Board Policy JAA: Equal Educational Opportunities

Status: DRAFT

Original Adopted Date: 01/10/2023 **| Last Reviewed Date:** 01/10/2023

The School District does not discriminate on the basis of race, color or national origin, sex or disability in any student program or activity. It is the policy of the Board of Education to comply fully with the requirements of Title VI, Title IX, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and all accompanying regulations.

Any student, applicant for admission, parent or guardian or other person who believes he or she or any student has been discriminated against or harassed 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 or harassment on the basis of race, color or national origin in violation of Title VI, on the basis of sex (except as stated below) in violation of Title IX, or on the basis of disability in violation of Section 504 of the Rehabilitation Act of 1973 or the Americans With Disabilities Act will be processed in accordance with the following procedure:

1. (a) Any student, applicant for admission, employee, parent or guardian or other person with a complaint or report alleging a violation of Title VI, Section 504, the ADA or Title IX, excluding sexual harassment as described in 1b, shall promptly notify, in writing or orally, either the principal for his/her school or the appropriate coordinator designated by the school principal or the District. If the report or complaint is oral, either the coordinator or school principal to whom the report or complaint is made shall promptly prepare a memorandum or written statement of the complaint as made to him or her by the complainant and shall have the complainant read and sign the memorandum or statement if it accurately reflects the complaint made. If the complaint is made to a school principal, he or she shall be responsible for notifying the appropriate coordinator of the complaint. Reports or complaints other than those described in 1b shall be handled in accordance with the procedures starting in 2.

   (b) Any person with a complaint or report alleging sexual harassment as defined in Policy JCAC (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sexual harassment), may report, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator on the District's website, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator. Such reports will be handled in accordance with the procedures and grievance process specified in Policy JCAC.

2. If the alleged offending individual is the coordinator or the principal, the complaint shall either be made by the complainant to the Superintendent or, if the complaint is initially made to the school principal, reported by the principal to the Superintendent. If the alleged offending individual is the Superintendent, the complaint shall be made to the designated coordinator, who shall, without further investigation, report the complaint to the Board chairperson.
3. The coordinator or his or her designee shall investigate all complaints within a timeline identified by federal/state regulations and local CSD procedures.
4. This policy is not intended to deprive any student or parent of any right they may have to file a complaint under any other applicable policy of the local board or to contact the Office for Civil Rights or other appropriate state or federal agency with regard to any allegations that the School District has violated the statutes described above.
5. The School District shall be responsible for distributing and disseminating information relevant to this policy and procedure to students, parents and employees through appropriate procedures.
6. No reprisal shall occur as a result of reporting unlawful discrimination or harassment under this policy, and any attempt to retaliate against a complainant shall be disciplined as is appropriate.
7. The confidentiality of any individual making a complaint or report in accordance with this policy, to the extent it is reasonably possible and complies with the law, shall be protected, although the discovery of the truth and the elimination of unlawful harassment shall be the overriding consideration.

Contact information for the following coordinators is available on the District's website: Title IX, Title VI, Section

504, and ADA.
[List position to avoid policy changes when names change.]

Title IX: Associate Superintendent of Equity and Student Services

Title VI: Associate Superintendent of Equity and Student Services

Section 504:Associate Superintendent of Equity and Student Services

ADA: Chief of State and Federal Programs (Students) Chief of Human Resources (Staff)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Note: *To access the policy references, CLICK HERE:* State of Georgia Terms and Conditions *and close the LexisNexis tab, which will return you to the policy. Click on the links below to be taken to each specific code. You should only have to do this one time per session.*

State	Description
O.C.G.A. 20-01-0011	Advocating for divisive concepts; prohibition on discrimination; practice of tolerance and mutual respect encouraged; complaint resolution policies; inspection of records; waivers prohibited
O.C.G.A. 20-02-0131	Objectives and purposes of QBE program
O.C.G.A. 20-02-0133	Free public instruction; exceptions; eligibility; procedure and requirements when child in custody of or in a placement or facility of a state agency
O.C.G.A. 20-03-0065	No exclusion from University of Georgia for religious beliefs

Federal	Description
18 USC 1513	Retaliating against a witness, victim, or an informant
20 USC 1400	Individuals with Disabilities Education Act-findings; purposes
20 USC 1401	Individuals with Disabilities Education Act; Definitions
20 USC 1412	State eligibility-IDEA
20 USC 1681	Title IX-Prohibition against discrimination based on sex
20 USC 1701	Equal Educational Opportunities Act of 1974-Congressional declaration of policy
20 USC 1703	Denial of equal educational opportunity prohibited
20 USC 6301	Elementary and Secondary Education Act: Statement of Purpose
28 CFR 35.136	Service animals
29 CFR 1691.5	Agency processing of complaints of employment discrimination - ADA
29 USC 794	Nondiscrimination under Federal grants and programs
29 USC 794a	Remedies and attorney fees-federal programs
34 CFR 100.7	Title VI - Conduct of investigations
34 CFR 104.36	Sec. 504: Procedural safeguards re: ID, evaluation, placement of persons with disabilities
34 CFR 104.37	Sec. 504: Nonacademic Services
34 CFR 104.7	Section 504 - Designation of responsible employee and adoption of grievance procedures

Federal	Description
34 CFR 106.8	Title IX - Designation of coordinator, dissemination of policy, and adoption of grievance procedures
42 USC 11431	Education for Homeless Children and Youths
42 USC 12101	Americans with Disabilities Act - Findings and purpose
42 USC 2000d	Civil Rights Act-Prohibition against discrimination in federally assisted programs on basis of race, color, or national origin
45 CFR 86.57	Discrimination based upon marital or parental status prohibited