

**IKBB-R Divisive Concepts Complaint Resolution Process**

8/1/22

**RULE:****A. GENERAL PROVISIONS:**

The following expectations are provided in accordance with O.C.G.A §20-1-11.

1. The Cobb County School District (District) prohibits employees from discriminating against students and other employees based on race (see Administrative Rules JAA-R and GAAA-R).
2. The District shall ensure that curricula and training programs encourage employees and students to practice tolerance and mutual respect and refrain from judging others based on race.
3. Curriculum, classroom instruction, and mandatory training program shall not advocate for divisive concepts (see Administrative Rule IFAA-R).
4. Nothing in this rule 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 District 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 state law;
  - d. Prohibit District staff from responding in a professionally and academically appropriate manner and without espousing personal political beliefs (see Administrative Rule IKB-R) to questions regarding specific divisive concepts raised by students or school community members;
  - 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; or
  - 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.

**B. COMPLAINT RESOLUTION PROCESS:****1. Complainant:**

Neither the school nor the District shall not respond to a complaint unless it is made by:

- a. A parent of a student enrolled at the school where the alleged violation occurred;
- b. A student, 18-years of age or older or a lawfully emancipated minor who is enrolled at the school where the alleged violation occurred; or
- c. An individual employed as a school administrator, teacher, or other school personnel at the school where the alleged violation occurred.

**2. Complaint:**

- a. The complaint shall first be submitted in writing to the principal of the school where the alleged violation occurred.
- b. The complaint shall provide a reasonably detailed description of the alleged violation.

**3. Local School Review:**

- a. Within five (5) school days of receiving such written complaint, the school principal or a designee of the charter school or local school system shall review the complaint and take reasonable steps to investigate the allegations in the complaint.
- b. Within ten(10) school days of receiving the complaint, unless another schedule is mutually agreed to by the complainant and the school principal or the designee, the school principal or such designee shall 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.
- c. Following such conference, within three (3) school days of a request by the complainant, the school principal or the designee shall 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.

**4. Appeal:**

- a. The local school determination shall be reviewed by the Superintendent or his/her designee within ten (10) school days of receiving a written request for such review by the complainant.
- b. The Superintendent's/designee's decision following a review shall be subject to review by the Cobb County Board of Education (Board) in accordance with state law.
- c. Following a decision by the Board regarding a complaint made under this rule, any party aggrieved by the decision of the Board shall have the right to appeal such decision to the State Board of Education for a hearing.

**C. RECORDS:**

- 1. Any complainant as described above shall have the right at any time, including prior to filing a complaint as provided in this Rule, to request, in writing, from the principal nonconfidential records which he or she reasonably believes may substantiate a complaint under this Rule. The principal shall produce such records for inspection within a reasonable amount of time not to exceed three business days of receipt of a request. In those instances where some, but not all, of the records requested are available for inspection within three business days, the principal shall make available within that period such records that are available for inspection. In any instance where some or all of such records are unavailable within three business days of receipt of the request, and such information exists, the principal shall, within such time period, provide the requester with a description of such records and a timeline for when the records will be available for inspection and shall provide the records or access thereto as soon as practicable but in no case later than 30 days after receipt of the request.
- 2. If the principal denies a parent's request for records or does not provide existing responsive records within 30 days, the parent may appeal such denial or failure to respond to the Board. The Board must place such appeal on the agenda for its 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.

Adopted: 8/1/22

Legal Reference:  
20-1-11 Protect Students First Act