FY24 Operations Monitoring Results

Dear Delta STEAM Academy,

Pursuant to O.C.G.A. § 20-2-2083 and SCSC rule 691-2-.03, State Charter Schools Commission of Georgia (SCSC) staff is monitoring the school’s performance based on the standards in Section III, Operational Performance of the Comprehensive Performance Framework (CPF).

**Monitoring Results:**

Using information provided for the policy, procedure, and practice review and derived from health and safety facility visits, below, you will find the school’s monitoring results. As a reminder, compliance concerns fall into one of the following two categories:

* **Findings:** Violations of statutory, regulatory, or contractual requirements that result in loss of points on the Comprehensive Performance Framework (CPF) and require corrective action.
* **Adverse Practices:** Deficiencies that may impact but do not violate statutory, regulatory, or contractual requirements. Adverse practices do not require corrective action or result in the loss of CPF points but must be reviewed to ensure alignment with applicable requirements.

If monitoring results do not indicate a “finding” or “adverse practice,” then the SCSC did not identify compliance concerns within the scope of its review. SCSC staff evaluates school policies, procedures, practices, and facilities for specific components of compliance. The SCSC does not perform a comprehensive evaluation of compliance. Complete compliance remains the responsibility of each state charter school.

Finally, monitoring results may indicate that a specific policy, procedure, or practice was not scored. An unscored indicator means that the results of the SCSC’s review will not affect the school’s CPF score.

**Disputing/Appealing Monitoring Results:**

If you believe that there is an error in the school’s monitoring results, you must submit a written appeal on or before 11:59 p.m., Tuesday, January 16, 2024. The SCSC will only accept appeals submitted through the SCSC Administrative Portal. Schools are encouraged to submit disputes as early as possible to ensure adequate time to develop a Corrective Action Plan (CAP) and provide evidence of remediation.

The policy, procedure, and practice review and health and safety facility visits are “snapshots” of compliance. Generally, the SCSC will not review new documents or consider supplemental information submitted in an appeal to determine compliance.

* Disputes received later than 11:59 p.m. on January 16, 2024, will not be considered.
* Disputes that are not submitted through the SCSC Administrative Portal will not be considered.

**Corrective Action Plans:**

Schools must submit a Corrective Action Plan (CAP) in response to any finding(s) identified in the SCSC monitoring results. The SCSC will not review CAP submissions for adverse practice scores. CAPs are due on or before 11:59 p.m., Tuesday, February 20, 2024. Schools are encouraged to remain mindful of the dispute/appeal deadline when planning CAP submissions.

A CAP is a written plan that describes the steps a school will take to remediate a finding. A CAP should be detailed enough to provide a reasonable understanding of how the school plans to remediate the issue and when remediation will be complete. The contents of the CAP and the methods by which the school chooses to remedy noncompliance are within the discretion of the governing board. The SCSC will respect the school’s autonomy in devising and implementing its CAP while holding the governing board accountable for full compliance with applicable laws.

Because the SCSC may review multiple areas of compliance for a single measure or question, when reviewing monitoring results, evaluate both the “Score” and “Comments.” Each question has a score of “Finding” or “Adverse Practice.” The comments explain each area in which the school received a finding. Reviewing the score and comments is critically important for submitting CAPs and, thus, maximizing the opportunity for an award of partial CPF points.

Where appropriate, based on the CPF scoring guidelines, the SCSC may award partial CPF points on specific operational CPF measures. To be considered for an award of partial CPF points, a school must develop and timely submit a CAP *and evidence of remediation for the findings identified in the SCSC’s monitoring results*. Evidence of remediation must be sufficient to demonstrate that the school has regained compliance in the area that received a finding.

For example, if the SCSC finds that a school policy does not comply with regulatory requirements, evidence to remediate the finding *could* include:

* documentation showing that the governing board adopted a revised policy that fully complies with the applicable regulation;
* documentation demonstrating that the school community was notified of the policy change; and,
* documentation that training or guidance was provided to staff and/or governing board members responsible for implementing the policy.

All schools that receive findings in their SCSC monitoring results must submit a CAP. However, only schools seeking partial CPF points must submit evidence of remediation. **The SCSC will not review CAP submissions that are not submitted by the deadline and through the SCSC Administrative Portal.**

Sincerely,

Text, letter

Description automatically generated

Tiffany Leach

Associate General Counsel

Enclosures: SCSC Monitoring Results

**Indicator 1: Educational Program Compliance**

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| Measure 1(d): Data Reporting (Reserved) |

**Indicator 2: Governance, Ethics, & Transparency**

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| Measure 2(a): General Governance | | |
| **Question** | **School Response** | **SCSC Score** |
| 4. Upload a copy of the school’s conflict of interest policy as required by the school’s charter contract.  *Authority: SCSC Charter Contract; O.C.G.A. § 20-2-2084(e)*  Assigned to Berneta | Conflict of Interest\_Blank.pdf | Finding: The school's documentation did not establish that the governing board Conflict of Interest policy complies with O.C.G.A. § 20-2-2084(e). The following is missing from the policy:    \*Act in his or her official capacity in any matter where he or she, his or her immediate family member, or a business organization in which he or she has an interest has a material financial interest that would reasonably be expected to impair his or her objectivity or independence of judgment;, \*Solicit or accept or knowingly allow his or her immediate family member or a business organization in which he or she has an interest to solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing that board member in the discharge of his or her duties as a board member;, \*Use, or knowingly allow to be used, his or her position or any information not generally available to the members of the public which he or she receives or acquires in the course of and by reason of his or her position for the purpose of securing financial gain for himself or herself, his or her immediate family member, or any business organization with which he or she is associated;, \*Be an officer or serve on the board of directors of any organization that sells goods or services to that state charter school; |
| Measure 2(e): Budget Approved in Accordance with State Law | | |
| **Question** | **School Response** | **SCSC Score** |
| 1. Upload documentation showing that the school’s annual operating budget was approved in accordance with O.C.G.A. § 20-2-167.1.  *Authority: Local Units of Administration Manual, Preparing Operating Budgets, Section IV, Chapter 2, 32-51 thru 55.*  Assigned to Berneta | 13Sep22\_DSA BOD\_Budget Hearing Meeting Minutes.pdf, 27Sep22\_DSA BOD\_Budget Hearing Meeting Minutes (1).pdf | Finding: The school failed to produce documentation establishing that it approved an annual operating budget in accordance with O.C.G.A. § 20-2-167.1. Specifically, the following is missing:  \*Evidence that it advertised the date, time, and location of two public hearings in its legal organ or a newspaper having a general circulation in the county at least equal to that of the legal organ. The two hearing notices advertise meetings scheduled to occur at least seven days apart. |

**Indicator 3: Obligations to Students**

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| Measure 3(a): Rights of All Students | | |
| **Question** | **School Response** | **SCSC Score** |
| 2. Upload a cop  y of the school’s Code of Conduct and provide the page number for the following sections: bullying, sexual harassment, and physical assault or battery of other students.  *Authority: SBOE Rule 160-4-8-.15 and OCGA § 20-2-751.4*  Assigned to Ga’Von / Operations Team | SY24DSA Family\_Student Handbook FINAL.pdf  **Bullying section page number:** p. 34: Anti-Bullying Policy  **Sexual harassment section page number:** p. 32: Student Code of Conduct, Level 4 Infraction  **Physical assault or battery of other students section page number:** p. 32: Student Code of Conduct, Level 3 Infraction | Finding: The code of conduct provided by the school failed to address the following elements:  \*Requires that, upon a finding by the disciplinary hearing officer, panel, tribunal of school officials that a student in grades 6 through 12 has committed the offense of bullying for the third time in a school year, such student shall be assigned to an alternative school. |
| 3. Upload a copy of the school’s Parents’ Bill of Rights policy.  *Authority: O.C.G.A. § 20-2-786.*  Assigned to Ga’Von / Operations Team / Consult with Dr. Battle and Principal Grier if applicable | Parents Rights\_SpEd.pdf | Finding: The School failed to produce evidence that its governing board developed and adopted a policy to promote parental involvement in the public schools as required by O.C.G.A. § 20-2-786. Specifically, the following is missing:  \*Procedures for a parent to review records relating to his or her minor child (see OCGA 20-2-786(f)(1))., \*Procedures for a parent to learn about his or her minor child’s courses of study, including, but not limited to, parental access to instructional materials intended for use in the classroom. Instructional materials intended for use in his or her minor child’s classroom shall be made available for parental review during the review period. If such instructional materials are not made available by a school or local school system for review online, then they shall be made available for review on site upon a parent’s request made during the review period (see OCGA 20-2-786(f)(2)(A))., \*Procedures for a parent to object to instructional materials intended for use in his or her minor child’s classroom or recommended by his or her minor child’s teacher (See OCGA 20-2-786(f)(2)(B))., \*Procedures for a parent to withdraw his or her minor child from the school’s prescribed course of study in sex education if the parent provides a written objection to his or her minor child’s participation. Such procedures must provide for a parent to be notified in advance of such course content so that he or she may withdraw his or her minor child from the course (see OCGA 20-2-786(f)(3))., \*Procedures for a parent to provide written notice that photographs or video or voice recordings of his or her child are not permitted, subject to applicable public safety and security exceptions (see OCGA 20-2-786(f)(4)).  The school submitted its special education procedural rights, and SCSC staff could not review the Parents' Bill of Rights required by O.C.G.A. § 20-2-786. |
| 4. Upload a copy of the school’s complaint resolution policy to address complaints alleging violations of the Protect Students First Act.  *Authority: O.C.G.A. § 20-1-11.*  Assigned to Ga’Von / Operations Team / Consult with Principal Grier if applicable | Protect Students First Act.pdf | Finding: The policy does not meet the requirements of O.C.G.A. § 20-2-786. Specifically, the following is missing:  \*A school or local school system shall not be required to respond to a complaint pursuant to this subsection unless it is made by: The parent of a student enrolled at the school where the alleged violation occurred; (OCGA 20-1-11(1)(A)(i)); OR A student who has reached the age of majority or is a lawfully emancipated minor and who is enrolled at the school where the alleged violation occurred ((OCGA 20-1-11(1)(A)(i)); OR An individual employed as a school administrator, teacher, or other school personnel at the school where the alleged violation occurred (OCGA 20-1-11(1)(A)(iii))., \*The complaint shall first be submitted in writing to the principal of the school where the alleged violation occurred (OCGA 20-1-11€(1)(B))., \*The complaint shall provide a reasonably detailed description of the alleged violation (OCGA 20-1-11(1))., \*Within five school days of receiving such written complaint, the school principal or a designee of the charter school or local school system shall review the complaint and take reasonable steps to investigate the allegations in the complaint; (OCGA 20-1-11(1)(D)(i), \*Within ten school days of receiving the complaint, unless another schedule is mutually agreed to by the complainant and the school principal or the designee of the charter school or local school system, the school principal or such designee shall confer with the complainant and inform the complainant whether a violation occurred, in whole or in part, and, if such a violation was found to have occurred, what remedial steps have been or will be taken; provided, however, that the confidentiality of student or personnel information shall not be violated (OCGA 20-1-11€(1)(D)(ii))., \*Following such conference, within three school days of a request by the complainant, the school principal or the designee of the charter school or local school system shall provide to the complainant a written summary of the findings of the investigation and a statement of remedial measures, if any; provided, however, that such written response shall not disclose any confidential student or personnel information (OCGA 20-1-11(1)(D)(iii)). |
| 6. Describe the school's procedures for providing written notice to parents or guardians about the school's obligations under the McKinney Vento Homeless Assistance Act.  Assigned to Principal Grier / Admin Team | This information is shared in the student handbook that parents sign at the start of each year. There is also an addendum homeless student policy we distribute noted below. | The SCSC did not identify compliance concerns within the scope of its review.    Note that the homeless liaison designated in the policy differs from the liaison identified in the pamphlet. The school is encouraged to ensure consistent communications with stakeholders regarding the designated homeless liaison and their contact information. |
| Measure 3(c): Rights of Students who are English Learners (ELs) | | |
| **Question** | **School Response** | **SCSC Score** |
| 1. Provide the page number from the school’s enrollment packet submitted in Measure 3a, question 5 for the Home Language Survey.  Assigned to Principal Grier / Admin Team | page 3 | The SCSC did not identify compliance concerns within the scope of its review.    The school should only include the GaDOE required questions in the home language survey. See: https://www.gadoe.org/Curriculum-Instruction-and-Assessment/Curriculum-and-Instruction/Pages/Home-Language-Survey.aspx |
| 3. Provide the page number from the school’s enrollment packet submitted in Measure 3a, question 5 that requests the student’s social security number in compliance with State Board of Education (SBOE) procedures.  *Authority: State Board of Education Rule 160-5-1-.24*  Assigned to Principal Grier / Admin Team | p. 4-5 | Finding: The school failed to upload documentation that its registration documents comply with SBOE Rule 160-5-1-.24 with respect to requesting social security numbers. Specifically, the following is not included in the documentation:  \*Give notice that providing the Social Security number is voluntary. “No student shall be denied enrollment in any public school of this state for declining to provide a Social Security number to the local unit of administration (LUA) or for declining to apply for such number.”, \*State the purpose for which the Social Security number shall be used., \*Cite the provision of law which authorizes the LUA to request the provision of the student Social Security number. (OCGA 20-2-150(d)) |

**Indicator 4: Employer Obligations**

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| Measure 4(b): Employee Rights | | |
| **Question** | **School Response** | **SCSC Score** |
| 1. Upload a copy of the school’s Employee and/or staff handbook and provide the page numbers for the following notices and policies: Notice of non-discrimination to employees and staff; Notice of obligations under Title IX and the Family and Medical Leave Act (FMLA) notice and policy  Assigned to Lynneah Smith | DSA Personnel Handbook - FINAL.pdf  **Notice of non-discrimination to employees and staff page number: p. 16**  **Notice of obligations under Title IX page number: p. 14**  **The Family and Medical Leave Act (FMLA) notice and policy page number: p. 30** | **Notice of non-discrimination to employees and staff:**  Adverse Practice  \*The policy must state that the school does not discriminate on the basis of race, color, religion, sex, national origin, genetic information, or disability, at a minimum.  The policy does not include protection from discrimination based on genetic information, as required by 29 C.F.R. § 1601.30. As an employer, the school must follow Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), and genetic information should be added to the school’s nondiscrimination policy.  **Notice of obligations under Title IX:**  The SCSC did not identify compliance concerns within the scope of its review.    **The Family and Medical Leave Act (FMLA) notice and policy:**  Finding: The school’s FMLA policy does not meet the legal requirements. Specifically, the following is missing:  \*Enforcement  The general notice provided in the employee handbook does not contain all the information in the Department of Labor’s FMLA Poster. See U.S. Department of Labor Fact Sheet #28D for additional guidance: https://www.dol.gov/agencies/whd/fact-sheets/28d-fmla-employer%20notification. The information in the "enforcement" section of the new FMLA poster is in the section titled "Where Can I Find More Information." |

**Indicator 5: School Environment**

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| 5. Upload the school’s Certificate of Insurance demonstrating adequate coverage in the following areas: commercial general liability insurance and workers’ compensation insurance.  Assigned to Berneta / Lynneah | DSA Commercial Insurance\_pkg\_policy\_22-23.pdf | Adverse Practice  \*The coverage shows CGL and workers’ compensation.  The school did not submit documentation that it has workers' compensation insurance. As a reminder, Georgia law requires any business with three or more employees, including regular part-time workers, to have workers’ compensation insurance. see O.C.G.A. § 34-9-1 et seq. |
| 8. Upload the school’s safety drill (fire, intruder, severe weather) schedule for the 2023-2024 school year  *Authority: IFC 408.3.1 and NFPA Life Safety Code 11-7-1, 14.7.2 per Georgia Rule 120-3-3.04*  Assigned to Principal Grier / Admin Team | SafetyDrillScheduleSY24.pdf | Finding: The school’s safety drill schedule does not meet the legal requirements. Specifically, the following is missing:  \*An intruder alert drill scheduled before October 1, 2023- Authority: O.C.G.A. § 20-2-1185. |
| Measure 5(b): Health and Safety | | |
| **Question** | **School Response** | **SCSC Score** |
| 1. Upload a copy of the policy and procedure governing school volunteers' training and eligibility requirements.  *Authority: O.C.G.A. § 42-1-15*  Assigned to Vanessa (consult with Principal Grier / Admin Team) | VolunteerTrainingSY24.pdf | Adverse Practice: The school is strongly encouraged to update its policy to include the following:  \*Require FERPA training of volunteers (FERPA (34 CFR § 99.31(a)(1)(i)(B))). |
| 7. Upload the school’s policy on identifying and reporting child abuse.  *Authority: O.C.G.A. § 19-7-5; State Board of Education Rule 160-4-8-.04*.  Assigned to Kyera (consult with Principal Grier / Admin Team) | DSA Personnel Handbook - FINAL.pdf | Finding: The policy does not meet the legal requirements. Specifically, the following is missing:  \*Mandatory reporters are required to report regardless of whether it is based on privileged/confidential communication., \*“Child abuse” defined consistent with O.C.G.A. § 19-7-5(b)(5). |
| 9. Provide the page number for the school’s mandated process for student reporting of alleged sexually inappropriate behavior by teachers or other school personnel consistent with the Georgia Professional Standards Commission’s mandated process.  *Authority: O.C.G.A. § 20-2-751.7, Code of Ethics for Educators 505-6-.01 (3)(b)*  Assigned to Natoshia (consult with Principal Grier / Admin Team) | page 7: Grievance Policy - Students Reporting Misconduct of Adults | Finding: The school’s policy is not consistent with PSC’s mandated process.  The school's mandated process should include the specific language of the Professional Standards Commission's state-mandated process, which can be found here: https://www.gapsc.com/Ethics/Downloads/Mandated%20student-abuse%20reporting%20process.pdf. |
| 10. Upload a copy of the water safety education information the school provided to parents and guardians of students under 18 years of age and directly to students 18 or older at the beginning of the 2023-24 school year.  *Authority: O.C.G.A. § 20-2-779.4*  Assigned to Teyardia (consult with Principal Grier / Admin Team) | DSA - Letterhead - Water Safety Education Policy.pdf | Adverse Practice: Because OCGA § 20-2-779.4 is new legislation, the school is receiving an adverse practice. The school will receive a finding if the required water safety education information is not distributed to students and families in subsequent monitoring cycles.  The information provided did not include the water safety information provided to parents and guardians at the beginning of the 2023-24 school year. |
| Measure 5(c): Information, Data, and Communication | | |
| **Question** | **Response** | **SCSC Score** |
| 2. If the school discloses "directory information" as defined by the Family Educational Rights and Privacy Act (FERPA), explain how the school monitors the disclosure of directory information.  *Authority: 34 C.F.R. Part 99.37*  Assigned to Principal Grier / Admin Team | Directory information is considered generic information like student grade level, name, and teacher. We do not publicly disclose phone numbers or addresses. Parents are notified of what directory information is via the FERPA policy that is an addendum in our handbook. | Adverse Practice: 34 CFR 99.37 prohibits schools from disclosing directory information of a student who has opted out. The school’s lack of a process to guard against the release of directory information means the school cannot ensure compliance with this requirement.  The information provided does not describe how the school ensures that directory information of families who opt out of the release of directory information is protected. |