

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURES - Revised 2.71a

Introduction

These procedures are intended to create and preserve an educational and working environment free from discrimination and harassment on the basis of race, color, religion, ethnic or national origin, age, disability, veteran or military status, marital status, pregnancy, sex, gender, gender identity or expression, or sexual orientation. These procedures are intended to further the District's commitment to provide a healthy and productive environment for all students, employees and "non-employees" (i.e., contractors, subcontractors, vendors, consultants and volunteers) that promotes respect, dignity and equality.

The School Board recognizes that the District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The School Board encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal process, the School Board shall adopt the uniform system of complaint procedures described below.

Role of the Title IX Coordinator

The Title IX Coordinator is the person designated by the Superintendent to coordinate compliance with Title IX and the District's equity policies. The contact information for the District's Title IX Coordinator is included directly below.

Office of the Title IX Coordinator
1960 Landings Boulevard
Sarasota, FL 34231
(941) 927-9000

The Title IX Coordinator's contact information shall be included in the Title IX section of the District's website, as well as in the student and employee handbooks. The Title IX Coordinator or his/her designee will be available during regular school/work hours to discuss concerns related to discrimination and harassment.

The Title IX Coordinator will receive reports or complaints from employees regarding discrimination and harassment based on race, color, religion, ethnic or national origin, age, disability, veteran or military status, marital status, pregnancy, sex, gender, gender identity or expression, or sexual orientation; and oversee the investigative process for these reports. The Title IX Coordinator will ensure that any investigation is conducted by an impartial investigator who has been trained in the requirements of equal educational opportunity, including discrimination and harassment, and who is able to apply procedural and substantive standards which are necessary and applicable to identify discrimination and harassment, and

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take other appropriate action to rectify the damaging effects of any prohibited discrimination or harassment, including supportive measures for the claimant during the course of the investigation.

The Title IX Coordinator will be responsible for collecting and maintaining copies of all complaint forms that are submitted by students and employees pursuant to this policy, as well as documentation from all subsequent investigations and resolutions, including for both informal and formal complaints.

The Title IX Coordinator will also be responsible for assessing the training needs of the District's students and employees in connection with dissemination, comprehension, and compliance with this policy, as well as arrange for necessary training required for compliance with this policy. The Title IX Coordinator will annually report to the School Board on the use and efficacy of the Policy Prohibiting Discrimination and Harassment and these procedures. Recommendations for changes to the policy and procedures, if applicable, shall be included in the report. The Title IX Coordinator is encouraged to involve staff, students, and volunteers and parents in the review process.

Role of the Title IX Officer

Each school in the District will have a designated "Title IX Officer." The Principal, Assistant Principal or a designee from each school will serve in this role. Within each school, the Title IX Officer will receive reports and complaints from students regarding discrimination and harassment based on race, color, religion, ethnic or national origin, age, disability, veteran or military status, marital status, pregnancy, sex, gender, gender identity or expression, or sexual orientation; and oversee the investigative process for these reports. The Title IX Officer will ensure that any investigation is conducted by an impartial investigator who has been trained in the requirements of equal educational opportunity, including discrimination and harassment, and who is able to apply procedural and substantive standards which are necessary and applicable to identify discrimination and harassment, and take other appropriate action to rectify the damaging effects of any prohibited discrimination or harassment, including supportive measures for the claimant during the course of the investigation.

The Title IX Officer for each school will be responsible for providing to the District's Title IX Coordinator copies of all complaint forms that are submitted by students pursuant to this policy, as well as documentation from all subsequent investigations and resolutions, including for both informal and formal complaints.

Investigation - Informal Complaint Procedure (Students, Employees and Non-Employees)

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate and facilitate resolution through an informal process, if possible. The informal complaint procedure is provided as a less formal option for any student, employee or non-employee who believes s/he has been harassed or discriminated against in violation of School

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Board policy. This informal procedure is not required as a precursor to the filing of a formal complaint.

Students, employees or non-employees who believe they have been harassed or discriminated against may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the parties (claimant and respondent) agree to participate in the informal process.

Students, employees or non-employees who believe they have been harassed or discriminated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

However, all complaints of discrimination or harassment involving a District employee or any other adult member of the District community against a student will be formally investigated.

A student who believes s/he has been harassed or discriminated against may make an informal complaint, either orally or in writing, to a teacher, other employee, or building administrator in the school the student attends and/or directly to the Title IX Officer. An employee or non-employee who believes he or she has been harassed or discriminated against may make an informal complaint, either orally or in writing, to a supervisor, the Title IX Officer and/or directly to the District's Title IX Coordinator.

All informal complaints from students must be reported to the Title IX Officer, who will either facilitate an informal resolution as described below on his/her own or appoint another individual to facilitate an informal resolution. Based on the nature and severity of the complaint, the Title IX Officer should determine whether the involvement of the School Resource Officer (SRO) is required. If it is believed that the complaint involves criminal conduct as defined under Florida law, the mandatory reporting requirements included below shall be followed.

All informal complaints from employees and non-employees must be reported to the District's Title IX Coordinator, who will either facilitate an informal resolution or appoint another individual to facilitate an informal resolution. Based on the nature and severity of the complaint, the Title IX Coordinator should determine whether the involvement of an SRO is required. If it is believed that the complaint involves criminal conduct as defined under Florida law, the mandatory reporting requirements included below shall be followed.

The District's informal complaint procedure is designed to provide students, employees and non-employees who believe they are being harassed or discriminated against with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the claimant, informal resolution may involve, but not be limited to, one or more of the following:

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- Advising the claimant about how to communicate the unwelcome nature of the behavior to the respondent.
- Distributing a copy of the Policy Prohibiting Discrimination and Harassment as a reminder to the individuals in the school building or office where the respondent works or attends.
- Meeting with the respondent to discuss the allegations and potential informal resolutions.
- If both parties agree, the Title IX Officer (for students) or the Title IX Coordinator (for employees/non-employees) may arrange and facilitate a meeting between the claimant and the respondent to work out a mutual resolution. This action is not recommended for allegations of severe harassment or sexual harassment.

While there are no set time limits within which an informal complaint must be resolved, the Title IX Officer or Title IX Coordinator will exercise his or her authority to attempt to resolve all informal complaints within 15 business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process. At the conclusion of the informal process, the Title IX Officer shall write a brief memorandum, detailing the parties, the allegations and the decided resolution. A copy of this memorandum must be kept on file by the individual school and a copy must be sent to the Title IX Coordinator for retention.

Investigation – Formal Complaint Procedure (Students)

If a complaint is not resolved through the informal complaint process, or if a student elects to file a formal complaint initially, the formal complaint process as described below shall be implemented.

A student who believes s/he has been subjected to discrimination or harassment may file a formal complaint, either orally or in writing with the Title IX Officer. If a claimant informs any other employee of the District, either orally or in writing, about any complaint of discrimination or harassment, that employee must immediately report such information to the Title IX Officer.

The Title IX Officer will determine whether or not the complaint alleges discrimination or harassment in violation of School Board policy. If it is determined that the complaint does not allege facts that, even if true, constitute prohibited discrimination or harassment, the claimant will be notified in writing that the complaint will be assigned to the appropriate administrator for appropriate disposition. If it is determined that the complaint sufficiently alleges prohibited discrimination or harassment, the complaint will be investigated in accordance with the process described herein. Based on the severity of the complaint, the Title IX Officer should determine

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whether the involvement of the SRO is required. If it is believed that criminal conduct may have occurred as defined under Florida law, the mandatory reporting requirements included below shall be followed.

All formal complaints must include the following information to the extent it is available: (1) the identity of the respondent; (2) a detailed description of the facts upon which the complaint is based; (3) a list of potential witnesses; and (4) identification of any evidence in support of the allegation.

If the claimant is unwilling to complete a complaint form or provide a written statement including the information set forth above, the Title IX Officer, or his/her designee, shall ask for such details in an oral interview in order to assist in completing the complaint form or documenting the complaint. The Title IX Officer, or his/her designee, will then prepare a written summary of the oral interview which will be presented to the claimant for verification by signature. If after attempts to address any inaccuracies or concerns the claimant declines to verify the complaint or interview summary, the Title IX Officer will document this response, along with the date and his/her own signature, and will inform the claimant that it may impact the District's ability to proceed with a formal investigation. The claimant's wishes with regard to proceeding with or participating in an investigation should be respected; however, based on the severity of the allegation, the Title IX Officer will consult with the Title IX Coordinator regarding whether the District must proceed with the investigation without the claimant's participation.

Upon receiving a formal complaint, the Title IX Officer or his/her designee will consider whether any action should be taken in the investigatory phase to protect the claimant from further discrimination, harassment or retaliation including but not limited to, a change of class schedule (see Policy Prohibiting Discrimination and Harassment for additional information on supportive measures). In making such a determination, the Title IX Officer or his/her designee should consult with the claimant to assess his/her agreement to any action deemed appropriate. If the claimant is unwilling to consent to any change which is deemed appropriate by the Title IX Officer or his/her designee, the Title IX Officer or his/her designee may still take whatever actions he/she deem appropriate in consultation with the Superintendent and/or School Board Attorney.

Upon receiving a formal complaint of prohibited discrimination or harassment, the Title IX Officer or his/her designee will inform the respondent in writing (with a copy to claimant) that a complaint has been received. This written notice will include sufficient details of the allegations known at the time and a copy of these administrative procedures and the School Board's Policy Prohibiting Discrimination and Harassment. The written notice must also include a statement that the respondent is presumed not responsible for the alleged conduct until a determination of responsibility is made at the conclusion of the investigation. Both parties will be informed that they may have an advisor of their choice, who may be, but is not required to be an attorney, accompany them at interviews and inspect and review evidence.

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The Title IX Officer or a designee will thereafter initiate a thorough and impartial investigation to determine whether the claimant has been subject to discrimination or harassment in violation of School Board policy. Depending on the circumstances of the complaint, the School Board also reserves the right to retain an outside, independent attorney or investigation firm to conduct the investigation.

Although certain cases may require additional time, the Title IX Officer or a designee will attempt to complete an investigation into the allegations of discrimination or harassment as soon as reasonably possible, or within 45 calendar days of receiving the formal complaint, depending on the complexity of the allegations. However, this timeline may be extended if/when the Title IX Officer receives a request from the Department of Children and Family Services or law enforcement to pause the investigation, or if the Title IX Officer is waiting for reports from either of these entities. If the investigation is not completed within 45 calendar days, the Title IX Officer must provide a written explanation to both parties as to the reasons for the delay.

The investigation will include:

- One or more interviews of the claimant.
- One or more interviews of the respondent.
- Interviews of any other witnesses who may reasonably be expected to have information relevant to the allegations.
- Consideration of any documentation or other evidence presented by the claimant, respondent, or any other witness which is reasonably believed to be relevant to the allegations.

The Title IX Officer shall provide written notice to any individual whose participation is requested in an interview, including notice of the date, time and location, participants, and purpose of the interview, with sufficient time for the individual to prepare to participate. Throughout the course of this process, the Title IX Officer, or his/her designee, should keep both parties informed of the status of the investigation and the decision making process. The Title IX Officer shall provide copies of all evidence reviewed and summaries of the witness interviews in a preliminary report to both parties for their review. This preliminary report will not include a determination of findings. The parties shall each have ten days to review the evidence contained in the preliminary report, address any perceived discrepancies, and provide written questions for the investigator to ask of the other party. If written questions are submitted, the investigator will determine the relevance and appropriateness of the additional questions to be asked of the other party.

At the conclusion of the investigation, a final written report shall be prepared as soon as reasonably possible which summarizes the evidence gathered during the investigation and

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provides the investigator's analysis and conclusions based on the evidence. The Title IX Officer will then provide a copy of the written report to the school's designated decision-maker, who will make a determination based on the evidence as to whether the claimant has been subject to discrimination or harassment in violation of School Board policy. The determination must be based upon a consideration of the totality of circumstances, including the ages and maturity levels of those involved, applying a preponderance of the evidence standard. This evidentiary standard requires that, before a policy violation may be found, there must be sufficient credible evidence to conclude that the claim of discrimination or harassment is more likely true than not true. If the evidence on a particular allegation is equally balanced, then that allegation has not been proven by a preponderance of the evidence. The decision-maker's determination that the evidence does or does not establish by a preponderance of the evidence a violation of School Board policy will be added to the final written report, along with the recommended sanction or disciplinary action, if applicable.

A copy of the final report, including the decision-maker's determination, will be provided to both the claimant and the respondent. The parties shall each have ten days to review the final report, during which time they may choose to accept the findings or write an appeal. A copy of the final report will be provided to the Title IX Coordinator for retention.

Investigation – Formal Complaint Procedure (Employees and Non-Employees)

If a complaint is not resolved through the informal complaint process, or if an employee or non-employee elects to file a formal complaint initially, the formal complaint process as described below shall be implemented.

An employee or non-employee who believes s/he has been subjected to discrimination or harassment may file a formal complaint, either orally or in writing with the District's Title IX Coordinator. If a claimant informs any other employee of the District, either orally or in writing, about any complaint of discrimination or harassment, that employee is encouraged to report such information to the Title IX Coordinator.

The Title IX Coordinator will determine whether or not the complaint alleges discrimination or harassment in violation of School Board policy. If it is determined that the complaint does not allege facts that, even if true, constitute discrimination or harassment, the claimant will be notified in writing that the complaint will be assigned to the appropriate administrator for appropriate disposition. If it is determined that the complaint sufficiently alleges discrimination or harassment, the complaint will be investigated in accordance with the process described herein. Based on the severity of the complaint, the Title IX Coordinator should determine whether the involvement of an SRO is required. If it is believed that criminal conduct may have occurred as defined under Florida law, the mandatory reporting requirements included below shall be followed.

All formal complaints must include the following information to the extent it is available: (1) the identity of the respondent; (2) a detailed description of the facts upon which the complaint

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is based; (3) a list of potential witnesses; and (4) identification of any evidence in support of the allegation.

If the claimant is unwilling to complete a complaint form or provide a written statement including the information set forth above, the Title IX Coordinator, or his/her designee, shall ask for such details in an oral interview in order to assist in completing the complaint form or documenting the complaint. The Title IX Coordinator, or his/her designee, will then prepare a written summary of the oral interview which will be presented to the claimant for verification by signature. If after attempts to address any inaccuracies or concerns the claimant declines to verify the interview, the Title IX Coordinator will document this response with the date and his/her own signature, and will inform the claimant that it may impact the District's ability to proceed with a formal investigation. The claimant's wishes with regard to proceeding with or participating in an investigation should be respected; however, based on the severity of the allegation, the Title IX Coordinator will assess whether the District must proceed with the investigation without the claimant's participation.

Upon receiving a formal complaint, the Title IX Coordinator or his/her designee will consider whether any action should be taken in the investigatory phase to protect the claimant from further discrimination, harassment or retaliation including but not limited to, a change of job assignment or removal of the respondent (see Policy Prohibiting Discrimination and Harassment for additional information on supportive measures). In making such a determination, the Title IX Coordinator or his/her designee should consult with the claimant to assess his/her agreement to any action deemed appropriate. If the claimant is unwilling to consent to any change which is deemed appropriate by the Title IX Coordinator or his/her designee, the Title IX Coordinator or his/her designee may still take whatever actions he/she deem appropriate in consultation with the Superintendent and/or School Board Attorney.

If the respondent to the complaint is the Superintendent or any other member of District leadership whose involvement as a party represents a conflict of interest for the Title IX Coordinator, the School Board should appoint an outside investigator to conduct the investigation and report to the School Board.

Upon receiving a formal complaint of prohibited discrimination or harassment, the Title IX Coordinator or his/her designee will inform the respondent in writing (with a copy to claimant) that a complaint has been received. This written notice will include sufficient details of the allegations known at the time and a copy of these administrative procedures and the School Board's Policy Prohibiting Discrimination and Harassment. The written notice must also include a statement that the respondent is presumed not responsible for the alleged conduct until a determination of responsibility is made at the conclusion of the investigation. Both parties will be informed that they may have an advisor of their choice, who may be, but is not required to be an attorney, accompany them at interviews and inspect and review evidence.

The Title IX Coordinator or a designee will thereafter initiate a thorough and impartial investigation to determine whether the claimant has been subject to discrimination or

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harassment in violation of School Board policy. Depending on the circumstances of the complaint, the School Board also reserves the right to retain an outside, independent attorney or investigation firm to conduct the investigation.

Although certain cases may require additional time, the Title IX Coordinator or a designee will attempt to complete an investigation into the allegations of discrimination or harassment within 45 calendar days of receiving the formal complaint. If the investigation is not completed within 45 calendar days, the Title IX Officer must provide a written explanation to both parties as to the reasons for the delay. The investigation will include:

- One or more interviews of the claimant.
- One or more interviews of the respondent, ensuring that the Weingarten Rights of any unionized employee and other rights under applicable collective bargaining agreements are observed in the process.
- Interviews of other witnesses who may reasonably be expected to have information relevant to the allegations.
- Consideration of any documentation or other evidence presented by the claimant, respondent, or any other witness which is reasonably believed to be relevant to the allegations.

The Title IX Coordinator or his/her designee shall provide written notice to any individual whose participation is requested in an interview, including notice of the date, time and location, participants, and purpose of the interview, with sufficient time for the individual to prepare to participate. Throughout the course of this process, the Title IX Coordinator, or his/her designee, should keep both parties informed of the status of the investigation and the decision making process. The Title IX Coordinator or his/her designee shall provide copies of all evidence reviewed and summaries of the witness interviews in a preliminary report to both parties for their review. This preliminary report will not include a determination of findings. The parties shall each have ten days to review the evidence contained in the preliminary report, address any perceived discrepancies, and provide written questions for the investigator to ask of the other party. If written questions are submitted, the investigator will determine the relevance and appropriateness of the additional questions to be asked of the other party.

At the conclusion of the investigation, a final written report shall be prepared as soon as reasonably possible which summarizes the evidence gathered during the investigation, and provides the investigator's analysis and conclusions based on the evidence. The Title IX Coordinator will then provide a copy of the written report to the Executive Director of Human Resources, who will make a determination based on the evidence as to whether the claimant has been subject to discrimination or harassment in violation of School Board policy. The determination must be based upon the totality of circumstances, applying a preponderance of the evidence standard. This evidentiary standard requires that, before a policy violation may

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be found, there must be sufficient credible evidence to conclude that the claim of discrimination or harassment is more likely true than not true. If the evidence on a particular allegation is equally balanced, then that allegation has not been proven by a preponderance of the evidence. The Executive Director of Human Resources' determination that the evidence does or does not establish by a preponderance of the evidence a violation of School Board policy will be added to the final written report, along with the recommended sanction or disciplinary action, if applicable.

A copy of the final report, including the Executive Director of Human Resources' determination, will be provided to both the claimant and the respondent. The parties shall each have ten days to review the final report, during which time they may choose to accept the findings or write an appeal. A copy of the final report will be retained by the Title IX Coordinator.

Notification to Parents or Legal Guardians

Parents/legal guardians of student claimants and respondents shall be notified within one school day of claims alleging a violation of the Policy Prohibiting Discrimination and Harassment, except in limited circumstances when the Title IX Officer (or designee) determines that such notification is not in the best interest or impairs the safety of the claimant involved, in which case only the parents/legal guardians of the respondent will be notified. In applicable cases, notification to the parents/legal guardians may be made by telephone, writing, or personal conference. All parents/legal guardians of student claimants and respondents who have received notification may participate at each stage of both informal and formal investigation and resolution procedures. The frequency of notification and follow-up reports to parents/legal guardians will be dependent on the seriousness of the complaint. All notifications shall be consistent with student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

External Remedies

Claimants have the right to register discrimination and harassment complaints with the U.S. Department of Education's Office for Civil Rights (OCR) at (800) 421-3481, 400 Maryland Avenue SW, Washington, DC 20202 or <https://www2.ed.gov/about/offices/list/ocr/docs/howto.html>.

Employee claimants also have the right to register complaints with the federal Equal Employment Opportunity Commission (EEOC) and the Florida Commission on Human Relations (FCHR). The EEOC can be contacted at (800) 669-4000, <https://www.eeoc.gov/employees/howtofile.cfm>, info@eeoc.gov, or at 100 SE 2nd Street, Suite 1500, Miami, Florida 33131 or 501 East Polk Street, Suite 1000, Tampa, Florida 33602. The FCHR can be contacted at (800) 342-8170, <http://fchr.myflorida.com>, or at 4075 Esplanade Way, Room 110, Tallahassee, Florida 32399.

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Allegations Constituting Criminal Conduct / Mandatory Reporting Requirements

State law requires any District employee who knows or suspects that a child under the age of 18 is a victim of child abuse or neglect to immediately report that knowledge or suspicion to the Department of Children and Family Services. The District employee should also report this suspicion to the Title IX Officer or Superintendent, who will ensure that the District has complied with all reporting procedures. If, during the course of an investigation of prohibited discrimination or harassment, the Title IX Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the claimant, a report of such knowledge must be made in accordance with state law.

If the Title IX Coordinator or Title IX Officer has reason to believe that the claimant has been the victim of criminal conduct as defined under Florida law, such knowledge should be reported to local law enforcement.

Any reports made to the local child protection service or to local law enforcement shall not terminate the Title IX Officer's or Title IX Coordinator's obligation and responsibility to continue to investigate a complaint of discrimination or harassment in violation of School Board policy. While the Title IX Officer or Title IX Coordinator may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the investigation of discrimination or harassment be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent. If DCFS or law enforcement requests that the Title IX Officer pause his/her investigation, the Title IX Officer must provide written notification to the parties.

Sanctions and Monitoring

The School Board shall vigorously enforce its prohibitions against discrimination and harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable state law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Principal/designee (for students) or Executive Director of Human Resources/designee (for employees) (the "decision-maker") shall consider the totality of circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where discrimination or harassment is not substantiated, the decision-makers may consider whether the alleged conduct nevertheless warrants discipline in accordance with other School Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the District becomes aware that a prior remedial action has been taken against a member of the District community, all subsequent sanctions imposed by the Principal/designee or Executive Director of Human Resources/designee shall be reasonably calculated to eliminate such conduct in the future.

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Appeals (Students)

If the complaint is not resolved at the school-site level to the satisfaction of the parties, either party (or their custodial parents/guardians if the parties are minors), may seek review by the Superintendent or his/her designee through the following process:

- The appealing party shall submit a copy of the investigative report/final decision, along with a written request for review detailing the reasons for the appeal, to the Superintendent within ten days of receiving the final written report from the Title IX Officer.
- If the Superintendent or designee is directly involved with a complaint or closely related to a party to the complaint, then the School Board or its designee shall conduct the review and/or further investigation.

Notice of the appeal shall be given in writing to the claimant and respondent (and the custodial parents/guardians of a minor party) within two days of receipt of the appeal.

The Superintendent/designee or the School Board/designee shall review the stated reasons for the appeal and all documentation pertaining to the alleged discrimination or harassment, including the Title IX Officer's investigative report and the final decision.

The Superintendent/designee or the School Board/designee, at his/her discretion, may request additional information.

The Superintendent/designee or the School Board/designee shall issue a written decision to the parties within ten business days of the appeal request.

Appeals (Employees and Non-Employees)

If the complaint is not resolved to the satisfaction of the parties, either party may seek review by the Superintendent/designee through the following process:

- The appealing party shall submit a copy of the investigative report/final decision, along with a written request for review detailing the reasons for the appeal, to the Superintendent's office of within ten days of receiving the final written report from the Title IX Coordinator.

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- If the Superintendent or designee is directly involved with a complaint or closely related to a party to the complaint, then the School Board or designee shall be asked to conduct the review and/or further investigation.

Notice of the appeal shall be given in writing to the claimant and respondent within two days of receipt of the appeal.

The Superintendent/designee or School Board/designee shall review the stated reasons for the appeal and all documentation pertaining to the alleged discrimination or harassment, including the Title IX Coordinator's investigative report and the final decision.

The Superintendent/designee or School Board/designee, at his/her discretion, may request additional information.

The Superintendent/designee or School Board/designee shall issue a written decision to the parties within 10 business days of the appeal request.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media created and received as part of an investigation, including, but not limited to:

- all written reports/allegations/complaints/statements;
- any written documentation of actions taken by District personnel;
- contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;
- written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;
- dated written determinations to the parties;
- dated written descriptions of verbal notifications to the parties;
- written documentation of any supportive measures offered and/or provided to claimants, including no contact directives or stay away agreements issued to both parties, the dates issued, and the dates the parties acknowledged receipt; and

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- documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its effects.

The information, documents, ESI, and electronic media retained may include public records and records exempt from disclosure under federal and/or state law (e.g., student records).

The information, documents, ESI, and electronic media created or received as part of an investigation shall be retained for not less than seven years, but longer if required by the District's records retention schedule.

These records should be retained by the Title IX Coordinator.

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BULLYING AND HARASSMENT

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I. Statement Prohibiting Bullying and Harassment

- A. It is the policy of the Sarasota County School Board that all of its students have an educational setting that is safe, secure and free from harassment and bullying of any kind. The School Board will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited and disciplinary action will be taken. Any reference to “bullying” includes cyberbullying, whether or not specifically stated.
- B. Bullying or harassment of any student is prohibited. This policy applies:
- during any education program or activity conducted by a public K-12 educational institution;
 - during any school-related or school-sponsored program or activity;
 - on a school bus of a public K-12 educational institution;
 - through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K- 12 education institution; or
 - through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the bullying substantially interferes with or limits the victim’s ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school or department.

This policy does not require a school to staff or monitor any non-school-related activity, function, or program.

II. Definitions

- A. Bullying includes cyberbullying and means systematically and chronically inflicting physical hurt or psychological distress on one or more students. It includes unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to (1) create an intimidating, hostile, or offensive educational environment; (2) cause discomfort or humiliation; or (3) unreasonably interfere with the individual’s school performance or

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participation. Bullying and harassment may involve but is not limited to the following behavior:

- teasing;
- social exclusion;
- threats;
- intimidation;
- stalking;
- physical violence;
- theft;
- harassment based on race, religion, ethnicity, national origin, sex or gender, sexual orientation, gender identity, gender expression, or other self-defining characteristic;
- public or private humiliation; or
- destruction of property.

- B. Cyberbullying means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photo-optical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.
- C. Cyberstalking as defined in s. 784.048(1)(d), F.S., means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.
- D. Bullying and harassment also encompasses perpetuation of conduct listed in the definition of bullying and harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student by incitement or coercion; accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school

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system; and/or acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

- E. For purposes of this policy, harassment means any threatening, insulting or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student that
- places a student in reasonable fear of harm to his/her person or damage to his/her property;
 - has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
 - has the effect of substantially disrupting the orderly operation of a school.

Allegations of **sexual harassment**, including but not limited to unwelcome sexual advances, requests for sexual favors and other inappropriate verbal or physical conduct of a sexual nature that contributes to a hostile educational environment or that is made explicitly or implicitly a condition of a student's academic achievement, or which the rejection of or submission to such conduct in any way impacts a student's academic status or educational experience, are forms of prohibited discrimination covered by Policy 2.71.

III. Behavior Standards

- A. The Sarasota County School District expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.
- B. The District believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for District and community property on the part of students, staff, and community members. Because students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying or harassment.

IV. Consequences

- A. Committing an act of bullying or harassment
1. Determining whether a particular action or incident constitutes a violation of this policy requires a consideration of all the facts and

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surrounding circumstances. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action.

2. Disciplinary consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the *Code of Student Conduct*.
3. Disciplinary consequences and appropriate remedial action for a school employee found to have committed an act of bullying or harassment shall be determined in accordance with District policies, procedures, and agreements. Additionally, egregious acts of harassment by certified educators may result in a sanction against an educator's state issued certificate.
4. Disciplinary consequences and appropriate remedial action for a visitor or volunteer found to have committed an act of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

V. Reporting an Act of Bullying or Harassment

- A. At each school, the principal or designee shall be responsible for receiving complaints alleging violations of this policy.
- B. All school district employees who become aware of a potential violation of this policy are required to report alleged violations of this policy to the principal or cost center head, or his/her designee.
- C. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal or principal's designee.
- D. The principal of each school or designee shall establish and prominently publicize to staff, students, staff, volunteers, and parents/legal guardians, how a report of bullying or harassment may be filed either in person or anonymously and how this report will be acted upon.

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- E. The victim of bullying or harassment, anyone who witnessed the bullying or harassment, and anyone who has credible information that an act of bullying or harassment has taken place should report the act of bullying or harassment to the principal or designee of each school, a teacher, or school district employee.
- F. A school district employee, school volunteer, student, parent/legal guardian or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in the District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.
- G. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant's or reporter's future employment, grades, learning or working environment, or work assignments.
- H. Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s).
- I. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

VI. No Retaliation

- A. Retaliation against any individual who has, in good faith, complained of any act of bullying or harassment in violation of this policy, assisted in the reporting of such a violation, served as a witness or advocate for the person aggrieved, or who has otherwise taken any reasonable action to stop an act of bullying or harassment is strictly prohibited. Any individual who believes he or she has been the victim of retaliation should report the matter immediately to the principal of each school, or his/her designee, the assigned investigator, or any other school official.
- B. Anyone who receives information that an act of retaliation in violation of this policy has occurred should immediately report such incident to the relevant Principal, Assistant Principal, and/or the District's Equity Coordinator or assigned investigator.
- C. All reports of retaliation made in good faith shall be investigated in the same manner as the underlying acts of alleged bullying or harassment.

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VII. Investigation of a Report of Bullying, Harassment, or Retaliation

- A. The investigation of a reported act of bullying, harassment, or retaliation is deemed to be a school-related activity and shall begin with a report of such an act. Incidents that require a reasonable investigation when reported to appropriate school authorities shall include alleged incidents of bullying, harassment, or retaliation allegedly committed against a child while the child is in route to or from school aboard a school bus or at a school bus stop.
- B. The principal or his/her designee shall select an individual(s), employed by the school district and trained in investigative procedures, to initiate the investigation. The person selected to conduct the investigation should have no factual involvement in the alleged acts of bullying and harassment and no connection to the accused perpetrator (harasser or bully) or victim.
- C. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately, separately, and shall remain confidential to the extent permissible under applicable policies, adopted procedures, and state law. Everyone (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.
- D. The investigator shall collect and evaluate the facts including but not limited to:
- description of incident(s) including nature of the behavior;
 - context in which the alleged incident(s) occurred;
 - how often the conduct occurred;
 - whether there were past incidents or past continuing patterns of behavior;
 - the relationship between the parties involved;
 - the characteristics of parties involved, *i.e.*, grade, age;
 - the identity and number of individuals who participated in bullying, harassing or retaliatory behavior;
 - where the alleged incident(s) occurred;
 - whether the conduct adversely affected the student's education or educational environment;
 - whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident; and
 - the date, time, and method in which the parents/legal guardians of all parties involved were contacted.
- E. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all the facts and surrounding

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circumstances and shall include

- recommended remedial steps necessary to stop the bullying and harassing or retaliatory behavior; and
 - a written final report to the principal.
- F. The investigation shall be completed within ten (10) school days from the filing of the complaint unless otherwise specifically extended by the principal or designee for good cause.
- G. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of bullying and/or harassment and the investigative procedures that follow.

VIII. Determining Whether a Reported Act of Bullying or Harassment is Within the Jurisdiction of the District

- A. Upon receipt of a report of bullying or harassment, the principal or his/her designee, with the assistance if needed of an individual(s) trained in investigative procedures, will determine whether an act of bullying or harassment falls within the jurisdiction of the School District.

If it is within the jurisdiction of the District, a thorough investigation shall be conducted.

1. If it is outside the jurisdiction of the District and determined a criminal act, the principal shall refer the incident(s) to appropriate law enforcement.
 2. If it is outside the jurisdiction of the District and determined not a criminal act, the principal or designee shall inform the parents/legal guardians of all students involved.
- B. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated.

IX. Notification to Parents/Guardians of Incidents of Bullying or Harassment

- A. Parents/legal guardians of victims and perpetrators shall be notified within one school day of claims alleging a violation of the Bullying and Harassment Policy, except in limited circumstances when the principal, or designee, determines that such notification is not in the best interest or impairs the safety of the victim involved, in which case only the parents/legal guardians of the perpetrator will

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be notified. In applicable cases, notification to the parents/legal guardians may be made by telephone, writing, or personal conference. All parents/legal guardians of victims and perpetrators who have received notification may participate at each stage of the investigation and resolution procedures. The frequency of notification and follow-up reports to parents/legal guardians will be dependent on the seriousness of the complaint. All notifications shall be consistent with student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

- B. If the bullying or harassment incident results in the perpetrator being charged with a crime, the principal, or designee, shall by telephone or in writing by first class mail, inform the parents/legal guardian of the victim(s) involved in the bullying or harassment incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) that states “. . .a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.”
- C. Notification to local agencies where criminal charges may be pursued.

Once it has been determined that criminal charges may be pursued against the perpetrator, all appropriate local law enforcement agencies will be notified by telephone and/or in writing.

X. Referral of Victims and Perpetrators of Bullying or Harassment for Counseling

When bullying or harassment is suspected or when a bullying or harassment incident is reported, counseling services shall be made available to the victim(s), perpetrator(s), and parents/guardians.

- A. The teacher, parent/legal guardian, or employee may request informal consultation with school district staff (specialty staff, *e.g.*, school counselor, school psychologist) or Human Resources Department to determine the severity of concern and appropriate steps to address the concern. The teacher may request that the involved student's parents or legal guardian are included.
- B. School personnel or the parent/legal guardian may refer a student to the school intervention team or equivalent school-based team with a problem-solving focus for consideration of appropriate services. Parent or legal guardian involvement shall be required when the student is referred to the intervention team.

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- C. If a formal discipline report or formal complaint is made regarding a student, the principal must refer the student(s) to the school intervention team for determination of counseling support and interventions. Parent or legal guardian involvement shall be required.
- D. A school-based component to address intervention and assistance shall be utilized by the intervention team. The intervention team may recommend

 - counseling and support to address the needs of the victims of bullying or harassment;
 - research-based counseling or interventions to address the behavior of the students who bully and harass others, *e.g.*, empathy training, anger management; and/or
 - research-based counseling or interventions which include assistance and support provided to parents/legal guardians, if deemed necessary or appropriate.

XI. Reporting Incidents of Bullying and Harassment

- A. Incidents of bullying or harassment shall be reported in the school's report of data concerning school safety and discipline data required under s. 1006.09(6), F.S. The report shall include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. The report shall also include, in a separate section, each reported incident of bullying or harassment that did not meet the criteria of a prohibited act under this section with recommendations regarding such incidents. The report shall list the approved coding for bullying (BUL), harassment (HAR), unsubstantiated bullying (UBL), and unsubstantiated harassment (UHR).
- B. The District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes bullying/harassment as an incident code as well as bullying-related as a related element code.

 - 1. SESIR Definitions

 - a. Bullying – Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation.

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- b. Harassment – Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that 1) places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property, 2) has the effect of substantially interfering with a student’s educational performance, opportunities, or benefits, or 3) has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.
2. Bullying and/or harassment incidents shall be reported in SESIR with the bullying or harassment code.
3. If the bullying/harassment results in any of the following SESIR incidents, the incident will be coded appropriately using the relevant incident code and the bullying-related code. Such incidents are:
 - a. Alcohol
 - b. Arson
 - c. Battery
 - d. Breaking and Entering
 - e. Disruption on Campus
 - f. Drug Sale/Distribution Excluding Alcohol
 - g. Drug Sale/Possession Excluding Alcohol
 - h. Fighting
 - i. Homicide
 - j. Kidnapping
 - k. Larceny/Theft
 - l. Robbery
 - m. Sexual Battery
 - n. Sexual Harassment
 - o. Sexual Offenses
 - p. Threat/Intimidation
 - q. Trespassing
 - r. Tobacco
 - s. Vandalism
 - t. Weapons Possession
 - u. Other Major (Other major incidents that do not fit within the other definitions)
- C. Discipline and referral data shall be recorded in Event & Discipline Report and Automated Student Information System.

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- D. The District shall provide bullying incident, discipline, and referral data to the Florida Department of Education in the format requested, through Survey 5 from Education Information and Accountability Services, and at designated dates provided by the Department.
- E. Data reporting on bullying, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment, and threat/intimidation incidents as well as any bullying-related incidents that have as a basis sex, race, or disability shall include the incident basis. Victims of these offenses shall also have the incident basis (sex, race, or disability) noted in their student records. (See also Policy 2.71).

XII. Instruction on Identifying, Preventing, and Responding to Bullying or Harassment

- A. The District shall ensure that schools and departments sustain healthy, positive, and safe learning environments for all students and work environments for staff. It is committed to maintaining a social climate and social norms in all schools that prohibit bullying and harassment. This requires the efforts of everyone in the school environment – teachers; administrators; counselors; school nurses; other nonteaching staff such as bus drivers, custodians, cafeteria workers; school librarians; parents/legal guardians; and students.
- B. All district staff, students, parents/legal guardians, teachers, school administrators, counseling staff, and school volunteers shall be given instruction at a minimum on an annual basis on the District's policy and regulations against bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment as well as how to effectively identify and respond to bullying or harassment in schools.
- C. The District shall establish a list of programs that provide instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying and harassment including instruction on recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action based on those observations. The list of authorized programs shall be available at each school, District offices, and on the District website.

XIII. Reporting to a Victim's Parents/Legal Guardians the Legal Actions Taken to Protect the Victim.

The principal or designee shall by telephone and/or in writing report the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal

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guardian of all students involved on the same day an investigation of the incident has been initiated. According to the level of infraction, parents/legal guardians will be notified by telephone and/or writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

XIV. Publicizing the Policy

- A. At the beginning of each school year, the Superintendent or designee shall, in writing, inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of this policy.
- B. Each District school shall provide notice to students and staff of this policy through appropriate references in the *Code of Student Conduct* and employee handbooks and may use other reasonable means to do so including student assemblies, staff meetings, and displaying posters and signs.

XV. Review of Policy

- A. The District shall involve students, parents, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies in the process of adopting and revising bullying and harassment policy.
- B. Bullying and harassment policy review shall be ongoing and integrated with each school's curriculum, discipline policies, and violence prevention efforts. The District shall meet all legal requirements for policy review.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1003.04, 1003.31, 1003.32,
1006.07, 1006.08, 1006.09, 1006.10, 1006.147, F.S.
20 USC 1232g

HISTORY:

ADOPTED: 12/9/08
REVISION DATE(S): 06/17/14, 08/02/16, 11/06/18, 08/04/20
FORMERLY: 5.323*

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POLICY PROHIBITING DISCRIMINATION AND HARASSMENT 2.71

General Policy Statement

The School Board of Sarasota County ("School Board") is committed to providing all students and employees in the School District of Sarasota County ("District") with a safe and supportive school and work environment. Members of the "District community" – students, teachers, administrators, staff, and all school employees, as well as agents, volunteers, contractors, and persons subject to the supervision and control of the District – are expected to treat each other with mutual respect and to accept the rich diversity which makes up the community. Disrespect among members of the District community is unacceptable behavior which threatens to disrupt the learning environment and decrease self-esteem.

Accordingly, it is the policy of this District to prohibit any form of discrimination and harassment based on an individual's race, color, religion, ethnic or national origin, age, disability, veteran or military status, marital status, pregnancy, sex, gender, gender identity or expression, or sexual orientation. It is thus a violation of School Board policy for any member of the District community to discriminate against, harass or tolerate such discrimination or harassment of any other member of the District community on account of race, color, religion, ethnic or national origin, age, disability, veteran or military status, marital status, pregnancy, sex, gender, gender identity or expression, or sexual orientation, as defined by this policy.

The school system will act to promptly investigate all complaints, either formal or informal, verbal or written, of discrimination or harassment because of race, color, religion, ethnic or national origin, age, disability, veteran or military status, marital status, pregnancy, sex, gender, gender identity or expression, or sexual orientation; to promptly take appropriate action to protect individuals from further discrimination or harassment; and, if it determines that discrimination or harassment occurred, to promptly and appropriately discipline any member of the District community who is found to have violated this policy, and/or to take other appropriate action reasonably calculated to end the discrimination or harassment.

Additionally, it is the policy of this District that all District employees and adult community members are prohibited from entering into or attempting to form romantic or sexual interactions with any student enrolled in the District, regardless of the student's age.

Scope of Policy

This policy applies to all members of the District community and to all forms of discrimination and harassment committed by or against a member of the District community when the conduct occurs (1) on school property, or (2) during or in relation to a school-sponsored program or activity regardless of location. The District may also address discrimination and harassment that occurs outside of a school-sponsored program or activity but has continuing adverse effects within those programs or activities, including by providing supportive measures to address the safety of students and employees.

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Applicability of Title IX

The U.S. Department of Education's Office for Civil Rights enforces, among other statutes, Title IX of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance.

Title IX applies to all public and private educational institutions that receive Federal funds, including elementary and secondary schools, school districts, proprietary schools, colleges, and universities. Title IX protects students in connection with all of the academic, educational, extra-curricular, athletic, and other programs of the school, whether they take place in the facilities of the school, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Role of the Title IX Coordinator

The "Title IX Coordinator" is the person designated by the Superintendent to coordinate compliance with Title IX and the District's equity policies. The contact information for the District's Title IX Coordinator is included directly below.

Office of the Title IX Coordinator
1960 Landings Boulevard
Sarasota, FL 34231
(941) 927-9000

The Title IX Coordinator's contact information can also be found in the Title IX section of the District's website, as well as in the student and employee handbooks. The Title IX Coordinator or his/her designee will be available during regular school/work hours to discuss concerns related to discrimination and harassment.

The Title IX Coordinator will receive reports or complaints from employees regarding discrimination and harassment based on race, color, religion, ethnic or national origin, age, disability, veteran or military status, marital status, pregnancy, sex, gender, gender identity or expression, or sexual orientation; and oversee the investigative process for these reports. The Title IX Coordinator will ensure that any investigation is conducted by an impartial investigator who has been trained in the requirements of equal educational opportunity, including discrimination and harassment, and who is able to apply procedural and substantive standards which are necessary and applicable to identify discrimination and harassment, and take other appropriate action to rectify the damaging effects of any prohibited discrimination or harassment, including supportive measures for the claimant during the course of the investigation.

The Title IX Coordinator will be responsible for collecting and maintaining copies of all complaint forms that are submitted by students and employees pursuant to this policy, as well

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as documentation from all subsequent investigations and resolutions, including for both informal and formal complaints.

The Title IX Coordinator will also be responsible for assessing the training needs of the District's students and employees in connection with dissemination, comprehension, and compliance with this policy, as well as arrange for necessary training required for compliance with this policy. The Title IX Coordinator will annually report to the School Board on the use and efficacy of this policy. Recommendations for changes to the policy and complaint procedures, if applicable, shall be included in the report. The Title IX Coordinator is encouraged to involve staff, students, and volunteers and parents in the review process.

Role of the Title IX Officer

Each school in the District will have a designated "Title IX Officer." The Principal, Assistant Principal or a designee from each school will serve in this role. Within each school, the Title IX Officer will receive reports and complaints from students regarding discrimination and harassment based on race, color, religion, ethnic or national origin, age, disability, veteran or military status, marital status, pregnancy, sex, gender, gender identity or expression, or sexual orientation; and oversee the investigative process for these reports.

The Title IX Officer will ensure that any investigation is conducted by an impartial investigator who has been trained in the requirements of equal educational opportunity, including discrimination and harassment, and who is able to apply procedural and substantive standards which are necessary and applicable to identify discrimination and harassment, and take other appropriate action to rectify the damaging effects of any prohibited discrimination or harassment, including supportive measures for the claimant during the course of the investigation.

The Title IX Officer for each school will be responsible for providing to the District's Title IX Coordinator copies of all complaint forms that are submitted by students pursuant to this policy, as well as documentation from all subsequent investigations and resolutions, including for both informal and formal complaints.

Definitions

For the purposes of this policy, the following terms shall be defined as follows:

Complaint refers to any alleged act of discrimination or harassment which may be a violation of this policy.

Claimant refers to a member of the District community who alleges that he or she has been subjected to discrimination or harassment in violation of this policy.

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Respondent refers to the individual named in the complaint that is accused of violating this policy.

Discrimination is conduct which deprives a person of the opportunity to participate in employment, educational programs or activities, athletic programs or activities, School Board or school sponsored activities, or any other activity offered or provided by the School Board, on account of race, color, religion, ethnic or national origin, age, disability, veteran or military status, marital status, pregnancy, sex, gender, gender identity or expression, sexual orientation, or any other characteristic protected by federal or state law or School Board policy.

The School Board shall also comply with the Americans with Disabilities Act of 1990 (ADA). This law makes it unlawful to discriminate against a qualified individual with a disability who can perform the essential functions of his/her job with reasonable accommodations.

Harassment is any verbal or physical act, or intentionally written message or image (including those electronically transmitted) that is directed by a person or persons against another person or persons that is shown to be motivated by race, color, religion, ethnic or national origin, age, disability, veteran or military status, marital status, pregnancy, sex, gender, gender identity or expression, sexual orientation, or any other characteristic protected by federal or state law or School Board policy. An act is considered harassment when it:

- physically harms a student or adult, or damages the student's or adult's property; or
- has the effect of substantially interfering with a student's education or the adult's work environment; or
- is severe, persistent, pervasive, and objectively offensive to the point that the prohibited conduct substantially impairs the person's participation in their employment, educational programs, school sponsored activities, or any other activity offered or provided by the School Board; or
- has the effect of substantially disrupting the orderly operation of the school or workplace.

Harassment as defined in this policy can take many forms, including:

Race/Color Harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

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Ethnic or National Origin Harassment may occur where conduct is directed at the characteristics of a person's ethnic or national origin, such as negative comments regarding customs, manner of speaking, language used, limited English language skills, surnames, or ethnic slurs.

Age Harassment may occur where conduct is directed at the characteristics of a person's age, such as derogatory ageist remarks, age-based jokes, or remarks reflecting negative age stereotypes.

Disability Harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments, or defects/appearances, or the like.

Veteran or Military Status Harassment may occur where conduct is directed at a person due to his/her past, current, or future membership, service, or obligation in a uniformed service.

Marital Status Harassment may occur where conduct is directed at a person due to his/her status as single, married, separated, divorced, widowed, or with a partner.

Pregnancy Harassment may occur where conduct is directed at the characteristics of a person's pregnancy and condition of pregnancy.

Sexual Harassment is a form of sex discrimination that is unlawful under federal, state, and (where applicable) local law. For purposes of this policy, "sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

"Quid pro quo" sexual harassment:

- Submission to such conduct is made, implicitly or explicitly, a term or condition of an individual's employment or status in a class, educational program, or activity; or
- Submission to or rejection of such conduct is used as a basis for a decision affecting an individual's employment or participation in a class, educational program or activity; or

"Hostile environment" sexual harassment:

- Such conduct is so severe, pervasive, and objectively offensive that it has the purpose or effect of:
 - Altering the terms or conditions of a person's employment or educational experience; or

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- Unreasonably interfering with an individual's work or performance in a class, educational program or activity, thus creating a hostile or abusive working or educational environment.

Any instance of quid pro quo sexual harassment, sexual assault, dating violence, domestic violence, or stalking will not be evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access, because such misconduct is sufficiently serious to deprive a person of equal access.

The term “of a sexual nature” is a broad term that includes conduct or comments about sex (the physical act), based on sex (persons being male or female), or based on sexual orientation or gender-based stereotypes.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender or behavior that is directed at an individual because of that individual's sex, gender, gender identity or expression, or sexual orientation.

- Gender is the state of being male or female in relation to the social and cultural roles that are considered appropriate for men and women.
- Gender identity is a personal conception of oneself as male or female, both or neither. One's gender identity can be the same or different from their sex assigned at birth.
- Gender expression is the external appearance of one's gender identity, usually expressed through behavior, clothing, haircut or voice, which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine.
- Sexual orientation is an inherent or immutable enduring emotional, romantic or sexual attraction to other people.

Please see “Creating Safe Schools for all Students: Gender Diverse Student Guidelines,” issued by the District LGBTQIA Task Force, for additional definitions and guidance on topics related to gender diverse students.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- Unwelcome sexual advances, propositions, invitations, and flirtations.
- Unwelcome and inappropriate touching, patting, spanking, or pinching of another person.

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- Acts of sexual violence and physical sexual assaults, such as rape, attempted rape, unwanted touching of a sexual nature, or threatening to force or coerce sexual acts, including the touching of intimate parts or sexual intercourse, on another.
- Any unwelcome communication that is sexually suggestive, sexually degrading or derogatory, or implies sexual motives or intentions, such as:
 - sexual remarks or innuendoes about an individual's clothing, appearance or activities;
 - sexual jokes;
 - sexual gestures;
 - public conversations about sexual activities or exploits;
 - sexual rumors and "ratings lists;"
 - howling, catcalls, and whistles;
 - sexually graphic computer files, messages or games.
- A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- Unwelcome and offensive name calling or profanity that is sexually suggestive or explicit, sexually degrading or derogatory, implies sexual intentions, or that is based on sexual stereotypes or sexual orientation, gender identity or gender expression.
- Unwelcome physical contact or closeness that is sexually suggestive, sexually degrading or derogatory, or sexually intimidating such as the unwelcome touching of another's body parts, cornering or blocking an individual, standing too close, or stalking.
- Unwelcome and sexually offensive physical pranks or touching of an individual's clothing, such as hazing and initiation, "streaking," "mooning" or "wedgies" (pulling underwear up at the waist so it goes in between the buttocks), bra-snapping, skirt "flip-ups," or placing hands inside an individual's pants, shirt, blouse, or dress.
- Unwelcome leers, stares, gestures, or slang that are sexually suggestive; sexually degrading or derogatory or imply sexual motives or intentions.

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- Wearing clothing with sexually obscene or sexually explicit and offensive slogans or messages.
- Recording or distributing images (e.g. video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's consent. Only individuals 18 years old and above are legally able to consent to this activity in Florida.
- Displaying or placing sexually suggestive, degrading or derogatory objects, pictures, videotapes, audio recordings, or writings in the work or educational environment, which may embarrass or offend someone, and which have no educational value and are unrelated to educational objectives.
- Other hostile actions taken against an individual because of that person's sex, sexual orientation, gender identity, gender expression, or transgender status, such as interfering with or sabotaging that person's work or school activities; bullying, yelling, or name calling; or otherwise interfering with that person's ability to work or participate in school functions and activities.
- Any unwelcome behavior based on sexual stereotypes and attitudes that is offensive, degrading, derogatory, intimidating, or demeaning, including, but not limited to:
 - disparaging remarks, slurs, jokes about or aggression toward an individual because the person displays mannerisms or a style of dress inconsistent with stereotypical characteristics of the person's sex or gender;
 - ostracizing or refusing to participate in group activities with an individual during class projects, physical education classes or field trips because of the individual's sex, sexual orientation, gender expression or gender identity; or
 - taunting or teasing an individual because they are participating in an activity not typically associated with the individual's sex or gender.

For purposes of this policy, actions or conduct shall be considered "unwelcome" if the student, employee or non-employee did not request or invite it and regarded the conduct as undesirable or offensive. However, a person's subjective belief alone that behavior is offensive does not necessarily mean the conduct rises to the level of a policy violation. The behavior must also be objectively offensive to meet the definition of prohibited sexual harassment.

Stalking occurs when a course of conduct is directed at a specific person, based on actual or perceived membership in a protected class, that is unwelcome and would cause a reasonable person to feel fear. Stalking also occurs when a course of conduct is repetitive and menacing and includes pursuing, following, harassing and/or interfering with the peace and/or safety of another.

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Additional Violations of the Policy

The School Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

Retaliation

It is a separate and distinct violation of this policy for any member of the District community to retaliate against any person who reports alleged discrimination or harassment or against any person who assists or participates in an investigation relating to such discrimination or harassment. It is possible to be found to have violated this anti-retaliation provision even if the underlying complaint of discrimination or harassment is not found to be a violation of this policy. Suspected retaliation should be reported in the same manner as discrimination or harassment. Such prohibited retaliation can include, but is not limited to, discipline, discrimination, demotion, denial of privileges, or any action that would keep a person from coming forward to make or support a discrimination or harassment claim. Such actions need not be job- or education-related, or occur in the workplace or educational environment, to constitute retaliation in violation of this policy.

False Reports

A person who knowingly makes a false report may be subject to the same action that the District may take against any other individual who violates this policy. The term "false report" refers only to those made in bad faith and does not include a complaint that could not be corroborated, or which did not rise to the level of discrimination or harassment as defined by this policy.

Failure to Report/Investigate

It is also a violation of this policy if a school employee disregards, fails to investigate adequately, or delays the investigation of allegations of discrimination or harassment, when responsibility for reporting and/or investigating discrimination or harassment charges comprises part of one's supervisory duties.

Reporting Complaints

Any District employee who observes, overhears or otherwise witnesses discrimination or harassment, or to whom such discrimination or harassment is reported, should take prompt and appropriate action to stop the violation and to prevent its reoccurrence.

Any District employee who receives a complaint of discrimination or harassment from a student shall inform the student of the employee's obligation to report the complaint to the school administration, and then shall immediately notify the Title IX Officer for the school. A written report of the incident and the action taken by the school employee in response to it

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must also be given to the Title IX Officer.

District employees who provide or support the provision of confidential counseling, advocacy, health, mental health, or sexual-assault related services to students are not, in all circumstances, required to report instances of harassment that they learn about in the course of their duties providing such services. However, if they have a mandatory duty to report suspected child abuse or neglect, they are not relieved of that responsibility by this paragraph.

Any student or other person who believes that prohibited discrimination or harassment of a student has occurred may inform any school employee or the Title IX Officer for their school. Any District employee or other person who believes that prohibited discrimination or harassment of a District employee has occurred may inform the Title IX Coordinator.

Any student who believes that s/he has been the target of discrimination or harassment as defined in this policy may bring their complaint to the attention of any school employee or the Title IX Officer for their school. Any District employee who believe that s/he has been the target of discrimination or harassment as defined in this policy may bring their complaint to the attention of the Title IX Coordinator. These complaints may be made either orally or in writing.

If one of the complaint officials is the person alleged to be engaged in the discrimination or harassment, the complaint shall be filed with one of the alternative officials or any other school employee the student chooses. If the Title IX Coordinator is the person alleged to be engaged in the discrimination or harassment, the District employee shall file his or her complaint with the Chief Operating Officer of the District.

The Title IX Officer in each school shall establish and prominently publicize to staff, students, volunteers, and parents/legal guardians how a report of discrimination or harassment may be filed either in person or anonymously and how this report will be acted upon. District community members shall also be notified of the option to file an informal complaint or a formal complaint. Detailed information regarding informal and formal complaint procedures can be found in Policy 2.71a.

Confidentiality

It is District policy to respect the privacy of all parties and witnesses to complaints of discrimination or harassment. To the extent possible, the District will not release the details of a complaint or the identity of the claimant or the respondent(s) to any third parties who do not need to know such information. However, because an individual's need for confidentiality must be balanced with the District's obligation to provide due process to the respondent, to conduct a thorough investigation, and to take necessary action to resolve the complaint, the District retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances to individuals with a need to know. The staff member responsible for investigating complaints will discuss confidentiality standards and concerns with all claimants,

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respondents, and witnesses.

If a claimant requests that his/her name not be revealed to the respondent(s), the staff member responsible for conducting the investigation shall inform the claimant that:

- the request will limit the District's ability to respond to his/her complaint;
- District policy prohibits retaliation against claimants and witnesses;
- the District will attempt to prevent any retaliation; and
- the District will take strong responsive action if retaliation occurs.

If the claimant still requests confidentiality after being given the notice above, the investigator will inform the claimant that the District will not be able to proceed with a formal investigation, which would require that the respondent be provided with sufficient details of the allegation(s) known at the time in order to permit the respondent opportunity to respond to the allegation(s). Supportive measures and potential informal resolutions will still be available to the claimant.

To the greatest extent possible, all complaints will be treated as confidential and in accordance with F.S. § 1002.22(2), § 1002.221; the Family Educational Rights and Privacy Act ("FERPA"); the Health Insurance Portability and Accountability Act ("HIPAA") and F.S. § 119.071(2).

Anonymous Reports

Anonymous complaints shall be accepted; however, the District may not be able to effectively investigate all allegations of discrimination or harassment when the identity of the claimant has not been revealed.

If the anonymous report does not provide sufficient factual basis to establish that discrimination or harassment may have occurred, the complaint shall be documented, the respondent shall be notified and administrative intervention shall be undertaken as deemed appropriate. No records of an anonymous complaint shall be placed in the personnel file.

Immunity

Pursuant to Florida law, a school employee, school volunteer, student, parent/guardian, or other person who promptly reports in good faith an act of discrimination or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.

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Submission of a good faith complaint or report of discrimination or harassment will not affect the claimant or reporter's future employment, grades, learning or working environment, or work assignments. Such immunity from liability shall not apply to any school employee, school volunteer, student, parent/guardian, or other person determined to have made an intentionally false report about discrimination or harassment.

Amnesty

The District encourages students to report all incidents of discrimination and harassment. Therefore, students who report discrimination or harassment will not be disciplined by the District for a violation of the District's drug and alcohol possession and consumption policies that may have occurred in connection with the reported incident.

Options for Assistance / Supportive Measures

The District should take immediate steps and supportive measures as appropriate to provide for the safety and well-being of the claimant, such as altering academic or bus schedules for either the claimant or the respondent, changing locker locations, changing cafeteria or recess schedules, allowing the claimant to withdraw from/retake a class without penalty, providing an escort to ensure that the claimant can move safely between classes or other activities, and providing academic support (e.g., tutoring). For employee claimants, a change of job assignment or the temporary removal of the respondent from the work environment should be considered based on the nature of the claim. While the District has the right to take necessary action to address the claimant's safety and ensure equal educational access, it should also ensure that supportive measures are non-punitive, non-disciplinary and not unreasonably burdensome to the other party, unless that party poses an immediate and/or serious threat to the District community.

Based on the nature and severity of the claim, a stay-away agreement should also be considered. A "stay-away agreement" is an agreement entered into between the parties and the school requiring the parties to refrain from contacting each other, to keep away from each other, and specifying disciplinary consequences should either party breach the agreement. This agreement is separate from a court-mandated restraining or protective order.

Contact information for resources who can provide an immediate response and support, including school psychologists, counselors, nurses, social workers or law enforcement, shall be included in the Title IX section of the District's website and made available in the office of the District's Title IX Coordinator or the Title IX Officer at each school.

Contact information for counseling, advocacy, mental health and other ongoing support for parties involved in discrimination or harassment complaints shall also be included in the Title IX section of the District's website and made available in the office of the District's Title IX Coordinator or the Title IX Officer at each school.

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Education, Training and Acknowledgement of Policy

Students

All students shall be informed of this policy in the student handbook, on the District website and student registration materials. A poster summarizing the policy shall also be posted in a prominent location at each school. All secondary school student body officers shall receive District training about the policy each school year. In addition, age-appropriate curricular materials will be made available so that they can be incorporated in instruction to ensure that all students are educated to recognize and report discrimination and harassment.

Employees

Each employee will be required to annually sign an Acknowledgement/Certification Form acknowledging that the employee has read, understands and agrees to abide by this policy as well as the state laws and School Board policies and regulations cited in the policy. Failure to sign the Acknowledgement/Certification Form will not excuse a failure to comply with this policy.

Employees shall receive annual compliance training on this policy. School administrators responsible for these policies will receive substantive, in-person training. The training program for all other school personnel may include online courses, video presentations, bulletins, and newsletters. Exempt employees may take the course during their regular duty hours. Non-exempt employees must take the course during their regular duty hours unless requested by the employee and permission is received from the appropriate supervisor/administrator for overtime/comp time or the applicable collective bargaining agreement.

Title IX Coordinator/Officers

Personnel tasked with implementing these procedures (e.g.: Title IX Coordinator, Title IX Officers, investigators, etc.) will be trained at least annually. This training will include but is not limited to how to appropriately remedy, investigate, render findings and determine appropriate sanctions in reference to harassment and discrimination allegations; confidentiality and privacy; and applicable laws, regulations and federal regulatory guidance.

Equal Opportunity Employment Policy Statement

The policies and administrative regulations of the School Board have traditionally sought to attain ideal conditions of Equal Employment Opportunity. These policies and regulations shall be amended where necessary to ensure full compliance with the letter and the spirit of the law and apply to both sexes in all instructional and non-instructional positions. The policy is to select employees/applicants as needed based on merit, training, and experience. There shall be no discrimination against any applicant or employee on the basis of race, color, religion, gender, ethnic or national origin, age, disability, veteran or military status, marital status,

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pregnancy, sex, gender, gender identity or expression, or sexual orientation except when it is necessary to meet a bona fide occupational requirement. The School Board shall take all necessary action to comply with State and Federal Laws prohibiting discrimination in employment. We do this to reaffirm our commitment to Equal Employment Opportunity and to refine our implementation of existing policies as they apply to recruitment, hiring, training, promotion, personnel management practices, and collective bargaining agreements.

The specific purpose of the Equal Opportunity Employment Policy statement is:

- To ensure Equal Opportunity in all personnel policies, practices and collective bargaining agreements through the identification and elimination of any existing discriminatory policies and/or practices.
- To design and implement continuing internal assessment, reporting and modification procedures for evaluating the effectiveness of the Equal Opportunity Employment Plan.
- To develop Employee/Applicant/Students training programs to assist employees/applicants in complying with the plan and in achieving new competencies.
- To establish procedures within a complaint process for prompt processing of individual or group charges.
- To provide for the publication and dissemination, internally and externally, of the Equal Opportunity Employment Plan.

It is understood that discrimination or harassment based on an employee's/applicant's race, color, religion, gender, ethnic or national origin, age, disability, veteran or military status, marital status, pregnancy, sex, gender, gender identity or expression, or sexual orientation is a violation of state and federal laws and a breach of the School Board's Equal Opportunity Employment Policy, which shall be grounds for disciplinary action including but not limited to discharge.

Constitutional Safeguard

This policy does not imply to prohibit expressive activity protected by the First Amendment of the United States Constitution or Article 1, Section 4 of the Florida constitution.

Preclusion

This policy shall not be interpreted as to prevent a claimant or respondent from seeking redress under any other available law either civil or criminal.

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STATUTORY AUTHORITY:

This policy is intended to effect compliance with federal and state regulations, including:

Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.)
Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000e et seq.)
Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.)
Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 701 et seq.)
Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 et seq.)
Equal Pay Act of 1963 (29 U.S.C. § 206d)
Boy Scouts of America Equal Access Act of 2002 (20 U.S.C. § 7905)
Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.)
Florida Educational Equity Act (F.S. § 1000.05)
Florida Civil Rights Act of 1992 (F.S. § 760.01)

LAW(S) IMPLEMENTED:

F.S. § 110.1221 – Sexual Harassment Policy
F.S. § 119.071 – General Exemptions from Inspection or Copying of Public Records
F.S. § 784.049 – Sexual Cyberharassment
F.S. § 1001.42 – Powers and Duties of District School Board
F.S. § 1002.22 – Education Records and Reports of K-12 Students
F.S. § 1002.221 – K-12 Education Records
F.S. § 1002.206 – Religious Expression in Public Schools
F.S. § 1003.04 – Student Conduct and Parental Involvement
F.S. § 1003.31 – Students Subject to Control of School
F.S. § 1006.07 – District Board Duties Relating to Student Discipline and School Safety
F.S. § 1006.08 – Superintendent Duties Relating to Student Discipline and School Safety
F.S. § 1006.09 – Duties of School Principal Relating to Student Discipline and School Safety
F.S. § 1012.31 – Personnel Files
F.S. § 1012.796 – Complaints Against Teachers and Administrators

HISTORY:

ADOPTED: 08/04/20

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STUDENT DATING VIOLENCE AND ABUSE POLICY

2.72

General Policy Statement

The School Board of Sarasota County, Florida ("School Board") is committed to protecting all students within the School District of Sarasota County ("District") from dating violence and/or abuse by other students. The School Board believes all students are entitled to a safe, equitable and harassment-free school experience. Consistent with the intent and requirements of §1006.148, Florida Statutes, the School Board promulgates a policy that:

- Prohibits dating violence and abuse by any student on District property, at school-related functions, or during school-sponsored transportation;
- Provides procedures for responding to such incidents of dating violence or abuse, including accommodations for students experiencing dating violence or abuse; and
- Defines dating violence and abuse and provides for a student dating violence and abuse component in the health education curriculum of grades 7 through 12, in accordance with the requirements of Florida law, with emphasis on prevention education.

In accordance with state law, this policy prohibits dating violence or abuse by any District student on school property or during any school-related functions as defined within this policy, and conduct found to be in violation of this policy will not be tolerated and shall be grounds for disciplinary action. The District may also address dating violence or abuse that occurs outside of a school-sponsored program or activity but has continuing adverse effects within those programs or activities, including by providing supportive measures to address the safety of students.

It is essential that a basic universal prevention curriculum be implemented so every school receives a foundation of prevention upon which to build a culture of health, wellness, safety, respect and excellence. The standards of this policy constitute a specific, focused, coordinated, integrated, culturally sensitive system of support for all students, staff, families, and community agencies which will improve relations within each school. It requires that all staff be trained and supported in the school's efforts to provide awareness, intervention training, and instructional strategies on prevention, including violence prevention, to all school staff, parents, and students in the District.

Scope of Policy

This policy applies to all students in grades 7 through 12 and to school-based employees in District middle schools and high schools.

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Implementation

The Title IX Officer at each middle school and high school (i.e., Principal, Assistant Principal or a designee), will be responsible for the implementation of this policy. Any designee should be at an administrative level and be aware of all students and faculty codes of conduct, be trained in dynamics of relationship abuse, have knowledge of available resources for both claimants and respondents, and be authorized to provide disciplinary interventions to students and meet with parents. Each school's designated Title IX Officer will be identified on that school's website, as well as in student handbooks.

Definitions

For the purposes of this policy, the following terms shall be defined as follows:

Accommodations include, but are not limited to, change of class seat or workgroup assignment; change of locker assignment; change of student's class schedule, homeroom, or extracurricular activities; permission to leave class or excused absences to see a counselor or other support professionals; makeup class work including homework, quizzes, tests, and any other graded work; for classes missed due to dating violence or threat thereof, or treatment of such violence; a stay-away agreement entered into between the parties and the school requiring the parties to refrain from contacting each other and to keep away from each other; alternative education plan for the claimant; and school transfer for the claimant.

Bullying is defined as provided in Policy 2.70 "Bullying and Harassment."

Claimant refers to a member of the District community who is the target of the respondent's coercive, abusive and/or violent acts.

Complaint refers to any alleged act of dating violence or abuse which may be a violation of this policy.

Consent means the voluntary, willful, and unambiguous agreement to engage in specific activity. Consent must be informed and mutual, and it can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent. Consent must be clear and communicated by mutually understandable words or actions. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person.

If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes

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impairment or incapacitation due to alcohol or drug consumption that meets this standard, or being asleep or unconscious.

Court mandated restraining order or protective order means a court order that restricts an individual's actions in relation to another individual. Usually such an order requires the restrained person to refrain from contacting the protected person and to stay a certain distance away from the protected person.

Dating means any romantic relationship between unmarried persons regardless of duration, commitment level, or physical intimacy. Dating includes "hooking up," "going out," and "friends with benefits."

Dating partner means any person, regardless of gender, involved in a relationship. This could include persons who have a former dating or sexual relationship, are same sex couples, or have had intimate or continuous social contact with one another.

Emotional abuse means the intentional infliction of mental or emotional distress by threat, coercion, stalking, humiliation, destruction of self-esteem, or other unwanted, hurtful verbal or nonverbal conduct.

Internet abuse or Cyberbullying/Cyberstalking encompasses verbal or psychological abuse or threats using electronic means as defined in Policy 2.70 "Bullying and Harassment."

On District property or at school-related functions means on school property, during any school-related or school-sponsored program or activity and during school-sponsored transportation.

Physical abuse includes intentional, unwanted bodily contact with the claimant by the respondent such as shaking, arm-twisting, pushing, hitting, kicking, slapping, choking, hair pulling, or any behavior that results in non-accidental injury.

Physical intimidation includes, but is not limited to, acts such as restraining someone, blocking movements or exits, punching walls, or throwing things.

Respondent refers to the individual named in the complaint that is accused of using dating violence or abuse, including sexual assault, to establish and maintain power and control over the victim or target (claimant) of his or her behavior.

Safety Plan means an individualized set of actions, strategies, and resources that addresses a claimant's safety and his or her concerns with regards to dating violence and abuse.

Sexual exploitation occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person without that person's consent. Only individuals 18 years old and above are legally able to consent to this activity in Florida. Examples of behavior

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that could rise to the level of sexual exploitation include:

- Recording images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's consent;
- Distributing images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure and objects to such disclosure; and,
- Viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's consent.

Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. Intimate parts include the primary genital area, groin, inner thigh, buttocks or breast, as well as the clothing covering these areas. Sexual violence may include, but is not limited to:

- touching, patting, grabbing or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
- coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts;
- coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act on another; or
- threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

Stalking occurs when a course of conduct is directed at a specific person based on that person's actual or perceived relationship status, where the conduct is unwelcome and would cause a reasonable person to feel fear. Stalking also occurs when a course of conduct is repetitive and menacing and includes pursuing, following, harassing and/or interfering with the peace and/or safety of another.

Stay-Away Agreement means an agreement entered between the parties and the school requiring the parties to refrain from contacting each other, to keep away from each other, and specifying disciplinary consequences should the parties breach the contract. This agreement is separate from a court-mandated restraining or protective order.

Student dating violence or abuse is a pattern of emotional, verbal, sexual, or physical abuse used by one person in a current or past dating relationship to exert power and control over

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another when one or both of the partners is a teenager. Abuse may include insults, coercion, social sabotage, sexual harassment, stalking, threats, and/or acts of physical or sexual abuse. The abusive partner uses this pattern of violent and coercive behavior to gain power and maintain control over the dating partner. This may also include abuse, harassment, and stalking via electronic devices such as cell phones and computers, and harassment through a third party, and may be physical, mental or both.

Verbal abuse includes the use of threats, put-downs, name-calling, insults, offensive language, sexually explicit or homophobic language, screaming or yelling.

Additional Violations of the Policy

The School Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

Retaliation

It is a separate and distinct violation of this policy for any member of the school community to retaliate against any person who reports alleged dating violence and/or abuse or against any person who assists or participates in an investigation relating to such dating violence and/or abuse. It is possible to be found to have violated this anti-retaliation provision even if the underlying complaint of student dating violence and/or abuse is not found to be a violation of this policy. Such prohibited retaliation can include, but is not limited to, discipline, discrimination, demotion, denial of privileges, or any action that would keep a person from coming forward to make or support a student dating violence and/or abuse claim.

Anyone who receives information that an act of retaliation in violation of this policy has occurred should immediately report such incident to the relevant Title IX Officer or assigned investigator. All reports of retaliation made in good faith shall be investigated in the same manner as the underlying acts of alleged dating violence and/or abuse.

False Reports

A person who knowingly makes a false report may be subject to the same action that the District may take against any other individual who violates this policy. The term "false report" refers only to those made in bad faith and does not include a complaint that could not be corroborated.

Failure to Report/Investigate

It is also a violation of this policy if a school employee disregards, fails to investigate adequately, or delays the investigation of allegations of student dating violence and/or abuse, when responsibility for reporting and/or investigating student dating violence and/or abuse

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charges comprises part of one's supervisory duties.

Reporting an Act of Dating Violence or Abuse

Any student, or parent/legal guardian on that student's behalf, who believes he/she is a victim of dating violence and/or abuse, and/or any member of the District community who has witnessed an act of dating violence or abuse, or has reasonable suspicion that an act of dating violence and/or abuse has taken place, may file a report. In cases involving an alleged perpetrator who is of adult age and an alleged teen victim, certain suspicions of abuse must be reported to the Florida Abuse Hotline or local law enforcement pursuant to Florida law.

At each school, the Title IX Officer shall be responsible for receiving and documenting complaints alleging a violation of this policy. Any written or verbal reporting of an act of dating violence and/or abuse shall be considered an official means of reporting such act(s). Reports may be made anonymously, but formal disciplinary action may not be based solely on an anonymous report.

All District employees are required and must report promptly to the Title IX Officer any allegations of violations of this policy involving students. In addition to reporting the incident to the Title IX Officer, if a school employee has reason to suspect that an alleged violation of this policy might constitute a crime, the employee shall immediately report the complaint to the SRO. Any uncertainty regarding whether an alleged violation might constitute a crime must be resolved in favor of reporting the incident to the SRO. In the case of physical abuse and sexual assault that fall within mandated child abuse reporting requirements, a report shall be made to the Florida Abuse Hotline or local law enforcement pursuant to Florida law.

Documentation of Complaints

Complaints, whether made orally or in writing, shall be documented along with measures taken to correct behavior. This documentation shall be kept with student records and include action taken by a school officer or school employee on behalf of a student experiencing dating violence or abuse. The files shall be kept in a secure, locked filing cabinet and/or on a secure, password protected computer.

The Title IX Coordinator will be responsible for collecting and maintaining copies of all complaint forms that are submitted by students and employees pursuant to this policy, as well as documentation from all subsequent investigations and resolutions, including for both informal and formal complaints.

Confidentiality

It is District policy to respect the privacy of all parties and witnesses to complaints of student dating violence and/or abuse. To the extent possible, the District will not release the details of

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a complaint or the identity of the claimant or the respondent(s) to any third parties who do not need to know such information. However, because an individual's need for confidentiality must be balanced with the District's legal obligation to provide due process to the respondent, to conduct a thorough investigation, and to take necessary action to resolve the complaint, the District retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances to individuals with a need to know. The staff member responsible for investigating complaints will discuss confidentiality standards and concerns with all claimants, respondents, and witnesses. Further guidance on confidentiality is available in **Policy 2.71 "Policy Prohibiting Discrimination and Harassment."**

To the greatest extent possible, all complaints will be treated as confidential and in accordance with Florida law; the Family Educational Rights and Privacy Act ("FERPA") and the Health Insurance Portability and Accountability Act ("HIPAA").

Anonymous Reports

Anonymous complaints shall be accepted; however, the District may not necessarily be able to effectively investigate all allegations of student dating violence and/or abuse when the identity of the claimant and/or respondent has not been revealed.

If the anonymous report does not provide a sufficient factual basis to establish if student dating violence and/or abuse may have occurred, the complaint shall be documented, the respondent shall be notified and administrative intervention shall be undertaken as deemed appropriate. No records of an anonymous complaint shall be placed in the personnel file.

Immunity

Pursuant to Florida law, a school employee, school volunteer, student, parent/guardian, or other person who promptly reports in good faith an act of student dating violence and/or abuse to the Title IX Officer and who makes this report in compliance with the procedures set forth in District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.

Submission of a good faith complaint or report of student dating violence and/or abuse will not affect the claimant's or reporter's future employment, grades, learning or working environment, or work assignments. Such immunity from liability shall not apply to any school employee, school volunteer, student, parent/guardian, or other person determined to have made an intentionally false report about student dating violence and/or abuse.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

Amnesty

The District encourages students to report all incidents of student dating violence and/or abuse. Therefore, students who report student dating violence and/or abuse will not be disciplined by the District for a violation of the District's drug and alcohol possession and consumption policies that may have occurred in connection with the reported incident.

Investigative Procedures

At each school in the District, the Title IX Officer or his/her designee who has been trained in investigative procedures will be the only party to conduct investigations. Such investigations shall be commenced no later than the next school day, unless the complaint is one of violence which should be investigated immediately. The investigative procedure for allegations of dating violence and/or abuse by a student will follow the steps outlined in Policy 2.71a "Discrimination and Harassment Complaint Procedures."

Appeal of Investigation

The appeal procedure for dating violence and/or abuse by a student will follow the steps outlined in Policy 2.71a "Discrimination and Harassment Complaint Procedures."

Options for Assistance / Supportive Measures

The Title IX Officer should take immediate steps and supportive measures as appropriate to provide for the safety and well-being of the claimant, such as altering academic or bus schedules for either the claimant or the respondent, changing locker locations, changing cafeteria or recess schedules, allowing the claimant to withdraw from/retake a class without penalty, providing an escort to ensure that the claimant can move safely between classes or other activities, and providing academic support (e.g., tutoring). To the extent possible, students who report allegations of dating violence and/or alleged claimants will continue attendance at the same school and pursue their studies as directed while the investigation is conducted and the complaint is pending resolution. Any order of a court to the contrary will prevail. Requests for accommodations may be made verbally or in writing to any school employee and these requests should be taken to the Title IX Officer who will document the request in writing. While the District has the right to take necessary action to address the claimant's safety and ensure equal educational access, it should also ensure that supportive measures are non-punitive, non-disciplinary and not unreasonably burdensome to the other party, unless that party poses an immediate and/or serious threat to the District community.

Denials of requests for accommodations may be appealed by the student or parent/guardian within ten (10) days of the denial, by the student or parent/guardian filing a written request to the Superintendent or his/her designee.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

Stay-Away Agreements and Enforcement of Court Restraining/Protective Orders

The Title IX Officer may immediately implement a school-based “stay-away agreement”, which is an agreement entered into between the parties and the school requiring the parties to refrain from contacting each other, to keep away from each other, and specifying disciplinary consequences should either party breach the agreement. This agreement is separate from a court-mandated restraining or protective order.

When a restraining or protective order has been issued by a court to protect one student from another, the Title IX Officer shall take reasonable action at the school to comply with the court order and any administrative procedures provided by the Superintendent for this policy. The Title IX Officer will notify law enforcement immediately if she/he has a reasonable belief that a criminal or civil restraining order has been violated.

Referral for Counseling Intervention

Contact information for resources who can provide an immediate response and support for the claimant and respondent including school psychologists, counselors, nurses, social workers or law enforcement, shall be included in the Title IX section of the District’s website and made available in the office of the District’s Title IX Coordinator or the Title IX Officer at each school.

Contact information for counseling, advocacy, mental health and other ongoing support for claimants reporting dating violence and/or abuse, shall be included in the Title IX section of the District’s website and made available in the office of the District’s Title IX Coordinator or the Title IX Officer at each school.

When student dating violence or abuse is suspected or reported, referrals to appropriate outside agencies may also be made.

Notification to Parents or Legal Guardians

Parents/legal guardians of student claimants and respondents shall be notified within one school day of claims alleging a violation of the Student Dating Violence and Abuse Policy, except in limited circumstances when the Title IX Officer (or designee) determines that such notification is not in the best interest or impairs the safety of the claimant involved, in which case only the parents/legal guardians of the respondent will be notified. In applicable cases, notification to the parents/legal guardians may be made by telephone, writing, or personal conference. All parents/legal guardians of student claimants and respondents who have received notification may participate at each stage of both informal and formal investigation and resolution procedures.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

The frequency of notification and follow-up reports to parents/legal guardians will be dependent on the seriousness of the dating violence and abuse incident. All notifications shall be consistent with student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). If the incident results in the respondent(s) being charged with a crime, the principal or designated Title IX Officer shall by telephone or writing inform the parents or legal guardians of the victims involved about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Section 9532), which provides that a student *"who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school."*

Dating Violence and/or Abuse Prevention and Training

To ensure that students, teachers, staff, and school administrators are prepared to address dating violence in a coordinated manner, the School Board believes District students, teachers, staff, and school administrators should receive training and awareness education on dating violence.

Training for Teachers, Staff, and School Administrators

The District Title IX Coordinator will be responsible for assessing the training needs of the District's students and employees in connection with dissemination, comprehension, and compliance with this policy, as well as arrange for necessary training required for compliance with this policy. The District Title IX Coordinator in coordination with the relevant Title IX Officers shall coordinate an annual training, including scheduling and publicizing trainings, for teachers, staff, and school administrators in the areas of the proper identification, investigation, and intervention of dating violence or abuse incidents that fall within the jurisdiction of the school.

Awareness Education for Students

In accordance with Florida law, the Superintendent or his/her designee shall provide for an age-appropriate, student dating violence and abuse component in the comprehensive health education curriculum of District students in grades 7 through 12. The student dating violence and abuse component shall have an emphasis on prevention education and include, but not be limited to:

- definition of dating violence and abuse;
- forms of abuse;
- warning signs of dating violence and abusive behavior;

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- characteristics of healthy and unhealthy behaviors and relationships;
- measures to prevent and stop dating violence and abuse;
- Board policies on dating violence and abuse, sexual harassment, and bullying; and
- community resources, including legal, medical or mental health resources, available to victims of dating violence and abuse.

Schools should utilize existing resources, including but not limited to student support services staff (e.g. school social workers, school counselors) to assist in providing student dating violence and abuse intervention and prevention training.

Schools may also work with community organizations with expertise in student dating violence and abuse to provide such trainings specifically targeted to each population for the training of teachers, staff and school administrators.

Notice of Policy

Schools with students in grades 7 through 12 shall take the following actions to provide notice of this policy to students, parents/guardians, and other members of the school community.

- Publish this policy on the school website.
- Send a copy of the policy, including the name(s) of the school's designated contact(s) for dating violence and abuse to parents/guardians of students in grades 7 through 12 at the beginning of each school year.
- Disseminate the policy to all students, staff, and other school employees at the beginning of each school year.
- Post the rights of a student to be free from dating violence and abuse in classrooms or hallways, and how a report of dating violence and abuse may be filed in-person or anonymously including the contact information of the designated school administrator. The Office of Safe Schools (Florida Department of Education) shall be a resource for the creation of such postings for the schools.
- Include the policy and the name(s) of the designated Title IX Officer(s) and his/her contact information in the student handbook for parents and students.

Constitutional Safeguard

This Policy does not prohibit expressive activity protected by the First Amendment of the United States Constitution or Article I, Section 4 of the Florida Constitution.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

Preclusion

This Policy shall not be interpreted as to prevent a claimant or respondent from seeking redress under any other available law either civil or criminal.

STATUTORY AUTHORITY:

This policy is intended to effect compliance with federal and state regulations, including:
Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000e et seq.)
Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.)
Florida Civil Rights Act of 1992 (F.S. § 760.01)

LAW(S) IMPLEMENTED:

F.S. § 110.1221 – Sexual Harassment Policy
F.S. § 119.071 – General Exemptions from Inspection or Copying of Public Records
F.S. § 784.049 – Sexual Cyberharassment
F.S. § 1001.42 – Powers and Duties of District School Board
F.S. § 1002.22 – Education Records and Reports of K-12 Students
F.S. § 1002.221 – K-12 Education Records
F.S. § 1003.04 – Student Conduct and Parental Involvement
F.S. § 1003.31 – Students Subject to Control of School
F.S. § 1003.42(2)(n) – K-12 Education Code Required Instruction
F.S. § 1006.07 – District Board Duties Relating to Student Discipline and School Safety
F.S. § 1006.08 – District School Superintendent Duties Relating to Student Discipline and School Safety
F.S. § 1006.09 – Duties of School Principal Relating to Student Discipline and School Safety
F.S. § 1006.148 – Dating Violence and Abuse Prohibited
F.S. § 1012.31 – Personnel Files
F.S. § 1012.796 – Complaints Against Teachers and Administrators

HISTORY:

ADOPTED: 08/04/20

**The School Board of Sarasota County
Employee Complaint Form – Discrimination and Harassment**

The School Board of Sarasota County seeks to provide an environment free of discrimination and harassment on the basis of race, color, religion, ethnic or national origin, age, disability, veteran or military status, marital status, pregnancy, sex, gender, gender identity or expression, or sexual orientation.

The purpose of this form is to assist you in presenting your complaint, in accordance with the Policy Prohibiting Discrimination and Harassment. It is requested that you provide as much detail as possible. Please attach any documents that you believe will support your statement. If you need more space, feel free to attach additional pages. All the information provided must be true and accurate. This completed form should be submitted to the Equity Coordinator and a copy should be retained by the claimant.

Employee Name: _____

School/Building: _____ Email: _____

Phone: _____ Date of Alleged Incident: _____

Did the alleged incident(s) involve discrimination or harassment based on any of the following categories?

Race:	<input type="checkbox"/>	Disability:	<input type="checkbox"/>	Sex:	<input type="checkbox"/>
Color:	<input type="checkbox"/>	Veteran/Military Status:	<input type="checkbox"/>	Gender:	<input type="checkbox"/>
Religion:	<input type="checkbox"/>	Marital Status:	<input type="checkbox"/>	Gender Identity/Expression:	<input type="checkbox"/>
Ethnic/Natural Origin:	<input type="checkbox"/>	Pregnancy:	<input type="checkbox"/>	Sexual Orientation:	<input type="checkbox"/>
Age:	<input type="checkbox"/>				

Does this complaint involve an allegation of sexual harassment?

Yes: ☐ No: ☐

If the alleged incident(s) was directed at someone other than you, please identify that person. Please include position (i.e. teacher, administrator, etc.).

What is the name of the respondent/accused? Please include position (i.e. teacher, administrator, student, etc.).

When and where did the alleged incident(s) occur? Be as specific as possible.

--

Describe the alleged incident(s) as clearly and with as much detail as possible:

--

Were any witnesses present? If yes, provide the names of the individuals:

--

Did you report the alleged incident(s) to a worksite administrator or any other District employee(s)? If yes, please provide the name(s) of those individuals:

--

Did you report or disclose the alleged incident(s) to anyone else (e.g., a friend, a coworker, or a relative)? If yes, please provide the name(s) of those individuals:

--

List and attach any additional evidence related to the alleged incident(s) (i.e. text messages, emails, photos, letters, etc.):

--

At the present time (and you can later adjust your decision if you choose), do you wish to report this complaint pursuant to the informal complaint procedures or the formal complaint procedures as outlined in School Board Policy 2.71a?

Informal: ☐

Formal: ☐

I agree that the information I provided is true, accurate and complete.

Print Name and Date:

Signature:

--

--

FOR OFFICE USE ONLY	
School/Building:	Date:
Title IX Coordinator Name:	Signature:

**The School Board of Sarasota County
Student Complaint Form – Discrimination and Harassment**

The School Board of Sarasota County seeks to provide an educational environment free of discrimination and harassment on the basis of race, color, religion, ethnic or national origin, age, disability, veteran or military status, marital status, pregnancy, sex, gender, gender identity or expression, or sexual orientation.

The purpose of this form is to assist you in presenting your complaint, in accordance with the Policy Prohibiting Discrimination and Harassment. It is requested that you provide as much detail as possible. Please attach any documents that you believe will support your statement. If you need more space, feel free to attach additional pages. All the information provided must be true and accurate. A copy of this complaint should be retained by the claimant.

Student Name: _____

School: _____ Grade: _____

Student ID #: _____ Email: _____

Home Phone: _____ Date of Alleged Incident: _____

Did the alleged incident(s) involve discrimination or harassment based on any of the following categories?

Race:	<input type="checkbox"/>	Disability:	<input type="checkbox"/>	Sex:	<input type="checkbox"/>
Color:	<input type="checkbox"/>	Veteran/Military Status:	<input type="checkbox"/>	Gender:	<input type="checkbox"/>
Religion:	<input type="checkbox"/>	Marital Status:	<input type="checkbox"/>	Gender Identity/Expression:	<input type="checkbox"/>
Ethnic/Natural Origin:	<input type="checkbox"/>	Pregnancy:	<input type="checkbox"/>	Sexual Orientation:	<input type="checkbox"/>
Age:	<input type="checkbox"/>				

Did the alleged incident(s) involve any the following prohibited conduct?

Bullying: ☐ Dating Violence or Abuse: ☐ Sexual Harassment: ☐

If the alleged incident(s) was directed at someone other than you, please identify that person. Please include grade (if known) and position (i.e. student, teacher, coach, etc.).

What is the name of the respondent/accused? Please include grade (if known) and position (i.e. student, teacher, coach, etc.).

When and where did the alleged incident(s) occur? Be as specific as possible.

--

Describe the alleged incident(s) as clearly and with as much detail as possible:

--

Were any witnesses present? If yes, provide the names of the individuals:

--

Did you report the alleged incident(s) to a teacher or District employee? If yes, please provide the name(s) of those individuals:

--

Did you report or disclose the alleged incident(s) to anyone else (e.g., a friend, a classmate, or a relative)? If yes, please provide the name(s) of those individuals:

--

List and attach any additional evidence related to the alleged incident(s) (i.e. text messages, emails, photos, letters, etc.):

--

At the present time (and you can later adjust your decision if you choose), do you wish to report this complaint pursuant to the informal complaint procedures or the formal complaint procedures as outlined in School Board Policy 2.71a?

Informal: ☐

Formal: ☐

I agree that the information I provided is true, accurate and complete.




Print Name and Date:

Signature:

--

--

FOR OFFICE USE ONLY	
School/Building:	Date:
Title IX Officer Name:	Signature:

				
<h1>Adult & Community Enrichment</h1>				
<div><h2>REGISTER NOW!</h2><p>FALL 2020</p><h3>Live Online AND In Person Classes</h3></div>				
<p>View course schedule online: ace-sarasota.com</p>				
				
				



ACE
Adult & Community
Enrichment Classes

**Adult & Community
Enrichment**

4748 Beneva Road, Sarasota
941-361-6590
ace-sarasota.com

- Online & In Person Classes**
- Lectures
 - Arts
 - Exploring Life & Leisure
 - Healthy Body & Mind
 - Languages & Language Arts
 - Technology

Go Live with ACE Online!
Connect, grow, & learn from anywhere.



The Sarasota County School Board prohibits discrimination in its educational programs, services or activities, or employment conditions or practices on the basis of race, color, religion, gender, sexual orientation, age, ethnic or national origin, genetic information, marital status, qualified disability defined under the ADA, or on the basis of the use of a language other than English, except as provided by law. The Sarasota County School Board also ensures equal access to school facilities for the Boy Scouts of America and other patriotic youth groups. Any person who believes he or she has experienced any such prohibited discrimination may file a complaint with the district Equity Coordinator Al Harrold by calling (941) 927-9000, ext. 31217, or writing him at 1960 Landings Blvd., Sarasota, Florida 34231.



NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES



Adult & Community Enrichment

Sarasota • North Port
Lakewood Ranch • Venice

WINTER/SPRING 2020

NEW classes starting each week!



REGISTER NOW

**In Person, Phone,
or Online**
(Office CLOSED Dec 21-Jan 6)



**4748 Beneva Road, Sarasota
941-361-6590**

ACE Adult Enrichment Classes

POLICIES & GENERAL INFORMATION

Student Fees

ACE is a fee-supported adult enrichment program offered by Sarasota County Schools. Enrichment classes receive no funding from any source other than student-generated fees and donations.

Registration Confirmation

A copy of the registration receipt is mailed or emailed to students who register online or by phone. Your receipt contains important information! Please print or have a digital copy of your emailed receipt and bring it to class with you.

Cancellations

ACE reserves the right to cancel a class due to insufficient enrollment. Students are notified by phone or email and will receive either an ACE credit, a full refund or may transfer to another class, space permitting.

Make-up Classes

Students are notified by phone and email if a class is canceled or rescheduled. It is important that current phone numbers and email addresses are on file. Students are informed of the make-up date once established.

Supplies

Supplies and books are included in the cost of the class **ONLY where noted**. Supply and book information is found on the website: ace-sarasota.com or may be obtained by calling 941-361-6590.

Book Policy

Many books can be purchased at the Suncoast Technical College bookstore in building 2 on the Sarasota campus. Visit suncoast.edu or call 941-924-1365 for the most up-to-date bookstore hours. Enter through Student Services with a photo I.D. Book prices are subject to change. Please wait to purchase your book until after verifying the class has met its minimum.

PLEASE NOTE: Students are welcome to purchase books online or at any local vendor.

Refund Policy

Refunds are available **ONLY** if ACE is notified 48 HOURS (excluding weekends) **PRIOR TO THE FIRST DAY OF CLASS**. A \$15 administrative fee will be imposed for all student generated withdrawals. **NO REFUNDS ONCE CLASSES BEGIN.**

Refunds/Transfers/Credits

1. Class withdrawals are allowed (minus a \$15 withdrawal fee per class) up to 48 hours prior to the start of the class (excluding weekends). Please allow 10-14 days for processing.
2. A transaction fee of \$10 is charged for processing all student-generated transfers.
3. Material fees and one-day workshops are completely **NONREFUNDABLE**.
4. No refunds/make-ups will be issued if you fail to attend a class.

Liability

Students who attend ACE classes agree to waive and release all claims of personal injury or property damage, whether held on campus or off.

Age Policy

Adult Enrichment classes are open to adults, age 18 years and older, unless otherwise noted.

Student ID Badges

Student ID Badges must be worn when attending classes on any school campus.

Parking

Parking is free for all ACE students! Obtain your STC parking tag at your first on-campus class.

Visitors

Visitors are not allowed in classes. All class participants must be registered through the ACE office. No class sampling is allowed.



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Adult & Community Enrichment

Sarasota • North Port
Lakewood Ranch • Venice

SPRING/SUMMER 2020

REGISTRATION BEGINS

Online - April 10

In Person/Phone - April 13



**NEW
Classes
Starting
Each
Week!**

4748 Beneva Road, Sarasota
941-361-6590

ACE

Adult Enrichment Classes

POLICIES & GENERAL INFORMATION

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PLEASE NOTE: Students are welcome to purchase books online or at any local vendor.

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Refunds/Transfers/Credits

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2. A transaction fee of \$10 is charged for processing all student-generated transfers.
3. Material fees and one-day workshops, classes, and trips are completely **NONREFUNDABLE**.
4. No refunds/make-ups will be issued if you fail to attend a class.

Liability

Students who attend ACE classes agree to waive and release all claims of personal injury or property damage, whether held on campus or off.

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Harayda AI

From: Harayda AI
Sent: Friday, August 21, 2020 3:42 PM
To: Principals - All; Principals Admin Assistants; SCSB Cost Center Heads; SCSB Cost Center Heads Admin Assts
Subject: Annual Equity Distribution
Attachments: Cost Center document.docx; Policy 2.71.pdf; Procedure 2.71a.pdf; Equity Officers.xlsx; Staff Acknowledgement.pdf

Principals and Cost Center Heads:

The newly adopted 2020/2021 Equity Policies and Procedures for students and for employees/applicants are now located on the district website; under Human Resources/Equity.

Please ensure that staff who do not have access to email are provided with hard copies. All employees will receive a copy of the procedures electronically. If you have parents that do not have access to the internet, feel free to print copies. Please make sure to announce this procedure in your "back to school" information for teacher and students to refer them to this section of our website.

Please adhere to the following procedures to ensure compliance with state and federal guidelines:

- **Staff Meeting/Training - All Cost Center Heads**

Include "Equity Complaint Process" on an agenda for a staff meeting. Review the complaint process using <https://youtu.be/dmEwIjgUaBQ>. Also, indicate that complaint forms and equity procedures are available on the district website.

- **Notification to Equity Coordinator - All Cost Center Heads**

Upon receipt, all equity complaints should be forwarded to me (AI Harayda), as the District's Equity Coordinator. I will review each equity complaint for completeness and will maintain a log of all complaints received for the District. I will forward the equity complaint form to the appropriate cost center head for investigation.

- **Distribution of Equity Procedures for Employees - All Cost Center Heads**

All employees must be provided directions where to find the employee/applicant equity procedures online. Additionally, all employees will receive a copy of the employee/applicant equity procedures electronically and the "ACCEPTANCE-RECEIPT OF POLICY AND PROCEDURES AGAINST DISCRIMINATION" form. Each employee should sign this form and return to cost center head. These signed forms are kept at the cost center in the personnel site file.

- **Distribution of Equity Procedures for Students- Building Principals**

Notify all students and parents of SAC and booster clubs where the Equity procedures are located on the district website.

- **Newsletter Notice - Building Principals**

Include an article in your school newsletter indicating the location of the Student Equity procedures on the district website.

- **PTO Meetings - Building Principals**

Include "Equity Complaint Process" as an agenda item at a PTO/PTA meeting. Announce where the procedures are located.

<https://www.sarasotacounty schools.net/Page/2613>

Your cooperation in confirming that the above procedures have been implemented is requested as listed:

Maintain copies of newsletter notices and staff meeting agendas at the cost center.

Complete the attached form confirming the above expectations have been met and return to me no later than **September 30, 2020**.

Thank You

Al

Al Harayda
Employee Relations and Equity Administrator
Human Resources
Sarasota County Schools
941-927-9000 x 31217



**SARASOTA
County Schools**

Human Resources

1960 Landings Blvd., Sarasota, FL 34231

941-927-9000, ext. 31200

www.SarasotaCountySchools.net

TO: Al Harayda/Employee Relations Administrator and Equity

FROM: Cost Center Head _____

Cost Center _____

DATE: _____

RE: Notification of location of Equity Handbooks

Equity Handbooks location notified:

Employees Date _____

Students Date _____

SAC Parents Date _____

Booster Parents Date _____

COST CENTER HEAD SIGNATURE _____

**Return to: Al Harayda, Employee Relations Administrator & Equity
Coordinator**

Human Resources

By Friday, September 30, 2020

Email Al.harayda@sarasotacountyschools.net or

Fax 941-927-4020

THE SCHOOL BOARD OF SARASOTA COUNTY, FLORIDA
HUMAN RESOURCES

ACCEPTANCE/RECEIPT OF POLICY AND PROCEDURES AGAINST DISCRIMINATION

Instructions: Employees must read the entire form, sign it, and give to their Cost Center Head. Cost centers will retain the signed form in the employee's personnel site file.

I, _____, have received a copy of
Employee Name (Print)

THE SCHOOL BOARD OF SARASOTA COUNTY, FLORIDA
STATE EQUITY LAWS

POLICY AGAINST DISCRIMINATION
FOR EMPLOYEES AND APPLICANTS

Due Process Procedures
Employee/Applicant Complaint Procedures

I understand that discrimination and/or harassing behavior will not be tolerated, and I am aware of the procedure for filing a complaint relative to such behavior. It is my responsibility, as an employee of The School Board of Sarasota County, Florida, to comply with the policy and procedures.

Employee Signature

Date

Cost Center

Distribution: Original – Employee Site File

The School Board of Sarasota County, Florida, complies with Federal and State Statutes in prohibiting any form of discrimination and harassment based on an individual's race, color, religion, ethnic or national origin, age, disability, veteran or military status, marital status, pregnancy, sex, gender, gender identity or expression, or sexual orientation.

Alta Vista	Meredith McArthur	
Ashton	Jacob Ruscoe	
Awater	Jamie Kisner	
Bay Haven	Erica Brusoe	
Booker High	Sue Fair	
Booker Middle	Cameron Parker	
Brentwood	Holly Brody	
Brookside	Amanda Rojas	
Cranberry	Alison Rini	
Emma E. Booker	Gina Cirillo	
Englewood	Ellen Ziarnicki	
Fruitville	Jamie Hannon	
Garden	John Carey	
Glenallen	Michelle Miller	
Gocio	Marya Annicelli	
Gulf Gate	Leigh Michalojko	
Heron Creek	Eric Idoyaga	
Lakeview	Jen Kahler	
Lamarque	Mindy Long	
Laurel Nokomis	Christine Oliver	
McIntosh	Maureen Bassett	
North Port	Ron Corso	
Oak Park	Nicole Meo	
Phillippi Shores	Tina Quintana	
Pine View	Roy Sprinkle	
Riverview	Keith Little	
Sarasota High	Robin Livingston	
Sarasota Middle	Stacey Tinkis	
Southside	Kent Miller	
SPHS	Mike Rainey	
STC	Mike Endee	
STC-NP	Mike Endee	
Tatum Ridge	Sara Knouse	
Taylor Ranch	Emilie Hansen	
Toledo Blade	Michelle Giddens	
Triad	Melanie Ritter	
Tuttle	Scott Parrish	
Venice High	Rosemary Schmidt	
Venice Middle	Erin Rice	
Venice Elementary	Kaitlin Randlett	
Wilkinson	Lindsay Csogi	
Woodland	Curtis Schwartz	
Transportation	Diane Preston	
Pupil Support	Jamie Rodrigues	
Facilities	Kevin Snyder	
Financial Services	Christa Curtner	

Construction services	Kevin Snyder
FNS	Kristen Pulfer
SCSPD	Duane Oakes
IT	Anthony Dolciotto
Human Resources	Rob Boney



STEP 1: Complete Online Application & Packet

- Click specific job type below to see requirements:

INSTRUCTIONAL

- (Teachers, Psychologists, Social Workers, Substitute Teachers)

NON-INSTRUCTIONAL

- (Aides, Maintenance, Transportation, Food Service, Custodial, IT, Office, Non-instructional Substitutes, Paid Coaches)

ADMINISTRATIVE

- (Principals, Assistant Principals, STC Administrators)

DISTRICT ADMINISTRATOR

- (District-Wide)

STEP 2: Complete Testing (if applicable)

- Complete applicable testing requirements as identified on a job description.

STEP 3: Confirm Status

- Contact the Human Resources Department to confirm application status.
Phone 941-927-9000, extension 31200.

STEP 4: View job postings then submit interest

- Follow online instructions to submit interest to specific job postings.

Reasonable accommodations are available for persons with disabilities to complete the application and/or interview process. Applicants or individuals with disabilities requesting accommodations under the Americans with Disabilities Act (ADA) may contact the district Equity Coordinator

Al Harayda by calling
(941) 927-9000, ext. 31217,
or writing him at
1960 Landings Blvd.,
Sarasota, Florida 34231.



1960 Landings Blvd. Sarasota, FL 34231

Phone: (941) 927-9000

COMMUNITY

EMPLOYMENT

PUBLIC RECORDS

EMPLOYEE DIRECTORY





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