

Board Policy GAAA: Equal Opportunity Employment

Status: DRAFT

Original Adopted Date: 12/14/2000 | **Last Revised Date:** 01/12/2020 | **Last Reviewed Date:** 01/12/2020

No applicant for employment or employee of Bulloch County Schools is or will be discriminated against or denied equal opportunity on the basis of race, color, religion, sex, gender identity, sexual orientation, pregnancy, status as a parent, national origin, age, disability (physical or mental), family medical history or genetic information, political affiliation, military service, or any other non-merit based factor(s). These protections extend to all management practices and decisions, including recruitment and hiring practices, appraisal systems, promotions, training, and career development programs.

Any employee, applicant for employment, or other person who believes that he or she has been discriminated against or denied equal opportunity in violation of this policy must make a complaint in accordance with the procedures outlined below.

COMPLAINTS PROCEDURE

Complaints made to the School District regarding alleged discrimination on the basis of race, color, religion, sex, gender identity, sexual orientation, pregnancy, status as a parent, national origin, age, disability (physical or mental), family medical history or genetic information, political affiliation, military service, or any other non-merit based factor(s) will be processed in accordance with the following procedure:

1. Any employee, applicant for employment, or other person making such a complaint shall promptly notify, in writing, the proper point of contact, which except as set forth in Paragraph 2, below, shall be a human resources director or current supervisor of the complainant.
2. If the alleged offending individual is a human resources director or current supervisor of the complainant, then the complaint required by Paragraph 1, above, shall be made by the complainant to the superintendent.
3. Except as set forth below, the human resources director or current supervisor of the complainant, or their designee, shall have at least fifteen work days to (A) gather all information relevant to the complaint made, review the information, determine the facts relating to the complaint, review the action requested by the complainant, and attempt to resolve the complaint with the complainant and any other person(s) involved and, if such attempt is unsuccessful, (B) prepare a written response to the complaint detailing any action to be taken in response to the complaint and the time frame in which such action will be taken, and (C) furnish copies of this response to the complainant and the superintendent or their designee. If the alleged offending individual is the Superintendent, the human resources director or current supervisor of the complainant, or their designee, shall without further investigation report the complaint to the chairperson of the Bulloch County Board of Education.
4. If the complaint is not resolved at the conclusion of the minimum fifteen-workday period set forth in Paragraph 3, above, or if the complainant is not satisfied with any resolution of their complaint, the complainant shall have the right, within five work days of receiving a copy of the written response, to have the complaint referred to the superintendent.
5. The superintendent shall have at least fifteen work days to (A) review the complaint and the response of the human resources director or current supervisor of the complainant, or their designee, (B) attempt to resolve the complaint, and (C) furnish to the complainant a written response setting forth either (i) their approval of the action(s) recommended by the human resources director or current supervisor of the complainant, or their designee, or (ii) the action to be taken by the school district in response to the complaint in lieu of such recommended action(s), and the time frame in which such action(s) shall be taken.
6. Except as set forth above, if the complainant is dissatisfied with the response of the superintendent, then the complainant shall have the right, within fifteen work days of the receipt of the written response of the superintendent, to have the complaint referred to the Bulloch County Board of Education. In order to have the Board review the superintendent's decision, the complainant must file with the superintendent a written statement (A) setting forth (i) the reasons that he or she disagrees with the response of the superintendent and (ii) the action(s) that the complainant is requesting the school district to take and (B) containing a request that his or her complaint be referred to the Bulloch County Board of Education.
7. Within thirty work days of receipt of the written request of the complainant, the superintendent shall present the matter to the Bulloch County Board of Education at its regular meeting or at a special meeting called for

that purpose. The Board shall review the original complaint, the written response of the human resources director or current supervisor of the complainant, or their designee, the written response of the superintendent, and the written statement of the complainant. In addition, the Board may, but is not required to, hear directly from any individuals with knowledge of any relevant facts relating to the complaint.

8. The Bulloch County Board of Education will either uphold the recommendation in the written response of the superintendent or require the school district to take other action(s) in response to the complaint. A copy of the action of the Board will be furnished to the complainant, either as a part of the minutes of the Board of Education or as a separate written statement. The Board shall be the final reviewing authority within the school district.

This policy is not intended to and does not deprive any person(s) of any right they may have to file a grievance pursuant to any other policy of the Bulloch County Board of Education, and specifically any policy designed to implement Official Code of Georgia Annotated Section 20-2-989.5, where appropriate. This policy is not intended to and does not provide an alternative process for resolving evaluation and employment disputes where there exists a procedure mandated by state law or State Department of Education regulations, and specifically any hearings conducted pursuant to the Fair Dismissal Act, Code of Georgia Annotated Section 20-2-940 *et seq.* Any complainant retains at all times any right to contact the Office of Civil Rights, the Equal Employment Opportunity Commission, or any other appropriate state or federal agency or department with regard to any allegations of unlawful discrimination.

The school district shall distribute and disseminate information relevant to this policy and procedure to employees through appropriate procedures.

No reprisal shall occur as a result of reporting unlawful discrimination under this policy, and any attempt to retaliate against a complainant shall be disciplined as appropriate.

The confidentiality of any individual making a complaint or report in accordance with this policy, to the extent reasonably possible and in compliance with law, shall be protected.

No applicant for employment with, or employee of, Bulloch County Schools is or will be discriminated against or denied equal opportunity on the basis of race, color, religion, gender identity, sexual orientation, pregnancy, status as a parent, national origin, age, disability (physical or mental), family medical history or genetic information, political affiliation, military service, or any other non-merit-based factor(s). These protections extend to all management practices and decisions, including recruitment and hiring practices, appraisal systems, promotions, training, and career development programs.

In addition, Bulloch County Schools does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in employment. Bulloch County Schools has adopted grievance procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating in or attempting to participate in its education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or the Title IX regulations.

This policy is not intended to and does not deprive any person(s) of any right they may have to file a grievance pursuant to any other policy of the Bulloch County Board of Education, and specifically any policy designed to implement O.C.G.A. § 20-2-989.5, where appropriate. This policy is not intended to and does not provide an alternative process for resolving evaluation and employment disputes where there exists a procedure mandated by state law or State Department of Education regulations, and specifically any hearings conducted pursuant to the Fair Dismissal Act, O.C.G.A. § 20-2-940 *et seq.* Any complainant retains at all times any right to contact the Office of Civil Rights, the Equal Employment Opportunity Commission, or any other appropriate state or federal agency or department with regard to any allegations of unlawful discrimination.

The school district shall distribute and disseminate information relevant to this policy and its grievance procedures to employees.

No reprisal or retaliation shall occur as a result of reporting unlawful discrimination under this policy, and any attempt to retaliate against a complainant shall be disciplined as appropriate.

The confidentiality of any individual making a complaint or report in accordance with this policy, to the extent reasonably possible and in compliance with law, shall be protected.
