

WAKULLA COUNTY SCHOOL DISTRICT, CRAWFORDVILLE, FL

Wakulla County School District Equity Handbook

Filing a Complaint

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Wakulla County School District Equity Handbook

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

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

Introduction of Equity and the Equity Handbook

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

The Equity Handbook:

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

School Board Members

Greg Thomas, Chairman, District 4

Becky Cook, Vice-Chairman, District 3

Melisa Taylor, District 2

Verna Brock, District 1

Jo Ann Daniels, District 5

Superintendent of Schools

Bobby Pearce

Chief Human Capital Officer/Equity Coordinator

Karen J. Wells

Wakulla County School District Web-site

www.wakullaschooldistrict.org

VISION STATEMENT

A rigorous and appropriate education that results in success for all students.

The Role of the Equity Coordinator

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

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

The Role of School-Based and District-Office Administrators

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

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

Definitions

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

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

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

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of employment, an individual's education or participation in any School Board function.
2. Submission to or rejection of such conduct by an individual is used as the basis for an employment or academic decision affecting that individual.
3. Such conduct substantially interferes with an employee's work performance or student's academic performance, or creates an intimidating, hostile, or offensive work or school environment.
4. Sexual harassment, as defined above, may include, but it not limited to, the following:
 - a. Verbal, nonverbal, graphic and written harassment or abuse
 - b. Pressure for sexual activity
 - c. Repeated remarks to a person with sexual or demeaning implications
 - d. Unwelcome or inappropriate touching
 - e. Suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's employment.
5. It is sexual harassment for a School Board employee or non-employee volunteer to use his or her authority to solicit sexual favors or attention from subordinates or students, including but not limited to incidents when the subordinate's or student's failure to submit will result in adverse treatment, or when the subordinate's or student's acquiescence will result in preferential treatment.

Racial harassment – consists of verbal, nonverbal, graphic, written or physical conduct that denigrates or shows hostility or aversion toward any person based upon race when such conduct has

the purpose or effect of creating an intimidating hostile or offensive work or school environment; or when such conduct has the purpose of effect of unreasonable interfering with an individual's work performance of any school activity.

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

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

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

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

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

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

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

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

Equal Opportunity Laws & Policies

- *Title VI of the Civil Rights Act of 1964* – prohibits discrimination on the basis of race, color, religion or national origin
- *Title VII of the Civil Rights Act of 1964* – as amended – prohibits discrimination in employment on the basis of race, color, religion, gender or national origin
- *Title IX of the Education Amendments of 1972* – prohibits discrimination on the basis of gender
- *Age Discrimination in Employment Act of 1967 (ADEA)* as amended – prohibits discrimination on the basis of age with respect to individuals who are at least 40
- *The Equal Pay Act of 1963* as amended – prohibits gender discrimination in payment of wages to women and men performing substantially equal work in the same establishment
- Section 504 of the Rehabilitation Act of 1973 – prohibits discrimination against the disabled
- *Americans with Disabilities Act of 1990 (ADA)* – prohibits discrimination against individuals with disabilities in employment, public service, public accommodations and telecommunications
- *Florida Educational Equity Act (FEEA)* – prohibits discrimination on the basis of race, gender, national origin, marital status or handicap against a student or employee.
- *Florida Civil Rights Act of 1991* – secures for all individuals within the state freedom from discrimination because of race, color, religion, sex, national origin, age, handicap, or marital status
- *Wakulla County School Board Policies 2.70 and 2.80* – prohibits discrimination and harassment against students, employees, volunteers or visitors on the basis of race, color, religion, national origin, sex, disability, marital status, political or religious beliefs, national or ethnic origin, or age.
- *Wakulla County School Board Policy 6.35* – Grievance procedure for personnel
- *Wakulla County School Board Policy 6.36* – Complaints against employees

**SCHOOL BOARD POLICY 2.80:
Unlawful Discrimination Prohibited**

- (1) No person shall, on the basis of race, color, religion, sex, sexual preference, age, national or ethnic origin, political beliefs, marital status disability if otherwise qualified, social and family background, or on the basis of the use of a language other than English, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity, or in any employment conditions or practices conducted by this School District, except as provided by law.
- (2) The School Board shall comply with the Americans with Disabilities Act of 1990 (ADA). This law makes it unlawful to discriminate against a qualified individual with a disability who can perform the essential functions of his/her job with reasonable accommodations.
- (3) The Superintendent shall develop complaint procedures to be followed by anyone alleging unlawful discrimination.
- (4) The Superintendent shall develop procedures to notify employees and applicants for employment regarding their rights under this policy.
- (5) The School Board shall admit students to district schools and programs without regard to race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, disability if otherwise qualified, or social and family background.

STATUTORY AUTHORITY: 1001.41, 1001.42 F.S.

All discrimination, harassment, Title II, Americans with Disabilities Act [ADA], Title IX – Sex Discrimination in Education Programs, Age Discrimination in Employment Act, the Florida Educational Equity Act, Section 1000.05, Florida Statutes and State Board of Education Rules 6A-19.001-6A-19.010, Title VII of the Civil Rights Act, and Equal Employment Opportunity [EEO] complaints or issues filed should be forwarded to the district’s Equity Coordinator at the following address:

Karen J. Wells - Equity Coordinator
Chief Human Capital Officer
P.O Box 100
69 Arran Road
Crawfordville, FL 32326
Telephone: 850-926-0065, #256
Fax: 850-926-0123
E-mail: karen.wells@wcsb.us

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

**SCHOOL BOARD POLICY 2.70:
Prohibiting Discrimination, Including Sexual and Other Forms of Harassment**

A. Policy Against Discrimination

(1) No person shall, on the basis of race, color, religion, gender, age, ethnicity, national origin, marital status, disability, political or religious beliefs, national or ethnic origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity, or in any employment conditions or practices conducted by this School District, except as provided by law.

(2) The 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.

(3) 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.

B. Policy Against Sexual Harassment or Other Forms of Harassment Prohibited by Law

(1) 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.

(2) 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.

C. Definition of Sexual Harassment

(1) 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:

(a) Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.

(b) Submission to or rejection of the conduct by an individual is used as the basis for employment or academic decisions affecting the individual.

(c) 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.

(d) 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.

(2) Types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

(a) Graphic verbal comments about an individual's body or appearance.

(b) Sexual jokes, notes, stories, drawings, pictures or gestures.

(c) Sexual slurs, leering, threats, abusive words, derogatory comments or sexually degrading descriptions.

(d) Unwelcome sexual flirtations or propositions for sexual activity or unwelcome demands for sexual favors, including but not limited to repeated unwelcome requests for dates.

(e) Spreading sexual rumors.

(f) 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.

(g) Cornering or blocking normal movements.

(h) Displaying sexually suggestive drawings, pictures, written materials, and objects in the educational environment.

D. Definition of Other Forms of Prohibited Harassment

(1) 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, national origin, age, disability, marital status, citizenship or any other characteristic protected by law and that:

- (a) Has the purpose or effect of creating an intimidating, hostile or offensive work or academic environment;
- (b) Has the purpose or effect of interfering with an individual's work or academic performance;
- (c) Otherwise, adversely affects an individual's employment or academic performance.

(2) Examples of prohibited actions, which may constitute harassment include, but are not limited to, the following:

- (a) Epithets, slurs or negative stereotyping
- (b) Threatening, intimidating or hostile acts, such as stalking; or

(c) 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.

E. Retaliation Prohibited

(1) 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.

(2) 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.

F. Procedures for Filing Complaint of Discrimination, Sexual Harassment, or Other Form of Illegal Harassment (1) Complaints.

Procedures for filing.

(a) 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.

(b) 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.

(c) 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.

(2) Procedure for Processing Complaints

(a) 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.

(b) 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.

(3) Penalties for confirmed Discrimination or Harassment

(a) 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.

(b) 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.

(4) Limited Exemption from Public Records Act and Notification of Parents of Minors

(a) 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 action may supersede an individual's right to privacy

(b) 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.S

**SCHOOL BOARD POLICY 6.35:
Grievance Procedure for Personnel**

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

(1) Definitions:

(a) "Grievance" shall mean any dispute or disagreement involving the interpretation or application of any existing Board rule or practice. It does not include disputes involving the interpretation or application of a collective bargaining agreement, or any provision thereof.

Such disputes must be resolved through the grievance procedure in the bargaining agreement.

(b) "Grievant" shall mean any employee/applicant, or group of employees, directly affected by the alleged misinterpretation or violation, filing a complaint.

(c) "Employer" shall mean the School Board or its representatives.

(d) "Day" shall mean a working day.

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

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

(4) Grievance Procedures:

(a) Informal discussion - If an employee or applicant for employment believes there is a basis for grievance, he / or she shall discuss the grievance with his / or her immediate supervisor (except in the case of discrimination or harassment allegations involving the supervisor, in which case they shall report to the Equity Coordinator within five (5) days of the occurrence of the alleged violation except in cases involving harassment or discrimination in which sixty (60) days will be allowed. The Supervisor shall send a written statement of the discussion to the Equity Coordinator or the Equity Coordinator shall record the discussion with the grievant and/or arrange a meeting between the supervisor and grievant. The Equity Coordinator will correspond with the Supervisor regarding the written statement.

(b) Level one - If the grievant is not satisfied with the informal resolution he or she may, within ten (10) days, file a formal grievance on the proper form and deliver it to his or her immediate supervisor or alternate. The Supervisor or alternate shall communicate his or her answer in writing to the grievant within ten (10) days after receipt of the complaint. Class grievances involving more than one (1) supervisor as well as grievances involving an administrator above the building level may be filed by the grievant at level two. A copy of the level one written grievance shall be sent to the Equity Coordinator who will be responsible for investigating the grievance.

(c) Level two - If the grievant is not satisfied with the resolution at level one he / or she may, within ten (10) days of the answer, file a copy of the grievance with the Superintendent. Within ten (10) days of receipt of the grievance the Superintendent shall indicate his or her disposition in writing to the grievant.

(d) Board appeal - If the grievant is not satisfied with the resolution by the Superintendent, he or she shall have the right to appeal the Superintendent's decision to the School Board; provided request for placement on Board agenda is filed within ten (10) days.

(5) Confidentiality and protection from retaliation will be provided to the extent possible to any employee, student, applicant or affected party to alleges discrimination or harassment.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAWS IMPLEMENTED: 447.401, 1001.43, 1001.49, 1012.22, 1012.27, F.S.

History: Adopted: 03/15/99

Complaints against Employees

6.36

POLICY:

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

(1) Complaints regarding a school facility, program, or personnel should be referred to the principal or program supervisor. The principal / supervisor shall deal with the issue at the work site level informing Directors and / or the Superintendent of complaints as he deems necessary.

(a) In the event the complaint is not satisfied in a conference with the principal / supervisor, the problem may be referred to the Superintendent.

(b) If a solution satisfactory to the complainant is not reached, he / she may seek a hearing before the School Board.

(2) Complaints regarding professional educators- Principals/supervisor shall notify the Superintendent of any complaint or incident involving a certificated person which could be legally sufficient for the revocation or suspension of the professional educator's certificate.

(a) The Superintendent or his designee shall investigate the charges. If the complaint or incidence is found to be questionable and/or legally sufficient for revocation or suspension of a professional certificate, the Superintendent or his designee will file a complete report with the DOE Professional Practices Office within 30 days of receiving the complaint or having notification of the incident. The report shall include all known information regarding the complaint/incident.

(b) The above action is in addition to any other action taken by the District relating to the employment of the individual(s) involved.

6.36

CHAPTER 6.00 - PERSONNEL

©EMCS STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23 F.S.

LAWS IMPLEMENTED: 1001.43, 1012.22, 1012.796, F.S.

History: Adopted: 3/15/99

Revision Date(s): 12/17/01

Formerly: 2.31; 4.05

Wakulla County School Board

Discrimination/Harassment Complaint Form

WMIS HR2169 12/09

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

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

Section I: Complainant Information

Name: _____ Address: _____
City: _____ State: _____ Zip _____
Phone (_____) _____ Work Phone (_____) _____ Cell Phone(_____) _____

The best time to contact me is: _____ A.M. P.M. on my Home phone Work phone Cell phone

Level of Complaint I _____ (Head of Department)

II Karen J. Wells III Bobby Pearce
(Equity Coordinator) (Superintendent)

Alleged Basis of: Discrimination ● Race ● Color ● Religion ● Sex ● National Origin ● Disability ● Marital Status

Complainant's Relationship to Wakulla County School Board (please check one): Employee Applicant Parent

Section II: Explanation of Event

(Please provide a thorough description of events including names of witnesses. You may use an attachment if necessary):

Section III: Remedy Sought

I attest that the above information is true and correct to the best of my knowledge.

_____ Complainant's Signature Date

Report Workplace Wrongdoing

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

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

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

1. Prepare what you want to say.
2. Have your organization's Employee Protection Line organization code close at hand. Your organization's Employee Protection Line Organization code is 30089.
3. Using a touch-tone phone, dial **(800) 576-5262** and listen to the message.
4. You will be instructed to enter your organization's Employee Protection Line Code. Enter your organization code when cued.
5. You will be required to give your organization's name (and location, if applicable), but you may leave a message without giving your name or identifying yourself in any way.
6. You will have five minutes to speak. If you need more time, call back.
7. Your message will be recorded for accuracy, but the recording will remain in the custody of the third party. Your report will be reviewed for potential conflicts and then a written transcript of your report will be sent to a team of neutral employees in your organization that have been chosen to receive these reports. The third party will not knowingly send your report to anyone named in the report.

Other Resources

The Florida Commission on Human Relations [FCHR]

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

Florida Education Standards Commission [ESC]

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

Office of Equity and Access

Florida Department of Education
Turlington Building, Suite 1446
325 West Gaines Street
Tallahassee, FL 32399
Telephone 850.845.0511

Equal Employment Opportunity Commission [EEOC]

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

U.S. Equal Employment Opportunity Commission [EEOC]

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

Office for Civil Rights

U.S. Department of Education
61 Forsyth Street, S.W., Suite 19T70
Atlanta, GA 30303-3104
Telephone 404.562.6350
TDD: 404.331.7236
Email: OCR.Atlanta@ed.gov

Office for Civil Rights
 U.S. Department of Education
 Customer Service Team
 550-12th Street S.W.
 Washington, DC 20202-1100
 Telephone: 800.421.3481
 Fax: 202.245.6840
 Email: OCR@ed.gov
www.ed.gov
www.ed.gov/about/offices/list/ocr/complaintintro.html.

Tool Kit for Conducting Workplace Investigations

Superintendent - Administrative Staff

Code of Ethics & Principles of Professional Conduct

School Board - State - Federal Guidelines
 Resolving Investigation Procedures
 Union Contracts - Instructional

Investigator

Karen J. Wells, HR Executive Director
 Karen.wells@wacsb.us
 850-926-0065, #256

Investigators Checklist

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

A Guide to Combating Sexual Harassment brochure available at wakullaschooldistrict.org under Risk Management

Q: What is sexual harassment?

Sexual harassment is a form of discrimination. It is prohibited by federal and state laws. The Florida Educational Equity Act, Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 and the Civil Rights Act of 1991 all prohibit discrimination against students and employees in the same areas of public education.

Q: Can I trust the school board to help me?

The Wakulla County School District is committed to the success of every student and employee. We recognize that sexual harassment is a serious problem and we are committed to providing a safe and supportive environment for all students and employees. If you are concerned about your rights or the safety of others, you should contact the school district's Equity Coordinator, Karen J. Wells, Executive Director of Human Resources at 850.926.0065 or karen.wells@wcsd.net.

Q: What happens if I complain?

Complaints of sexual harassment will be investigated by the proper authorities. It will be necessary for you to be able to tell us who, what, when, where and how the incident occurred. Every effort will be made to keep the process confidential and avoid further the parties involved.

If necessary, the harasser will be disciplined according to the nature of the offense.



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There are no in-place or passive you. You are not the victim of this. Any behavior that makes you feel uncomfortable, threatened or intimidated is sexual harassment. Filing a complaint may make you feel uncomfortable. It is a legal right.

Sexual harassment can cause serious psychological problems for some people. It is important to have someone to talk to about the feelings of others. If you are still the victim, you should contact the school district's Equity Coordinator, Karen J. Wells, Executive Director of Human Resources at 850.926.0065 or karen.wells@wcsd.net.

AN EQUAL OPPORTUNITY INSTITUTION FOR EDUCATION AND EMPLOYMENT

Karen J. Wells
Equity Coordinator
Executive Director of
HUMAN RESOURCES
P.O. Box 100
64 Arden Road
Crawfordville, FL 32326

Phone: 850.926.0065
Fax: 850.926.0123
Email: karen.wells@wcsd.net

A Guide to Combating Sexual Harassment

Committed to Success
Wakulla County School District

AN EQUAL OPPORTUNITY INSTITUTION FOR EDUCATION AND EMPLOYMENT

Telephone: 850.926.0065
www.wakullaschooldistrict.org

Combating Sexual Harassment

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Q: What are some examples of sexual harassment?

Examples include any unwelcome actions or behaviors, such as they have listed on:

- Threatening or intimidating someone in your personal life
- Threatening or intimidating someone in your professional life

Q: What should I do if I think I am a victim of sexual harassment?

If you are a student:

- Clearly report someone to the harasser about the

Q: What should I do if I think I am a harasser of sexual harassment?

If you are an employee:

- For the harasser know that the "victim" is a student, employee and married.
- If the harasser receives notice of a complaint, they should be disciplined for the same level as the harasser.
- The same way, if the harasser receives notice of a complaint, they should be disciplined for the same level as the harasser.

When an employee reports the harasser, they should be disciplined for the same level as the harasser, including:

- Who was the harasser?
- What was the complaint?
- How did you feel about the harassment (for example, angry, threatened, etc.)

Make a record of all the incidents, when they occurred, how they occurred, how they were reported, how they were handled, and how they were resolved.

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