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**WAKULLA**

**SCHOOL DISTRICT**

**RIGOROUS. RESILIENT. RELEVANT**

**EQUITY**

# **HANDBOOK**

**WAKULLA COUNTY SCHOOLS**

<https://www.wakullaschooldistrict.org>

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# Wakulla County School District Equity Handbook

This publication is designed to guide you through the process of filing a complaint of discrimination and harassment in compliance with the Florida Education Equity Act, Section 1000.05, Florida Statutes and the State Board of Education Rules, 6A-19.001-6A-19.010. The Equity Handbook can also be accessed at [wakullaschooldistrict.org](http://wakullaschooldistrict.org).

- ✓ Prohibition of Discrimination/Harassment
- ✓ Wakulla County District Schools Equity Coordinator
  - ✓ Office of Civil Rights (OCR)
  - ✓ Complaint/Grievance Procedure
  - ✓ Complaint Form

## Introduction of Equity and the Equity Handbook

The School Board has established policies prohibiting discrimination and harassment. No person shall, on the basis of race, color, religion, sex, sexual preference, age, national or ethnic origin, political beliefs, marital status disability if otherwise qualified, social and family background, or on the basis of the use of a language other than English, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity, or in any employment condition or practice conducted by this School District, except as provided by law.

### The Equity Handbook:

- References the non-discrimination policies for you, your staff, students, and parents.
- Details the procedures for filing a complaint of discrimination and/or harassment.
- Identifies The Wakulla County School District Equity Coordinator.
- Identifies state and federal offices that receive discrimination and harassment complaints.

## School Board Members:

Angie Nichols, District II

Josh Brown, District IV

Cale Langston, District III

Eddie Hand, District I

Laura Lawhon, District V

## **Superintendent of Schools**

Mr. Richard Myhre

## **Human Capitol Officer/Equity Coordinator**

Mrs. Lori Sandgren

## **Wakulla County School District Website**

[www.wakullaschooldistrict.org](http://www.wakullaschooldistrict.org)

### **VISION STATEMENT**

We will provide a rigorous and appropriate education that results in success for all students.

### **The Role of the Equity Coordinator**

*The Equity & Compliance Coordinator is located in The Human Resource Department. The role of the Equity Coordinator is to:*

- Serve as the contact for complaints of discrimination or harassment from employees, applicants, parents or the general public.
- Assist school administrators and district staff with investigations of discrimination or harassment complaints.
- Coordinate and monitor the school district's compliance with civil rights requirements.
- Ensure that the school district's discrimination and harassment policies and complaint procedures are effectively implemented.

### **The Role of School-Based and District-Office Administrators**

*School-Based and District Office Administrators must know and share the following information with the staff members and students under their leadership:*

- All complaints of discrimination and harassment will be investigated.
- Anyone registering a complaint must be free from retaliation.
- Training is the key to reducing the number of discrimination and harassment complaints.

- All complaints of discrimination and harassment (even if resolved at the site where logged) must be shared in summary form with the Equity Coordinator for monitoring purposes.
- All matters pertaining to discrimination and harassment are confidential to the extent permitted by law.
- If the complaint is determined through investigation to be substantiated, the violator will be subject to disciplinary action, including but not limited to warning, reprimand, suspension, or termination subject to applicable procedural requirements in Wakulla County School Board Policy, which includes the Student Code of Conduct.

## Definitions

**Discrimination** – conduct which deprives the victim of the proper opportunity to participate in employment, educational programs or activities, School Board or school sponsored activities, or in any other activities offered or provided by the School Board on account of race, color, national origin, language spoken, homelessness, sex, disability, marital status, age, religion, or any other basis prohibited by law.

**Harassment** – conduct directed by a person or persons against another person on account of race, color, national origin, language spoken, homelessness, sex, disability, marital status, age, religion, or any other basis prohibited by law which is severe, persistent, pervasive, and objectively offensive to the point that the prohibited conduct substantially impairs the victim’s participation in his/her employment, educational programs, school sponsored activities, or any other activities offered or provided by the School District, as more specifically defined below.

**Sexual harassment** – consists of unwelcome sexual advances, requests for sexual favors and other inappropriate verbal, nonverbal, written, graphic or physical conduct of a sexual nature when:

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of employment, an individual’s education or participation in any School Board function.
2. Submission to or rejection of such conduct by an individual is used as the basis for an employment or academic decision affecting that individual.
3. Such conduct substantially interferes with an employee’s work performance or student’s academic performance, or creates an intimidating, hostile, or offensive work or school environment.
4. Sexual harassment, as defined above, may include, but it not limited to, the following:
  - a. Verbal, nonverbal, graphic and written harassment or abuse
  - b. Pressure for sexual activity
  - c. Repeated remarks to a person with sexual or demeaning implications
  - d. Unwelcome or inappropriate touching
  - e. Suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one’s employment.

5. It is sexual harassment for a School Board employee or non-employee volunteer to use his or her authority to solicit sexual favors or attention from subordinates or students, including but not limited to incidents when the subordinate's or student's failure to submit will result in adverse treatment, or when the subordinate's or student's acquiescence will result in preferential treatment.

**Racial harassment** – consists of verbal, nonverbal, graphic, written or physical conduct that denigrates or shows hostility or aversion toward any person based upon race when such conduct has the purpose or effect of creating an intimidating hostile or offensive work or school environment; or when such conduct has the purpose of effect of unreasonable interfering with an individual's work performance of any school activity.

Examples of racial harassment include, but are not limited to the following conduct which is based upon race:

1. Epithets and slurs
2. Negative stereotyping
3. Threatening, intimidating or hostile acts
4. Written or graphic material that shows hostility or aversion toward an individual group
5. It is racial harassment for a School Board employee, non-employee volunteer or student to create or be responsible for a racially hostile environment – i.e., harassing conduct that is sufficiently severe, pervasive or persistent so far as to interfere with or limit the ability of an employee or student to participate in or benefit from services, activities, or privileges provided by the District.

**Disability harassment** – oral, written, graphic or physical conduct or any act as relating to an individual's disability that is sufficiently severe, pervasive or persistent so as to limit or interfere with the ability of the individual to participate in or benefit from district programs or activities; harassment that has the effect of unreasonably interfering with an employee's performance or creating an intimidating, hostile or offensive working or school environment.

Examples of disability harassment include, but are not limited to conduct directed at the characteristics of a person's disabling conditions such as:

1. Imitating manner of speech
2. Interfering with necessary equipment
3. Negative stereotyping
4. Threatening, intimidating or hostile acts
5. Written or graphic material that shows aversion or hostility towards an individual or group with disabling attributes.
6. It is disability harassment when a School Board employee, non-employee volunteer or student seeks to involve a student or employee with a disability in antisocial, dangerous or criminal activity where the student or employee because of disability, is unable to comprehend fully or consent to the behavior.

**Non-Retaliation** – Filing a complaint or otherwise reporting harassment or discrimination will not affect the individual's status, future employment, future promotion, extracurricular activities or work assignments. Retaliation against any individual for good faith reporting of a claim or harassment or cooperation in an investigation will not be tolerated and will itself be subject to appropriate discipline.

**Confidentiality** – The right to confidentiality, both of the complainant and of the respondent, will be respected, consistent with the Board's legal obligations, and the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred.

**Determination** – In determining whether alleged conduct constitutes harassment or discrimination, the totality of the circumstances, the nature of the conduct and the context in which the alleged conduct occurred will be investigated. The Superintendent or designee has the responsibility of investigating and resolving complaints of harassment or discrimination.

## **Equal Opportunity Laws & Policies**

- Title VI of the Civil Rights Act of 1964 – prohibits discrimination on the basis of race, color, religion or national origin
- Title VII of the Civil Rights Act of 1964 – as amended – prohibits discrimination in employment on the basis of race, color, religion, gender or national origin
- Title IX of the Education Amendments of 1972 – prohibits discrimination on the basis of gender
- Age Discrimination in Employment Act of 1967 (ADEA) as amended – prohibits discrimination on the basis of age with respect to individuals who are at least 40
- The Equal Pay Act of 1963 as amended – prohibits gender discrimination in payment of wages to women and men performing substantially equal work in the same establishment
- Section 504 of the Rehabilitation Act of 1973 – prohibits discrimination against the disabled
- Americans with Disabilities Act of 1990 (ADA) – prohibits discrimination against individuals with disabilities in employment, public service, public accommodations and telecommunications

- Florida Educational Equity Act (FEEA) – prohibits discrimination on the basis of race, gender, national origin, marital status or handicap against a student or employee.
- Florida Civil Rights Act of 1991 – secures for all individuals within the state freedom from discrimination because of race, color, religion, sex, national origin, age, handicap, or marital status
- Wakulla County School Board Policies 2.70 and 2.80 – prohibits discrimination and harassment against students, employees, volunteers or visitors on the basis of race, color, religion, national origin, sex, disability, marital status, political or religious beliefs, national or ethnic origin, or age.
- Wakulla County School Board Policy 6.35 – Grievance procedure for personnel
- Wakulla County School Board Policy 6.36 – Complaints against employees

**NOTE:** To help make the complaint process easy, school principals may receive discrimination and harassment complaints. Anyone receiving complaints will forward a written copy of the complaint to the District's Equity Coordinator.

Lori Sandgren - Equity Coordinator

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**PROHIBITING DISCRIMINATION, INCLUDING SEXUAL AND  
OTHER FORMS OF HARASSMENT**

**2.70\***

**I. Policy Against Discrimination**

- A. The School Board of Wakulla County, Florida prohibits all forms of unlawful discrimination against students, employees and other persons in all aspects of the District's programs, activities and operations. The term "unlawful discrimination" encompasses any unlawful policy, practice, conduct, or other unlawful denial of rights, benefits, or privileges that is based on any legally protected status or classification under applicable federal, state, or local law including but not limited to race (including anti-Semitism), color, religion, gender, age, marital status, sexual orientation, pregnancy, disability, political or religious beliefs, national or ethnic origin, or genetic information. Various state and federal laws establish the actions that do (and do not) constitute unlawful discrimination with respect to each protected status or classification. Where applicable, unlawful harassment that is based on a legally-protected status is one form of unlawful discrimination.
- B. The School Board shall comply with all state and federal laws, which prohibit discrimination and are designed to protect the civil rights of applicants, employees, and/or students, or other persons or organizations protected by applicable law, including the Boy Scouts of America Equal Access Act.
- C. The School Board shall admit students to District Schools, programs, and classes without regard to race (Including anti-Semitism), color, religion, gender, age, national or ethnic origin, marital status, sexual orientation, political or religious beliefs, disability, handicap or any other distinguishing physical or personality characteristics.
- D. The School Board prohibits retaliation by any District personnel against a person for reporting, filing or being a witness in a discrimination (including harassment) charge, complaint, investigation or lawsuit associate or in connection with this policy.
- E. Established grievance procedures and appropriate discrimination complaint forms are available from the Office of Civil Rights & Equity (Professional Standards), Student Support Services or the Equity Coordinator at each school/district office. Complaints/inquiries regarding compliance with these regulations may be submitted in writing to:
  - 1. For Employee - Office of Civil Rights and Equity Compliance
  - 2. For Students – Student Support Services
  - 3. Job applicants with disabilities requesting accommodations under the American with Disabilities Act (ADA) may contact Wakulla County Human Resources Department

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4. Current School District employees with disabilities requesting accommodations under the ADA may contact Professional Standards or
- F. The Superintendent shall submit an annual equity report addressing the district's educational and employment practices as required by Florida's Educational Equity Act.
- II. Policy Against Sexual Harassment or Other Forms of Harassment Prohibited by Law
  - A. The School Board desires to maintain an academic and work environment in which all employees, volunteers, and students are treated with respect and dignity. A vital element of this atmosphere is the Board's commitment to equal opportunities and the prohibition of discriminatory practices. The Board's prohibition against discriminatory practices includes prohibitions against sexual harassment, or any other form of harassment based upon a person's membership in a protected class and specifically prohibited by applicable state or federal law. The School Board forbids sexual harassment, or any other form of illegal harassment, of any employee, student, volunteer or visitor. The Board will not tolerate sexual harassment, or any other form of illegal harassment by any of its employees, students, volunteers or agents.
  - B. The prohibition against discrimination including sexual and other forms of illegal harassment shall also apply to nonemployee volunteers who work subject to the control of school authorities, and to all vendors or service providers who have access to School Board facilities.
- III. Definitions
  - A. Prohibited sexual harassment includes, but is not limited to, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature when Compliance Officer is the person designated by the School Board to receive complaints of harassment referred by the Title IX Coordinator and oversees the investigation of those complaints as described below.
  - B. Sexual harassment prohibited by Title IX means conduct on the basis of sex that satisfies one or more of the following:
    1. An employee of the School Board conditioning the provision of an aid, benefit, or service of the School Board on an individual's participation in unwelcome sexual conduct (quid pro quo)
    2. Any unwanted or unwelcome conduct that a reasonable person would find so severe, pervasive and objectively offensive that it denies a person equal educational access.
    3. Reports of sexual assault, dating violence, domestic violence and stalking, as defined in the federal Violence Against Women Act do not need to meet the description of severe, pervasive and objectively offensive.
  - C. Prohibited sexual harassment includes, but is not limited to, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature when

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1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
  2. Submission to or rejection of the conduct by an individual is used as the basis for employment or academic decisions affecting the individual.
  3. The conduct has the purpose or effect of having a negative impact on the individual's academic performance or employment, unreasonably interfering with the individual's education or employment, or creating an intimidating, hostile, or offensive educational or employment environment.
  4. Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding any term or condition of employment, employment or academic benefits, or services, honors, programs, or activities available at or through the school.
- D. Types of conduct which are prohibited in the District and which may constitute sexual harassment include, but are not limited to
1. Graphic verbal comments about an individual's body or appearance.
  2. Sexual jokes, notes, stories, drawings, pictures or gestures.
  3. Sexual slurs, leering, threats, abusive words, derogatory comments or sexually degrading descriptions.
  4. Unwelcome sexual flirtations or propositions for sexual activity or unwelcome demands for sexual favors, including but not limited to repeated unwelcome requests for dates.
  5. Spreading sexual rumors.
  6. Touching an individual's body or clothes (including one's own) in a sexual way, including, but not limited to, grabbing, brushing against, patting, pinching, bumping, rubbing, kissing, and fondling.
  7. Cornering or blocking normal movements.
  8. Displaying sexually suggestive drawings, pictures, written materials, and objects in the educational environment.
- IV. Definition of Other Forms of Prohibited Harassment
- A. Illegal harassment on the basis of any other characteristic protected by state or federal law is strictly prohibited. This includes verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race (including anti-Semitism), color, religion, gender, national or ethnic origin, age, disability, marital status, sexual orientation, political or religious beliefs, citizenship, pregnancy or genetic information or any other distinguishing physical or personality characteristic protected by law and that

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1. Has the purpose or effect of creating an intimidating, hostile or offensive work or academic environment;
  2. Has the purpose or effect of interfering with an individual's work or academic performance; or
  3. Otherwise, adversely affects an individual's employment or academic performance.
- B. Examples of prohibited actions, which may constitute harassment include, but are not limited to, the following:
1. Epithets, slurs or negative stereotyping; or
  2. Threatening, intimidating or hostile acts, such as physical acts of aggression against a person or his property; or
  3. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the school or District office premises or circulated in the workplace or academic environment.
- V. Procedures for Filing Complaint of Discrimination, Sexual Harassment, or Other Form of Illegal Harassment
- A. Procedures for Filing Complaints
1. Any person who believes that he or she has been discriminated against, or placed in a hostile environment based on gender, marital status, sexual orientation, race, color, national or ethnic origin, religion, age, disability, political or religious beliefs, pregnancy or any other distinguishing physical or personality characteristics by an employee, volunteer, agent or student of the School District should report the alleged harassment to the Title IX Coordinator or to any school personnel. The alleged harassment should be reported within sixty (60) days of alleged occurrence. The complaint should set forth a description of the alleged discriminatory actions/harassment, the time frame in which the alleged discrimination occurred, the person or persons involved in the alleged discriminatory actions, and any witnesses or other evidence relevant to the allegations in the complaint. Any school personnel who has notice that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to the Title IX Coordinator. The formal complaint must be resolved according to the federal regulations and District processes that specifically apply to such formal complaints; and
  2. After receiving a complaint, the Title IX Coordinator makes an initial determination whether the allegations may be sexual harassment prohibited by Title IX. If they may be, the Title IX Grievance Process listed below is followed. If it does not meet the sexual harassment prohibited by Title IX, then the complaint is referred to the Compliance Officer who

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follows the procedures set forth below. The Title IX Coordinator will also determine whether the alleged harassment may also constitute criminal conduct and ensure that law enforcement officials are notified, if necessary. If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Children and Families.

3. The complaint should be filed with the School Principal, Site Administrator or Supervisor. Complaints filed with the Principal, Site Administrator, or supervisor must be forwarded to the District's EEO Officer (\*Equity or Professional Standards Coordinator) within five (5) days of the filing of the complaint. If the complaint is against the principal, site administrator, or supervisor, the complaint may be filed directly with the EEO (\*Equity or Professional Standards coordinator) officer.
4. If the complaint is against the District's EEO Officer, the Superintendent, or other member of the School Board, the complaint may be filed with the School Board Attorney.

### B. Procedures for Processing Complaints of Harassment

1. Complaints filed against persons other than the Equity Officer (Professional Standards Coordinator), Superintendent or member of the School Board.
  - a. Upon receipt of the written complaint by the District EEO/Equity Officer (Professional Standards Coordinator) Officer, the District EEO Officer shall appoint an investigator to conduct an investigation of the allegations in the complaint. The investigation may be conducted by school personnel or a third party designated by the school district. The investigation will be conducted within thirty (30) days. The investigator shall determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the person allegedly harassed. The investigator shall interview the complainant and the accused; interview any witnesses identified by the complainant, accused, or by other sources; take statements from all witnesses; and review any relevant documents or other evidence. Upon completing a review of all evidence relevant to the complaint, the investigator shall prepare a written summary of the investigation, and make a recommendation to the District EEO/Equity Officer (Professional Standards Coordinator) Officer as to whether there is reasonable cause to believe a violation of the District's antidiscrimination policy has occurred. Copies of documents, evidence and witness statements which were considered in the investigation must be sent to the EEO officer along with the summary and recommendation.

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- b. If the complaint is against the EEO officer, the School Board Attorney shall appoint an investigator, who shall conduct an investigation in the manner set forth in section V.B.1.a.
- c. The investigation, summary, relevant documents, witnesses' statements and recommendation should be completed and forwarded to the EEO Officer within thirty (30) days, or to the School Board Attorney within thirty (30) days, if the complaint is against the EEO Officer. The EEO Officer, or School Board Attorney, respectively, shall review the investigation summary, evidence and recommendation, and determine within ten (10) days whether there is reasonable cause to believe a discriminatory practice occurred.
- d. If the EEO Officer or School Board Attorney determines there is reasonable cause to believe a violation of the nondiscriminatory policy occurred, he or she shall within ten (10) days provide notice of the reasonable cause finding to the complainant and the accused. The EEO Officer or School Board Attorney shall then forward the investigatory file, reasonable cause determination, and all related documents and evidence, to the Superintendent.
- e. If the EEO Officer or School Board Attorney determines, after a review of the investigation, summary, recommendation and other evidence, that there is no reasonable cause to believe a discriminatory practice occurred, he or she shall provide within ten (10) days' notice of the finding of no reasonable cause to the complainant and accused. The complainant may request a no reasonable cause finding by the EEO Officer or School Board Attorney be reviewed by the Superintendent within ten (10) days of receipt of this notice. The complainant shall provide a written statement detailing facts in support of his or her disagreement with the determination.
- f. The complainant will also be given an opportunity to meet with the Superintendent and EEO Officer/School Board Attorney to present his or her position. The Superintendent and EEO Officer/School Board Attorney shall prepare a written memorandum summarizing the content of the conference to be included in the complaint file. The Superintendent shall within ten (10) days of receipt of the notice make a final determination as to whether there is reasonable cause to believe a discriminatory practice occurred.
- g. If review by the Superintendent is not timely requested, the EEO Officer or School Board Attorney's determination of no reasonable cause shall be final.
- h. The accused may request, within ten (10) days of receipt of a notice of a finding of reasonable cause, that the determination be reviewed by the Superintendent. The request must include a written statement expressing the accused's position on the complaint and

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findings, and address any facts, statements or evidence which he or she submits are inaccurate. The accused will be given an opportunity to meet with the Superintendent and the EEO Officer/School Board Attorney to present his or her position. The Superintendent and EEO Officer/School Board Attorney must within ten (10) days of receipt of the notice prepare a memorandum summarizing the content of the meeting to be included in the complaint file.

- i. If review by the Superintendent is not timely requested, the EEO Officer or School Board Attorney's determination of no reasonable cause shall be final.
  - j. After providing the opportunity for an informal hearing as referenced in section V.B.1.h., the Superintendent shall evaluate all the evidence, the investigation summary, recommendations and findings, along with any input by the accused and complainant, and make a final determination as to whether there is reasonable cause to support the complainant's allegations. He or she shall then determine any necessary disciplinary, remedial, or other action. Notice of the final disposition of the complaint and any disciplinary and/or remedial action shall within ten (10) days of the informal hearing be forwarded to the accused and the complainant, and a copy of the notice will be filed with and maintained in the office of the District EEO Officer and the Personnel Director.
  - k. All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.
  - l. Employees may choose to pursue their complaints through the relevant employee grievance procedure instead of the complaint procedure in this policy.
2. Complaints against School Board Members or against the Superintendent
- a. Complaints against School Board Members or the Superintendent shall be filed with the School Board Attorney. The School Board Attorney will within twenty (20) days appoint an outside, independent investigator to conduct an investigation and make a recommendation as to whether a discriminatory practice has occurred. It is recommended, but not mandatory, that the investigator be an attorney familiar with federal and state law prohibiting discrimination on the basis of a protected status.
  - b. The complainant and accused shall be interviewed by the outside investigator. Both shall provide written lists of witnesses to be interviewed, and documents or other evidence to be reviewed as relevant to the complaint. The investigator shall interview all witnesses identified by the complainant or accused, in addition to

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witnesses with relevant knowledge which the investigator may discover from other sources. The investigator shall also review relevant documents and other evidence. The investigator shall within twenty (20) days of receiving the complaint prepare a written summary of his or her investigation, and a recommendation to the School Board Attorney as to whether there is reasonable cause to believe that a discriminatory practice may have occurred.

- c. If reasonable cause is recommended by the investigator against a School Board Member or an elected Superintendent, the recommendation shall within twenty (20) days be forwarded to the Governor's office to determine if there is evidence that a misfeasance or malfeasance of office occurred. The Governor's office will be responsible for taking any necessary action in accordance with applicable law with reference to an elected official. The School Board shall receive and make the final determination if the Superintendent is appointed by the Board.
- d. A finding of no reasonable cause by the outside investigator, which is reviewed and confirmed by the School Board Attorney shall be final. In compliance with Florida Statute, the investigation file shall become public record and the Superintendent or School Board Member shall answer to their constituency.

### C. Penalties for Confirmed Discrimination or Harassment

- 1. Student - A substantiated allegation of discrimination or harassment against a student shall subject that student to disciplinary action consistent with the *Code of Student Conduct*.
- 2. Employee or Volunteer - A substantiated allegation of discrimination or harassment against an employee may result in disciplinary actions including termination and referral to appropriate law enforcement authorities. A volunteer shall be removed from service and a referral may be made to appropriate law enforcement authorities.

### D. Limited Exemption from Public Records Act and Notification of Parents of Minors

- 1. To the extent possible, complaints will be treated as confidential and in accordance with Florida Statutes and the Family Educational Rights and Privacy Act (FERPA). Limited disclosure may be necessary to complete a thorough investigation as described above. The District's obligation to investigation and take corrective action may supersede an individual's right to privacy.
- 2. The parents of a person under the age of 18 who has filed a complaint of discrimination and/or harassment shall be notified within three (3) days of receipt of a complaint.

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### VI. Sexual Harassment Prohibited by Title IX

#### A. Definitions

1. Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment prohibited by Title IX.
2. Formal complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment prohibited by Title IX against a respondent and requesting that the allegation be investigated. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. When the Title IX coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party. The allegations in a formal complaint must be investigate. In response to a formal complaint, the Title IX grievance process noted below is followed.
3. Program or Activity includes locations, events or circumstances over which the School Board excises substantial control over both the respondent and the context in which the sexual harassment occurs.
4. Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment prohibited by Title IX.
5. Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measured are designed to restore or preserve equal access to the School Board's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security or monitoring of parts of campus, and other similar measures. Any supportive measures provided to the complainant or respondent are maintained as confidential, to the extent that maintaining such confidentiality does not impair the ability to provide supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

#### B. Title IX Complaint (Grievance) Process

1. Any person may report sex discrimination prohibited by Title IX, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic

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mail, using the contact information listed for the Title IX Coordinator or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time, including non-business hours, by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

2. Complainants and respondents are treated equitably by offering supportive measures to a complainant and by following this grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.
3. The Title IX Coordinator promptly contacts the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint.
4. Nothing herein precludes a respondent from being removed from the School's education program or activity on an emergency basis, provided that an individualized safety and risk assessment determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and that the respondent is provided with notice and an opportunity to challenge the decision immediately following the removal.
5. Nothing herein precludes a non-student employee respondent from being placed on administrative leave during the pendency of a grievance process.
6. This grievance process treats complainants and respondents equitably by providing remedies to complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following this process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies are designed to restore or preserve equal access to the School's education program or activity.
7. The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
8. All relevant evidence is evaluated objectively, including both inculpatory and exculpatory evidence. Credibility determinations are not based on a person's status as a complainant, respondent, or witness.
9. Any Title IX Coordinator, investigator, decision-maker, or any person who facilitates an informal resolution process may not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

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10. Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process must receive training on the definition of sexual harassment prohibited by Title IX, the scope of the School's education program or activity, how to conduct an investigation and grievance process including appeals, and informal resolution processes, and how to serve impartially, including by avoiding pre-judgment of the facts at issue, conflicts of interest, and bias. Decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators receive training on issues of relevance in order to create investigative reports that fairly summarize relevant evidence.
11. A finding of responsibility may result in disciplinary action up to and including expulsion for students or dismissal of employees.
12. The standard of evidence used to determine responsibility is preponderance of the evidence.
13. This grievance process does not allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.
14. Notice of allegations
  - a. On receipt of a formal complaint, the Title IX coordinator gives the following written notice to the parties who are known:
    - (1) notice of the grievance process, including any informal resolution process, and
    - (2) notice of the allegations of sexual harassment potentially constituting sexual harassment prohibited by Title IX, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment prohibited by Title IX, and the date and location of the alleged incident, if known.
15. The Written Notice
  - a. includes the identities of parties involved;
  - b. includes the conduct allegedly constituting sexual harassment;
  - c. includes the date and location of the alleged incident;

## CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- d. a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
  - e. informs the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
  - f. informs the parties of any provisions in the School Board's code of conduct or the superintendent's Standards of Student Conduct that prohibit knowingly making false statements or knowingly submitting false information during the grievance process.
  - g. If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice previously provided, notice of the additional allegations is provided to the parties whose identities are known.
16. Dismissal of formal complaints
- h. A formal complaint or any allegations therein must be dismissed if the conduct alleged in the complaint would not constitute sexual harassment prohibited by Title IX even if proved; or did not occur in the School's education program or activity; or did not occur against a person in the United States.
  - i. Such a dismissal does not preclude action under another provision of the School Board's code of conduct.
  - j. A formal complaint or any allegations therein may be dismissed if at any time during the investigation: a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the School Board; or specific circumstances prevent the School Board from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
17. Investigation of formal complaint
- a. When investigating a formal complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the School Board and not on the parties provided that a party's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party are not accessed, considered, disclosed or otherwise used without the

## CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

voluntary, written consent of the party's parent, or the party if the party is an eligible student, to do so for this grievance procedure.

- b. The parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- c. The ability of the parties to discuss the allegations under investigation or to gather and present relevant evidence is not restricted.
- d. The parties have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The choice or presence of advisor for either the complainant or respondent is not limited in any meeting or grievance proceeding.
- e. Any party whose participation is invited or expected is provided written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.
- f. The investigator provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence which will not be relied upon in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to the completion of the investigative report, the investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.
- g. The investigator creates an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the time a determination regarding responsibility is made, sends to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.
- h. After the investigator has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for

## CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the question any decision to exclude a question as not relevant.

18. Determination regarding responsibility
  - a. The decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, must issue a written determination regarding responsibility.
  - b. The written determination must include:
    - (1) identification of the allegations potentially constituting sexual harassment prohibited by Title IX;
    - (2) a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence; findings of fact supporting the determination;
    - (3) conclusions regarding the application of the School Board's code of conduct to the facts;
    - (4) a statement of, and rationale for, the result as to each allegation including a determination regarding responsibility, any disciplinary sanctions the School Board imposes on the respondent, and whether remedies designed to restore or preserve equal access to the School Board's education program or activity will be provided to the complainant; and the procedures and permissible bases for the complainant and respondent to appeal.
  - c. The decision-maker must provide the written determination regarding responsibility to the parties simultaneously.
  - d. The determination regarding responsibility becomes final either on the date that the parties are provided with the written determination of the result of the appeal, if an appeal is filed, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely.

## CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- e. The Title IX Coordinator is responsible for effective implementation of any remedies.

### 19. Appeals

- a. Either party may appeal from a determination regarding responsibility or from a dismissal of a formal complaint or any allegations therein, for the following reasons:
  - (1) procedural irregularity that affected the outcome of the matter;
  - (2) new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
  - (3) the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- b. Notification of appeal must be given in writing to the Title IX Coordinator.
- c. As to all appeals, the Title IX Coordinator
  - (1) notifies the other party in writing when an appeal is filed and implements appeal procedures equally for both parties;
  - (2) ensures that the decision-maker for the appeal is not the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator; and ensures that the decision-maker for the appeal complies with the standards set forth in Title IX and this policy.
- d. The appeal decision-maker
  - (1) gives both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
  - (2) reviews the evidence gathered by the investigator, the investigator's report, and the decision-maker's written decision;
  - (3) issues a written decision describing the result of the appeal and the rationale for the result; and provides the written decision simultaneously to both parties and the Title IX Coordinator.

## CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

### 20. Timelines

- a. The investigative report will be provided to the parties within 35 days from the date the formal complaint is filed.
- b. A decision will be issued within 10 working days from the date the investigative report is submitted to the decision-maker.
- c. Either party may appeal within 5 working days from the date the written determination regarding responsibility is given to the parties.
- d. Any appeal will be resolved with 15 calendar days from the filing of the appeal.
- e. If the parties agree to an informal resolution process, these deadlines are tolled from the time one party requests an informal resolution process until either the time the other party responds, if that party does not agree to the informal resolution process, or until either party withdraws from the informal resolution processed.
- f. Temporary delays of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action are permitted. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; disciplinary processes required by law or School Board policy; or the need for language assistance or accommodation of disabilities.

### VII. Informal Resolution Process

- A. At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the parties may participate in an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility. When one party requests an informal resolution process, the other party must respond to the request within 3 days. The informal resolution process must be completed within 10 days of the agreement to participate in the process.
- B. The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title IX Coordinator under the following conditions:
  1. The parties are provided a written notice disclosing the allegations, the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process, resume the grievance process with respect to the formal complaint, and be informed of any consequences

## CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

2. The parties, voluntarily and in writing, consent to the informal resolution process; and
  3. The informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.
- C. If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the resolution, have both parties sign the document and receive a copy, and forward it to the title IX Coordinator. If the matter is not resolved, the formal complaint process is resumed.
- D. Parties cannot be required to participate in an informal resolution process.
- E. An informal resolution process is not offered unless a formal complaint is filed.

### VIII. Training

- A. Training is mandatory for all school-based Title IX Coordinators, investigators, decision-makers, hearing officers, and appeals decision-makers.
- B. All training materials is available to the public on request and is located on the district's website.

### IX. Recordkeeping

- A. The School Board will maintain for a period of seven (7) years records of:
  1. Each investigation of allegations of sexual harassment prohibited by Title IX including any determination regarding responsibility and any audio or audiovisual recording or transcript, if any, required under the Title IX regulations, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the school's education program or activity.
  2. Any Appeal and the result therefrom;
  3. Any informal resolution and the result therefrom; and
  4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
  5. For each response required under 34 C.F.R. §106.44, the School Board must create, and maintain for a period of seven (7) years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment prohibited by Title IX. In each instance, the School Board will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to its education program or activity. If the School Board does not provide a complainant

## CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

with supportive measures, then it will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

### X. Retaliation Prohibited

- A. Any act of retaliation against an individual who files a complaint alleging a violation of the District's antidiscrimination policy and/or sexual or illegal harassment policy or who participates in the investigation of a discrimination complaint is prohibited.
- B. Retaliation may include, but is not limited to, any form of intimidation, reprisal or harassment based upon participation in the investigation of, or filing a complaint of discrimination.

|  |  |
|--|--|
| <b>STATUTORY AUTHORITY:</b>              | <b>120.54, 1001.41, 1001.42, 1012.23, F.S.</b>   |
| <b>LAW(S) IMPLEMENTED:</b>               | <b>112.51, 119.07, 760.01 <i>et seq.</i>, 1000.05, 1000.21, 1001.43, 1012.22, F.S.</b><br><br><b>34 CFR 99, 34 CFR 108, 34 CFR 200.43(c), P.L.110-233</b><br><b>42 U.S.C. 12112, American with Disabilities Act of 1990</b><br><b>42 U.S.C. 2000ff <i>et seq.</i>, Genetic Information Non-discrimination Act of 2008</b><br><b>29 U.S.C. 701 <i>et seq.</i>, Rehabilitation Act of 1973</b><br><b>29 U.S.C. 621 <i>et. seq.</i>, Age Discrimination in Employment Act of 1967</b><br><b>20 U.S.C., 1681 <i>et seq.</i>, Title IX of the United States Education Amendments of 1972;</b><br><b>42 U.S.C., 2000e <i>et seq.</i>, Civil Rights Act of 1964;</b><br><b>29 CFR Parts 1600-1699</b> |
| <b>STATE BOARD OF EDUCATION RULE(S):</b> | <b>6A-19.001 <i>et seq.</i></b>  |

### History

|                          |   |
|--------------------------|---|
| <b>ADOPTED:</b>          | <b>03-15-99</b>   |
| <b>REVISION DATE(S):</b> | <b>09-18-00, 12-17-01, 10-02-03, 07-19-12, 01-19-2021</b> |
| <b>FORMERLY:</b>         | <b>2.29, 2.71, 2.72</b>                                   |

## CHAPTER 6.00 - PERSONNEL

### GRIEVANCE PROCEDURE FOR PERSONNEL

6.35\*

#### **POLICY:**

The Board and the Superintendent recognize that good morale among its employees is necessary. Problems are solved as they arise by sincere efforts of all persons concerned to work toward constructive solutions of such problems in an atmosphere of courtesy and cooperation. Whenever an employee or applicant for employment feels that he or she has a complaint, every effort is to be made to arrive at a satisfactory resolution of the problem on an informal basis. When this cannot be done, employees not covered by a collective bargaining complaint procedure, can resort to the more formal procedures as provided herein.

#### 1. Definitions:

- A. "Grievance" shall mean any dispute or disagreement involving the interpretation or application of any existing Board rule or practice. It does not include disputes involving the interpretation or application of a collective bargaining agreement, or any provision thereof. Such disputes must be resolved through the grievance procedure in the bargaining agreement.
- B. "Grievant" shall mean any employee/applicant, or group of employees, directly affected by the alleged misinterpretation or violation, filing a complaint.
- C. "Employer" shall mean the School Board or its representatives.
- D. "Day" shall mean a working day.

#### 2. Time Limits - The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.

#### 3. Released Time - The grievance procedure will normally be carried out during non-work time. If, however, the Board elects to carry out provisions during work time, the grievant shall lose no pay.

#### 4. Grievance Procedures:

- A. Informal discussion - If an employee or applicant for employment believes there is a basis for grievance, he or she shall discuss the grievance with his or her immediate supervisor (except in the case of discrimination or harassment allegations involving the supervisor, in which case they shall report to the Equity Coordinator within five (5) days of the occurrence of the alleged violation except in cases involving harassment or

## **CHAPTER 6.00 - PERSONNEL**

discrimination in which sixty (60) days will be allowed. The Supervisor shall send a written statement of the discussion to the Equity Coordinator or the Equity Coordinator shall record the discussion with the grievant and/or arrange a meeting between the supervisor and grievant. The Equity Coordinator will correspond with the Supervisor regarding the written statement.

- B. Level one - If the grievant is not satisfied with the informal resolution he or she may, within ten (10) days, file a formal grievance on the proper form and deliver it to his or her immediate supervisor or alternate. The Supervisor or alternate shall communicate his or her answer in writing to the grievant within ten (10) days after receipt of the complaint. Class grievances involving more than one (1) supervisor as well as grievances involving an administrator above the building level may be filed by the grievant at level two. A copy of the level one written grievance shall be sent to the Equity Coordinator who will be responsible for investigating the grievance.
  - C. Level two - If the grievant is not satisfied with the resolution at level one he or she may, within ten (10) days of the answer, file a copy of the grievance with the Superintendent. Within ten (10) days of receipt of the grievance the Superintendent shall indicate his or her disposition in writing to the grievant.
  - D. Board appeal - If the grievant is not satisfied with the resolution by the Superintendent, he or she shall have the right to appeal the Superintendent's decision to the School Board; provided request for placement on Board agenda is filed within ten (10) days.
5. Confidentiality and protection from retaliation will be provided to the extent possible to any employee, student, applicant or affected party who alleges discrimination or harassment.

|                             |  |
|-----------------------------|--|
| <b>STATUTORY AUTHORITY:</b> | <b>1001.41, 1012.22, 1012.23, F.S.</b>                   |
| <b>LAWS IMPLEMENTED:</b>    | <b>447.401, 1001.43, 1001.49, 1012.22, 1012.27, F.S.</b> |

### **HISTORY:**

|                          |                           |
|--------------------------|---------------------------|
| <b>Adopted:</b>          | <b>03/15/99</b>           |
| <b>Revision Date(s):</b> | <b>09/18/00, 10/20/03</b> |
| <b>Formerly:</b>         | <b>2.10</b>               |

## CHAPTER 6.00 – PERSONNEL

### COMPLAINTS AGAINST EMPLOYEES POLICY

6.36

#### **POLICY:**

Wakulla County Schools invite the constructive criticism by all employees of the district. Complaints and criticism are most valuable when they represent the considered recommendations of public-spirited citizens and organizations who have studied all facts of the problem at hand. All significant complaints will be investigated.

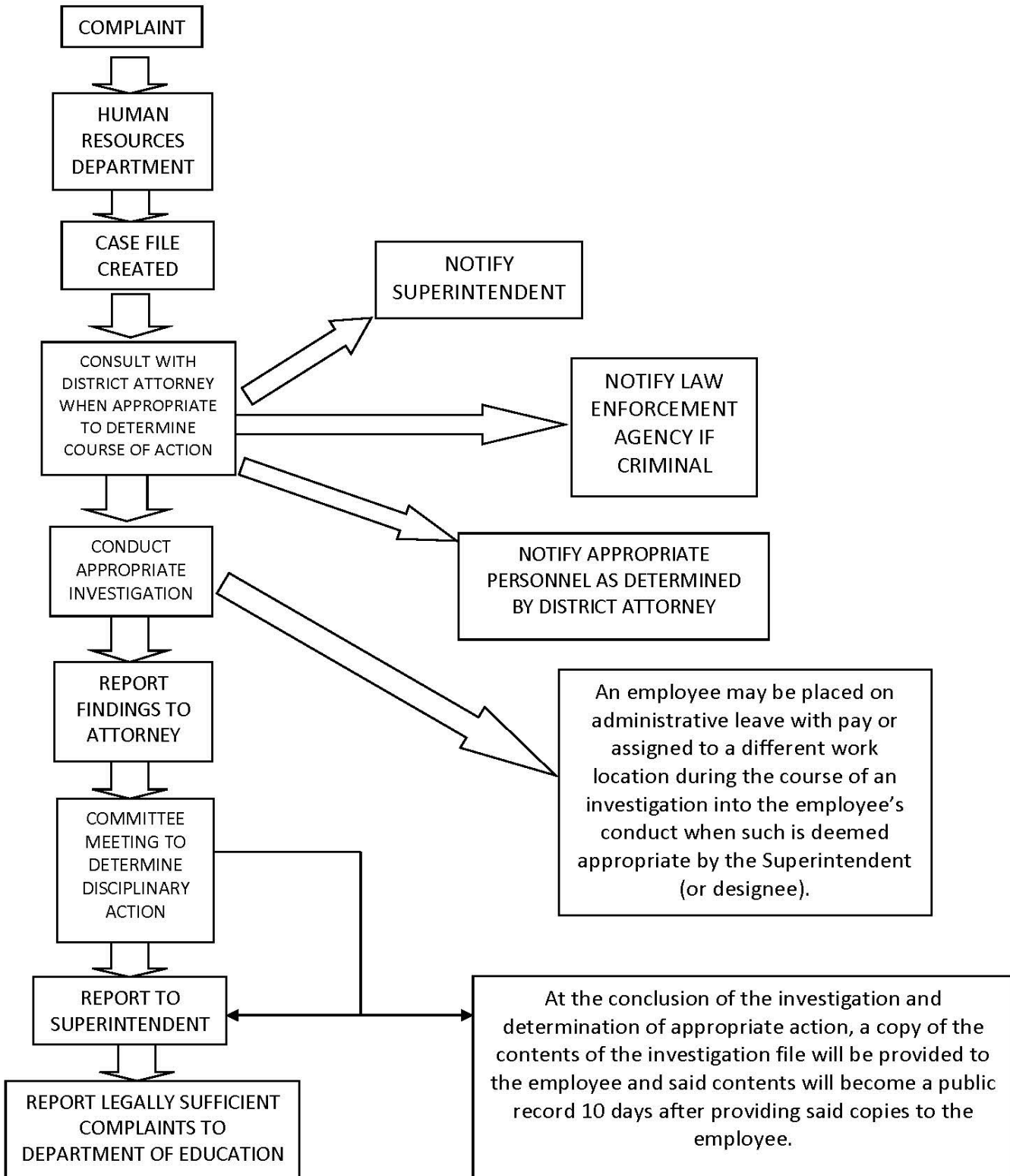
1. Complaints regarding a school facility, program, or personnel should be referred to the principal or program supervisor. The principal / supervisor shall deal with the issue at the work site level informing Directors and / or the Superintendent of complaints as he deems necessary.
  - A. In the event the complaint is not satisfied in a conference with the principal / supervisor, the problem may be referred to the Superintendent.
    - (b) If a solution satisfactory to the complainant is not reached, he / she may seek a hearing before the School Board.
2. Complaints regarding professional educators- Principals/supervisor shall notify the Superintendent of any complaint or incident involving a certificated person which could be legally sufficient for the revocation or suspension of the professional educator's certificate.
  - A. The Superintendent or his designee shall investigate the charges. If the complaint or incidence is found to be questionable and/or legally sufficient for revocation or suspension of a professional certificate, the Superintendent or his designee will file a complete report with the DOE Professional Practices Office within 30 days of receiving the complaint or having notification of the incident. The report shall include all known information regarding the complaint/incident.
  - B. The above action is in addition to any other action taken by the District relating to the employment of the individual(s) involved.

|                             |   |
|-----------------------------|---|
| <b>STATUTORY AUTHORITY:</b> | <b>1001.41, 1012.22, 1012.23 F.S.</b>   |
| <b>LAWS IMPLEMENTED:</b>    | <b>1001.43, 1012.22, 1012.796, F.S.</b> |

#### **History:**

|                          |                   |
|--------------------------|-------------------|
| <b>Adopted:</b>          | <b>3/15/99</b>    |
| <b>Revision Date(s):</b> | <b>12/17/01</b>   |
| <b>Formerly:</b>         | <b>2.31, 4.05</b> |

## CHAPTER 6.00 – PERSONNEL



# Wakulla County School Board

## Discrimination/Harassment Complaint Form

The School Board seeks to provide a work environment free of discrimination and harassment on the basis of race, color, religion, sex, national origin, disability, or marital status.

This form shall be completed by the Complainant and presented or forwarded to the Equity Coordinator/Human Resources. A copy should be retained by the Complainant.

|   |  |  |
|---|--|--|
| <b>Section I: Complainant Information</b>   |  | <b>Date:</b> _____                               |
| Name: _____   |  |  |
| Address: _____  |  |  |
| City: _____   |  | State: _____ Zip _____                           |
| Phone (____) _____  | Work Phone (____) _____                  | Cell Phone (____) _____                          |
| The best time to contact me is: _____ <input type="checkbox"/> A.M. <input type="checkbox"/> P.M. on my <input type="checkbox"/> Home phone <input type="checkbox"/> Work phone <input type="checkbox"/> Cell phone |  |  |
| Level of Complaint I _____<br>(Head of Department)  |  |  |
| II _____ Robert Pearce<br>(Assistant Superintendent)  |  | III: _____ Lori Sandgren<br>(Equity Coordinator) |
| Alleged Basis of Discrimination   |  |  |
| <input type="checkbox"/> Race   | <input type="checkbox"/> Color           | <input type="checkbox"/> Religion                |
| <input type="checkbox"/> Sex  | <input type="checkbox"/> National Origin | <input type="checkbox"/> Age                     |
| <input type="checkbox"/> Disability   | <input type="checkbox"/> Marital Status  | <input type="checkbox"/> Political Beliefs       |
| <input type="checkbox"/> Ethnic Origin  |  |  |
| Complainant's Relationship to Wakulla County School Board (please check one):   |  |  |
| <input type="checkbox"/> Employee   | <input type="checkbox"/> Applicant       | <input type="checkbox"/> Visitor                 |
| <input type="checkbox"/> Volunteer  |  |  |

|   |
|---|
| <b>Section II Explanation of Event</b>  |
| (Please provide a thorough description of events including names of witnesses. You may use an attachment if necessary): |
| _____   |
| _____   |
| _____   |
| _____   |

|                                  |
|----------------------------------|
| <b>Section III Remedy Sought</b> |
| _____                            |
| _____                            |
| _____                            |
| _____                            |

|  |             |
|--|-------------|
| I attest that the above information is true and correct to the best of my knowledge. |             |
| _____  | _____       |
| <b>Complainant's Signature</b>   | <b>Date</b> |

WMIS HR2169 12/09, 12/10, 04/12, 07/22

# Report Workplace Wrongdoing

Harassment, discrimination, theft, violence, fraud, unsafe acts, and other forms of wrongdoing hurt everyone. Now you can help eliminate these problems. Report wrongdoing to your manager or supervisor, or call the **EMPLOYEE PROTECTION LINE®** by dialing toll-free 1-800-576-5262 Then enter code number: 30089

The EMPLOYEE PROTECTION LINE is monitored 24 hours a day by an independent third party. You can make your call without disclosing your identity, and your call will not be traced.

## Instructions for Using the Employee Protection Line (Toll-Free)

Prepare what you want to say.

Have your organization's Employee Protection Line organization code close at hand. Your organization's Employee Protection Line Organization code is 30089.

Using a touch-tone phone, dial (800) 576-5262 and listen to the message.

You will be instructed to enter your organization's Employee Protection Line Code. Enter your organization code when cued.

You will be required to give your organization's name (and location, if applicable), but you may leave a message without giving your name or identifying yourself in any way. 6. You will have five minutes to speak. If you need more time, call back.

Your message will be recorded for accuracy, but the recording will remain in the custody of the third party. Your report will be reviewed for potential conflicts and then a written transcript of your report will be sent to a team of neutral employees in your organization that have been chosen to receive these reports. The third party will not knowingly send your report to anyone named in the report.

## Other Resources

### *The Florida Commission on Human Relations [FCHR]*

2009 Apalachee Parkway, Suite 100  
Tallahassee, FL 32301  
Telephone 800.342.8170 or 850.488.7082

### *Florida Education Standards Commission [ESC]*

Florida Department of Education  
Turlington Building, Suite 224  
325 West Gaines Street  
Tallahassee, FL 32399  
Telephone 850.245.0441

### *Office of Equity and*

*Access Florida*

Department of  
Education

Turlington Building,  
Suite 1446  
325 West Gaines Street  
Tallahassee, FL 32399  
Telephone 850.845.0511

### *Equal Employment Opportunity Commission [EEOC]*

Tampa Field Office  
501 East Polk Street  
10<sup>th</sup> Floor  
Tampa, FL 33602  
Telephone: 813.228.2310

### *U.S. Equal Employment Opportunity Commission [EEOC]*

Miami District Office  
1 Biscayne Tower, Suite 2700  
2 South Biscayne Boulevard  
Miami, FL 33131-1805  
Telephone 305.536.4491

*Office for Civil Rights*

U.S. Department of Education  
61 Forsyth Street, S.W., Suite 19T70  
Atlanta, GA 30303-3104  
Telephone 404.562.6350  
TDD: 404.331.7236  
Email: [OCR\\_Atlanta@ed.gov](mailto:OCR_Atlanta@ed.gov)

*Office for Civil Rights*

U.S. Department  
of Education  
Customer Service  
Team 550-12<sup>th</sup>  
Street S.W.  
Washington, DC 20202-  
1100 Telephone:  
800.421.3481  
Fax: 202.245.6840 Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
[www.ed.gov](http://www.ed.gov)  
[www.ed.gov/about/offices/list/ocr/compl  
aintintro.html](http://www.ed.gov/about/offices/list/ocr/compl<br/>aintintro.html).

## INVESTIGATORS CHECKLIST

1. Investigator's Pre-Plan
  - a. Investigate or not to investigate \_\_\_\_\_
  - b. Immediate temporary relief warranted \_\_\_\_\_
  - c. Review all applicable policies and guidelines \_\_\_\_\_
2. Complaint, acknowledgment & receipt of the complaint/investigative process \_\_\_\_\_
3. Briefing & acknowledgment by the complainant and the respondent regarding  
The perceptions of retaliation. \_\_\_\_\_
4. Intake (Most critical part of the investigation) \_\_\_\_\_
5. Briefing on confidentiality –need to know basis \_\_\_\_\_
6. Rights of the respondent/accused briefed \_\_\_\_\_
7. Handling of anonymous or unsigned complaint \_\_\_\_\_
8. Prompt or delayed investigation/documentation \_\_\_\_\_
9. Union/attorney presence & their role \_\_\_\_\_
10. Writing the report-interviewing-conclusions

*A Guide to Combating Sexual Harassment* brochure available at [wakullaschooldistrict.org](http://wakullaschooldistrict.org) under Risk Management