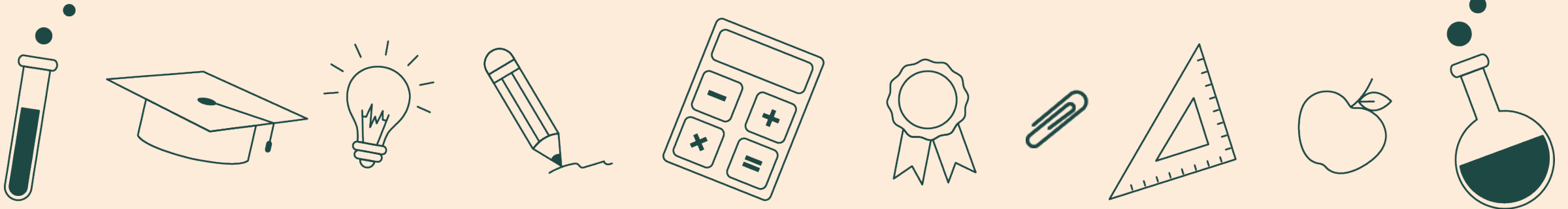




Student and Family Rights

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State Charter Schools Commission of
Georgia





Background Information

We will be following student, Luann , and mother Ramona through their experiences at Manchester Preparatory Academy (MPA).

Manchester Preparatory Academy:

- Serves grades 6-12
- Statewide attendance zone
- Located in an urban area of southeast Georgia



Part 1: Applying to MPA



Ramona and Luann have experienced intermittent homelessness over the last ten years. Luann and Ramona recently moved into MPA's attendance zone to stay with a family friend until they can get back on their feet. The family is excited to have MPA as an education choice for Luann's 8th grade year.

The family does not have internet access. Ramona called MPA and asked how she could apply for Luann. She was informed that the lottery application was on the MPA website. When Ramona stated that she did not have internet access and could not apply online, she was informed that due to COVID-19 restrictions, MPA was not accepting visitors, and could only accept online applications.



Part 1: Applying to MPA Issues, Rules, and Summary



- Enrollment Application Access:
 - SCSC rule 691-2-.03 *State Charter School Monitoring* requires any admissions application used by the school to be posted to the school's website
- Schools must remove barriers to enrollment for families who do not have internet access or an email address to ensure that all students have access



Part 2: Enrolling in MPA



Ramona was able to get assistance from her friend Tinsley to submit Luann's lottery application. Luann received an enrollment offer for 8th grade at MPA.

While completing the registration documentation, Ramona noticed that she was required to affirm that she would volunteer at MPA at least 20 hours per school year. Further, if the 20-hour volunteer requirement was not met, the student would not be eligible to attend the school the next year.

Ramona has two jobs and frequently works 70-hour weeks. When Ramona called the school to ask about this requirement, the school said that in lieu of volunteering, Ramona could donate \$200 to the school to fulfill her volunteer requirements. Ramona informed the registrar about her housing status and difficulty meeting the MPA volunteer requirement.



Part 2: Enrolling in MPA – Issues, Rules, and Summary



- Parent/Family volunteer requirements **are unenforceable**
 - The school may set volunteer *expectations*
- A student cannot be disciplined or removed from the school environment due to the actions of her parent/family.
- Compliance with the McKinney-Vento Homeless Assistance Act



Part 3: MPA Open House

Ramona's ex-boyfriend Mario was extremely abusive – not only to Ramona, but also to Luann. Mario has a history of stalking Ramona and following her across the country. To ensure her family's safety, Ramona is very careful about the information she discloses about herself and her daughter to help ensure Mario does not find out where they live.

MPA held an open house that followed strict public health guidance to help prevent COVID-19 transmissions.

In front of Luann's classroom, her teacher Ms. Frankel had a bulletin board that listed all of her students' first and last names for all families to view.



Part 3: MPA Open House – Issues, Rules, and Summary



- Students and parents have rights regarding disclosing personally-identifiable information from a student’s education record
- Family Educational Rights and Privacy Act (FERPA) governs the privacy of student education records
- FERPA Directory Information Policy



Part 4: Virtual Learning at MPA



Due to a COVID-19 outbreak, MPA transitioned its entire school population to virtual remote learning for the first two weeks of school.

Ramona is unable to afford internet or a computer for Luann to use to access MPA's virtual learning platform and curriculum. Ramona communicates this to MPA's school leader Vicki. Vicki tells Ramona that MPA can loan Luann a computer, but Ramona would be responsible for paying MPA \$20 per month to rent the computer to cover the school's computer insurance costs. Additionally, MPA would not be able to provide Ramona any support in receiving internet access.



Part 4: Virtual Learning at MPA – Issues, Rules, and Summary



- Any device or service required to access the school’s instructional program must be provided at no cost to students
 - This includes internet access and computers



Part 5: First Day of In-Person Learning at MPA

After spending the first two weeks of school virtually, MPA began mandatory in-person instruction. MPA attempted to follow all guidance from the Centers for Disease Control and Prevention, Georgia Department of Public Health, and Georgia Department of Education regarding masks and social distancing in the school.

However, during class changes, students crowded the hallways and did not maintain proper social distancing. Additionally, students were encouraged, but not required, to wear masks inside the school building. During the first class change of the day, Luann sees that students who are not wearing masks are not maintaining proper social distancing and that the hallway is very crowded. Luann takes a picture of the hallway.

When Luann gets home, she posts a picture of the hallway on her personal Twitter account. The tweet goes viral.



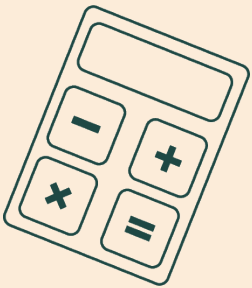
Part 5: First Day of In-Person Learning at MPA

Manchester Preparatory Academy's disciplinary policy states :

Students may have a cell phone at school. However, students can only use their cell phone before school and after school. Under no circumstances should a student use a cell phone during school hours.

The next day, Vicki learns about the viral photo Luann posted and immediately calls Luann to the office. Vicki suspends Luann for five days for violating the school's cell phone policy by using her cell phone during school hours to take the now infamous photo.

During the afternoon announcements, Vicki tells students the following:
If you post anything on social media that is negative or alike without permission, there will be consequences.



Part 5: First Day of In-Person Learning at MPA - Issues, Rules, and Summary



- Disciplining student for off-campus conduct
- Regulating the speech of students when off-campus

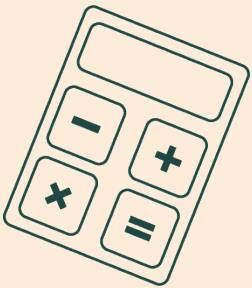


Part 6: Masks with Messages

After the MPA governing board received complaints from families regarding Vicki's actions against Luann, the governing board convened a called governing board meeting to discuss the school's response to the pandemic and recent events.

The governing board approved the following mask policy:

All MPA students are required to wear masks while inside the school building. Masks may be a solid color or promote a college football team. Masks cannot have any political, social justice, or religious messages.



Part 6: Masks with Messages – Issues, Rules, and Summary



- Restricting student speech when there is a *threat* of disruption
- Limits on a student's right to free expression

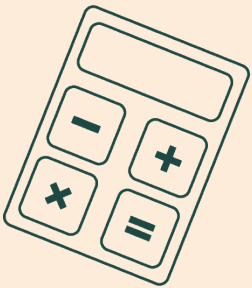


Part 7: MPA Students Against Censorship

The actions of MPA to suspend Luann, restrict student speech outside of school, and restrict messages on masks led to a group of MPA students to organize a protest of the MPA administration and governing board. The group of students referred to themselves as MPA Students Against Censorship.

Luann became the de-facto leader of the group and led the organizing efforts. Because the protest was scheduled to start immediately after school, Luann had signs for the protest in her locker. Her signs said “MPA CENSORS STUDENTS.”

Vicki heard about the planned protest the morning of and learned that Luann was the leader. Vicki was upset about what she perceived as students questioning and disrespecting her leadership. Vicki searched Luann’s locker, found Luann’s signs, and took them to her office.



Part 7: MPA Students Against Censorship

Vicki called Luann to her office. Vicki suspended Luann (again) for having violating this portion of the MPA's student code of conduct:

Respecting School Staff and Officials

MPA has a zero-tolerance policy against disrespectful behavior towards school staff, including school administrators, governing board members, and teachers. Any student found engaging in disrespectful behavior against school staff will be suspended for no less than two days from school.



Part 7: MPA Students Against Censorship - Issues, Rules, and Summary



- Student searches
- Zero-tolerance disciplinary policies
- Broadness of policy



Part 8: Data Breach

Amidst all the back-to-school problems, Vicki was overwhelmed. Vicki's assistant principal had been picking up the slack and spending the past week analyzing Milestone data from the previous school year. The assistant principal emailed Vicki a spreadsheet of all the Milestones data for 8th graders. It included student names, GTIDs, and their Milestones scores.

Instead of forwarding the spreadsheet to the 8th grade teacher list-serv, Vicki emailed the spreadsheet to the 8th grade parents list-serv.

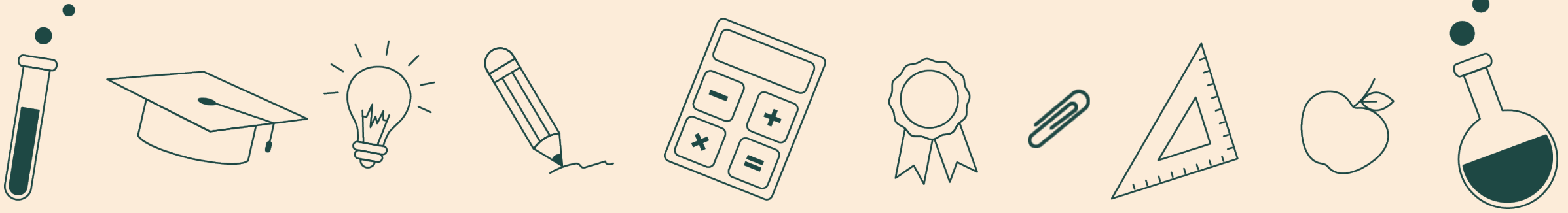


Part 8: Data Breach - Issues, Rules, and Summary



- Post-data breach requirements in state law
- “Reasonable methods” to safeguard student records
- FERPA Requirements





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