

Discrimination/Harassment Investigative Procedures

The Taylor County School Board complies with all state statutes, including statutes on veteran's preference and the Florida Education Equity Act, as well as all federal statutes, including the Americans with Disabilities Act. The Taylor County School Board does not discriminate against any applicant for employment or admission, whether student or employee, on the basis of race, color, religion, age, sex, ethnic or national origin, marital status, disability, genetic information, sexual orientation, gender identity or expression, educational background, or any other reason prohibited by law. Any claim there has been a violation, misinterpretation, or misapplication regarding any of the above mentioned statutes may be processed as a grievance as herein provided, but limited to the intent of this procedure and related in no way to a negotiated contract. The Taylor County School Board will work to ensure confidentiality to the extent possible for any claim made.

If a person believes there is a basis for a grievance, the individual shall discuss the alleged grievance with the site administrator. If the site administrator is the offending person, the report should be made to the next higher level of administration or supervision. If satisfactory relief is not given, a complaint may be filed with the Superintendent of Schools. Summary of the conference shall be recorded on district forms entitled "Conference Form Affirmative Action" or "School Conference Form Affirmative Action (Student Complaint)."

Any applicant, employee, or student claiming to have been discriminated against because of race, color, religion, age, sex, ethnic or national origin, marital status, disability, genetic information, sexual orientation, gender identity or expression, educational background, or any other reason prohibited by law may file a complaint with the Superintendent of Schools, provided such complaint is filed within sixty days after the initial complaint is made to the principal or administrator. Within five workdays of receipt of such complaint, the superintendent shall send the complainant a written acknowledgment of the complaint, advising it will be acted on according to procedures set forth in the complaint procedures.

In any complaint alleging discrimination, the superintendent shall, within ten workdays after the complaint has been received, designate a three-member panel to investigate the charges.

The panel will be charged with conducting an investigation of the complainant's charges. The three-member investigative panel will be organized as follows. The superintendent will appoint one member from the affirmative action advisory committee. One member will be recommended by the complainant, and the third member, who will chair the panel, will be appointed by the other two members of the panel.

In no instance shall any member of the investigative panel be directly involved in the complaint or occupy a position that would represent the school board in any subsequent litigation.

Within thirty calendar days after receipt of the assignment, the investigative panel shall submit a report to the superintendent, which will include, but not be limited to the following:

- (a) Affidavits by the complainant,
- (b) Affidavits by witnesses testifying on behalf of the complainant,
- (c) Affidavits by any witnesses testifying on behalf of the school board,
- (d) Affidavits by the school board as to the facts of the issue,
- (e) Statement of position by the school board, together with any documents in support of that position,
- (f) Records and documents gathered in evidence from the school board, and
- (g) The investigative panel's summary and recommendation to the superintendent.

Within ten workdays after receipt of the investigative panel's recommendation, the superintendent shall make a decision as to the recommendation that will be made to the school board and within twenty workdays of the panel's recommendation; the complainant will be notified of the board's action by certified mail. In the event the board's decision favors the complainant, the superintendent shall affect a resolution that will provide relief for the complainant and all others similarly situated from the discriminatory practice.

The superintendent or any other officer or employee of the school system shall be prohibited from taking any retaliatory action against any person involved in the discriminatory proceedings.

For discrimination issues contact: Kiki Puhl, Director of Personnel, 850-838-2500, Taylor County School District, 318 N. Clark St., Perry, FL 32347

**TAYLOR COUNTY SCHOOL BOARD
POLICY MANUAL
CHAPTER 2.0**

2.18

PROHIBITION OF HARASSMENT

- (1) The Taylor County School Board prohibits harassment against any employee, applicant for employment, student, or student applicant based upon race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, disabling condition if otherwise qualified, or social and family background. This policy also applies to non-employee volunteers who work subject to the control of school authorities.**

- (2) Harassment includes:**
 - (a) Any slurs, innuendoes or other verbal or physical conduct reflecting on an individual's race, ethnic background, gender or disabling condition which has the purpose or effect of creating an intimidating, hostile or offensive educational or work environment; has the purpose or effect of unreasonably interfering with the individual's work or school performance or participation; or otherwise adversely affects an individual's employment or educational opportunities.**

 - (b) The denial of or the provision of aid, benefits, grades, rewards, employment, faculty assistance, services, or treatment on the basis of sexual advances or requests for sexual favors.**

- (c) Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational career; submission to or rejection of such conduct is used as a basis for educational or employment decisions affecting the individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working or educational environment.**
- (d) Any employee or student who makes a complaint of harassment will be protected against retaliation.**
- (e) 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.**
- (f) Appropriate action will be taken when it is determined that harassment has occurred.**
- (g) The Superintendent or designee is responsible for ensuring that all employees, students, and other affected groups are informed of the District's prohibition of harassment and the related resolution procedures.**

STATUTORY AUTHORITY:

1001.41, 1012.23, F.S.

LAWS IMPLEMENTED:

760.01ET.SEQ, 1000.05, 1000.21,
1001.41, 1001.43, 1012.22, F.S.

STATE BOARD OF EDUCATION RULE:

6A-19.001 ET. SEQ.

TAYLOR COUNTY SCHOOL BOARD

ORIGINAL

**TAYLOR COUNTY SCHOOL BOARD
POLICY MANUAL
CHAPTER 2.0**

2.19

UNLAWFUL DISCRIMINATION PROHIBITED

- (1) No person shall, on the basis of race, color, religion, sex, sexual preference, age, national or ethnic origin, political beliefs, marital status, disabling condition 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 conditions or practices conducted by this School District, except as provided by law.**
- (2) The Taylor County School Board shall 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.**
- (3) Persons alleging such discrimination shall use the grievance procedure provided elsewhere in these policies as a remedy.**
- (4) The Superintendent or designee shall develop procedures to notify employees and applicants for employment and other affected groups.**
- (5) The School Board shall admit students to district schools and programs without regard to race, color, religion, sex, age, national or ethnic origin,**

political beliefs, marital status, disability if otherwise qualified, or social and family background.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1000.21, 1000.05, 1001.43, 1012.22, F.S.34CFR200.43(C);
P.L. 201-44, CODE OF FEDERAL REGISTER

STATE BOARD OF EDUCATION RULE:

6A-19.001 ET. SEQ.

TAYLOR COUNTY SCHOOL BOARD