

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

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, as recognized by state and federal law. 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 the above protected classifications.

The school system will act to promptly investigate all complaints, either formal or informal, verbal or written, of discrimination or harassment because of the above listed classifications; 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.

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.
- 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.

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- 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.
- 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;

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- 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.

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 shall 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.

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Failure to Report/Investigate

It is also a violation of this policy if a school employee fails to report, 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, is aware of, or otherwise witnesses discrimination or harassment, or to whom such discrimination or harassment is reported, shall take prompt and appropriate action to stop the violation and to prevent its reoccurrence.

Any District employee who receives or is otherwise aware of 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

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. shall do so.

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 become aware of discrimination or harassment shall promptly report it to the appropriate school or district level administrator.

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,

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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.

Parents/legal guardians of victims and perpetrators shall be notified within on the same day a district employee is made aware 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 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).

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, 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

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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.

Options for Assistance / Supportive Measures

The District shall 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 shall 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 shall 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 shall 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 shall 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

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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.

The Hope Scholarship Program is established to provide the parent of a public school student who was subjected to an incident listed in the paragraph below an opportunity to transfer the student to another public school or to request a scholarship for the student to enroll in and attend an eligible private school.

Contingent upon available funds, and on a first-come, first-served basis, a student enrolled in a Florida public school in kindergarten through grade 12 is eligible for a scholarship under this program if the student reported an incident of battery; harassment; hazing; bullying; kidnapping; physical attack; robbery; sexual offenses, harassment, assault, or battery; threat or intimidation; or fighting at school as defined by FS 1006.09(6).

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

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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, 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.

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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.

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
REVISED 09/2023