



Policy Name

Standard Operating Procedure / Policy

Subject: COMPLAINT RESOLUTION PROCESS FOR MATERIAL HARMFUL TO MINORS

Effective Date: 11-17-2022 | Revised Date:

Purpose: This policy is adopted in accordance with the requirements of SB 226 enacted by the Georgia General Assembly during the 2022 legislative session.

Policy: Definitions

“Harmful to Minors” means that the 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 for minors; and
3. Is, when taken as a whole, lacking serious literary, artistic, political, or scientific value for minors.

Complainant – the parent or legal guardian of a student enrolled in the school who files a complaint under this complaint resolution policy

Investigator – the Head of School or his/her designee who is responsible for investigating complaints under this policy.

Complaint

The parent or legal guardian of a student enrolled in this school may file a complaint with the Head of School if they believe that material harmful to minors has been provided or is currently available to their child from the school. A properly filed complaint must be in writing and provide a reasonably detailed description of the material that is alleged to be harmful to minors.



Investigation & Initial Determinations

Within seven (7) business days of receiving a properly filed complaint, the Head of School or his/her designee shall take reasonable steps to investigate the allegations, including but not limited to reviewing the alleged harmful materials. The Investigator shall make the following determinations:

1. Whether the material that is the subject of the complaint is harmful to minors; and
2. Whether the material that is the subject of the complaint shall be removed or whether student access to the material shall be restricted.

Within ten (10) business days of receiving a properly filed complaint, the Investigator shall confer with the Complainant and inform them of the determinations from their investigation.

Appeal

The Complainant may file a written appeal of the initial determinations with the Chair of the Governing Board. Upon receipt of a written appeal, the Board shall conduct a full administrative and substantive review. This review shall include, but is not limited to, allowing the Complainant to provide input during the public comment period at the Board's next regularly scheduled meeting. Within thirty (30) calendar days of receiving a written appeal, the Board shall conduct its review and issue a decision on the complaint. The decision of the Governing Board shall be final.

Timelines

The Complainant and the Investigator and/or Board may mutually agree to different timelines than those identified above for the conducting the investigation and issuing an initial or final determination.

Materials Found to Not be Harmful

Within fifteen (15) business days of a finding by the Board that the complaint-identified material is not harmful to minors, the material shall be published on the School website. The material shall remain on the school website for not less than twelve (12) months.

Access to Appealed Materials

Subject to the school's policies and procedures for requesting and reviewing materials, a parent or guardian may request access to review appealed materials that are physical in nature and available to their student at the school's media center.