

JAA-R Equal Educational Opportunities

7/1/18

RATIONALE/OBJECTIVE:

The Cobb County School District (District) shall maintain its educational programs in compliance with all laws relating to non-discrimination. Procedures shall be established and personnel appointed within the District to deal with student and parent concerns relative to the requirement of non-discrimination.

No person shall be discriminated against because of race, creed, color, national origin, religion, sex, age, or disability.

RULE:**A. DEFINITIONS:**

1. A "grievance" is a complaint that alleges action by the District in violation of Title IX, Section 504 of the Rehabilitation Act, Americans with Disabilities Act (ADA), or Title VI.
2. "Grievant" is the person initiating the complaint.
3. "Responsible Official" indicates the employee designated by the District to coordinate its efforts to comply with and carry out its responsibilities under the various pieces of legislation.
 - Facilities Accessibility – Director of Construction
 - Student Issues (Title IX, and Title VI) – Director, Student Support
 - Student Program Accessibility (Including Title II, Section 504, ADA, and IDEA) – Assistant Superintendent, Teaching and Learning Support and Specialized Services
4. "Student" means a person enrolled in one of the schools or instructional programs operated by the District.
5. "Building administrator" means the building principal or designee.

B. FILING A GRIEVANCE:

All grievances brought by a student or by another person on a student's behalf shall be handled in the following manner:

1. Within twenty (20) school days of the time that the grievant knows, or reasonably should know about the grievance the grievant shall notify the Principal or designee of the incident(s) giving rise to such grievance. If the grievance concerns allegations against the Principal, the grievant shall notify the appropriate level assistant superintendent.
2. The grievant will be asked to complete and sign the Student Equity Grievance Form (Form JAA-1) detailing the basis of the grievance.
3. When the principal or designee receives a grievance, he/she should document the alleged incident in writing.
4. The principal or designee should interview the grievant at the earliest practical time in order to secure the detail and circumstances giving rise to the grievance.
5. The grievant should be informed that retaliation is prohibited and that the school will take steps to prevent retaliatory discrimination.

C. INVESTIGATION:

1. As soon as practical, but no later than ten (10) school days of the receipt of the grievance, the Principal or designee should begin an investigation into the grievance to determine whether the grievance has a basis in fact.
2. Such investigation should include but is not limited to, an interview with the charged party or parties, interviews with witnesses, if any, and an examination of any relevant

documents. The grievant and alleged perpetrator shall be informed that they are entitled to bring forward witnesses and other relevant evidence.

3. At the conclusion of a timely investigation, which should generally be completed within fifteen (15) school days of the initiation of the investigation, the administrator with whom the grievance was reported, or designee shall prepare a written report that sets forth the findings of the investigation and the evidence in support of the findings. Both the grievant and alleged perpetrator will be notified of the results of the investigation, in compliance with FERPA.
4. At any time in these proceedings, the grievant may appeal directly to the Office for Civil Rights, Washington, DC, as outlined in the District's nondiscrimination compliance notification.

D. RESOLUTION OF THE GRIEVANCE:

1. In the event that it is determined that grievant has been subjected to discrimination, the District will take steps to:
 - a. Prevent the recurrence of any such discrimination;
 - b. Correct any discriminatory effects on the grievant;
 - c. Provide interim relief, if appropriate; and
 - d. Prevent retaliatory discrimination.
2. Any settlement of a grievance shall be applicable to that grievance only and shall not be considered binding authority for the disposition of any other grievance.

Adopted: 7/22/82

Revised: 4/13/83; 4/14/04 Reviewed: 8/8/84; 9/1/04

Revised: 7/28/05; 1/18/12

Revised and re-coded: 1/7/13 (Previously coded as Administrative Rule JB)

Revised: 7/1/18

Legal Reference

O.C.G.A. 45-1-4

O.C.G.A. 20-2-131

O.C.G.A. 20-2-133

34 CFR 104.7

34 CFR 100.7(c)

29 CFR 1691.5

34 CFR 106.8

42 USC 2000d

20 USC 1412

20 USC 1703

29 USC 794

20 USC 1400

20 USC 1701

29 USC 705

20 USC 1681

Whistleblower

Objectives and purposes of QBE program

Free public instruction; exceptions; eligibility; transfer and utilization; funding

Section 504 - Designation of responsible employee and adoption of grievance procedures

Title VI - Conduct of investigations

Agency processing of complaints of employment discrimination - ADA

Title IX - Designation of responsible employee and adoption of grievance procedures for sex discrimination

1964 Civil Rights Act

State eligibility

Denial of equal educational opportunity prohibited

Nondiscrimination under Federal grants and programs

Individuals with Disabilities Education Act of 2004

Equal Educational Opportunities Act of 1974

Rehabilitation Act of 1972

Title IX of the Education Amendments of 1972