

# AGENDA

## SPECIAL SCHOOL BOARD MEETING

GADSDEN COUNTY SCHOOL BOARD  
MAX D. WALKER ADMINISTRATION BUILDING  
35 MARTIN LUTHER KING, JR. BLVD.  
QUINCY, FLORIDA

February 9, 2021

5:00 P.M.

THIS MEETING IS OPEN TO THE PUBLIC

1. CALL TO ORDER
2. OPENING PRAYER
3. PLEDGE OF ALLEGIANCE
4. PERSONNEL MATTERS
  - a. Extension of COVID-19 Leave - **SEE PAGE #3**  
  
Fund Source: General Fund  
Amount: Based on Utilization  
  
ACTION REQUESTED: The Superintendent recommends approval.
5. EDUCATIONAL ISSUES
  - a. Request for Board's Approval to Begin the Process of Legal Collection on the Insurance Claim against Florida Municipal Insurance Trust (FMIT)  
**SEE PAGE #5**  
  
Fund Source: N/A  
Amount: N/A  
  
ACTION REQUESTED: The Superintendent recommends approval.
6. CONSIDERATION, PROPOSAL, AND/OR ADOPTION OF ADMINISTRATIVE RULES AND RELATED MATTERS
  - a. Request to Advertise Notice of Intent to Amend/Adopt Policies – **SEE PAGE #6**  
  
Fund Source: N/A  
Amount: N/A  
  
ACTION REQUESTED: The Superintendent recommends approval.

## ITEMS FOR DISCUSSION

7. EDUCATIONAL ITEMS BY THE SUPERINTENDENT
8. SCHOOL BOARD REQUESTS AND CONCERNS
9. ADJOURNMENT



# THE SCHOOL BOARD OF GADSDEN COUNTY



35 Martin Luther King, Jr. Blvd  
Quincy, Florida 32351  
Main: (850) 627-9651 or Fax: (850) 627-2760  
www.gcps.k12.fl.us

**Elijah Key, Jr.**  
*Superintendent*  
keye@gcpsmail.com

*“Putting Children First”*

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**DATE:** February 10, 2021  
**TO:** GADSDEN COUNTY SCHOOL BOARD EMPLOYEES  
**FROM:** Elijah Key, Jr. *Elijah Key, Jr.*  
Superintendent of Schools  
**SUBJECT:** Extension of the Families First Coronavirus Response Act (FFCRA)

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Greetings Gadsden County School Board Members,

At the Board meeting on January 26, 2021 you granted the District the opportunity to discuss extending the use of COVID-19 leave in the Gadsden County School District. A discussion meeting was held on February 3, 2021 between The Gadsden County School District, The Gadsden County Classroom Teachers Association and The Gadsden Educational Staff Professional Association.

The Gadsden County School District as well as The Gadsden County Classroom Teachers Association and The Gadsden Educational Staff Professional Association agreed on the extension of the COVID-19 leave coverage until June 30, 2021. The District will continue to voluntarily provide 10 days of COVID-19 leave to individual employees that have not used their COVID-19 leave until June 30, 2021. The District will require all employees to follow the District’s current COVID-19 guidelines if needing to apply for the leave. If the COVID-19 leave has already been used, personal/sick leave must be utilized. The employee requesting to use their COVID-19 leave must submit supporting documents from a physician or the health department including the specified dates of quarantine. All documents must be submitted to the Human Resources Department.

If you have any questions please contact Dr. Sonya Jackson at (850) 627-9651 ext. 1565 or Mrs. Laurie Hall at (850) 627-9651 ext. 1229.

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Cathy S. Johnson  
DISTRICT NO. 1  
Havana, FL 32333  
Midway, FL 32343

Steve Scott  
DISTRICT NO. 2  
Quincy, FL 32351  
Havana, FL 32333

Leroy McMillan.  
DISTRICT NO. 3  
Chattahoochee, FL 323324  
Greensboro, FL 32330

Charlie D. Frost  
DISTRICT NO. 4  
Gretna, FL 32332  
Quincy, FL 32352

Karema D. Dudley  
DISTRICT NO. 5  
Quincy, FL 32351

*“The Gadsden County School District does not discriminate against any person on the basis of sex (including transgender status, gender nonconforming, and gender identity), marital status, sexual orientation, race, religion, ethnicity, national origin, age, color, pregnancy, disability, or genetic information.”*

HR-03-2021





**THE SCHOOL BOARD OF GADSDEN COUNTY, FLORIDA  
NOTICE OF INTENT TO AMEND/ADOPT POLICIES**

DATE OF THIS NOTICE: February 9, 2021

The School Board of Gadsden County, Florida hereby gives notice of its intent to amend/adopt Gadsden County School Board Policies.

**PURPOSE AND EFFECT:** The purpose and effect of this policy amendment is to establish rules that govern processes while conducting business on behalf of the Board.

**RULEMAKING AUTHORITY:** Subsection 1001.41(2), Florida Statutes

**LAWS IMPLEMENTED:** 1000.21, 1001.41, 1001.42, 1001.43, 1001.51, 1002.20, 1002.31, 1002.38, F.S.

**SUMMARY OF THE ESTIMATED ECONOMIC IMPACT:** NONE

**FACTS AND CIRCUMSTANCES JUSTIFYING RULE:** It is necessary to amend/adopt School Board Policies for the effective operation of the Gadsden County School District consistent with requirements of Florida Statutes and Federal Regulations.

**A PUBLIC HEARING WILL BE HELD DURING THE BOARD MEETING SCHEDULED FOR 6:00 P.M.  
ON:** Tuesday, March 23, 2021

**PLACE:** Max D. Walker School Administration Building  
35 Martin Luther King, Jr., Blvd.  
Quincy, Florida 32351

IF A PERSON DESIRES TO APPEAL ANY DECISION MADE BY THE SCHOOL BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT ANY SUCH HEARING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE HE/SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

**NAME OF THE PERSON ORIGINATING THIS RULE:** **Dr. Sylvia R. Jackson**  
Area Director

**NAME OF THE PERSON WHO APPROVED THIS RULE:** **Elijah Key**  
Superintendent of Schools

**DATE OF SUCH APPROVAL:** February 9, 2021

A COPY OF THE POLICIES PROPOSED FOR ADOPTION MAY BE EXAMINED DURING BUSINESS HOURS AT THE MAX D. WALKER SCHOOL ADMINISTRATION BUILDING, 35 MARTIN LUTHER KING, JR. BLVD., QUINCY, FLORIDA 32351.

Elijah Key, Superintendent of Schools  
For Gadsden County, Florida, and Secretary and  
Chief Executive Officer of the School Board of  
Gadsden County, Florida.

**CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION**

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

2.70\*+

**I. Policy Against Discrimination**

- A. The School Board of Gadsden 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 protected by applicable law.
- C. The School Board shall admit students to District Schools, programs, and classes without regard to race, color, religion, gender, age, national or ethnic origin, marital status, disability or handicap.

**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

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Adopted: 10/22/2019  
Revised: 12/15/2020

Gadsden 2.70\*+

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 non-employee 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. Definition of Sexual Harassment

- 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:

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.

- B. 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, color, religion, gender, sexual preference, national origin, age, disability, marital status, citizenship or any other characteristic protected by law and that:
  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, negative stereotyping, humiliation, dehumanizing gestures;
  2. Threatening, intimidating or hostile acts, such as stalking, social exclusion; or
  3. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is posted on social media, placed on walls or elsewhere on the school or district office premises or circulated in the workplace or academic environment.

V. Retaliation Prohibited

- A. Any act of retaliation against an individual who files a complaint alleging a violation of the District's anti-discrimination 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 if, or filing a complaint of, discrimination.

VI. Procedures for Filing Complaint of Discrimination, Sexual Harassment, or Other Form of Illegal Harassment

A. Complaints. Procedures for filing.

- 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, national origin, religion, age or disability by an employee, volunteer, agent or student of the School District should within 60 days of alleged occurrence file a written or oral complaint. 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.
- 2. 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 within five (5) days of the filing of the complaint. If the complaint is against the principal or site administrator, the complaint may be filed directly with the EEO officer.
- 3. 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. Procedure for Processing Complaints

- 1. Complaints filed against persons other than the Superintendent or member of the School Board:

- (i) Upon receipt of the written complaint by the District EEO Officer, the District EEO Officer shall appoint an investigator to conduct an investigation of the allegations in the complaint. 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 Officer as to whether there is reasonable cause to believe a violation of the District's anti-discrimination 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.
- (ii) 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 2(a)(1) above.
- (iii) The investigation, summary, relevant documents, witnesses' statements and recommendation should be completed and forwarded to the EEO Officer within 30 days, or to the School board Attorney within 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.
- (iv) 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.
- (v) 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.

- (vi) 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. 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.
- (vii) 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.
- (viii) 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 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.
- (ix) After providing the opportunity for an informal hearing as referenced in section (viii) above, 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 will be filed with and maintained in the office of the District EEO Officer and the Personnel Director.

2. Complaints against School Board Members or against the Superintendent:
- (i) 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.
  - (ii) 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 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.
  - (iii) 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.
  - (iv) 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.

**STATUTORY AUTHORITY:** 120.54; 1001.41, 1001.42; 1012.23, F.S.

**LAWS IMPLEMENTED:** 112.51; 119.07; 760.01 ET SEQ., 1000.05; 1000.21; 1001.43; 1012.22, F.S.; 34 CFR 99; 34 CFR 200.43(C); P.L. 201-44, CODE OF FEDERAL REGISTER

**STATE BOARD OF EDUCATION RULE:** 6A-19.001 ET. SEQ.

**HISTORY:** ADOPTED: 10/22/19  
REVISION DATE(S): 2/15/03, 7/15/03, 12/15/20  
FORMERLY: 2.29, 2.291, 2.71, 2.72, 2.81

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Adopted: 10/22/2019  
Revised: 12/15/2020

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CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

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

2.70\*

I. Policy Against Discrimination

- A. ~~No person shall,~~The School Board of \_\_\_\_\_ 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 on the basis of 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. 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.
- 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.
- 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, or 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 at (Contact information\*)

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

2. For Students – Student Support Services at (Contact information \*)
  3. Job applicants with disabilities requesting accommodations under the American with Disabilities Act (ADA) may contact Human Resources at (Contact information\*)
  4. Current School District employees with disabilities requesting accommodations under the ADA may contact Professional Standards at (Contact Information)
- 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 of Sexual Harassment
- A. 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

**CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION**

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
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 ant-semitism), color, religion, gender, national or ethnic origin, age, disability, marital status, sexual orientation, political or

**CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION**

religious beliefs, citizenship, pregnancy or genetic information or any other distinguishing physical or personality characteristic protected by law and that

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; stalking; 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. Retaliation Prohibited (relocated to X.)~~

~~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.~~

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. file a written or oral complaint. 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

**CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION**

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 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, or 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

**CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION**

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.

- 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

**CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION**

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 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

**CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION**

- 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 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.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- 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.
- 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.

**CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION**

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 measures 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 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

**CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION**

- 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.
  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

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- 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;
    - 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.



**CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION**

- 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 for 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 additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior

**CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION**

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

19. Appeals

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- 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.
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.

**CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION**

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

**CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION**

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 with supportive measures, then it will document the

**FROM PAEC WINTER 2021 UPDATES**

**CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION**

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.

**STATUTORY AUTHORITY:** 120.54, 1001.41, 1001.42, 1012.23, F.S.

**LAW(S) IMPLEMENTED:** 112.51, 119.07, 760.01 *et seq.*,  
1000.05, 1000.21, 1001.43, 1012.22, F.S.  
34 CFR 99, 34 CFR 108, 34 CFR 200.43(c), P.L.110-233  
42 U.S.C. 12112, American with Disabilities Act of 1990  
42 U.S.C. 2000ff et seq., Genetic Information Non-discrimination Act of 2008  
29 U.S.C. 701 et seq., Rehabilitation Act of 1973  
29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967  
20 U.S.C., 1681 et seq., Title IX of the United States Education Amendments of 1972;  
42 U.S.C., 2000e et seq., Civil Rights Act of 1964;  
29 CFR Parts 1600-1699

**STATE BOARD OF EDUCATION RULE(S):** 6A-19.001 *et seq.*

**HISTORY:** ADOPTED: \_\_\_\_\_  
REVISION DATE(S): \_\_\_\_\_

## CHAPTER 3.00 - SCHOOL ADMINISTRATION

### SUICIDE PREVENTION

3.14+

- I. The School Board is committed to protecting the health, safety and welfare of its students and school community. The Board recognizes that suicide is one of the leading causes of death for Florida's youth. It is critical for families and community members to communicate with and provide information to school staff to identify students at risk of suicide.
- II. The Board directs all school district staff members to be alert to a student who exhibits warning signs of self-harm or who threatens or attempts suicide. Any such warning signs or the report of such warning signs from another student or staff member shall be taken with the utmost seriousness and reported immediately to the Principal or designee.
- III. The Superintendent shall develop procedures to ensure that this policy is carried out in each of the District schools. The Superintendent will prepare and disseminate guidelines to assist school district staff members in recognizing the warning signs of a student who may be contemplating suicide, to respond to a threat or attempted suicide. The Superintendent will develop an intervention plan for in-school suicide attempts, out of school suicide attempts and an appropriate re-entry process, including a re-entry meeting to discuss the development of a safety plan and additional interventions or supports.
- IV. Professional development training in youth suicide prevention opportunities shall be provided to student personnel services staff, administration and instructional staff. A two (2) hour continuing education program of youth suicide awareness and prevention training, utilizing training materials from the list approved by the Florida Department of Education (FLDOE) is also available for all district staff in all job categories as well as other adults on campus who regularly interact with students or are in a position to recognize the risk factors and warning signs of suicide. Instruction about how to identify appropriate mental health services and how to refer youth and their families to those services should be included in the program. If all instructional personnel at a District school participate in the two (2) hour training the school will be considered a "Suicide Prevention Certified School".
- V. The Principal shall immediately contact the parent(s) of the student exhibiting warning signs of suicide to inform the parent(s) the student will be referred to a school-based mental health services provider to perform either the C-SSRS or SAFE-T suicide risk assessment prior to determining whether the student requires an involuntary examination (Baker Act).

**STATUTORY AUTHORITY:**

1001.41, 1001.42, F.S.

**LAW(S) IMPLEMENTED:**

1012.583, F.S.

**STATE BOARD OF EDUCATION RULE(S):**

**HISTORY:**

**ADOPTED: 12/15/2020**

**REVISION DATE(S):**

**FORMERLY: NEW**

**CURRENT POLICY**

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PAEC  
New: 12/15/2020

Gadsden 3.14+

Page 2 of 2

CHAPTER 3.00 - SCHOOL ADMINISTRATION

SUICIDE PREVENTION

3.14+

- I. This policy covers actions that take place in the school, on school property, at school-sponsored functions and activities, on school buses or vehicles or at bus stops, and at school-sponsored out-of-school events where school staff are present. This policy applies to the entire school community.

The School Board is committed to protecting the health, safety and welfare of its students and school community. The Board recognizes that suicide is one of the leading causes of death for Florida's youth. It is critical for families and community members to communicate with and provide information to school staff to identify students at risk of suicide.

- II. The Board directs all school district staff members to be alert to a student who exhibits warning signs of self-harm or who threatens or attempts suicide. Any such warning signs or the report of such warning signs from another student or staff member shall be taken with the utmost seriousness and reported immediately to the Principal or designee.
- III. The Superintendent shall develop procedures to ensure that this policy is carried out in each of the District schools. The Superintendent will prepare and disseminate guidelines to assist school district staff members in recognizing the warning signs of a student who may be contemplating suicide, to respond to a threat or attempted suicide. The Superintendent will develop an intervention plan for in-school suicide attempts, out of school suicide attempts and an appropriate re-entry process, including a re-entry meeting to discuss the development of a safety plan and additional interventions or supports.
- IV. Professional development training in youth suicide prevention opportunities shall be provided to student personnel services staff, administration and instructional staff. A two (2) hour continuing education program of youth suicide awareness and prevention training, utilizing training materials from the list approved by the Florida Department of Education (FLDOE) is also available for all district staff in all job categories as well as other adults on campus who regularly interact with students or are in a position to recognize the risk factors and warning signs of suicide. Instruction about how to identify appropriate mental health services and how to refer youth and their families to those services should be included in the program. If all instructional personnel at a District school participate in the two (2) hour training the school will be considered a "Suicide Prevention Certified School".
- V. Florida Statute 1003.42 required instruction of 5 hours of mental health instruction for grades 6-12 will be implemented annually through developmentally appropriate instruction and skill building and will address, at a minimum, the following topics: (1) Recognition of signs

**CHAPTER 3.00 - SCHOOL ADMINISTRATION**

and symptoms of mental health disorders; (b) Prevention of mental health disorders; (c) Mental health awareness and assistance; (d) How to reduce the stigma around mental health disorders; (e) Awareness of resources, including local school and community resources; (f) The process for accessing treatment; (g) Strategies to develop health coping techniques; (h) Strategies to support a peer, friend, or family member with a mental health disorder; (i) Prevention of suicide; and (j) Prevention of the abuse of and addiction to alcohol, nicotine, and drugs.

- VI. The Principal shall immediately contact the parent(s) of the student exhibiting warning signs of suicide to inform the parent(s) the student will be referred to a school-based mental health services provider to perform either the C-SSRS or SAFE-T suicide risk assessment prior to determining whether the student requires an involuntary examination (Baker Act).

**STATUTORY AUTHORITY:**

**1001.41, 1001.42, F.S.**

**LAW(S) IMPLEMENTED:**

**1003.42, 1012.583, F.S.**

**STATE BOARD OF EDUCATION RULE(S):**

**HISTORY:**

**ADOPTED: \_\_\_\_\_**  
**REVISION DATE(S): \_\_\_\_\_**  
**FORMERLY: NEW**

## CHAPTER 3.00 - SCHOOL ADMINISTRATION

### SAFE AND SECURE SCHOOLS

3.40+

#### I. Introduction

The Gadsden County District School Board has as its first obligation to provide a safe, secure and orderly learning environment in all schools and at all sponsored activities for students, school personnel, and other persons.

#### II. Orderly Environment

An orderly environment can only be achieved by developing procedures to control students, personnel, and other persons on school property and attending School Board or school sponsored events or activities. All procedures shall reflect the following policy provisions:

- A. No person other than a student and employee of a school site shall be on a school campus during school hours unless they are in compliance with Policy 9.60, Visitors.
- B. A student who is suspended or expelled is not in good standing and is not permitted on the school campus, school grounds, or at a school sponsored activity.
- C. Any person on a school campus or school grounds not in accordance with this policy is hereby declared to be a trespasser and shall be asked to leave immediately by any staff member. Each principal shall keep a log of such incidents which shall provide the name of the person asked to leave and other pertinent information. If said person shall again be seen upon the school campus or school grounds, any staff member shall immediately notify the principal or appropriate local law enforcement officials without further warning.
- D. Individuals who enter School Board property, activity, or School Board meeting without a legitimate reason and create a disturbance or refuse to leave the property or activity when asked by the Board chairperson, Superintendent/designee, principal or person in charge are subject to criminal penalty as provided in Florida Statutes. The person in charge shall contact appropriate law enforcement officials in cases of disruptive activity or refusal to leave the school property or activity and take appropriate actions to have the offender punished as prescribed by law. The Superintendent shall be notified of any such action at schools or school activities.

- E. No person except law enforcement and security officers may have in his/her possession any weapon, illegal substance, or dangerous substance while on school property or at school events.
- III. The following emergency response agency(ies) will notify the District in the event of an emergency:
- | Emergency Response Agency           | Type of Emergency                               |
|-------------------------------------|---|
| Quincy Fire Department              | Emergency Medical Response/Fire Prevention      |
| Gadsden County Sheriff's Department | Public Safety/First Responder                   |
| Quincy Police Department            | Public Safety/First Responder                   |
| Havana Police Department            | Public Safety/First Responder                   |
| Chattahoochee Police Department     | Public Safety/First Responder                   |
| Gretna Police Department            | Public Safety/First Responder                   |
| Midway Police Department            | Public Safety/First Responder                   |
| Gadsden County Emergency Management | Emergency Operations (Weather related disaster) |

IV. Safety, Security and – Emergency Plans

- A. The Superintendent shall develop a School Safety and Security Plan with input from representatives of the local law enforcement agencies, the local Fire Marshall(s), representative(s) from emergency medical services; building administrators, representative(s) from the local emergency management agency, School Resource Officer(s) and/or representative(s) of the Gadsden County Health Department.
- B. As required by state law, the Superintendent shall require the use of the Safe School Assessment Survey based on the School Safety and Security Best Practices Indicators created by FL DOE Safe School Assessment Tool (FSSAT) to conduct a self-assessment of the District's current safety and security practices.
- C. Upon completion of these self-assessments, the Superintendent shall convene a safety and security review meeting for the purpose of (a) reviewing the current School Safety and Security Plan and the results of the self-assessment; (b) identifying necessary modifications to the plan; (c) identifying additional necessary training for staff and students; and (d) discussing any other related matters deemed necessary by the meeting participants.
- D. The Superintendent shall present the findings of the safety and security review meeting to the Board for review and approval appropriate school safety, emergency management and preparedness plans. The Superintendent shall make any necessary recommendations to the Board that identify strategies and activities that the Board should incorporate into the School Safety and Security Plan and/or implement in order to improve school safety and security. The School Safety and

Security Plan is, however, confidential and is not subject to review or release as a public record.

- E. The Superintendent shall report the self-assessment results and any action taken by the Board to review the School Safety and Security Plan to the Commissioner of Education within thirty (30) days after the Board meeting.
  - F. Emergency management and preparedness plans shall include notification procedures for weapon use and hostage situations, hazardous materials and toxic chemical spills, weather emergencies, and exposure resulting from a manmade emergency.
  - G. Emergency management and preparedness procedures for active shooter situations shall engage the participation of the district school safety specialist, threat assessment team members, faculty, staff and students for each school and be conducted by the law enforcement agency or agencies designated as first responders to the school's campus.
  - H. Each school shall develop and maintain an up-to-date plan based upon the uniform guidelines and including the provisions of Florida law, State Board of Education rules, and other applicable regulations.
  - I. Copies of school plans shall be provided county and city law enforcement agencies, fire departments, and emergency preparedness officials.
- V. Threat Assessment
- A. The primary purpose of a threat assessment is to minimize the risk of targeted violence at school. The Board's threat assessment process is designed to be consistent with the process set forth in the joint U.S. Secret Service and U.S. Department of Education publication, Threat Assessment in Schools: a Guide to Managing Threatening Situations and to creating Safe School Climates for identifying, assessing, and managing students who may pose a threat. The goal of the threat assessment process is to take appropriate preventative or corrective measures to maintain a safe school environment, protect and support potential victims, and provide assistance, as appropriate, to the student being assessed. The threat assessment process is centered upon an analysis of the facts and evidence of behavior in a given situation. The appraisal of risk in a threat assessment focuses on actions, communications, and specific circumstances that might suggest that an individual intends to cause physical harm and is engaged in planning or preparing for that event.

- B. The Board authorizes the Superintendent to create building-level, trained threat assessment teams. Each team shall be headed by the principal and shall include a person with expertise in counseling (school/psychological), instructional personnel, and law enforcement (school resource officer) and provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self.
1. The threat assessment team will be responsible for the assessment of individuals whose behavior may pose a threat to the safety of school staff and/or students and coordinating resources and interventions for the individual.
  2. Upon a preliminary determination that a student poses a threat of violence or physical harm to him/herself or others, the threat assessment team may obtain criminal history record information. The team must immediately report its determination to the Superintendent who must immediately attempt to notify the student's parent or legal guardian. The team will coordinate resources and interventions to engage behavioral and or mental health crisis resources when mental health or substance abuse crisis is suspected.
  3. The threat assessment team must plan for the implementation and monitoring of appropriate interventions to manage or mitigate the student's risk for engaging in violence and increasing the likelihood of positive outcomes.
  4. Upon the student's transfer to a different school, the threat assessment team must verify that any intervention services provided to the student remain in place until the threat assessment team of the receiving school independently determines the need for intervention services.

VI. Safety – Procedures

- A. School alarms shall be monitored on a weekly basis and malfunctions shall be reported for immediate repair.
- B. A safety program shall be established consistent with the provisions of this Policy.
- C. Emergency evacuation drills (fire, hurricane, tornado, active shooter/hostage situation, other natural disaster, and school bus) shall be held in compliance with state requirements and formulated in consultation with the appropriate public

safety agencies. Each principal, site administrator or transportation official is responsible for

1. Developing and posting emergency evacuation routes and procedures;
  2. Assigning and training all staff members in specified responsibilities to ensure prompt, safe and orderly evacuation;
  3. Identifying and reporting hazardous areas requiring corrective measures; and
  4. Preparing and submitting a written report of each emergency evacuation drill to the District office.
- D. In the event of an emergency, the Superintendent is authorized to dismiss early or close any or all schools. Except that the principal may dismiss the school when the Superintendent or designee cannot be contacted and an extreme emergency exists endangering the health, safety, or welfare of students. Any such actions shall be reported immediately to the Superintendent or designee along with a statement describing the reasons for the action. Such report shall be submitted to the School Board at the next regular meeting unless a special meeting is held relating to the emergency.

#### VII. Safety – Violence Prevention

- A. The Superintendent shall develop a violence prevention plan for use by each school that establishes policies and procedures for the prevention of violence on school grounds; including assessment of and intervention with individuals whose behavior poses a threat to the safety of the school community.
- B. Training in identification of potentially violent behaviors and the procedures to be implemented shall be provided to personnel of the schools.

#### VIII. Security

- A. The Superintendent shall establish and implement a Domestic Security Plan consistent with the requirements of the National Incident Management System (NIMS).
- B. The Superintendent shall develop and implement guidelines and procedures for reviewing each school's security provisions.

- C. Designate an administrator as the school safety specialist for the District.
- D. A review of each school's security provisions shall be conducted annually by the principal with a written report submitted to the Superintendent or designee for submission to the Board for review.
- E. Each school's emergency plan shall include security provisions including emergency lockdown procedures. In the event of an emergency necessitating a lockdown, any employee is authorized to activate a code red lockdown.
- F. Establishing policies and procedures for the prevention of violence on school grounds; including assessment of and intervention with individuals whose behavior poses a threat to the safety of the school community, adhering to background screening procedures for all staff, volunteers and mentors.
- G. Security trailers may be located on school property.
- H. All perimeter gates and classroom doors must be locked/secured during the school day when students are present on campus.

**STATUTORY AUTHORITY:**

1001.41, 1001.42, F.S.

**LAW(S) IMPLEMENTED:**

316.614, 1001.43, 1001.51,  
1006.062, 1006.07, 1006.145,  
1006.1493, 1006.21, 1013.13, F.S.

**STATE BOARD OF EDUCATION RULE(S):**

6A-1.0403, 6A-3.0171

**HISTORY:**

**ADOPTED:** 10/22/19  
**REVISION DATE(S):** 12/15/20  
**FORMERLY:**

©NEFEC  
PAEC  
Adopted: 10/22/2019  
Revised: 12/15/2020

Gadsden 3.40+

**CHAPTER 3.00 - SCHOOL ADMINISTRATION**

**SAFE AND SECURE SCHOOLS**

**3.40+**

I. Introduction

The \_\_\_\_\_ County District School Board has as its first obligation to provide a safe, secure and orderly learning environment in all schools and at all sponsored activities for students, school personnel, and other persons.

II. Orderly Environment

An orderly environment can only be achieved by developing procedures to control students, personnel, and other persons on school property and attending School Board or school sponsored events or activities. All procedures shall reflect the following policy provisions:

- A. No person other than a student and employee of a school site shall be on a school campus during school hours unless they are in compliance with Policy 9.07 (Visitors).
- B. A student who is suspended or expelled is not in good standing and is not permitted on the school campus, school grounds, or at a school sponsored activity.
- C. Any person on a school campus or school grounds not in accordance with this policy is hereby declared to be a trespasser and shall be asked to leave immediately by any staff member. Each principal shall keep a log of such incidents which shall provide the name of the person asked to leave and other pertinent information. If said person shall again be seen upon the school campus or school grounds, any staff member shall immediately notify the principal or appropriate local law enforcement officials without further warning.
- D. Individuals who enter School Board property, activity, or School Board meeting without a legitimate reason and create a disturbance or refuse to leave the property or activity when asked by the board chairperson, Superintendent/designee, principal or person in charge are subject to criminal penalty as provided in Florida Statutes. The person in charge shall contact appropriate law enforcement officials in cases of disruptive activity or refusal to leave the school property or activity and take appropriate actions to have the offender punished as prescribed by law. The Superintendent shall be notified of any such action at schools or school activities.
- E. No person except law enforcement and security officers may have in his/her possession any weapon, illegal substance, or dangerous substance while on school property or at school events.

III. The following emergency response agency(ies) will notify the District in the event of an emergency:

Emergency Response Agency	Type of Emergency
<i>District will list agencies and relevant emergency type.</i>	

IV. Safety, Security and –Emergency Plans

**FROM PAEC WINTER 2021 UPDATES**

**CHAPTER 3.00 - SCHOOL ADMINISTRATION**

- A. The Superintendent shall develop a School Safety and Security Plan with input from representatives of the local law enforcement agencies, the local Fire Marshall(s), representative(s) from emergency medical services; building administrators, representative(s) from the local emergency management agency, School Resource Officer(s) and/or representative(s) of the \_\_\_\_\_ County Health Department.
- B. As required by state law, the Superintendent shall require the use of the Safe School Assessment Survey based on the School Safety and Security Best Practices Indicators created by FL DOE Safe School Assessment Tool (FSSAT) to conduct a self-assessment of the District's current safety and security practices.
- C. Upon completion of these self-assessments, the Superintendent shall convene a safety and security review meeting for the purpose of (a) reviewing the current School Safety and Security Plan and the results of the self-assessment; (b) identifying necessary modifications to the plan; (c) identifying additional necessary training for staff and students; and (d) discussing any other related matters deemed necessary by the meeting participants.
- D. The Superintendent shall present the findings of the safety and security review meeting to the Board for review and approval appropriate school safety, emergency management and preparedness plans. The Superintendent shall make any necessary recommendations to the Board that identify strategies and activities that the Board should incorporate into the School Safety and Security Plan and/or implement in order to improve school safety and security. The School Safety and Security Plan is, however, confidential and is not subject to review or release as a public record.
- E. The Superintendent shall report the self-assessment results and any action taken by the Board to review the School Safety and Security Plan to the Commissioner of Education within thirty (30) days after the Board meeting.
- F. Emergency management and preparedness plans shall include notification procedures for weapon use and active shooter/hostage situations, hazardous materials and toxic chemical spills, weather emergencies, and exposure resulting from a manmade emergency.
- G. Emergency management and preparedness procedures for active shooter situations shall engage the participation of the district school safety specialist, threat assessment team members, faculty, staff and students for each school and be conducted by the law enforcement agency or agencies designated as first responders to the school's campus.
- H. Each school shall develop and maintain an up-to-date plan based upon the uniform guidelines and including the provisions of Florida law, State Board of Education rules, and other applicable regulations.
- I. Copies of school plans shall be provided to county and city law enforcement agencies, fire departments, and emergency preparedness officials.

CHAPTER 3.00 - SCHOOL ADMINISTRATION

V. Threat Assessment

- A. The primary purpose of a threat assessment is to minimize the risk of targeted violence at school. The Board's threat assessment process is designed to be consistent with the process set forth in the joint U.S. Secret Service and U.S. Department of Education publication. Threat Assessment in Schools: a Guide to Managing Threatening Situations and to creating Safe School Climates for identifying, assessing, and managing students who may pose a threat. The goal of the threat assessment process is to take appropriate preventative or corrective measures to maintain a safe school environment, protect and support potential victims, and provide assistance, as appropriate, to the student being assessed. The threat assessment process is centered upon an analysis of the facts and evidence of behavior in a given situation. The appraisal of risk in a threat assessment focuses on actions, communications, and specific circumstances that might suggest that an individual intends to cause physical harm and is engaged in planning or preparing for that event.
- B. The Board authorizes the Superintendent to create building-level, trained threat assessment teams. Each team shall be headed by the principal and shall include a person with expertise in counseling (school/psychological), instructional personnel, and law enforcement (school resource officer) and provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self.
1. The threat assessment team will be responsible for the assessment of individuals whose behavior may pose a threat to the safety of school staff and/or students and coordinating resources and interventions for the individual.
  2. If a student with a disability is reported to have made a threat to harm others and the student's intent is not clear, a referral will be made to the threat assessment team for evaluation.
  3. Upon a preliminary determination that a student poses a threat of violence or physical harm to him/herself or others, the threat assessment team may obtain criminal history record information. The team must immediately report its determination to the Superintendent who must immediately attempt to notify the student's parent or legal guardian. A parent or guardian has the right to inspect and review the threat assessment. The team will coordinate resources and interventions to engage behavioral and or mental health crisis resources when mental health or substance abuse crisis is suspected.
  4. The threat assessment team must plan for the implementation and monitoring of appropriate interventions to manage or mitigate the student's risk for engaging in violence and increasing the likelihood of positive outcomes.

## FROM PAEC WINTER 2021 UPDATES

### CHAPTER 3.00 - SCHOOL ADMINISTRATION

5. Upon the student's transfer to a different school, the threat assessment team must verify that any intervention services provided to the student remain in place until the threat assessment team of the receiving school independently determines the need for intervention services.

#### VI. Safety – Procedures

- A. School alarms shall be monitored on a weekly basis and malfunctions shall be reported for immediate repair.
- B. A safety program shall be established consistent with the provisions of Policy 8.01.
- C. Emergency evacuation drills (fire, hurricane, tornado, active shooter/hostage situation, other natural disaster, and school bus) shall be held in compliance with state requirements and formulated in consultation with the appropriate public safety agencies. Each principal, site administrator or transportation official is responsible for
  1. Developing and posting emergency evacuation routes and procedures;
  2. Assigning and training all staff members in specified responsibilities to ensure prompt, safe and orderly evacuation;
  3. Identifying and reporting hazardous areas requiring corrective measures; and
  4. Preparing and submitting a written report of each emergency evacuation drill to the District office.
- D. In the event of an emergency, the Superintendent is authorized to dismiss early or close any or all schools. Except that the principal may dismiss the school when the Superintendent or designee cannot be contacted and an extreme emergency exists endangering the health, safety, or welfare of students. Any such actions shall be reported immediately to the Superintendent or designee along with a statement describing the reasons for the action. Such report shall be submitted to the School Board at the next regular meeting unless a special meeting is held relating to the emergency.

#### VII. Safety – Violence Prevention

- A. The Superintendent shall develop a violence prevention plan for use by each school.
- B. Training in identification of potentially violent behaviors and the procedures to be implemented shall be provided to personnel of the schools.

#### VIII. Security

**FROM PAEC WINTER 2021 UPDATES**

**CHAPTER 3.00 - SCHOOL ADMINISTRATION**

- A. The Superintendent shall establish and implement a Domestic Security Plan consistent with the requirements of the National Incident Management System (NIMS).
- B. The Superintendent shall develop and implement guidelines and procedures for reviewing each school's security provisions.
- C. Designate an administrator as the school safety specialist for the District.
- D. A review of each school's security provisions shall be conducted annually by the principal with a written report submitted to the Superintendent or designee for submission to the Board for review.
- E. Each school's emergency plan shall include security provisions including emergency lockdown procedures.
- F. Establishing policies and procedures for the prevention of violence on school grounds; including assessment of and intervention with individuals whose behavior poses a threat to the safety of the school community.
- G. Adhering to background screening procedures for all staff, volunteers and mentors.
- H. Security trailers may be located on school property.

**STATUTORY AUTHORITY:** 1001.41, 1001.42, F.S.

**LAW(S) IMPLEMENTED:** 316.614, 1001.43, 1001.51,  
1006.062, 1006.07, 1006.145,  
1006.1493, 1006.21, 1013.13, F.S.

**STATE BOARD OF EDUCATION RULE(S):** 6A-1.0403, 6A-3.0171

**HISTORY:** ADOPTED: \_\_\_\_\_  
REVISION DATE(S): \_\_\_\_\_  
FORMERLY:

CHAPTER 3.00: SCHOOL ADMINISTRATION

SERVICE ANIMALS

3.48+

- I. The purpose of this policy is to implement standards related to service animals as set forth in federal and state law including
- A. Individuals with Disabilities Education Act (IDEA);
  - B. Rehabilitation Act of 1973, as amended;
  - C. Americans with Disabilities Act (ADA);
  - D. Section 413.08, F.S.
- II. A *service animal* is any dog that is trained to do work or perform tasks for the benefit of an individual with a disability. The animal must be trained to perform tasks directly related to the person's disability.
- A. Other species of animals are not considered service animals.
  - B. Miniature horses may be used as an alternative to dogs, with certain limitations. However, they are not included in the definition of service animal.
  - C. An animal whose sole function is to provide comfort, therapy, or companionship is not considered a service animal.
  - D. A service animal is not a pet.
- III. A *task* is a minor job or piece of work that the animal performs. Tasks include
- A. Guiding a person who is visually impaired or blind;
  - B. Alerting a person who is deaf or hard of hearing;
  - C. Retrieving objects;
  - D. Assisting with mobility or balance;
  - E. Pulling a wheelchair;

- F. Alerting an individual to the presence of allergens;
  - G. Helping an individual with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors;
  - H. Reminding an individual with mental illness to take prescribed medications;
  - I. Calming an individual with posttraumatic stress disorder (PTSD) during an anxiety attack;
  - J. Alerting and protecting a person having a seizure; and
  - K. Doing other work or performing other specific tasks.
- IV. A service animal is personal property and may not be brought on campus without the knowledge and permission of the school or District administration. A student's need for and use of a service animal must be documented in the student's Individual Education Plan (IEP) or Section 504 Plan.
- V. A service animal may not interfere with the educational process of any student or pose a health or safety threat to any student, school personnel or other persons. The service animal must meet health requirements and established standards of behavior.
- VI. The service animal must be under the control of its handler.
- VII. The Superintendent shall develop guidelines for service animals on campus. Guidelines shall include but not be limited to
- A. The process for requesting approval for the use of a service animal in the school or District setting;
  - B. Standards of behavior for the service animal;
  - C. Required accommodation documentation;
  - D. Required health certification for the animal;
  - E. Transportation of the service animal;
  - F. Emergency procedures; and
  - G. Orientation for school personnel and students.

VIII. The District shall not assume responsibility for training, health care or daily care of any service animal.

**STATUTORY AUTHORITY:**

1001.41, 1001.42, F.S.

**LAW(S) IMPLEMENTED:**

413.08, 1001.32, 1001.43, 1006.07, 1006.08, F.S.  
28 CFR 35.104, 28 CFR 35.136,  
28 CFR 36.104, 34 CFR 104

**HISTORY:**

**ADOPTED:** \_\_\_\_\_

**REVISION DATE(S):** \_\_\_\_\_

**FORMERLY:** \_\_\_\_\_

CURRENT POLICY

CHAPTER 3.00: SCHOOL ADMINISTRATION

**SERVICE ANIMALS**

**3.48+**

- I. The purpose of this policy is to implement standards related to service animals as set forth in federal and state law including
  - A. Individuals with Disabilities Education Act (IDEA);
  - B. Rehabilitation Act of 1973, as amended;
  - C. Americans with Disabilities Act (ADA);
  - D. Section 413.08, F.S.
  
- II. A *service animal* is any dog that is trained to do work or perform tasks for the benefit of an individual with a disability. The animal must be trained to perform tasks directly related to the person's disability.
  - A. Other species of animals are not considered service animals.
  - B. Miniature horses may be used as an alternative to dogs, with certain limitations. However, they are not included in the definition of service animal.
  - C. An animal whose sole function is to provide comfort, therapy, or companionship is not considered a service animal.
  - D. A service animal is not a pet.
  
- III. A *task* is a minor job or piece of work that the animal performs. Tasks include
  - A. Guiding a person who is visually impaired or blind;
  - B. Alerting a person who is deaf or hard of hearing;
  - C. Retrieving objects;
  - D. Assisting with mobility or balance;
  - E. Pulling a wheelchair;
  - F. Alerting an individual to the presence of allergens;

## FROM PAEC WINTER 2021 UPDATES

### CHAPTER 3.00: SCHOOL ADMINISTRATION

- G. Helping an individual with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors;
  - H. Reminding an individual with mental illness to take prescribed medications;
  - I. Calming an individual with posttraumatic stress disorder (PTSD) during an anxiety attack;
  - J. Alerting and protecting a person having a seizure; and
  - K. Doing other work or performing other specific tasks.
- IV. A service animal is personal property and may not be brought on campus without the knowledge and permission of the school or District administration. A student's need for and use of a service animal must be documented in the student's Individual Education Plan (IEP) or Section 504 Plan. To determine if an animal qualifies as a service animal the District may not ask about the nature or extent of the individual's disability but may ask the following:
- A. If the animal is required because of a disability and
  - B. What work or task the animal is trained to perform.
- V. A service animal may not interfere with the educational process of any student or pose a health or safety threat to any student, school personnel or other persons. The service animal must meet health requirements and established standards of behavior.
- VI. The service animal must be under the control of its handler.
- VII. The Superintendent shall develop guidelines for service animals on campus. Guidelines shall include but not be limited to
- A. The process for requesting approval for the use of a service animal in the school or District setting;
  - B. Standards of behavior for the service animal;
  - C. Required accommodation documentation;
  - D. Required health certification for the animal;
  - E. Transportation of the service animal;

**FROM PAEC WINTER 2021 UPDATES**

**CHAPTER 3.00: SCHOOL ADMINISTRATION**

- F. Emergency procedures; and
  - G. Orientation for school personnel and students.
- VIII. The District shall not assume responsibility for training, health care or daily care of any service animal.

**STATUTORY AUTHORITY:**

1001.41, 1001.42, F.S.

**LAW(S) IMPLEMENTED:**

413.08, 1001.32, 1001.43, 1006.07, 1006.08, F.S.  
28 CFR 35.104, 28 CFR 35.136,  
28 CFR 36.104, 34 CFR 104

**HISTORY:**

ADOPTED: \_\_\_\_\_  
REVISION DATE(S): \_\_\_\_\_  
FORMERLY: NEW

DRAFT

**CHAPTER 6.00 – HUMAN RESOURCES**

**MILITARY LEAVE**

6.545\*

- I. Military leave shall be granted to an employee who is required to serve in the armed forces of the United States or of the state of Florida in fulfillment of obligations incurred under the Selective Service Laws or because of membership in the reserves of the armed forces or the National Guard. When an employee enters voluntarily into any branch of the armed forces for temporary or an extended period of service, military leave shall be granted at the School Board's discretion. Provided, however, an employee whose absence will interfere with the orderly operation of the school program shall be denied military leave except in unusual cases.
- II. An employee granted military leave for extended active duty shall, upon the completion of the tour of duty, be returned to employment without prejudice; provided that an application for re-employment is filed within six (6) months following the discharge date or release from active military duty. Following receipt of the application for re-employment, the School Board shall have a reasonable time, not to exceed six (6) months, to assign the employee to duty in the same or similar position he/she left in the District.
- III. Compensation allowed during military leave shall not exceed thirty (30) days except as provided in Section 115.07, Florida Statutes.
- IV. An employee who enters active military service shall be governed by the provisions of Sections 115.07, 115.14, 121.111, and 250.341, Florida Statutes.

**STATUTORY AUTHORITY:**

1001.41, 1012.22, 1012.23, F. S.

**LAWS IMPLEMENTED:**

115.07, 115.09, 115.14, 121.111,  
250.341, 1001.43, 1012.66, F.S.

**STATE BOARD OF EDUCATION RULES:**

6A-1.080; 6A-1.083

**HISTORY:**

**ADOPTED:**  
**REVISION DATE(S): 9/15/02**  
**FORMERLY: 3.116**

**FROM PAEC WINTER 2021 UPDATES**

**CHAPTER 6.00 – HUMAN RESOURCES**

**MILITARY LEAVE**

**6.545\***

- I. Military leave shall be granted to an employee who is required to serve in the armed forces of the United States or of the state of Florida in fulfillment of obligations incurred under the Selective Service Laws or because of membership in the reserves of the armed forces or the National Guard.
- A. When an employee enters voluntarily into any branch of the armed forces for temporary or an extended period of service, military leave shall be granted at the School Board's discretion. ~~Provided, however, an employee whose absence will interfere with the orderly operation of the school program shall be denied military leave except in unusual cases.~~
- B. Request for military leave shall be in writing and countersigned by the principal or immediate administrative supervisor. The request shall include:
1. A copy of the military order; and
  2. Written evidence that effort has been made to serve the duty when school was not in session. This shall be required only of personnel who are employed for ten (10) or eleven (11) months.
- II. An employee granted military leave for extended active duty shall, upon the completion of the tour of duty, be returned to employment without prejudice; provided that an application for re-employment is filed within six (6) months following the discharge date or release from active military duty. Following receipt of the application for re-employment, the School Board shall have a reasonable time, not to exceed six (6) months, to assign the employee to duty in the same or similar position he/she left in the District.
- III. Compensation allowed during military leave may not exceed two hundred forty (240) working hours except as provided in Section 115.07, Florida Statutes.
- IV. An employee who enters active military service shall be governed by the provisions of Sections 115.07, 115.14, 121.111, and 250.341, Florida Statutes.

**STATUTORY AUTHORITY:**

**1001.41, 1012.22, 1012.23, F.S.**

**LAW(S) IMPLEMENTED:**

**115.07, 115.09, 115.14, 121.111,  
250.341, 1001.43, 1012.66, F.S.**

**STATE BOARD OF EDUCATION RULE(S):**

**6A-1.080**

**FROM PAEC WINTER 2021 UPDATES**

**CHAPTER 6.00 – HUMAN RESOURCES**

**HISTORY:**

**ADOPTED:** \_\_\_\_\_  
**REVISION DATE(S):** \_\_\_\_\_  
**FORMERLY:**

**DRAFT**