



DIVISION OF State Schools

Richard Woods, Georgia's School Superintendent
"Educating Georgia's Future"

Dr. Kenney Moore
State Schools Director

Notice of Non-Discrimination and Policies Prohibiting Harassment

The State Schools Division of the Georgia Department of Education and each of the three State Schools – including the Atlanta Area School for the Deaf, the Georgia Academy for the Blind, and the Georgia School for the Deaf – uphold the rights of all students to have equal educational opportunities. The State Schools do not discriminate on the basis of age, disability, race, ethnic origin, religion, color, or sex/gender in its educational programs and activities, athletic programs, or employment practices. It is the policy of the State Schools to comply fully with the requirements of Title VI of the Civil Rights Acts of 1964, Title IX of the Educational Amendments of 1972, the Equity in Sports Act, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and all accompanying regulations.

The policy of the State Schools is to maintain learning environments that are free from discrimination or harassment due to an individual's age, disability, race, ethnic origin, religion, color, or sex. Therefore, it shall be a violation of State Schools policy for any student, teacher, administrator, or other school system employee, through conduct or any form of communication, to discriminate or harass school system students.

A violation exists if any State Schools teacher, administrator, or other school personnel tolerates discrimination or harassment by a student, teacher, administrator, other school personnel, or by any third parties who are participating, observing, or otherwise engaging in activities, including sporting events and any other extra-curricular activities, under the auspices of the State Schools.

The State Schools will act to promptly investigate all complaints, either formal or informal, verbal or written, of harassment because of race, color, creed, religion, gender or disability; to promptly take appropriate action to protect individuals from

further discrimination or harassment; and if it determines that unlawful discrimination or harassment occurred, to promptly and appropriately discipline any student, teacher, administrator or other school personnel who is found to have violated this policy, and/or to take other appropriate action reasonably calculated to end the discrimination or harassment.

Any student, parent 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.

Report, Complaint, & Investigation Procedures (Discrimination & Harassment)

Any student who believes that he/she has been the victim of racial, sexual, or disability discrimination or harassment by a student, teacher, administrator, or other school personnel of the school system, or by any other person who is participating in, observing, or otherwise engaging in activities, including sporting events and other group activities, under the auspices of the State Schools should report the alleged acts to a principal, guidance counselor, or other individual designated by the school to receive such complaints who will immediately report to the appropriate designees (see list below).

Filing of a complaint or otherwise reporting any instance of discrimination or harassment will not reflect upon the individual's status nor will it affect future grades, course assignments, or other educational decisions. Any teacher, administrator, or other school official who has or receives notice that a student has or may have been the victim of discrimination or harassment by a student, teacher, administrator, or other school personnel of the school system, or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extra-curricular activities, under the auspices of the State Schools, is required to immediately report the alleged acts to the principal of the school which the student attends and/or the appropriate designees (see list below).

1. Allegations of race, ethnic origin, religion, color, sexual, gender harassment or discrimination should be made to the principal of the school which the alleged student victim attends and to the Equal Opportunity Coordinator or Title IX Coordinator designee;
2. Allegations of disability harassment or discrimination should be reported to the principal of the school which the alleged student victim attends and to the Section 504/Americans with Disabilities Act Coordinator designee;

3. The right to confidentiality, both of the complainant and the accused, will be respected consistent with the State School's legal obligations and with the necessity to investigate the allegations of misconduct and to take corrective action when this conduct has occurred.
4. All allegations of harassment or discrimination shall be fully investigated and immediate and appropriate corrective or disciplinary action shall be initiated by the principal or the superintendent. A substantiated charge against an employee shall subject such person to disciplinary action, including the possibility of discharge. A substantiated charge against a student shall subject the student to disciplinary action including, but not limited to suspension or expulsion.
5. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. The investigation shall be conducted in accordance with State Schools policies.
6. Submission of a good faith complaint or report of harassment or discrimination will not affect the complainant's or reporter's future employment, grades, learning, or working environment or work assignments.
7. Student complaints made to the State Schools regarding alleged discrimination or harassment on the basis of race, color, religion, or national origin in violation of Title VI, on the basis of sex/gender 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:
 - o Any student, employee, parent, or other person with a complaint or report alleging a violation as described above shall promptly notify, in writing or orally, the school principal or appropriate designee. If the complaint is oral, either school principal or the designee to whom the 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 designee of the complaint.
 - o If the alleged offending individual is the designee 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 State Schools Director.

- The coordinator or his or her designee shall have 15 work days to 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 persons involved. The coordinator or designee shall 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 copies of this response shall be furnished to the complainant, the appropriate coordinator, and the principal or his or her designee.
- If the complaint is not resolved at the conclusion of this 15-day period or if the complainant is not satisfied with the resolution of the 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 of schools. If the alleged offending individual is the superintendent, the complainant may have the complaint referred to the State Schools Director, rather than the superintendent.
- The superintendent shall have 15 work days to review the complaint and the response of the coordinator or designee and attempt to resolve the complaint. The superintendent shall furnish to the complainant a written response setting forth either his or her approval of the action recommended by the coordinator or designee or the action to be taken by the State Schools in response to the complaint in lieu of that recommended by the coordinator or designee and the time frame in which such action shall be taken.
- 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 State Schools or to contact the Office of Civil Rights or other appropriate state or federal agency with regard to any allegations that the State Schools has violated the statutes described above.

- The State Schools shall be responsible for distributing and disseminating information relevant to this policy and procedure to students, parents, and employees through appropriate procedures.
- 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.
- 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.

Coordinators Designated by the State Schools

Questions, concerns, reports, or complaints relating to the nondiscrimination or harassment policies and practices for students of the State Schools should be reported to the principal of the school which the alleged student victim attends or to the following coordinators designated by the superintendent of schools, who are employed by State Schools:

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Last Updated February 22, 2022