

Georgia Cyber Academy Protect Students First Act Complaint Resolution Policy

In accordance with the requirements found in Georgia House Bill 1084, the Protect Students First Act (the “Act”), GCA maintains the following Complaint Resolution Policy to set forth how eligible individuals may make complaints about GCA’s adherence to the requirements of the Act.

SECTION 1. Summary of the Protect Students First Act

The Protect Students First Act, the full text of which is available at <https://www.legis.ga.gov/legislation/61477>, requires GCA to prohibit its employees from discriminating against students and other employees based on race. Further, GCA must ensure that its curricula and training programs encourage employees and students to practice tolerance and mutual respect and to refrain from judging others based on race. In doing so, it shall not advocate for “divisive concepts,” a term further defined in the Act.

The Act is not intended to and shall not be construed or applied in practice to, among other things, inhibit or violate state and federal Constitutional rights, prohibit GCA from promoting tolerance, mutual respect, or cultural sensitivity or competence, or to ban the discussion of “divisive concepts” as part of a larger course of instruction in a professionally and academically appropriate manner without espousing personal political beliefs.

Further, the Act does not 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.

SECTION 2. Individuals Who May Make Complaints Under This Policy

Only the following individuals shall be permitted to make a complaint under this Policy: the parent/guardian of a current GCA student; a GCA student who has reached the age of majority or is a lawfully emancipated minor; and any current GCA administrator, teacher, or other School personnel. An individual making a complaint under this Policy shall be referred to herein as a “Complainant”.

SECTION 3. Request for Records

Any individual able to bring a complaint under this policy may also, before or in conjunction with bringing a complaint, make a written request to the Superintendent for access to nonconfidential records reasonably believed to substantiate a complaint made under the Act. The Superintendent shall produce such records for inspection within a reasonable amount of time not to exceed three business days from the date of the written request. In any instance where some or all of the requested documents are unavailable within three business days of receipt of the request, but such documents do exist, the Superintendent shall within three business days provide the Complainant with a description of such records and a timeline for when they will be available shall provide the documents or access thereto as soon as practicable but in no case later than thirty days after receipt of the written request.

If the Superintendent denies a request for records or does not provide existing responsive records within thirty days, the requester may appeal such denial or failure to respond to the Board of Directors. The Board of Directors 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.

SECTION 4. Complaint Procedures

To initiate a complaint under this Policy, a Complainant shall submit to the Superintendent, in writing, a reasonably detailed description of the alleged violation of the Protecting Students First Act.

By way of example, a reasonably detailed description would generally include the date on which the alleged violation occurred, in which course or during what school-sponsored event the alleged violation occurred, the individual(s) accused of committing the alleged violation, any witnesses to the alleged violation, and details of the substance of the alleged violation (i.e., what remarks were made or what materials were presented that are objectionable).

SECTION 5. Investigation of Complaints

Within five business days of receiving a written complaint, the Superintendent or GCA's designee shall review the complaint and take reasonable steps to investigate its allegations. What is considered "reasonable" will vary based on the details of the Complaint, but generally will involve interviewing the Complainant, interviewing the individual(s) identified as having violated the Act, interviewing any witnesses to the alleged violation as needed, and/or reviewing the allegedly objectionable materials at issue, if any.

The Superintendent or GCA's designee shall thereafter meet with the Complainant within ten business days of receiving the written complaint—unless another schedule is mutually agreed to by the Complainant and the Superintendent—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.

If the Complainant so requests, the Superintendent or GCA's designee shall within three business days of the above referenced meeting, provide to the Complainant a written summary of 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.

SECTION 6. Appeal of Superintendent's Decision

If Complainant disagrees with the Superintendent's or GCA's designee's determination, Complainant may, within 5 business days of receipt of the written findings, submit a request in writing to the Chair of the Board of Directors to review the Superintendent's or his/her designee's decision. The Board of Directors or its designee shall, within ten business days of receiving a written request, review the Superintendent's or GCA's designee's determinations. Confidential student or personnel matters shall not be subject to review.

SECTION 7. Appeal of Board of Directors' Decision

If Complainant disagrees with the Board of Directors' decision, Complainant may submit a request in writing to the State Charter School Commission to review the Board of Directors' decision. The State Charter School Commission shall take appropriate remedial measures. Confidential student or personnel matters shall not be subject to review.