



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS, REGION IV

61 FORSYTH ST., SOUTHWEST, SUITE 19T10  
ATLANTA, GA 30303-8927

REGION IV  
ALABAMA  
FLORIDA  
GEORGIA  
TENNESSEE

March 7, 2018

Wayne Randall, Superintendent  
Franklin County Schools  
280 Busha Road  
Carnesville, Georgia 30521

Re: Complaint #04-15-1513

Dear Mr. Randall:

On August 31, 2015, the U.S. Department of Education, Office for Civil Rights (OCR), received a complaint filed against Franklin County Schools (District) by the Complainant alleging discrimination on the basis of sex. Specifically the Complainant alleged the following:

1. Female students have fewer sports teams than male students at Franklin County High School (School) and;
2. The Title IX Coordinator's information is not published.

As a recipient of Federal financial assistance from the Department, the District is subject to Title IX of the Education Amendments of 1972, 20 U.S.C. §§1681 *et seq.*, (Title IX) and its implementing regulation, 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex. Accordingly, OCR has jurisdiction to investigate this complaint.

Legal Issue #1

Whether the District denies female students an equal athletic opportunity, in noncompliance with the Title IX implementing regulation at 34 C.F.R. Section 106.41(a) and (c)(1) in the following area:

- a. The accommodation of interest and abilities.

Prior to the conclusion of the investigation, the District requested to resolve the complaint.

To resolve the complaint allegation #1 the District has agreed to enter into the attached resolution agreement (Agreement) which when fully implemented, will resolve the issue in this complaint. The Agreement will require the District to add the sport of volleyball and continue to add female sports until either the School is fully and effectively accommodating the expressed interests and abilities of female students (i.e., there remains no unmet interest and ability) or (2) the participating rate for female students in the School's interscholastic athletics program is substantially proportionate to their rate of enrollment at the School. The District will also be

required to put a policy in place by which persons can request that a sport be offered at the School.

OCR will monitor the District's implementation of the Agreement to ensure that it is fully implemented and that the District is in compliance with the statutes and regulations at issue in this complaint.

#### Legal Issue #2

Whether the District failed to published its Title IX Coordinator's name and contact information in noncompliance with the Title IX implementing regulation at 34 C.F.R. Section 106.8(a).

Prior to the completion of OCR investigation, the District provided information that it has named two Title IX Coordinators and their contact information is published in the Student Handbook and on its website. As such, this issue is resolved and will be closed pursuant to CPM Section 108 (i), as of the date of this letter.

This concludes OCR's investigation of the complaint and should not be interpreted to address the District's compliance with any other regulatory provision or to address any issues other than those addressed in this letter. This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public. The Complainant may file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the District may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the Complainant may file another complaint alleging such treatment.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records, upon request. In the event that OCR receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy. This concludes OCR's consideration of this complaint. If you have any questions about this letter, please contact Vicki Lewis, Senior Attorney at 404-974-9332 or me at 404-974-9376.

Sincerely,

Arthur Manigault  
Compliance Team Leader

Enclosure