



TITLE IX PARENT/STUDENT GRIEVANCE PROCEDURES

The Houston County Board of Education desires that all students receive the benefit of an adequate education. With this view in mind, the Board prohibits unlawful discrimination against students on the basis of race, color, national origin, sex, religion, age, or disability in its programs and activities and is obligated under Title IX to ensure that an individual is not denied or limited in the ability to participate in or benefit from a school's program on the basis of sex. If a student or a student's parents/guardians has a complaint or grievance alleging any action prohibited by Title IX i.e., discrimination on the basis of sex and sex-based harassment carried out by employees, other students, or third parties, he/she should report and discuss the matter with the principal of the school which the student attends in an attempt to resolve the grievance. If the principal is the subject of the complaint or grievance, he/she should report the matter to the Title IX Coordinator. See below for contact information.

The school and the School System will take all necessary steps to prevent any recurrence of sex-based harassment and will do what is necessary to correct its discriminatory effects. In all Title IX investigations, a school will use a preponderance-of-the-evidence standard. The student or parent/guardian bringing the complaint may seek relief using the formal procedures outlined below. The student alleged to have carried out the harassment may also seek relief by following the procedures outlined below. These procedures apply to complaints of discrimination or harassment prohibited by Title IX. The steps below are recommended for the most efficient resolution at the lowest level for any form of discrimination.

Title IX prohibits different types of sex-based harassment. Sexual harassment is defined as unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature which creates a hostile environment. Sexual harassment of a student can deny or limit, on the basis of sex, the student's ability to participate in or to receive benefits, services, or opportunities in the school's program. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence is an infliction of physical force by school employees, other students, or third parties, with the intent to cause injury or harm to the student. Sexual violence can include acts such as rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

As a result of the receipt of federal funds, the Houston County Board of Education has the authority and jurisdiction under 20 U.S.C. § 1681 et seq to investigate and resolve Title IX complaints pursuant to the following procedures.

Step I

The complaint shall be presented orally or in writing to the school principal, or the Title IX Coordinator if the principal is the subject of the complaint/grievance, within ten (10) calendar days after the most recent incident upon which the complaint is based. If the harassment is so severe that the complainant is unable to make a complaint within the ten (10) calendar day time frame, the number of days within which to make the complaint may be waived to provide the student/parent making the complaint sufficient time to notify the principal or Title IX Coordinator of the complaint. Any witness or evidence should be provided at the time of the complaint. All parties involved shall have the opportunity to present witnesses and other evidence. The principal or designee will conduct an investigation. The parties involved will be informed of the outcome and the principal will render a written decision within ten (10) calendar days of the filing of the complaint.

Step II

If the Step I investigation was conducted by the Title IX Coordinator, skip Step II and proceed to Step III.

A complainant or alleged harasser dissatisfied with the decision of the school principal may appeal to the Houston County School System's Title IX Coordinator by submitting a written statement of complaint to the Title IX Coordinator. The complaint should be mailed to:

Assistant Superintendent for School Operations, Title IX Coordinator
Houston County Board of Education
Post Office Box 1850
Perry, Georgia 31069-1850
Phone: (478) 988-6200
Fax: (478) 218-7517

This statement must be filed within ten (10) calendar days after the parties, complainant and alleged harasser, receives the decision from the school principal. The appeal shall include all reports and comments from Step I and a letter of appeal. The System Title IX Coordinator will initiate an investigation of the grievance and schedule a meeting with the complainant or alleged harasser to attempt resolution of the concerns. The Houston County School System's Title IX Coordinator will render a written decision within ten (10) calendar days after the meeting. The case is closed if the complainant is satisfied with the decision or does not wish to take further steps.

Step III

A complainant or alleged harasser dissatisfied with the decision of the Houston County School System's Title IX Coordinator may appeal to the Houston County Board of Education by filing a written request for a hearing to the Office of the Superintendent. The complaint should be filed with the:

Office of the Superintendent
Houston County Board of Education
Post Office Box 1850
1100 Main Street
Perry, Georgia 31069-1850
Phone: (478) 988-6200

The appeal must be filed within ten (10) calendar days after the complainant receives the decision from the Houston County School System's Title IX Coordinator. The request for a hearing shall state specifically the nature of the grievance, the relief sought, and the reasons why the Board should grant a hearing. If a hearing is granted, the Board of Education will hear the grievance at the next regularly scheduled BOE meeting, not less than seven (7) days thereafter, and render a final decision within ten (10) days of the hearing. If a hearing is not granted, the parties will be notified that the decision of the Title IX Coordinator is affirmed.

Additional Information:

Confidentiality and Confidential Reporting

All efforts will be made to support an interest in confidentiality in cases involving sex-based harassment. There are situations where a student's request may be overridden by Title IX obligations; however, these instances will be limited and the information will only be shared with individuals responsible for handling the school's response. The system Title IX coordinator will evaluate requests for confidentiality.

Except as required for mandated reporting, counselors and other individuals whose official responsibilities include providing mental health counseling to members of the school community are not required by Title IX to report any information regarding an incident of alleged sexual violence to the Title IX coordinator or other school designee.

These individuals should inform students of their right to file a Title IX complaint and a separate complaint with law enforcement.

Retaliation

Retaliation against an individual because the individual filed a complaint alleging a violation of Title IX; participated in a Title IX investigation, hearing, or proceeding; or advocated for others' Title IX rights is prohibited. The District will take appropriate action against individuals who violate this procedure.

Interim Measures

Title IX requires a school to ensure equal access to its education programs and activities and to protect the complainant as necessary during an investigation. Interim measures may vary based on the circumstances involved in the complaint; however, schools will minimize the burden on the complainant to the extent possible to eliminate a hostile environment. Requests for interim measures may be made to the Title IX coordinator or the Superintendent of Schools.

Criminal Complaint

A school's Title IX investigation is separate from a criminal investigation. A student or student's parent/guardian may file a criminal complaint at any time if they believe a law has been violated; however, this does not relieve the school of its responsibility to conduct a thorough investigation.

Remedies / Sanctions

In cases of sex-based harassment, services for the complainant may be needed to remedy a hostile environment. These remedies may include class schedule change, counseling, or other services deemed appropriate by the Title IX coordinator or the Superintendent of Schools.

Sanctions for the perpetrator will be resolved through the disciplinary process, and will be handled promptly and equitably. Consequences may vary and can be up to and including expulsion.

Counseling, Advocacy, and Support

Support for victims of sex-based harassment may involve counseling, social worker support, school psychologist, or other community based resources as deemed appropriate by the Title IX coordinator or the Superintendent of Schools.