

JAA: Equal Educational Opportunities		Status: Under Review
Original Adopted Date: 8/01/2001	Last Revised Date: 1/10/2022	Last Reviewed Date: TBD

The Henry County Board of Education (“the Board”) does not discriminate on the basis of race, color, national origin, religion, sex, disability, or age in its programs and activities, prohibits sex discrimination in any education program or activity that it operates, and provides equal access to the Boy Scouts and other designated youth groups. The Board believes that all children should have an equal opportunity to obtain an education and to participate in school sponsored activities. Access to educational programs and activities includes athletic and Career, Technical, and Agricultural educational programs and activities. It is the policy of the Board to comply fully with the requirements of Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*, and its implementing regulations, 34 C.F.R. Part 100; Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq., and its implementing regulations, 34 C.F.R. § 106.8; ~~Title IX of the Education Amendments of 1972~~; Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794, and its implementing regulations, 34 C.F.R. Part 104; and Title II of the Americans with Disabilities Act of 1990 (“ADA”), ADA Amendments Act of 2008, 42 U.S.C. § 12131 *et seq.*, and its implementing regulations, 28 C.F.R. Part 35, ~~and all accompanying regulations.~~

Notice of the Board’s nondiscriminatory policy will be given to elementary and secondary students, their parents, guardians, or other authorized legal representatives of such elementary and secondary students, applicants for admission, employees and the general public. Said notice will be included in student handbooks and other publications. Notice will be published prior to the beginning of the school year that athletic and Career, Technical, and Agricultural educational programs will be offered on a nondiscriminatory basis.

The Superintendent will designate an administrator at the central level to be responsible for coordinating efforts within the school system to comply with Title IX (Civil Rights Act of 1962, Amended 1974), Section 504 (The Rehabilitation Act, 1973), ADA (Title II of The Americans with Disability Act), IDEA (Individuals with Disability Act), Georgia Equity in Sports Act and other laws, rules and regulations pertaining to equal educational opportunities for students. ~~Responsibilities will include investigating any compliant alleging noncompliance or alleging actions which would be prohibited by law in the area(s) assigned.~~

Students and parents will be notified annually in the Student and Parent Handbooks of the name, office address, and phone number of the coordinator to contact if there is an inquiry concerning the application of Title IX, Section 504, ADA, IDEA, or Equity in Sports.

REGULATION

The Board directs that the Superintendent shall develop and adopt a regulation to this policy. The regulation shall include a grievance procedure for all any claim of discrimination that violates this policy. The grievance procedure for claims of sex discrimination shall be as provided for in Regulation JCAC, and shall provide for the prompt and equitable resolution of complaints alleging any action that would be prohibited by Title IX.

Grievances of this policy will be filed as outlined below.

Complaint Resolution Process

~~A written student/parent complaint alleging discrimination on the basis of race, color, national origin, sex or disability shall be submitted directly to the principal. The principal will conduct an adequate, reliable, and impartial investigation. The Complainant may request the complaint be appealed to the Coordinator (Title IX, 504 or ADA) at the district level.~~

~~The levels of investigation and resolution for a Discrimination Complaint under this policy are as follows:~~

~~• **Level 1** — Administrative Review (School Principal / Supervisor)~~

~~**Level 2** — Complaint Review by Coordinator (Office of Administrative Services)~~

~~**Level 3** — Superintendent (or Designee) Review~~

~~**Level 4** — Board of Education Review~~

~~The procedures for handling a Discrimination Complaint are as follows:~~

Level 1 — Administrative Review

~~The Board encourages all individuals to attempt to resolve a grievance at the site of concern (local school or district level) before filing a formal complaint.~~

~~If the matter is not resolved at the site, the complainant may elect to request, in writing, an investigation under Level 2.~~

~~The site administrator (or their supervisor if the complaint is against a site administrator) shall conduct an immediate internal investigation regarding the alleged discrimination.~~

~~If the allegation is resolved at the Administrative Review level, the complaint will be considered closed.~~

~~If the complainant requests further review of the allegations, a formal complaint must be filed by the complainant in accordance with Level 2 of this policy.~~

Level 2 — Complaint Review by Coordinator

The complainant must submit a written complaint, which shall include but is not limited to the following:

The names of the District employee(s), volunteer, and/or student(s) allegedly involved in the wrongful act.

- ~~A written statement of the specific allegation(s).~~
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- ~~The dates of the alleged wrongful action(s).~~
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- ~~The names and contact information (if known) of any witness(es) to the alleged wrongful act(s).~~
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- ~~Any evidence to be considered; and~~
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- ~~A clear statement of the relief sought by the complainant.~~

The written complaint and any additional supporting documentation must be submitted to the Office of Administrative Services within thirty (30) calendar days of the alleged wrongful action. For the purposes of this policy, a calendar day shall be all days in the month, including weekends and holidays.

The Office of Administrative Services will facilitate an investigation with the appropriate Coordinator (or Designee) and a written decision will be provided to the complainant within thirty (30) work days of that date of receipt of the complaint. For the purposes of this policy, a work day shall be defined as any day the administrative offices of the District are open for business.

If the complainant wishes to appeal the Level 2 decision, the complainant must submit their appeal in writing to the Office of the Superintendent, and it shall include but not be limited to the following:

The reason for the appeal; and

A clear statement of the relief sought by the complainant.

The appeal must be filed with the Office of the Superintendent within fifteen (15) calendar days of the date on the written decision letter.

Level 3—Superintendent (or designee) Review

The Superintendent (or designee) shall review the Complaint and investigation findings, and provide a written decision to the grievant within thirty (30) work days of the date of receipt of the appeal. If needed, the Superintendent (or designee) may request additional information from the complainant and/or other persons involved with the complaint.

If the grievant is dissatisfied with the decision of the Superintendent, he/she may request an appeal to the Board within fifteen (15) calendar days of the date on the Superintendent's written decision letter. The appeal to the Board must be in writing and filed with the Superintendent.—

Level 4 — Board of Education Review

The Board shall review the Complaint and investigation findings, and provide a written decision to the grievant within thirty (30) work days from the date the Board reviews the appeal. If needed, the Board may request additional written information from the grievant and/or other persons involved with the complaint.—

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Presentation of the Complaint by the Complainant and/or Complainant's representative and oral arguments before the Board will not be permitted.—

The Board's decision will be final.

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The right to confidentiality, both of the complainant and of the accused, will be respected consistent with the Board's legal obligations, and with the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred.—

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All allegations of discrimination on the basis of race, color, national origin, sex or disability shall be fully investigated and immediate and appropriate corrective or disciplinary action shall be initiated. Appropriate documentation shall be maintained on all allegations of discrimination. A substantiated charge against an employee shall subject such person to disciplinary action, including discharge.—