Cherokee County School District

Agenda Request Form

Meeting Date	Agenda Item Number
June 16, 2022	C-1

Title

Substantive Modifications to School Board Policies (7) - - on First Reading

Requested Action

School Board Consideration of Superintendent's Recommendation for Approval of Substantive Modifications to School Board Policies (7) - - on First Reading

Summary Explanation and Background

As part of this year's Policy review process, an annual staff and legal review of School Board Policies was conducted to ensure continued alignment with State and Federal Laws/regulations. The attached substantive modifications to seven School Board Policies are recommended by the Superintendent for School Board approval on first reading.

Policies include:

- Public Participation in Board Meetings (BCBI)
- Possession and Use of Weapons (GAMB)
- Health Education (IDB)
- School Admissions (JBC)
- Absences and Excuses (JBD)
- Students Records (JR)
- Parents Organizations (LEB)

Priority Area

Organizational and Operational Effectiveness

Financial Impact

N/A

Exhibits: (List)

Policies (7)

Source of Additional Information

Dr. Brian V. Hightower, Superintendent of Schools	770.479.1871
Mike McGowan, Chief of Staff	770.479.1871
Tom Roach, School Board Attorney	770.479.1406

The Cherokee County Board of Education welcomes visitors at its meetings in order to hear any interested citizen of the School District pursuant to the guidelines outlined in this policy.

Public Participation Session

As a part of the regularly-scheduled monthly School Board meeting an Open Session not to exceed 30 minutes (which may be extended by majority vote of the School Board) will be conducted to hear from any interested citizen and/or student or employee of the School District.

Procedures for Speaking Before the School Board during the Public Participation Session

Individuals desiring to appear before the School Board must first complete a sign-in questionnaire which will be available ~~at the beginning of~~ prior to the meeting. The questionnaire is intended to record the speaker's name, address, email address, phone number and other information to allow the School District to follow up with the speaker, if necessary. The Superintendent of School's designee will provide the questionnaire to prospective speakers and be available to answer questions regarding procedures. Any materials the speaker desires the School Board to receive related to his/her remarks will be given to the Superintendent's designee at this time for distribution to the School Board.

Speakers will be called to speak randomly by the Chair and receive three minutes to speak before the School Board. The total time allocated for the Public Participation Session will not exceed 30 minutes. The Chair may equally vary the individual speaker's allocated time in order to as allow as many speakers as possible during the 30-minute session. Speakers may not gain an additional opportunity to speak by reserving or dividing their allotted time for another speaking occasion and may not pass their allotted time to other speakers. The Chair will ask the Superintendent to designate an official timekeeper.

Speakers should conduct themselves professionally. The School Board will not allow comments determined to be disruptive. Comments from the floor will not be recognized. Any persons creating a disruption may be asked to leave the meeting. Public comments that are obscene, profane or vulgar will not be allowed. Speakers determined to be disruptive by the Board Chair may be removed from the meeting after one warning.

If appropriate, the Superintendent will have a response communicated to the speaker.

Agenda Item Participation

Citizens and/or employees may sign up to address the School Board regarding any pending agenda item. ~~As the School Board develops its consent agenda, the Chair will ask if any member of the audience wishes to address any pending agenda item. In order to be recognized, the audience member must provide their name, address, email address and phone number.~~ When the agenda item is reached, the Chair will first entertain a motion followed by a second regarding the agenda item. The Chair will then solicit question and comments by members of the School Board. Unless the motion and second made are to table the agenda item, the Chair will then recognize the audience member to address the School Board for no more than three

minutes. The Chair may limit the allocated time depending upon the number of audience members wishing to participate. In no event will Agenda Item Participation exceed 30 minutes.

Prohibited Discussion Topics

Public Participation and Agenda Item Participation Speakers may not address the following topics which are excluded by the Open Meetings Act (O.C.G.A. §§ 50-14-1 et seq.) or cause disruption. This includes, but may not be limited to, certain land, legal, student disciplinary or personnel items.

1. Real property acquisitions
2. Attorney/Client Privilege
3. Personnel or employees: because of the potential to disrupt a public meeting, speakers may not make unsubstantiated claims regarding a specific or identifiable employee or official.
4. Specific students: (See, for example, Family and Educational Rights Privacy Act, 20 U.S.C. § 1232g).

In addition, the following rules will be followed when appearing before the School Board.

1. The speaker will state his/her name and address (address only if response requested).
2. All remarks will be made to the School Board as a body and not to an individual School Board member.
3. ~~No person will be allowed to make obscene, derogatory, or slanderous remarks while addressing the School Board. Any School Board member may stop comments.~~ The Board Chair or a majority of the School Board present may terminate public comments that are obscene, profane or vulgar.
4. No person will be allowed to disrupt or interfere with procedures.
5. Remarks will end when the speaker's allotted time has expired.
6. Questions from School Board members or the Superintendent may be asked for clarification; however, no person from the floor will be permitted to enter into any discussion either directly or through any member of the School Board.

Any person who willfully violates these guidelines may forfeit the remainder of his/her speaking time.

ADOPTED: August 2, 2001
REVISED: ~~July 16, 2020~~ June/July 2022

Cherokee County Board of Education

In keeping with Cherokee County Board of Education's Major System Priority of providing a safe and secure environment for teaching and learning, and except as permitted by the Official Code of Georgia, *O.C.G.A. §16-11-127.1,* it is unlawful for any person to possess, carry or have within their control while within a school safety zone, at a school function, or on a school bus or other transportation furnished by a school any weapon or explosive compound.

Although, the Official Code of Georgia, O.C.G.A. §16-11-135 provides that employees of the School District who possess a valid Georgia weapons carry permit or are otherwise authorized by Georgia law to possess a firearm may park privately owned motor vehicles on the employer's premises with a firearm, ammunition, or both contained therein so long as the firearm is locked out of sight within the trunk, glove box, or other enclosed compartment or area within the privately owned motor vehicle. The School District strongly discourages such practice.

I. Definitions

Firearm: Any handgun, rifle, shotgun, or other weapon which will, or can be converted to expel a projectile by the action of an explosive or electrical charge.

School function: A school function or related activity that occurs outside of a school safety zone. (e.g. school prom, field trip, organized sporting activity, school board meeting).

School Safety Zone: Any real property or building owned by or leased to any public or private elementary school, secondary school, or local board of education and used for elementary or secondary education.

Weapon as defined by *O.C.G.A. §16-11-127.1 (4)* means and includes: " . . . any pistol, revolver, or any weapon designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, spring stick, metal knucks, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any weapon of like kind, and any stun gun or taser as defined in subsection (a) of Code Section §16-11-106." [Dangerous Weapon is defined in O.C.G.A. §16-11-121.]

Since all Cherokee County School Board buildings are utilized for elementary and secondary education or host School Functions this definition, along with a notice prohibiting weapons will be posted by appropriate signage near the main entry way of each school and school district facility.

II. Authorization & Restrictions

Notwithstanding the exemptions prescribed within *O.C.G.A. §16-11-127.1(c) and §16-11-130(c)(2),* the Board enacts the following for purposes of this policy:

A. School District Employees

School District Police Department employees who are trained and certified by the Georgia Peace Officer Standards and Training Council (GPOSTC) are exempt from the restrictions hereof while acting in their official capacity in the performance of their official duties.

School District employees who because of business necessity are, or may be, required to carry or use knives, box cutters, razor blades, or other similar tools or implements, are exempt from the restrictions hereof so long as these implements are used in accordance with daily business practices.

The Cherokee County School District Chief of Police has been designated by the Superintendent of Schools to authorize an employee, parent, legal guardian or any other person to possess and utilize a firearm, weapon or other similar device within a school safety zone for classroom display or other similar purposes. No other District employee may authorize such use. This does not apply to a student enrolled within the School District.

School District employees are required to inform the principal/workplace supervisor or designee and obtain written permission from the School District Chief of Police for the intended educational possession of any weapon, firearm or other similar device for classroom work thirty days prior to such use and must specify the weapon, or weapons to be authorized and the time period during which the authorization is valid. Teachers are not permitted to authorize, allow or permit a student or any other person to possess or use any firearm or weapon as defined in Section I of this policy for classroom or other similar purpose.

The School District has previously authorized "sworn" Cherokee County School District Police Officers to possess and carry weapons within the School Safety Zone. No other School District employees are permitted to carry weapons within the School Safety Zone other than provided herein above without the express written permission of the Cherokee County School District Chief of Police.

Except for weapons maintained within Cherokee County School Police vehicles, firearms are not permitted in any vehicle leased or owned by the School District.

B. Parents, Legal Guardians, Visitors

As a result of the eminent danger posed by the unintentional discharge of weapons and/or the potential theft of unsupervised weapons, visitors to any Cherokee County

School District facility are encouraged not to bring weapons onto school district property even if permitted by law.

Firearms may **not** be carried by any parent, legal guardian or visitor outside of the vehicle even though such individuals may hold a valid weapons carry license or other permit to carry a firearm issued by the State of Georgia, ~~or~~ any other appropriate licensing body, or are otherwise authorized by Georgia law to possess a firearm. This prohibition does not apply to law enforcement officers or other public safety officials of any federal, state or local agency or other individuals permitted to carry weapons by O.C.G.A. §16-11-127.1 so long as they are in the performance of their official duties or individuals possessing proper documentation or credentials as described in O.C.G.A. § 16-11-130(c)(2).

Those persons who believe they meet the requirements set forth in O.C.G.A. § 16-11-130(c)(2) ~~must~~ may provide adequate documentation upon the request of a school official showing they meet and are qualified to possess a firearm pursuant to the code section.

Pursuant to state law, firearms and weapons are to be stored in a locked compartment, a locked container, or a locked firearms rack in any privately owned vehicle of any parent, legal guardian, or visitor while parked (unattended) at any school district facility so long as they have a valid weapons carry license or ~~other permit~~ are otherwise authorized by Georgia law to possess a firearm. As a result of the associated danger, as well as the potential for theft, individuals permitted to carry weapons are strongly encouraged to secure weapons in a locked compartment out of sight or to not bring firearms or weapons into the school safety zone.

Except as otherwise permitted, firearms, weapons or explosive compounds ARE NOT permitted inside any building or facility owned or leased to/by the School District.

C. Contract Services

Contract Service providers (including, but not limited to, construction companies, paving companies, telecommunication providers, and others who are performing and/or working on any School District property) are exempt under the following conditions:

(1) Tools and/or other implements are used by the contract service provider or their employees because of business necessity to complete the scope of work and when not in use, said tools and/or implements will be properly secured or removed from the work site location.

(2) The Office of Support Services must be notified a minimum of five (5) days prior to the use of any explosive compound used by the contract service provider or their employees on, or at any existing School District property or facility where students and staff may be present.

III. Searches

Searches are subject to Fourth Amendment protections in the United States Constitution; however, nothing in this policy shall preclude the right of school officials and/or law enforcement officers to search a privately owned or school district vehicle, when necessary, to prevent an immediate threat to human health, life, or safety, or when there is sufficient cause to believe the vehicle contains contraband.

Persons found in violation of this policy may be subject to applicable criminal penalties; School District employees may also be subject to further disciplinary action.

ADOPTED: **August 21, 2008**
REVISED: ~~**July 20, 2017**~~ **June/July 2022**

Cherokee County Board of Education

The Cherokee County Board of Education recognizes health as a distinct discipline essential to the developmental needs of students at every educational level in their primary years through their secondary school experiences.

Health education is an integral part of each student's total school experience and will be developed in compliance with state standards.

I. CURRICULUM REQUIREMENTS:

1. The School District will develop and implement an accurate, comprehensive health program that includes information and concepts in the following areas:

   a. ~~Alcohol and other drug use;~~ Alcohol, tobacco, vapes, vapor products and other drug use;
   b. Disease prevention;
   d. Nutrition;
   e. Personal health;
   f. Sex education/AIDS education;
   g. Sexual assault and abuse awareness and prevention;
   h. Human Trafficking Awareness
   ~~h.~~ i. Safety;
   ~~i.~~ j. Mental health; and,
   ~~j.~~ k. Growth and development.

2. Cardiopulmonary Resuscitation (CPR):

   In accordance with State Board of Education rule, instruction in CPR and the use of an automated external defibrillator (AED) will be provided as a requirement in the health education program at each high school.

II. INSTRUCTIONAL MATERIAL REVIEW AND PARENTAL PERMISSION:

Sex education and AIDS education ~~will~~ is required to be a part of a comprehensive health program. In order to make an informed decision, ~~P~~prior to the parent or legal guardian making a choice to allow his/her child to take these specified units of instruction, ~~he/she~~ the parent or legal guardian will have the opportunity to review all instructional materials to be used, print and non-print.

The Superintendent will establish administrative guidelines necessary to provide for implementation of this Policy.

ADOPTED: ~~**July 16, 2020**~~ **June/July, 2022**

Cherokee County Board of Education

STUDENT ENROLLMENT AND WITHDRAWAL

The Cherokee County Board of Education is committed to providing equal educational opportunities to all students within its jurisdiction. In accordance with Georgia law, requirements for parental/legal guardianship, Powers of Attorney, students' ages, admissions information and enrollment are outlined in this Policy.

I. DEFINITIONS

Active Duty: the full-time duty status in the active uniformed services of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Sections 1209 and 1211.

Attend: a student's physical or virtual presence in the educational programs for which he or she is enrolled.

Case Management Consultation (CMC): a consultation by a school social worker or case manager in which a process is used to discover whether any transition problems exist and whether any services are necessary for a child placed by the Department of Human Services (DHS) or Department of Juvenile Justice (DJJ).

Child Agent: a Nonrelative Attorney in Fact~~, Kinship Caregiver~~ or Grandparent (given a Power of Attorney for a grandchild prior to August 30, 2018 who meet the requirements of the now repealed "Power of Attorney for the Care of a Minor Child Act.") who are given an educational Power of Attorney by a parent that meets the requirements of the "Supporting and Strengthening Families Act", O.C.G.A. § 19-9-120, *et seq*.

Child of Military Families: a child enrolled in kindergarten through grade 12, in the household of an active duty military member.

Department of Behavioral Health and Developmental Disabilities (DBHDD): an agency which provides specified services for children who have been admitted or placed according to an individualized treatment or service plan directed by DBHDD.

Department of Human Services (DHS): an agency which provides specified services and placement for children who have been remanded to the physical or legal custody of DHS either temporarily or permanently by a court or by voluntary agreement, or who have been admitted or placed according to an individualized treatment or service plan of DHS.

Department of Juvenile Justice (DJJ): the agency which provides supervision, detention and a wide range of treatment and educational services for youths referred to DJJ by the Juvenile Courts and provides assistance or delinquency prevention services for at-risk youths through collaborative efforts with other public, private and community entities.

Education For Homeless Children And Youths: Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 *et seq*.) requires each state to ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youth.

Emancipated Minor: a child or youth under the age of 18 who is no longer under the control or authority of his or her parents or guardians by operation of law or pursuant to a petition filed by the minor with the Juvenile Court and granted by a judge in Juvenile Court after the judge determines emancipation is in the best interest of the minor as provided in O.C.G.A. § 15-11-725.

Enroll: the registration of a student with the School District to attend school by a parent, guardian, or other person residing within this state having control or charge of any child, or the student (in the case of an emancipated minor), by providing the School District with appropriate documentation. Once enrolled, the student will be eligible to attend the assigned school.

Fictive Kin: an individual who is known to a child as a relative but is not in fact related by blood or marriage to such child and with whom such child has resided or had significant contact.

Grandparent: the parent and/or step-parent of a child's father or mother. This definition remains the same upon the death and/or the termination of parental rights of the birth parent.

Home Study: a program that allows parents or guardians to teach their children at home as provided in O.C.G.A. § 20-2-690 (c).

Homeless Child or Youth: children or youth who lack a fixed, regular, and adequate nighttime residence, including the following:

1. Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
2. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters; or
4. Abandoned in hospitals.
5. The following children are also included in the definition; however, this list is not exhaustive: children who 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; children who are living in cars, parks, public spaces, abandoned building, substandard housing, bus or train stations or similar settings; and migratory children who qualify as homeless because they are living in circumstances described above. (McKinney Vento Homeless Act 42 U.S.C. § 11431 *et seq.*).

Individualized Education Program (IEP): a written plan for each student with a disability that is developed, reviewed and revised in accordance with Individuals with Disabilities Education Act, 20 U.S.C. § 1414(d).

Individuals with Disabilities Education Act (IDEA): the federal law, codified at 20 U.S.C. § 1400, et seq., enacted to ensure that all students with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for employment and independent living; to ensure that the rights of students with disabilities and their parents are protected; to assist states, localities, educational service agencies and federal agencies to provide for the education of students with disabilities; and to assess and ensure the effectiveness of efforts to educate students with disabilities.

~~**Kinship Caregiver:** grandparent, great-grandparent, step-parent, former step-parent, step-grandparent, aunt, uncle, great aunt, great uncle, cousin, or sibling of such child ("Relatives") who have assumed responsibility for raising a child in an informal, noncustodial, or guardianship capacity.~~

Legal Custodian: a person who has been awarded permanent custody of a child by Court Order.

"in loco parentis:" term meaning "to assume the duties and responsibilities of a parent without a formal legal process."

"Other Person:" an adult at least 18 years of age or an emancipated minor at least sixteen years of age residing within the boundaries of Cherokee County who is not the parent or guardian of a child or children but stands *in loco parentis.*

Nonrelative Attorney in Fact: an individual who is known to a child but is not in fact related by blood or marriage to such child and with whom such child has resided or had significant contact who has been approved as an agent by a child-placing agency, a nonprofit entity or faith-based organization for a period not to exceed one year, except as provided in O.C.G.A. § 19-9-132, by executing a Power of Attorney in substantial compliance with the Supporting and Strengthening Families Act, O.C.G.A. § 19-9-120, *et seq.*,.

Parent: the legal father or the legal mother of a child. For purposes hereof the term Parent does not include a biological father who has not legitimated the child in question.

Reasonable Efforts: actions that a reasonable individual would find sufficient to determine whether one conclusion is more likely than the other.

Residency: occupying a dwelling located within Cherokee County where the student lives with a parent, guardian or other person, unless the student is an emancipated minor or homeless.

Withdraw: the removal of a student from the official roll of a Georgia public school.

Withdrawal Code: an official code which signifies the reason a student has withdrawn from a Georgia public school as defined in the guidelines and timelines published by the GaDOE.

II. STUDENT ENROLLMENT

A. Eligibility Age

Other than students specifically exempted by rule or by law, the following individuals will be eligible for enrollment in the School District:

1. Students who have attained the age of five by September 1 to enroll in the appropriate general education programs unless they attain the age of 21 by September 1 or they have received a high school diploma or the equivalent. Students who have dropped out of school for one quarter or more are eligible to enroll in the appropriate general education programs unless they attain the age of 20 by September 1.

2. Students with IEPs developed under the IDEA may attend public school until their 22nd birthday or until they receive a regular high school diploma.

3. Students who have attained the age of three years but are not yet eligible for kindergarten and who meet criteria for one or more of the disability categories as defined in Chapter 160-4-7 of the Georgia Special Education Rules are considered eligible for pre-school special education programs and related services. These disability categories are autism, deaf/blind, emotional and behavioral disorder, hearing impairment, intellectual disability (mild, moderate, severe, or profound), orthopedic impairment, other health impairment, severe emotional and behavioral disorder, significant developmental delay, specific learning disability, speech-language impairment, traumatic brain injury and/or visual impairment.

4. Students who were legal residents of one or more other states or countries for a period of two years immediately prior to moving to Georgia and were legally enrolled in a public kindergarten or first grade accredited by a state or regional association or the equivalent thereof, are eligible for enrollment in the appropriate education program if the child attains the age of five for kindergarten or six for first grade by December 31 and the child is otherwise eligible for enrollment as prescribed in O.C.G.A. § 20-2-150.

B. Required Documentation

1. Other than students specifically exempted by rule or by law, before allowing a student to enroll the Superintendent or designee will accept evidence in the order set forth below that shows the individuals date of birth:

   Primary Document:

   A certified copy of a birth certificate, certified hospital issued birth record or birth certificate;

   Secondary Documents:

   A military ID; valid driver's license; passport; adoption record; religious record signed by an authorized religious official; official school transcript; or,

   If none of these primary or secondary documents can be produced, an affidavit of age sworn to by the parent, guardian, grandparent, Child Agent or other person accompanied by a certificate of age signed by a licensed practicing physician, which certificate states that the physician has examined the child and believes that the age as stated in the affidavit is substantially correct.

2. During the enrollment process, the School District will require documentation of compliance with:

   A. The provisions of O.C.G.A. § 20-2-771 concerning the immunization of students, which includes an exception for religious grounds; and,

   B. The provisions of O.C.G.A. § 20-2-770 concerning nutritional screening and eye, ear, and dental examinations of students.

3. Upon presentation of the required documentation or evidence, a copy of the document will be placed in the student's record and the original document presented will be returned to the individual registering the student.

4. The School District will ensure that the employee or other designated individual responsible for care of homeless students will assist the homeless student in acquiring the necessary records for enrollment. Proof of residence is not required.

5. The School District will require a Child Agent, or grandparent ~~or kinship caregiver~~ empowered to enroll the child to produce the same documentation a parent would produce to enroll the child.

6. The following provisions apply to a child or children of military families.

A. In the event that official education records for a child cannot be released to the parents or legal guardian for the purpose of transfer, the School District will accept a complete set of unofficial educational records for a child prepared by the sending school and furnished to the parent or legal guardian.

   i. Upon receipt of such unofficial education records, the School District will enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records.

   ii. Simultaneously with the enrollment and conditional placement of the student, the School District will request the student's official education records from the sending school.

B. Students in the household of an active duty military member will be allowed to continue their enrollment at grade level in the local school system commensurate with their grade level, including kindergarten, from a local education agency in the sending school, regardless of age.

   i. A student who has satisfactorily completed the prerequisite grade level in the local education agency in the sending school will be eligible for enrollment in the next highest grade level in the receiving school, regardless of age.

   ii. The School District will initially honor placement of the student in educational programs based on current educational assessments conducted at the school in the sending school or participation or placement in similar programs based on current educational assessments conducted at the sending school or participation or placement in similar programs in the sending school. Such programs include, but are not limited to: gifted and talented programs, and English as a second language.

   iii. Nothing in this section will preclude the receiving school from performing subsequent evaluations to ensure appropriate placement of the student.

C. The School District will not charge local tuition to a transitioning military child placed in the care of a noncustodial parent or other person standing *in loco parentis* who lives in a jurisdiction other than that of the custodial parent.

7. Pursuant to O.C.G.A. § 20-2-150, before the final enrollment of a student to a publicly-funded Georgia school is complete, the individual registering the student will provide a copy of the enrolling student's Social Security number to the proper school authorities or will complete and sign a form stating the individual does not wish to provide the social security number. The School

District will ensure that student Social Security numbers are treated in the same confidential manner as all other records and in accordance with the Family Educational Rights and Privacy Act (FERPA).

8. A student will be identified in the local Student Information System (SIS) and in the Georgia Department of Education official data collection and reporting systems by the student's legal name as it appears on the documentation submitted for age verification or in a court order changing the student's name.

C. Residency Requirements

1. Except as may be provided herein to the contrary, in order to enroll in the School District, students must reside in Cherokee County with their parent(s), or guardian(s) or Child Agent. Students and their parent(s)/guardian(s)/Child Agent must remain residents of Cherokee County for the entire period of enrollment in the School District. For enrollment purposes, a resident is defined as an individual who is a full-time occupant of a residential dwelling located within the Cherokee County who, on any given school day, is likely to be at their stated address when not at work or school. A person who owns property in the county, but does not reside in the county, is not considered a resident for these purposes.

2. Pursuant to O.C.G.A § 20-2-293(d) a full-time School District employee who is the parent/guardian/Child Agent of a child otherwise eligible to enroll in school is not required to meet the residency requirements of this policy and will be allowed to enroll his/her student in the School District regardless of residence.

3. Except as may be otherwise provided herein the parent, guardian or Child Agent will provide the following proof of residency at the time of enrollment:

   A. For property owners, a current residential property tax statement (if there is no tax bill, then the purchase/closing information for the residence can be used). The record must include the name of the parent/guardian/Child Agent.

   B. For renters, a lease or rental agreement; and (2) a School District-designated affidavit signed by the property owner which will allow for appropriate verification of residency.

   C. For those individuals sharing a residence with others: School District-designated Occupant Affidavit signed by the parent/guardian/Child Agent, as well as the permanent occupant of the residence. If the permanent occupants are renters, then the property owner's signature on the affidavit will also be required.

   D. A School District employee may visit the address given by any parent/guardian/Child Agent to verify residency. The property address given by the parent/guardian/Child Agent must be the actual location where the student and parent/guardian live full time.

D. Persons Authorized to Enroll Children

Under the provisions stated in O.C.G.A. § 20-2-690.1, a parent, legal guardian, or certain other person has the authority to enroll a student in the School District. Persons enrolling a student in the School District will be required to provide proper identification.

1. A person who is *in loco parentis* of a homeless child, as defined in the McKinney-Vento Homeless Act 42 U.S.C. § 11431 *et seq.*, will be allowed to enroll the child immediately with full participation in all school activities whether or not appropriate documentation can be provided at the time of enrollment.

   Upon determining that a student is homeless, as defined by the McKinney-Vento Homeless Assistance Act, the child must be allowed to either remain in the attendance area in which he or she was enrolled prior to becoming homeless or enroll in the attendance area where he or she is now located.

2. DHS or DJJ representatives: the School District will immediately enroll a student in the physical or legal custody of DHS or DJJ or a student placed by the DHS, DBHDD or DJJ in a residential facility located within the School District's jurisdiction, pursuant to O.C.G.A. § 20-2-133(b).

   Upon notification by DJJ that a student will be enrolling in the School District, the School District will enroll the student in his or her home school, as opposed to an alternative educational setting unless the case management consultation team concludes that the best placement for the child would be the alternative setting. Any placement made pursuant to an IEP team will take precedence.

3. ~~Kinship Caregiver~~ The Child Agent or Nonrelative Attorney in Fact: pursuant to the Supporting and Strengthening Families Act (the "Act"), O.C.G.A. § 19-9-120, *et seq.*, a parent of a child may delegate caregiving authority regarding such child to an individual who is an adult, who resides in Georgia, and who is the grandparent, great-grandparent, step-parent, former step-parent, step-grandparent, aunt, uncle, great aunt, great uncle, cousin, or sibling of such child (~~"Kinship Caregiver"~~ "Child Agent") or is a nonrelative who is approved as a Nonrelative Attorney in Fact by a child-placing agency or a nonprofit entity or faith-based organization for a period not to exceed one year, except as provided in O.C.G.A. § 19-9-132, by executing a Power of Attorney in substantial compliance with the Act.

   a. This Power of Attorney must be signed by both the parent and the individual accepting care of the child. Both signatures must be notarized as indicated on the Power of Attorney. In addition, a copy of the Power of Attorney must be filed by the parent, or his/her designee, with the Cherokee County Probate Court.

   b. In order to enroll a student in the School District, the ~~Kinship Caregiver~~ Child

Agent or Nonrelative Attorney in Fact (collectively "Child Agents") must provide the local school a copy of the Power of Attorney and proof the Power of Attorney has been filed with the Cherokee County Probate Court. In addition, the Agent must also provide all other documentation needed for student enrollment. Except as it relates to Grandparents given a Power of Attorney prior to August 30, 2018, the Power of Attorney must be renewed annually (at the beginning of each school year).

c. Upon transmitting to a school an executed Power of Attorney in compliance with O.C.G.A. § 19-9-120, the Child Agent named in the Power of Attorney will serve as the school's point of contact for the child regarding truancy, discipline and educational progress for as long as such affidavit will continue to be in effect.

d. The decision of a Child Agent to consent to or refuse educational services or medical services directly related to academic enrollment or any curricular or extracurricular activities for a child residing with the Child Agent will be superseded by any contravening decision of a parent or a person having legal custody of the child, provided that the decision of the parent or legal custodian does not jeopardize the life, health, safety or welfare of the child.

e. If a child ceases to reside with ~~an~~ a Child Agent for a period in excess of 30 days, such Child Agent will, no later than 30 days after such period, notify all parties to whom he or she has transmitted the Power of Attorney or to whom he or she has caused the Power of Attorney to be transmitted that the child(ren) is no longer in the Child Agent's care.

f. Any individual who knowingly provides false information in executing the Power of Attorney required by this article commits the offense of false swearing within the meaning of O.C.G.A. § 16-10-71 and will be subject to the penalties prescribed by such Code section.

g. In accordance with O.C.G.A. § 19-2-132, Grandparents with a Power of Attorney executed on or before August 30, 2018 may enroll their grandchild without court approval, in the school located in the attendance area in which the grandparent resides if the specific conditions set forth in the now repealed "Power of Attorney for the Care of a Minor Child Act," are met. If the grandparent's Power of Attorney was properly executed before August 30, 2018, it will have an unlimited duration.

E. Provisional Enrollment Conditions

1. Other than students specifically exempted by rule or by law, a student will be enrolled on a provisional basis and allowed to attend school for 30 calendar days while awaiting evidence of age, residence, or other local requirements. The provisional enrollment period may be extended for extenuating circumstances.

A. Unless the time is extended, if evidence is not provided within this period, the Superintendent or designee will mark the student withdrawn at the end of the 30th day.

B. The Superintendent or designee will notify the individual who registered the student at least 10 calendar days prior to the withdrawal of the student.

i. The individual who registered the student will be considered noncompliant and subject to all penalties as prescribed in O.C.G.A. § 20-2-690.1.

ii. The Superintendent will report violations of these provisions to the appropriate authorities for adjudication.

2. O.C.G.A. § 20-2-150 (c) concerning compulsory attendance of students prior to their seventh birthday does not apply to provisional enrollment.

3. Students pre-registering will not be eligible for provisional enrollment until the beginning of the attendance period of the school term for which the student is enrolling.

4. A student will not be denied enrollment if the student meets residency qualifications and otherwise would not be denied enrollment under O.C.G.A. § 20-2-751.1 and O.C.G.A. § 20-2-751.2 concerning student expulsion.

5. The provisions of O.C.G.A. § 20-2-670 regarding the transferal of discipline actions or felony convictions for students in grade seven and above will take precedence over any provisional enrollment.

F. Enrollment for Children of Military Families

1. A person who has been granted a special Power of Attorney, relative to the guardianship of a child of a military family and executed under applicable law, will be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.

   A transitioning military child, placed in the care of a noncustodial parent or other person standing in loco parentis whose residence is other than that of the custodial parent, may continue to attend the school in which he or she was enrolled while residing with the custodial parent.

2. A military student in this state will be allowed to attend any public school that is located within the school system in which the military base or off-base housing in which the student resides is located, provided space is available for additional enrollment. The parent will assume the responsibility for and cost of transportation of the student to and from the school.

3. The School District will establish a universal, streamlined process available to all students to implement these transfer requirements; and annually notify prior to each school year the parents, guardians or other person of each military student by letter, by electronic means, or by such other reasonable means in a timely manner of the options available as set forth in O.C.G.A. § 20-2-295.

G. Enrollment for Immigrant/Non-Visa Holder Students

The School District will accept students who are immigrants/non-visa-holders and who meet age and residency requirements and will not inquire about their legal status in accordance with U.S. Supreme Court Decision in Plyler v. Doe, 457 U.S. 202 (1982).

1. The School District is not responsible for making determinations regarding immigration and visa status. Rather, the U.S. Department of State (Office of Visa Services) and the Department of Homeland Security (U.S. Citizenship and Immigration Services) are responsible for making such determinations.

2. The School District may accept non-immigrant, foreign students on F-1 visas in accordance with the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Section 625 of Public Law 104-208).

3. The School District may accept non-immigrant, foreign exchange students on J-1 visas in accordance with the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87-256) as amended, 22 U.S.C. 2451, et. seq. (1988).

4. The School District will accept non-immigrant foreign students on derivative visas where they are the qualifying child of a non-immigrant student or exchange visitor (i.e. F-2, M-2, J-2).

5. The School District will accept non-immigrant, foreign students on B-1/B-2 visas and are not responsible for ascertaining whether or not seeking enrollment in school will violate the terms of the visa.

III. STUDENT WITHDRAWAL

A student may be withdrawn by a parent, guardian, <u>or</u> Child Agent ~~or kinship caregiver~~.

1. When a parent, guardian, or Child Agent withdraws a student with documentation of proof of enrollment in another school, the student's withdrawal date will be recorded as the last day of student attendance.

   A. If a student is under suspension or expulsion, on the date of withdrawal, the new school of enrollment will be notified of the terms of the suspension or expulsion.

B. If a student is an unemancipated minor who is older than the age of mandatory attendance as required in O.C.G.A. § 20-2-690.1(a) and who has not completed all requirements for a high school diploma, wishes to withdraw from school, the student must have the written permission of his or her parent/legal guardian/Child Agent prior to withdrawing and a conference must be held with the Principal or designee pursuant to O.C.G.A. § 20-2-690.1(e).

2. When a parent, guardian, or Child Agent does not withdraw a student from a current school according to School District Policy, the School District will withdraw the student.

   A. With proof of enrollment in a different school, other LEA, private school, or home study program, the date of withdrawal for a student will be the last school day of student attendance.

   B. With no proof of enrollment in another school, other LEA, private school, or home study program, a student will be withdrawn from a school after 10 consecutive unexcused absences or when the School District is provided documentation validating the student no longer resides in the school's attendance zone.

      i. The student withdrawal date will be the last day of attendance or the day the School District obtains documentation validating the student no longer resides in the school's attendance zone.

      ii. In the absence of the documented proof, the withdrawal code will indicate that the student was removed for lack of attendance.

      iii. The Superintendent or designee will notify the parent, guardian, or Child Agent if the School District plans to withdraw such student. Such notification will be by certified mail, return receipt requested.

3. A student who is not in attendance on the first day of school but expected based on prior year enrollment, will be withdrawn as a "no-show" student and will not be included in any enrollment or attendance counts.

   A. Students not in attendance on the first day of school but expected based on prior year enrollment will not accrue absences until the student is physically present and attending.

   B. Students withdrawn as a "no-show" will be recorded in the school's official records as unknown, unless the School District has proof that the student has enrolled in a different school, other LEA, private school, or home study program.

4. A student will be withdrawn from a school on the day the school receives documentation validating the student no longer resides in the school's attendance zone unless one of the following exceptions occur:

   A. School District Policy allows student to remain enrolled to complete the current school year.

   B. Student is allowed to remain enrolled based on O.C.G.A. § 20-2-293 (when a parent/legal guardian/Child Agent is a full-time employee of the School District) or O.C.G.A. §20-2-294 (the student has been granted a reassignment).

5. A student will not be withdrawn due to excused absences defined in SBOE Rule 160-5-1-.10 and O.C.G.A. § 20-2-690.1(c).

6. A student will not be withdrawn while receiving Hospital/Homebound services.

7. Pursuant to the provisions in 34 Code of Federal Regulations (C.F.R.) Part 200, a school will only use a withdrawal code which denotes that a student transferred if the School District has proof that the student enrolled in another school, other LEA, private school or home study program.

   A. Documentation must be in writing so that the transfer can be verified through audits or monitoring and maintained in the permanent student record.

   B. It is the responsibility of the Principal to ensure that all student withdrawal information is complete and accurate.

8. The following are acceptable forms of documentation when using withdrawal codes that are associated with students who transferred:

   A. For students transferring to a school within the School District or another Georgia LEA, proof will include the request for records from the receiving school, evidence of a transfer that is recorded in the State's student data collection system, or a letter from an official in the receiving school acknowledging the student's enrollment.

   B. For students transferring out of state or to a private school, proof will include the request for records from the receiving school, or a letter from an official in the receiving school acknowledging the student's enrollment.

   C. For students transferring to a home study program, proof will include a document signed by the parent indicating an intention to homeschool the child.

D. For students transferring to another country, a school or School District must have written confirmation that a student has emigrated to another country (34 C.F.R.§200.19(b)(1)(ii)(B)) but need not obtain official written documentation. If a parent informs a school administrator that the family is leaving the country, the school administrator may document this conversation in writing and include it in the student's file.

Authority
McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 *et seq*.), 10 U.S.C. Sections 1209 and 1211, O.C.G.A. § 15-11-725, O.C.G.A. § 19-9-132, O.C.G.A. § 19-9-120, *et seq.*, O.C.G.A. § 20-2-690 (c), 20 U.S.C. § 1400, et seq., O.C.G.A. § 20-2-150, *Plyler v. Doe,* 457 U.S. 202 (1982), Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Section 625 of Public Law 104-208), Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87-256) as amended, 22 U.S.C. 2451, *et seq.,* O.C.G.A. § 20-2-133(b), O.C.G.A. § 16-10-71, O.C.G.A. § 20-2-295, O.C.G.A. § 20-2-690.1, O.C.G.A. § 20-2-150, O.C.G.A. § 20-2-751.1, O.C.G.A. § 20-2-751.2, O.C.G.A. § 20-2-670, O.C.G.A. § 20-2-771, O.C.G.A. § 20-2-770, Family Educational Rights and Privacy Act (FERPA), State Board of Education ("SBOE") Rule 160-5-1-.07, O.C.G.A. § 20-2-293 , O.C.G.A. §20-2-294. 34 C.F.R.§200.19

ADOPTED: **August 2, 2001**
REVISED: ~~**July 16, 2020**~~ **June/July, 2022**

Cherokee County Board of Education

A. Introduction

The Cherokee County Board of Education recognizes that, in order to receive maximum benefit from the instructional program, students are expected to attend school each day. It is understood that good attendance habits positively impact the learning process. While administrators and teachers are responsible for providing quality instruction in an environment where learning can flourish, parents/guardians and students must assume responsibility for being punctual and attending school regularly.

Although circumstances may necessitate that a student be absent from school, the School District recognizes that optimal learning takes place when the student is present and involved in classroom activities. Unless the student is ill, suspected of being ill or has been exposed to a viral pathogen, it is important that parents/guardians make every effort to have their children attend school.

B. Lawful/Authorized Absences from Class/School

A student will not be absent from class or school or other required school activity except for illness, suspicion of illness, exposure to a viral pathogen or other providential cause. No student will encourage, urge or counsel other students to violate this policy.

As permitted under State law and State Board of Education Rules, a student's absence, tardy or early checkout may be excused for the following reasons:

a. illness suspicion of illness, exposure to a viral pathogen or when attendance in school would endanger their health or the health of others;
b. serious illness, viral illness or death of an immediate family member;
c. mandated by order of governmental agencies, including pre-induction physical examinations for service in the armed forces, or by a court order;
d. the observation of recognized religious holidays;
e. conditions that render attendance impossible or hazardous to one's health or safety; and,
f. registering to vote or voting, for a period not to exceed one day.

Additional Notes:

1. A student whose parent or legal guardian is in military service in the armed forces of the United States or the National Guard, and such parent or legal guardian provides documentation to the attention of the Principal that he/she has been called to duty for or is on leave from overseas deployment to a combat zone or combat support posting, will be granted excused absences, up to a maximum of five school days per school year, for the day or days missed from school to visit with his or her parent or legal guardian prior to such parent's or legal guardian's deployment or during such parent's or legal guardian's leave or to attend military affairs/sponsored events provided the student provides documentation prior to or immediately after the absence.

2. A student with an absence caused by an extraordinary hardship not defined under current Policy, can provide to the attention of the Principal a written excuse (as defined in the next subsection of this policy) for further consideration of the absence. In such cases, the Principal has the authority to deem such an absence as excused under current State Board Rule (160-5-1-.10).

For school attendance purposes, students will be counted present in the following circumstances:

a. attending school at least one-half of the instructional day;
b. serving as pages of the Georgia General Assembly (O.C.G.A § 20-2-692);
c. participating in the Student Teen Election Participation (STEP) program; or,
d. as a student in foster care, attending court proceedings related to that care (O.C.G.A § 20-2-692.2); or,
e. participating in 4-H activities.

C. Excuses

Excuses for absences will be provided by the parent/guardian in writing on the day the student returns to school, and will contain the student's name, date of the absence, reason for the absence and the signature of the parent/guardian. All written excuses will be evaluated by the Principal or designee to determine if the absence is excused or unexcused.

D. Requiring Medical Documentation for Absences

In the event that a student's personal illness or attendance at school endangers a student's health or the health of others, the school may require the student 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 student has excessive absences for health reasons, the school may require a physician's excuse in order to consider the absence as an excused absence. The school may ask for physician's excuses if one or more of the following conditions exist:

1. A persistent, systematic pattern of absences has been established (example –student is absent every Monday).
2. Seven or more days of absences have been accumulated during the semester.
3. Twelve or more days of absences were recorded the prior school year.

Physician's notes must be specific as to the number of days the illness is to be excused or must state when the student is expected to return to school.

E. Qualifying for Hospital/Homebound Instruction

If major sickness or injury occurs and the absence is lengthy, the student may receive credit by

instruction through application of the School District's hospital/homebound instructional process.

F. Make-Up Work

It is the expectation of the School District that all work missed due to absence will be made-up. Some work, by its very nature, is impossible to make-up and may necessitate alternative assignments. The Principal (or designee) is the final authority in determining alternative assignments.

The responsibility for arranging to complete work missed due to absence is to be assumed by the student and parent/guardian, in conjunction with the teacher. Make-up work is to be completed at the time specified by the teacher/Principal.

The time limit to complete missed work is not to exceed 10 school days after the date the student resumes attendance. Exceptions will be decided by the parent/guardian, student, teacher and Principal, with the Principal having the final decision.

Final course grades of students will not be penalized because of absences if the following conditions are met:

1. Absences are justified and validated for excusable reasons.
2. Make-up work for excused absences was completed satisfactorily.

G. Incentives for Good Attendance

Each individual school is responsible for providing incentives for good and perfect attendance.

H. Truancy, Parent Notifications and Reporting Protocol

Truancy is the act of willful and/or continued unexcused absences, tardies and/or early checkouts from school. Absences, tardies and early checkouts of this nature are unlawful within the State's compulsory attendance law and can result in penalties under that law. Students and parents/guardians are notified of the State's compulsory attendance law on an annual basis through the School District's Student/Parent Handbook.

Parents/guardians of students with five unexcused absences will be notified by the school regarding the consequences of such absences. After two reasonable attempts to notify the parent, guardian or other person who has charge of the student, the School District will send written notice via certified mail with return receipt requested, or first-class mail. Further parent notification will be made at 10 and 12 days of excused or unexcused absences.

Students with seven or more unexcused absences in a class per semester will be referred to a school social worker for truancy evaluation. An additional social work referral will be made at 15 excused or unexcused absences in a class per semester. It is the role of the school social worker to work collaboratively with the school, student and parents/guardians to resolve truancy issues. Schools may utilize a school-based attendance intervention meeting or school-

based truancy panel to address absenteeism. The school-based intervention team may include, but is not limited to, the Principal and/or his/her administrative designee, school counselor, social worker and the school nurse.

When all administrative actions taken to correct truancy have not had the desired effect, the school social worker may require families to attend the Cherokee County Truancy Panel and request them to sign a contract designed to help improve attendance, file proceedings in Cherokee County Juvenile Court for violation of the State's compulsory attendance law for students under 16 years of age or refer families to the School Police if proceedings need to be filed against parents for failure to send their children to school.

Chronically truant students will be referred each school year to the school social worker. School administrators will not assume that cases will be held over by the social worker for monitoring from one school year to the next. Some cases that have been referred to the Cherokee County Truancy Panel or to Cherokee County Juvenile Court may be held over; but an updated referral by the school may be requested.

I. Absence Notification Procedures

School personnel will monitor absences by following the steps below:

1.
~~1.~~ The School District~~'s Learning Management System~~ will send electronic notifications to parents/guardians after the 5th unexcused absence as well as the 10th and 12th days of excused or unexcused absences.
~~2. Student absentee phone calls are made to parents/guardians and documented in a log at each school.~~
~~3. The classroom teacher will invite the parents/guardians in for a conference immediately after the second unexcused absence has been recorded.~~
2.
~~4.~~ The school will notify the parent/guardian on the fifth unexcused absence that continued absences will result in a referral to the school social worker.
3.
~~5.~~ On the seventh unexcused and 15th excused or unexcused absence in any class during a semester, a referral to the school social worker will be filed.
4.
~~6.~~ After the seventh unexcused absence, a school-based attendance intervention meeting may be conducted.
5.
~~7.~~ The school social worker will notify the proper authorities if unexcused absences continue.

J. Additional High School Absence Procedures

Any student having seven or more excused, approved or unexcused absences in a semester will receive no credit for that class unless a waiver is granted by the School Attendance Committee.

However, students will not be denied credit for a course if they have seven or more excused absences in a semester when the following conditions are met: (1) the absences are validated by the School Attendance Committee as excused; (2) make-up work is satisfactorily completed; and, (3) a passing grade has been earned for course work during the semester. Eligibility for credit will be restored if recommended by the School Attendance Committee. The Principal has the final decision on this matter.

The Attendance Committee is a standing committee composed of five members appointed by the Principal and chaired by an administrator. The chair will vote only in case of a tie.

~~A high school student under the age of 16 who has seven or more unexcused absences in a semester or 14 or more unexcused absences in a year will be referred to the school social worker.~~

K. Student Withdrawals and Notification

Any student who is absent unlawfully either 10 consecutive days or 40 total days in a school year, is beyond the compulsory attendance age or is not receiving instructional services from the School District through hospital/homebound instruction or instructional services required by the Federal Individual with Disabilities Education Act (IDEA), may be withdrawn. The Principal has the discretion of entering or re-entering in the present grading period any student 16 years old or older, who has failed to attend for unlawful reasons.

In the case of a school's plan to withdraw a student, the Principal will use reasonable measures to notify the parents/guardians if the student is not 18 years old.

L. Driver's License/Learner's Permit Denial

The School District will establish appropriate protocol relative to State law regarding the documentation of students who are enrolled in the School District and not under an expulsion for purposes of denial or suspension of driver's licenses/leaner's permits.

ADOPTED: **August 21, 2008**
REVISED: ~~**July 16, 2020**~~ **June/July, 2022**

Cherokee County Board of Education

It will be the policy of the Cherokee County Board of Education to protect the confidentiality of personally-identifiable information in student educational records in compliance with the Federal Government's Family Educational Rights and Privacy Act (FERPA). FERPA applies to directory information authorized for release in writing by the parent, legal guardian or eligible student, pursuant to valid subpoena or judicial order after written notification to the parent, legal guardian or eligible student, or as otherwise specified by State or Federal Law. The School District will annually notify all students and parents of their FERPA rights, including the right of the parent, legal guardian or eligible student to access their child's/their educational records as provided below in this Policy.

STUDENT EDUCATIONAL RECORDS

Definition

A. Educational Records:
Any record, file, document or other material that contains information directly related to a student and that is maintained by the School District or a person acting on behalf of a School District. 20 U.S.C. § 1232g(a)(4)(A). Possible exclusions to educational records are discussed in 20 U.S.C. § 1232g(a)(4)(B).

B. Confidentiality:
Information which is part of the educational record of a student will be held in strict confidence. The School District will use reasonable methods to ensure that school officials obtain access to only those educational records in which they have legitimate educational interests.

Challenging Content of Student Educational Records

A parent, legal guardian or eligible student may challenge the contents of their/their child's educational records as defined above and request corrections if entries on the educational records are believed to be inaccurate, misleading, or otherwise in violation of the privacy rights of the student. 34 CFR § 99.20(a). A request to correct a student educational record must clearly identify the part of the educational record in question; and specify why the educational record is believed to be inaccurate, misleading or a violation of the student's privacy.

A. If the parent, legal guardian or eligible student wishes to challenge the educational record, a request must be submitted in writing to the Principal of the school in which the student is or has been enrolled. The Principal or his/her designee will investigate the complaint and endeavor to settle the matter.

B. If the Principal or his/her designee cannot settle the matter at the school level, the parent, legal guardian or eligible student may request a second review by the

~~Deputy Superintendent~~ Chief Operations Officer (COO) or his/her designee ~~within the Office of School Operations~~. The requesting party must submit a request in writing to the ~~Deputy Superintendent~~ COO. The ~~Deputy Superintendent~~ COO or his/her designee ~~within the Office of School Operations~~ will determine if the educational records are inaccurate, misleading, or contain information that violates the student's privacy rights.

C. If the conflict cannot be resolved by the ~~Deputy Superintendent~~ COO or his/her designee ~~within the Office of School Operations~~, the parent, guardian or eligible student will be informed that he/she may request a hearing before a Review Board. The requesting party must submit a request in writing to the Superintendent for a hearing by a Review Board. This hearing will be held within 20 days of the Superintendent receiving the request. The Superintendent will determine the appropriate personnel to review the matter consisting of no less than three Review Board members.

1. The decision of the Review Board will be provided in writing to the parent, legal guardian or eligible student no more than 10 school days after the date of the hearing.

2. If the parent, legal guardian or eligible student disagrees with the Review Board's decision, they may provide a written statement which will be placed in the student's educational record stating the reasons for disagreement. This statement will be maintained as long as the educational record is maintained and will be disclosed when the school or School District discloses the portion of the record to which the statement relates.

Procedures for Accessing Student Educational Records

The following procedures will be used for permitting access to student educational records and any other confidential information pursuant to FERPA:

A. Parent/Guardian/Eligible Student Access:

A parent, legal guardian or eligible student will be given access to their/their student's educational records.

1. Instructional materials intended for use, current grade reports and attendance records will be made available for inspection within three business days or as otherwise provided by law. ~~Educational records may be inspected by the requesting party within a reasonable length of time after the request, but no later than 45 calendar days after the request is made in writing. The School District will provide one copy of a student educational record without charge upon request.~~

2.

All other educational records may be inspected by the requesting parent within a reasonable length of time after the request, but no later than 45 calendar days after the written request.

~~2.~~

3.

Requests for interpretation of psychological reports must be made through the School District's Special Education Department.

B. Student Access:

All access rights provided to parents and/or legal guardians become the student's once the student has reached age 18 or has commenced study at a postsecondary education institution. At age 18, the student has the right to access his/her educational records and the right to prevent access by his/her parents.

C. Non-Custodial Parent Access:

Parents who are not the physical or legal custodian of a minor student, or who do not have primary physical or legal custody, may have access to the student's educational records and information if his/her parental rights are not terminated or his/her rights to access to educational records and information has not been restricted in some manner by legal authority. In these cases, the school may contact the primary physical and legal custodian to inform the parent of the request.

D. Disclosure to Individuals/Agencies Other than Parents/Guardians/Eligible Students/Non-Custodial Parents:

A correctly executed written request and/or release from the parent, legal guardian or eligible student or a lawfully issued and enforceable Court Order or subpoena is generally required prior to the release of student educational records to any agency or individual other than the parent, legal guardian and/or eligible student. However, should emergency situations arise where it is necessary to protect the health or safety of the student or other individuals, the School District may release personally identifiable information to a third party without prior written consent from the parent/guardian/eligible student.

E. Transcript Charges:

1. The School District will provide one copy of a student's educational record without charge.
2. The School District will charge a per page fee for copies of a student's educational record released to third- parties and for additional copies of educational records that have been previously provided to the parent, legal guardian and/or eligible student. If an educational record is requested by a student's current medical or educational service, by another school or government agency, Guardian Ad Litem, Court Appointed Special Advocate (CASA), or pursuant to court order or subpoena, the School District may waive the per page fee for provision of copies of educational records.

Release of Information without Written Consent

Records may be released without prior written consent if the disclosure is permitted by applicable

law, such as one or more of the following conditions:

A. To other school officials, including teachers, who have a legitimate educational interest. A school official is: 1) A person employed by the School District as an administrator, supervisor, instructor or support staff member; 2) A person elected to the Cherokee County Board of Education; 3) A school or School District approved volunteer, or a person employed by or under contract to the School District to perform a special task; including, but not limited to: an attorney, auditor, medical consultant, psychologist, therapist or insurance adjuster. These individuals perform a service or function for which the schools or School District would otherwise use employees; are under the direct control of the school or School District with respect to the use and maintenance of an educational record; and may receive information only on the condition that he/she will not disclose the information to any other party without prior consent of the parent/guardian/eligible student. A school official has a legitimate educational interest if the official is: 1) Performing a task that is specified in his/her job description or by a contract agreement; 2) Performing a task related to a student's education; 3) Performing a task related to the discipline of a student; 4) Providing a service or benefit relating to the student or student's family, health care, counseling, or job placement; including, but not limited to: an attorney, auditor, medical consultant, therapist, or insurance adjuster.

B. To officials of another K-12 school or school system, where the student seeks or intends to enroll for purposes related to the student's enrollment or transfer.

C. To officials of a post-secondary institution, where the student seeks or intends to enroll for purposes related to the student's enrollment or transfer. Upon a request from a post-secondary institution or its designated official(s), the School District reports any school misconduct that results in a long term out of school suspension (more than 9 consecutive school days), expulsion for more than nine consecutive school days, or an assignment to an alternative program/school. (Note: The School District expects all students to model a high level of citizenship and responsibility. Therefore, when students are asked on college applications about disciplinary actions during their high school years, students are expected to answer truthfully and completely.)

D. Pursuant to any judicially imposed procedure, court order or subpoena. However, educational records should not be released until a reasonable effort has been made to notify the parent, legal guardian or student (18 years of age or older) that the record has been requested, except if:

1. a party is seeking or receiving educational records as directed by a Federal Grand Jury or other law enforcement subpoena if the issuing court or agency has ordered that the existence of the contents of the subpoena or the information furnished in response to the subpoena not be disclosed); or,

2. a parent is a party to a court proceeding involving child abuse and neglect (as defined in section 3 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 note)) or dependency matters, and the order is issued in the context of that proceeding.

Maintaining Student Educational Records

The School District will maintain copies of all student educational records for the minimum period of time as required by the State of Georgia the Common Records Schedules for School Systems and/or the School District's records retention plan.

ADOPTED: August 2, 2001
REVISED: ~~January 19, 2017~~ June/July 2022

Cherokee County Board of Education

The Cherokee County Board of Education is aware of the constructive role which parent-teacher groups play in the School District. The effective leadership provided by the PTA organizations and School Councils is valuable to the improvement of educational programs and community support of schools. The School Board will offer these groups its cooperation and urge parents, teachers and administrators to become active participants.

PARENT/FAMILY INVOLVEMENT

In keeping with the belief that learning should take place at home, in school and in the community and with research showing that parent involvement is the single most important indicator of school success, the School Board has identified "Family, Partner and Community Engagement" as one of its Priority Areas in its Five-Year Strategic Plan "Blueprint." The purpose of this policy is to promote meaningful parent and family participation and to identify standards for effective parent/family involvement.

Other School Board Policies that directly support parent/family involvement are Goals and Objectives and Public Participation at School Board Meetings.

The parent/family involvement policy is adopted from "National Standards for Family-School Partnerships developed by National PTA.

I. Parents' Responsibilities

Assumptions:

1. In order for students to achieve, parents must provide a climate in the home that supports education; sets high but reasonable expectations for student learning; and be involved in their children's education at school and in the community.

2. Students whose parents are involved in the above manner have better grades, higher test scores, better attendance records and more homework assignments completed.

3. Regardless of socio-economic status, ethnic/racial background or education level, when parents are involved in their children's education process, students achieve more.

4. When parents and teacher collaborate, there are higher expectations for the students' success.

5. There are significant benefits for learners when parents of students of all ages and all grades are directly involved with their education.

6. There are many different ways for parents to be involved in their child's education. To have long-lasting results, parent and family involvement activities must be planned, continuous, inclusive and comprehensive.

II. Schools' Responsibilities
Assumptions:

1. Schools that work well with families improve teacher morale and engender more teacher support by parents.

2. When parents receive frequent and effective communication from a school and School District, their attitude about the school is more positive and their involvement increases. A school's and the School District's practices to inform and involve parents are strong determinants in the frequency and quality of parent involvement.

3. Parents contribute most effectively to improved student achievement and school effectiveness when they are treated as equal partners and given needed information in a timely manner.

4. Parent and family involvement is a critical component of school reform. It is not a substitute for high quality educational programs, effective instruction or systemic research-based school improvement.

III. National Standards, Goals and Indicators for Family-School Partnerships

Standard One: Welcoming All Families into the School Community
Families are active participants in the life of the school, and feel welcomed, valued and connected to each other, to school staff and to what students are learning and doing in class.

Standard Two: Communicating Effectively
Families and school staff engage in regular, two-way, meaningful communication about student learning.

Standard Three: Supporting Student Success
Families and school staff continuously collaborate to support students' learning and healthy development both at home and at school, and have regular opportunities to strengthen their knowledge and skills to do so effectively.

Standard Four: Speaking Up for Every Child
Families are empowered to be advocates for their own and other children, to ensure that students are treated fairly and have access to learning opportunities that will support their success**.**

Standard Five: Sharing Power
Families and school staffs are equal partners in decisions that affect children and families and together inform, influence and create policies, practices and programs.

Standard Six: Collaborating with Community
Families and school staff collaborate with community members to connect students, families and staff to expanded learning opportunities, community services and civic participation.

*Adopted from "National Standards for Family-School Partnerships," used by permission of National PTA.

PARENTS' BILL OF RIGHTS

Unless otherwise prohibited by law, parents have the following rights with respect to their children:

IV. Right to Review Student Records

Procedures for a parent/guardian of a student to review records relating to his or her minor child are contained in School Board Policy - - Student Records (JR).

V. Right to Review Instructional Materials

The first two weeks of each nine-week grading period, parents can access instructional materials online through the School District's learning management system. If such instructional materials are not made available for review online, then they will be made available for review on site upon a parent's request made during the review period.

VI. Right to Object to Instructional Materials

Procedures for a parent/guardian to opt out and receive alternative instructional materials intended for use in his or her minor child's classroom or recommended by his or her minor child's teacher are contained in School Board Policy - - Supplemental Materials Selection and Adoption (IFAB).

VII. Right to Withdraw from Sex Education

Pursuant to OCGA 20-2-143, parents/legal guardians of a student who may receive Sex and AIDS Prevention Education in grades 5-8 will be informed as to what content is to be provided and have the opportunity to review all materials to be utilized before choosing to allow his or her child to take the specific unit of study. Parents/legal guardians may ensure that their child does not receive such course of instruction by declining to submit a parent permission form for their child to participate. Any student without a signed parent permission form on file at the start of such program instruction will not participate.

Elementary school parents/legal guardians of a child eligible to receive sexual abuse and assault awareness and prevention education may ensure that their child does not

receive such instruction by exercising the option of completing the opt-out form at their child's school.

VIII. Right to Object to Release of Directory Information Regarding Your Student

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the School District with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the School District may disclose appropriately designated "directory information" without written consent, unless you have advised the School District to the contrary. If a parent/guardian objects to his/her child being included in any or all of the below, he/she must annually notify the Principal in writing by September 1, or within one week of admission/enrollment if enrollment occurs after September 1st.

The primary purpose of directory information is to allow the School District to include information from your child's education records in certain school publications and events. Examples include:

• A playbill, showing your student's role in a drama production;
• The annual yearbook;
• Honor roll or other recognition lists;
• Graduation programs;
• Recognition of achievement at School Board meetings;
• District and School Websites;
• School and District Social Media; 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, companies that publish yearbooks, military recruiters, college recruiters, law enforcement agencies and the news media.

Directory information includes:

• 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.

ADOPTED: August 2, 2001
REVISED: ~~July 16, 2020~~ June/July, 2022

Cherokee County Board of Education