

Board Policy IKBB: Divisive Concepts Complaint Resolution Process

Status: DRAFT

Original Adopted Date: Pending

DEFINITIONS

1. **'Divisive concepts'** means any of the following concepts, including views espousing such concepts:
 - A. One race is inherently superior to another race;
 - B. The United States of America is fundamentally racist;
 - C. An individual, by virtue of his or her race, is inherently or consciously racist or oppressive toward individuals of other races;
 - D. An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race;
 - E. An individual's moral character is inherently determined by his or her race;
 - F. An individual, solely by virtue of his or her race, bears individual responsibility for actions committed in the past by other individuals of the same race;
 - G. An individual, solely by virtue of his or her race, should feel anguish, guilt, or any other form of psychological distress;
 - H. Performance-based advancement or the recognition and appreciation of character traits such as a hard work ethic are racist or have been advocated for by individuals of a particular race to oppress individuals of another race; or
 - I. Any other form of race scapegoating or race stereotyping.
2. **'Espousing personal political beliefs'** means an individual, while performing official duties as part of his or her employment or engagement with a school or local school system, intentionally encouraging or attempting to persuade or indoctrinate a student, school community member, or other school personnel to agree with or advocate for such individual's personal beliefs concerning divisive concepts.
3. **'Race scapegoating'** means assigning fault or blame to a race, or to an individual of a particular race because of his or her race. Such term includes, but is not limited to, any claim that an individual of a particular race, consciously and by virtue of his or her race, is inherently racist or is inherently inclined to oppress individuals of other races.
4. **'Race stereotyping'** means ascribing character traits, values, moral or ethical codes, status, or beliefs to an individual because of his or her race.

REQUIREMENTS

1. The Board of Education, the Superintendent, and each school shall prohibit employees from discriminating against students and other employees based on race.
2. The Board of Education, the Superintendent, and each school shall ensure that curricula and training programs encourage employees and students to practice tolerance and mutual respect and to refrain from judging others based on race.
3. Nothing in this policy shall be construed or applied to:

- A. Inhibit or violate the rights protected by the Constitutions of Georgia and the United States of America or undermine intellectual freedom and free expression;
 - B. Infringe upon the intellectual vitality of students and employees;
 - C. Prohibit the Board, system or a school from promoting concepts such as tolerance, mutual respect, cultural sensitivity, or cultural competency; provided, however, that such efforts do not conflict with the requirements of this policy and applicable laws;
 - D. Prohibit a school administrator, teacher, other school personnel, or an individual facilitating a training program from responding in a professionally and academically appropriate manner and without espousing personal political beliefs to questions regarding specific divisive concepts raised by students, school community members, or participants in a training program;
 - E. Prohibit the discussion of divisive concepts, as part of a larger course of instruction, in a professionally and academically appropriate manner and without espousing personal political beliefs;
 - F. Prohibit the full and rigorous implementation of curricula, or elements of a curriculum, that are required as part of advanced placement, international baccalaureate, or dual enrollment coursework; provided, however, that such implementation is done in a professionally and academically appropriate manner and without espousing personal political beliefs;
 - G. Prohibit the use of curricula that addresses the topics of slavery, racial oppression, racial segregation, or racial discrimination, including topics relating to the enactment and enforcement of laws resulting in racial oppression, segregation, and discrimination in a professionally and academically appropriate manner and without espousing personal political beliefs;
 - H. Create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the District, Board or the schools, departments, agencies, entities, officers, employees, agents, or any other personnel affiliated with the District or the Board.
4. The Board of Education hereby adopts this complaint resolution policy to address complaints alleging violations of this policy.
- A. A response will be provided to a complaint made by:
 - i. The parent of a student enrolled at the school where the alleged violation occurred;
 - ii. A student who has reached the age of majority or is a lawfully emancipated minor and who is enrolled at the school where the alleged violation occurred; or
 - iii. An individual employed as a school administrator, teacher, or other school personnel at the school where the alleged violation occurred;
 - B. The complaint shall first be submitted in writing to the principal of the school where the alleged violation occurred;
 - C. The complaint shall provide a reasonably detailed description of the alleged violation;
 - D.
 - i. Within five school days of receiving such written complaint, the school principal or a school system designee will review the complaint and take reasonable steps to investigate the allegations in the complaint;
 - ii. Within ten school days of receiving the complaint, unless another schedule is mutually agreed to

by the complainant and the school principal or the school system designee, the school principal or such designee will confer with the complainant and inform the complainant whether a violation occurred, in whole or in part, and, if such a violation was found to have occurred, what remedial steps have been or will be taken; provided, however, that the confidentiality of student or personnel information shall not be violated; and

- iii. Following such conference, within three school days of a request by the complainant, the school principal or school system designee will provide to the complainant a written summary of the findings of the investigation and a statement of remedial measures, if any; provided, however, that such written response shall not disclose any confidential student or personnel information.
- E. The determinations shall be reviewed by the Superintendent or his or her designee within ten school days of receiving a written request for such review by the complainant addressed to the Superintendent, provided, however, that confidential student or personnel matters shall not be subject to review;
 - F. In reviewing the decision, the Superintendent shall review the original complaint filed by the complainant, any communication between the complainant and the principal or designee from the time the complaint is filed until the time of the review that is related to the complaint, and any statement in writing submitted to the Superintendent in connection with the review by either the complainant or the principal or designee by a date set by the Superintendent. The Superintendent shall have the right, but not the obligation, to hear from the complainant and the principal or designee or to request further information from either.
 - G. The Superintendent's decision following the review provided for in subparagraph (E) shall be subject to review by the Board of Education as provided in Code Section 20-2-1160; provided, however, that confidential student or personnel matters shall not be subject to review;
 - H. When the Board has made a decision, it shall be binding on the parties; provided, however, that the parties shall be notified in writing of the decision and of their right to appeal the decision to the State Board of Education and of the procedures and requirements for such an appeal as set forth in Georgia law.
 - I. Any individual described in (4)(A) above, shall have the right at any time, including prior to filing a complaint, to request, in writing, from the Superintendent or the school principal nonconfidential records which he or she reasonably believes may substantiate a complaint under this policy. Such records shall be produced for inspection within a reasonable amount of time not to exceed three school days of receipt of the request. If some, but not all, of the records are available within three school days, the records that are available shall be made available, and the requester shall be provided a description of the records which are unavailable and a timeline for when those records will be available. These records shall be provided as soon as practicable, but in no case later than thirty (30) days after receipt of the request.
 - J. If a parent's request described in subsection (I) is denied or the records not produced within thirty (30) days, the parent may appeal the denial or failure to the Board which must place the appeal on the agenda for the next public meeting. If it is too late for such appeal to appear on the next meeting's agenda, the appeal must be included on the agenda for the subsequent meeting.
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Board Policy IKBC: Material Harmful to Minors Complaint Resolution Process

Status: DRAFT

Original Adopted Date: Pending

DEFINITIONS

Harmful to minors- as used in this policy, means that quality of description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when it:

1. Taken as a whole, predominantly appeals to the prurient, shameful, or morbid interest of minors;
2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and
3. Is, when taken as a whole, lacking in serious literary, artistic, political, or scientific value for minors.

Business Day – as used in this policy, means any calendar day, except Saturdays, Sundays, and any federal and school holidays upon which the office of the Superintendent is open to the public for business.

REQUIREMENTS

The Board of Education hereby adopts this policy to address complaints submitted by parents or permanent guardians alleging that material that is harmful to minors has been provided or is currently available to his or her child who is enrolled in this school system. The complaint resolution process is as follows:

1. Complaints must be submitted in writing by the parent or permanent guardian to the principal of the school where the student is enrolled.
2. Complaints must provide a reasonably detailed description of the material that is alleged to be harmful to minors.
3. Within seven (7) business days of receiving a written complaint, the school principal or his or her designee will review the complaint and take reasonable steps to investigate the allegations in the complaint, including, but not limited to, reviewing the material that is alleged to be harmful to minors, if it is available.
4. The school principal or his or her designee will determine whether the material that is the subject of the complaint is harmful to minors.
5. The school principal or his or her designee will determine whether student access to the material that is the subject of the complaint should be removed or restricted.
6. Within ten (10) business days of receiving the complaint, unless another schedule is mutually agreed to by the parent or permanent guardian and the school principal or his or her designee, the school principal or his or her designee will confer with the parent or permanent guardian and inform him or her whether the material that is the subject of the complaint was determined to be harmful to minors, and whether student access to such material will be removed or restricted.
7. Appeals of the school's principal's or his or her designee's determinations is subject to full administrative and substantive review by the Board of Education, which shall include the ability of the parent or permanent guardian to provide input during public comment at a regularly scheduled board meeting. Unless another time frame is mutually agreed upon by the parent or permanent guardian and the Board of Education, the review and final disposition of the appeal by the Board of Education will be completed within 30 calendar days of receiving the written appeal.
8. On appeal the Board shall review the original complaint filed by the parent or permanent guardian, any statement made by the parents or permanent guardian as part of public comment at a regular board meeting,

any communication between the parent or permanent guardian to the principal or designee from the time the complaint is filed until the time of the appeal that is related to the complaint, and any statement in writing submitted to the Board in connection with the appeal by either the parent or permanent guardian or the principal or designee by a date set by the Board. The Board shall have the right, but not the obligation, to hear from the parent or permanent guardian and the principal or designee at the meeting where it makes its review and to discuss any legal issues raised by the complaint in executive session with the attorney for the school district.

9. The title of the material submitted for appeal that is determined by the Board of Education to be not harmful to minors shall be published on the Board of Education's website within 15 business days from the date of the Board's determination and will remain on the website for a period of not less than 12 months. A parent or permanent guardian may request access to appealed materials that are physical in nature and accessible to their student in the student's school media center. A parent or permanent guardian must abide by the school's policies and procedures when requesting and reviewing such material.
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Board Policy JRB: Parents' Bill of Rights

Status: DRAFT

Original Adopted Date: Pending

DEFINITION

Instructional material-As used in this policy, the term "instructional material" means:

- a. Instructional materials and content which constitute the principal source of study for a state funded course to be used in the various grades in Georgia's public schools, including the elementary grades and high school grades; and
- b. Locally approved instructional materials and content which constitute the principal source of study for a state funded course, not including supplementary or ancillary material, which is adopted by a local board of education or used by a local school system. Supplementary or ancillary material includes, but is not limited to, articles, online simulations, worksheets, novels, biographies, speeches, videos, music, and similar resources in any medium, including both physical or digital.

REQUIREMENTS

The Board of Education promotes parental involvement in school district schools.

1. The Superintendent or his or her designee shall ensure that each school within the school district has in place and makes available procedures for a parent to:
 - a. Review records relating to his or her minor child;
 - b. Learn about his or her minor child's courses of study, including, but not limited to, parental access to instructional materials intended for use in the classroom. Such instructional materials will be made available for parental review during the first two weeks of each grading period, either online or on site upon a parent's request made during the review period.
 - c. Object to instructional materials intended for use in his or her minor child's classroom or recommended by his or her minor child's teacher;
 - d. Withdraw his or her minor child from the school's prescribed course of study in sex education if the parent provides a written objection to his or her child's participation. Such procedures will provide for a parent to be notified in advance of such course content so that he or she may withdraw his or her minor child from the course; and
 - e. Provide written notice that photographs or video or voice recordings of his or her minor child are not permitted, subject to applicable public safety and security exceptions.
2. The procedures required by this policy will be posted on the school district's website and made available for review on site upon request of a parent.