexual activities or sexual fantasies.
11. Making fun of your body parts.
12. Calling students sexual names.

Approval

Policy Approval Date: February 18, 2021

Policy Effective Date: February 18, 2021

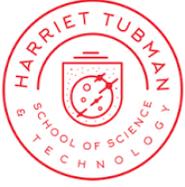


EXHIBIT D

Bullying Policy

Attached.

**3825 Old Gordon Road NW
Atlanta, GA 30336
(678) 705-2307**



Harriet Tubman School of Science of Science and Technology

Bullying Policy

Purpose

This policy addresses the importance of a safe and healthy school environment. All schools and employees should promote mutual respect, tolerance, and acceptance among students, staff members, and volunteers. Behavior that infringes on the safety or well-being of any student, including bullying as defined in state statute, will not be tolerated. The prohibition of bullying shall be included in the Student Handbook.

Duration

This policy is permanent.

Policy

SECTION 1. Definition of Bullying

The term “bullying” means an act that occurs on school property, on school vehicles, designated school bus stops, or at school-related functions or activities, or by use of or software that is accessed through a computer, computer system, computer network, other electronic technology provided by the School, and includes the following:

- a. Any willful attempt or threat to inflict injury on another person when accompanied by an apparent present ability to do so.
- b. Any intentional display of force that would give the victim reason to fear or expect immediate bodily harm.
- c. Any intentional written, verbal, or physical act, which a reasonable person would perceive as being intended to threaten, harass, or intimidate, that has any one of the following effects:
 - i. Causes another person substantial physical harm within the meaning of O.C.G.A. § 16-5-23.1 or visible bodily harm as such term is defined in O.C.G.A. § 16-5-23.1.

- ii. Substantially interferes with a student's education
- iii. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment
- iv. Substantially disrupts the orderly operation of the school

The term also applies to acts of cyberbullying which occur through the use of electronic communication, whether or not the electronic act originated on school property or with school equipment, if the electronic communication (1) is directed specifically at students or school personnel, (2) is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school, and (3) creates a reasonable fear of harm to the students' or school personnel's person or property or has a high likelihood of succeeding in that purpose.

Retaliation against any complainant or any participant in the complaint process is also prohibited.

SECTION 2. Reporting, Investigation, and Notification Procedures

- a. All students and/or school employees shall immediately report incidents of bullying, harassment, intimidation, and retaliation to the Executive Director.
 - i. The Executive Director shall maintain a method for anonymous reporting of such incidents.
 - ii. Each report of bullying shall be documented and promptly investigated, and result in consequences given appropriate to the situation and in accordance with state law.
 - iii. Parents/legal guardians shall be notified upon a finding that a student has committed an act of bullying or been a victim of an act of bullying.
- b. Reported incidents of bullying, harassment, intimidation, or retaliation that have occurred outside the jurisdiction of the School and have not disrupted the school environment shall be reported to the students' parents/legal guardians.

SECTION 3. Disciplinary Procedures

Disciplinary actions for incidents of bullying will be decided according to the guidelines set forth in the Student Discipline policy.

Approval

Policy Approval Date: February 18, 2021

Policy Effective Date: February 18, 2021