

PROTECTING STUDENTS FROM HARASSMENT AND DISCRIMINATION

1. **General Provisions** – The Governing Board of South Tech Charter Academy, Inc. does not condone harassment or discrimination against any of its students or applicants for admission for any reason including, but not limited to, their real or perceived sex, race, color, religion, national origin, age, disability, marital status, ancestry, ethnicity, gender, linguistic preference, political beliefs, sexual orientation, or social/family background in its educational programs or admission to educational programs and therefore prohibits such discrimination against, or harassment of, any student by any Board member, school employee, consultant, agent, visitor, volunteer, student or other person in or outside the school, at school sponsored events, on school busses, and at training facilities, or training programs sponsored by the Academy or Charter School Sponsor.
2. In an effort to promote an environment free of harassment of, or discrimination against, students in order to prevent, investigate, and take prompt, equitable, and appropriate action with regard to alleged discrimination and harassment.
3. The Board believes that all students are entitled to a safe, equitable, and harassment-free school experience. Discrimination and harassment will not be tolerated and shall be just cause for disciplinary action.
4. This policy shall be interpreted and applied consistent with all applicable state and federal laws.
5. **Definitions** – For purposes of this policy, the following definitions apply.
 - a. *Accused/employee* is defined as an Academy employee alleged to be responsible for the violation alleged in the complaint.
 - b. *Accused/student* is defined as a student alleged to be responsible for the violation that is alleged in the complaint.
 - c. *Complaint* is defined as written allegations regarding any action, policy, procedure, or practice prohibited by this policy.
 - d. *Complainant* is defined as a student of, or applicant for admission to the Academy who submits a written complaint of harassment or discrimination or an individual or group submitting a complaint on behalf of a student(s).
 - e. *Day* is defined as a working day and this term does not include weekends or holidays unless noted as a "calendar day".
 - f. *Minor, or minor student* is defined as any student who has not yet attained the age of eighteen (18). *For purposes of this policy*, the term should also be construed to include an adult student who has been determined incompetent or unable to give informed consent due to disability under state law. *Note: any procedure in this policy mentioning a minor student's parent/guardian should also be construed to include an adult student's parent/guardian, if the adult student has given consent.* For example, where the policy requires giving notice to the parent of a minor student, this requirement also includes notice to the parent of an adult student who has given consent for the parent to receive the notice. The notice would also be given to the parent of any adult student who has been determined to be incompetent or unable to give informed consent due to disability under state law.
 - g. *The term "Parties"* is defined as the accused student and/or accused employee, and the complainant.
 - h. *Sexual orientation* is defined as the direction of one's sexual or romantic interest towards persons of the opposite sex, same sex, or both sexes.
 - i. *School Official*, for purposes of this policy, is defined as Governing Board employees, Academy President or Management Company Representative, Secondary School Principal, assistant principals, teachers, Academy police officers and others who have the duty of reasonable supervision with respect to student activities.
6. **Title IX Coordinator and ada/504 Specialist** – Equal educational opportunities are guaranteed by Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973. South Tech Charter Academy, Inc. has designated the South Tech Charter Academy, Inc. Vice Principal of Curriculum and Instruction as the person responsible for ensuring students and their custodial parent(s)/guardians receive information related to discrimination and harassment.

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7. **Prohibited Harassment** – For purposes of this policy, harassment occurs when conduct is sufficiently severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with a student’s performance or ability to benefit from his/her education, or creates an objectively intimidating, hostile, offensive, or abusive school environment. Types of conduct which are prohibited in the Academy and which may constitute harassment include but are not limited to:
 - a. Demeaning or derogatory comments, name-calling, racial slurs, jokes, threats, abusive words, gestures, or harm to an individual;
 - b. Displaying visual or written material, including notes, stories, drawings, or pictures, or defacing school property or materials to demean a person;
 - c. Damaging, defacing or destroying private property of any person;
 - d. Bullying;
 - e. Requests for sexual favors and other conduct of a sexual nature;
 - f. Any act of retaliation against an individual who reports a violation of the Board’s harassment and discrimination policy.

8. **GRIEVANCE PROCEDURE FOR HARASSMENT OR DISCRIMINATION BY STUDENTS - Investigation and Resolution of Complaints against an Accused Student**
 - a. **Reporting Discrimination or Harassment** – Any student or applicant for admission who believes he/she is a victim of discrimination or harassment (or any individual, including any student, teacher, or other employee of the Academy, who has knowledge of any incident(s) involving discrimination or harassment of students) is strongly encouraged to report the incident(s) in writing to the Academy President or Management Company Representative or other Academy official or the Vice Principal of Curriculum and Instruction who is responsible for EEO/Title IX and ADA/504 compliance.
 - b. The Academy President or Management Company Representative/designee shall document all complaints in writing to ensure that problems are appropriately addressed. Although this policy encourages students to use the formal written complaint process, Academy officials “should investigate all complaints and reports of harassment, whether or not the complaint is in writing”, as stated by the Office for Civil Rights in *Protecting Students from Harassment and Hate Crime, A Guide for Schools, Part II (1999)*.
 - c. **Academy President or Management Company Representative Involvement** – If the President or Management Company Representative is directly and personally involved with a complaint or is closely related to a party to the complaint, then the Board Chair /designee shall be asked to conduct the investigation.
 - d. **Informal Resolution** – Where appropriate, the complainant and the accused/student may agree to informally resolve the complaint. Complaints should be filed as soon as possible but no later than one hundred eighty (180) calendar days after the alleged incident (that is, within 180 days of the last act of harassment or discrimination). (Note: The President or Management Company Representative must document, in writing, any complaint, even if made informally; and the complainant must be requested to sign the writing to verify its accuracy.)
 - i. The President or Management Company Representative/designee may arrange for the parties to resolve the complaint informally through a voluntary conversation between the complainant and the accused/student facilitated by the President or Management Company Representative/designee within two (2) days of receiving the complaint. Both the complainant and the accused/student may be accompanied by a person of their choice for support and guidance.
 - ii. The parties shall never be asked to work out the problem directly with the accused/student unless the assistance of a counselor, teacher, administrator, mediator is provided and both parties are willing.
 - iii. If the President or Management Company Representative/designee and the complainant and the accused/student (and/or their parents) agree that a satisfactory resolution has been achieved, then no further action need to be taken other than notifying the Vice Principal of Curriculum and Instruction that the matter has been resolved. However, if

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complete resolution has not been achieved, a formal written complaint should be filed within ten (10) work- days after the meeting.

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- e. **Filing a Formal Complaint Report** – If the matter is not satisfactorily resolved informally, the President or Management Company Representative/designee shall assist the student (or custodial parent(s)/guardian on behalf of the minor student as defined in paragraph (5)(f)), infilling a complaint (if it is not yet in writing). The student (or custodial parent(s)/guardian on behalf of the student) may file a written complaint with the President or Management Company Representative/designee by using the *Student Complaint Report* form (PBSD 1615). Said form is hereby incorporated by reference and made apart of this policy. The form is available on the Sponsor’s web site at <http://www.palmbeach.k12.fl.us/Records/Forms.htm> The Witness Statement form (PBSD 1616) is to be completed by witnesses to the alleged incident.
- f. Complaints should be made as soon as possible but no later than one hundred eighty (180) calendar days after the alleged incident (that is, within 180 days of the last act of harassment or discrimination). Failure on the part of the complainant to initiate and/or follow up on the complaint within this period may result in the complaint being abandoned. The President or Management Company Representative/designee shall record in writing and document all complaints regarding sexual harassment and discrimination to ensure that problems are appropriately addressed, whether the report is made verbally or in writing.
- g. The President or Management Company Representative/designee may assist the student (or custodial parent(s)/guardian on behalf of the student) if the student is a minor, as defined in paragraph (5)(f)), in completing the form, or may complete the form for the student or the custodial parent(s)/guardian who is acting on behalf of the student. In all instances, the student (or custodial parent(s)/guardian) shall review the form to ensure its accuracy and sign and date the document.
- h. The complainant will be requested to provide signed, specific information regarding the alleged discrimination or harassment, the alleged offender, witnesses, and other relevant information. In all instances, the student (or custodial parent(s)/guardian acting in behalf of a minor student) shall review the form to ensure its accuracy and sign and date the document.
- i. All complaints must be reported in writing to the Academy Vice Principal of Curriculum and Instruction.
- j. **Notice to the Accused Student** – Within two (2) days of receipt of a complaint, the President or Management Company Representative/designee will notify the accused/student of the allegations.
- k. **Notice to Parent(s)/Guardians** – Within two (2) days of receiving the complaint, and in accordance with federal and state privacy laws, the President or Management Company Representative/designee shall notify the parent(s)/guardian of any minor student as defined in paragraph (5)(f) who is allegedly subject to harassment or discrimination. Notification may be made by telephone, letter, or personal conference. The students involved (and their custodial parent(s)/guardians, if the students are minors) will also be notified of events and decisions described in this policy.
- l. **Steps in the Investigation** – The President or Management Company Representative/designee shall begin an investigation within two (2) work days and thoroughly investigate all complaints of harassment and discrimination, including at a minimum, the following steps.
 - i. Talk with the complainant within two (2) work days.
 - ii Give the complainant (or parent(s)/guardian of a minor student) an opportunity to describe the incident, present witnesses and other evidence of the harassment or discrimination, and ensure that the complaint is put into writing.
 - iii. Talk with the accused/student (or the custodial parent(s)/guardian acting on behalf of a minor student) within two (2) work days.

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- iv. Give the accused/student (or custodial parent(s)/guardian of a minor student) an opportunity to describe the incident, present witnesses and other evidence, and put his/her response in writing.
- v. Talk with any person who saw the harassment, has knowledge of the discrimination, or who may have related information; and,
- vi. Conduct a conference, if appropriate, with the complainant (or custodial parent(s)/guardian of a minor) and the accused/student (or custodial parent(s)/guardian of a minor accused/student) and give notice of the date, time and rules to the parties.

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- vii. The President or Management Company Representative /designee is encouraged to ask open ended questions to enable students to describe what happened in their own words.
 - viii. The President or Management Company Representative/designee may request that he accused/student prepare a written response to the complaint; or the President or Management Company Representative/designee may prepare a written statement of the accused/student's oral response to the complaint based on their meeting and obtain the signature of the accused/student (and/or custodial parent(s)/guardian of a minor student) after his/her review of the statement.
 - ix. The President or Management Company Representative/designee should dictate and then review his/her notes with the complainant and accused/student after the interviews to verify facts and ensure accuracy, and then obtain signatures, but shall not tape the interviews.
- m. **Pursuing the Investigation** – During the investigation, the President or Management Company Representative/designee may take any action necessary to protect the complainant, or other students or employees, consistent with the requirements of applicable regulations and statutes.
- i. In general, complainants will continue to pursue their studies at South Tech Charter Academy, Inc. while the investigation is conducted and the complaint is pending resolution.
 - ii. When necessary to carry out the investigation or for other good reasons, and consistent with state and federal privacy laws, the President or Management Company Representative/designee may also discuss the complaint with:
 - A. Secondary School Principal
 - B. Academy police
 - C. The custodial parent(s)/guardian of the complainant if the complainant is under eighteen (18) years of age (or has given consent or is an adult who has been determined to be incompetent or unable to give informed consent due to a disability).
 - D. A teacher or staff member whose knowledge of the students involved may help determine who is telling the truth.
 - E. Child protective agencies responsible for investigating child abuse; and/or
 - F. Legal counsel for the Board.
- n. **Written Decision of the President or Management Company Representative/Designee** – Upon completion of the investigation, the President or Management Company Representative/designee will make a decision about the validity of the allegations in the complaint and about any corrective action, if applicable, consistent with the Matrix of Incidents and Actions in Palm Beach School District Policy 5.813.
- o. To determine the severity of the harassment or discrimination, the President or Management Company Representative/designee should consider, among other things:
- i. How the misconduct affected one or more students education;
 - ii. The type, frequency, and duration of the misconduct;
 - iii. Number of students involved;
 - iv. The subject(s) of harassment or discrimination;
 - v. The place and situation where the incident occurred, and/or
 - vi. Other similar incidents at the Academy.
- p. Within thirty (30) calendar days of the filing of the complaint, the Academy President or Management Company Representative/designee shall give the Vice Principal of Curriculum

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and Instruction a written report that describes the complaint and investigation and contains findings, a decision and reasons for the decision.

- i. If the President or Management Company Representative/designee verifies that harassment or discrimination occurred, this report shall describe the actions taken to end the harassment or discrimination pursuant to the Matrix of Incidents and Actions in Palm Beach School District Policy 5.183; address the effects of the harassment or discrimination on the complainant; and prevent retaliation or further harassment or discrimination.
- ii. The President or Management Company Representative/designee shall notify the parties (and their custodial Parent(s)/guardians, if the parties are minors as defined in paragraph (5)(f)) in writing of the decision and their right to appeal to:
 - A. The Secondary School Principal if the investigation was performed by a designee other than the Principal;
 - B. The Academy President or Management Company Representative unless he/she conducted the investigation.

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- q. **Other Means of Resolution** – If the complainant is not satisfied with the results of the procedures contained in this policy, he/she may utilize other means of resolution as provided by law, including seeking recourse through the federal Office of Civil Rights (OCR).
9. **GRIEVANCE PROCEDURE FOR HARASSMENT OR DISCRIMINATION BY AN EMPLOYEE - Investigation of Complaints Against an Accused/Employee**
- a. **Reporting Discrimination or Harassment** – Any student/applicant for admission (and/or the custodial parent(s)/guardian on that complainant’s behalf if the complainant is a minor as defined in paragraph (5)(f)) who believes he/she is a victim of discrimination or harassment (or any individual, including any student, teacher, or other employee of the Academy who has knowledge of any incidents involving discrimination or harassment of students) is strongly urged to report the incident(s) in writing to a school official or the Academy I Vice Principal of Curriculum and Instruction, who is the designated EEO/Title IX Coordinator and ADA/504 Specialist. Complaints should be filed as soon as possible but no later than one hundred eighty (180) calendar days after the alleged incident (that is, within 180 days of the last act of harassment or discrimination).
 - b. Academy I officials must report in writing, within two (2) work days, any allegations of discrimination or harassment to the Academy President or Management Company Representative and to the Vice Principal of Curriculum and Instruction. If the President or Management Company Representative is directly involved with a complaint or closely related to a party to the complaint, then the incident may be reported directly to the Vice Principal of Curriculum and Instruction.
 - c. **Filing the Complaint Form** – Consistent with OCR guidelines, a formal complaint process is required for any complaint against an employee. The complainant (or the custodial parent(s)/guardian if the complainant is a minor as defined in paragraph (5)(f)) may file a complaint in writing with the President or Management Company Representative/designee, or Vice Principal of Curriculum and Instruction by using the Student Complaint form (PBSD 1615), available on the Palm Beach School District web site at www.palmbeach.k12.us/Records/Forms.htm. The Witness Statement form (PBSD 1616) is to be completed by witnesses to the alleged incident.
 - i. Complaints should be filed as soon as possible but no later than one hundred eighty (180) calendar days after the alleged incident (that is, within 180 days of the last act of harassment or discrimination). Failure on the part of the complainant to initiate and/or follow up on the complaint within this period may result in the complaint being abandoned.
 - ii. The President or Management Company Representative/designee may assist the individual in completing the form by recording information on the Student Complaint Report form, reviewing it with the complainant, and obtaining the complainant’s signature. The complainant will be requested to provide signed, specific information regarding the alleged

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harassment or discrimination, the alleged offender(s), witnesses, and other relevant information.

- iii. A copy of the completed complaint form shall be filed with the Vice Principal of Curriculum and Instruction.

- d. **Notice to Parent(s)/Guardians** – Within two (2) days of receiving the complaint, and in accordance with federal and state privacy laws, the President or Management Company Representative/designee shall notify the custodial parent(s)/guardian of any minor student as defined in paragraph (5)(f) who is allegedly subject to harassment or discrimination. Notification may be made by telephone, letter, or personal conference. The students involved (and their custodial parent(s)/guardian if the students are minors) will also be notified of events and decisions described in this policy.

- e. **Investigation by the Vice Principal of Curriculum and Instruction/or designee** – The South Tech Charter Academy, Inc. Vice Principal of Curriculum and Instruction also serves as the EEO/Title IX Coordinator and ADA/504 Specialist as noted in paragraph (5) The Vice Principal of Curriculum and Instruction/designee shall document and begin within two (2) work days to thoroughly investigate all complaints of harassment or discrimination, including the following steps to ensure problems are appropriately addressed:

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- 1. Talk with the complainant within (2) work days after receiving the complaint form. The complainant (and/or Custodial parent(s)/guardian of the complainant if he/she is a minor) shall have the opportunity to describe the incident, present any evidence, name witnesses, and ensure that the complaint is put in writing.
 - ii. Talk with any witnesses or others who may have relevant information, and
 - iii. Conduct an investigative meeting with the accused/employee, and the accused/employee's representative if applicable, to discuss the allegations and allow the accused/employee to respond to the allegations.

 - f. During the investigation, the Compliance Officer/designee may recommend any action necessary to protect the complainant, or other students or employees, consistent with the requirements of applicable statutes, State Board of Education Rules, Governing Board Policies and applicable collective bargaining agreements.
 - i. In general, complainants will continue pursuing their studies as directed while the investigation is conducted and the complaint is pending resolution.
 - ii. When necessary to carry out the investigation or for other good reasons, and consistent with federal and state privacy laws, the Vice Principal of Curriculum and Instruction/designee shall also discuss the complaint with the following persons as appropriate.
 - A. Academy President or Management Company Representative
 - B. Secondary School Principal
 - C. Academy police
 - D. The custodial parent(s)/guardian of the complainant if the complainant is under eighteen (18) years of age (or has given consent or is an adult who has been determined to be incompetent or unable to give informed consent due to a disability).
 - E. A teacher or staff member whose knowledge of the students involved may help determine who is telling the truth.
 - F. The accused/employee
 - G. Child protective agencies responsible for investigating child abuse; and/or
 - H. Legal counsel for the Board.
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10. **Decision of the Vice Principal of Curriculum and Instruction/designee** – Upon completion of the investigation, within thirty (30) calendar days of receiving the complaint if possible, the Vice Principal of Curriculum and Instruction/designee shall make a decision about the validity of the allegations in the complaint.

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- a. The Vice Principal of Curriculum and Instruction/designee shall discuss the determination and any recommended corrective action with the Academy President or Management Company Representative/designee.
- b. In reaching a decision about the complaint, the following should be taken into account:
 - i. Statements made by persons identified in paragraphs (9)(e)(f) above;
 - ii. The details and consistency of each person's account;
 - iii. Evidence of how the complainant reacted to the incident;
 - iv. Evidence of past incidents of harassment or discrimination complaints by the accused/employee (provided that, if evidence of past harassment/discrimination incidents are to be considered, the investigator must review in their entirety the files regarding those past incidents);
 - v. Evidence of past harassment or discrimination complaints that were found to be untrue (provided that, if evidence of past harassment/discrimination accusations or complaints are to be considered, the investigator must review in their entirety the files regarding those past complaints); and
 - vi. Case law, state and federal laws and regulations, and the Board's Policies prohibiting harassment and discrimination.
- c. To determine the severity of the harassment or discrimination, the following may be considered:

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- i. How the misconduct affected one or more student's education;
 - ii. The type, frequency, and duration of the misconduct;
 - iii. Number of persons involved;
 - iv. The subject(s) of harassment or discrimination;
 - v. The place and situation where the incident occurred; and
 - vi. Other incidents at the Academy
 - d. The following actions or discipline may be taken, consistent with any applicable collective bargaining agreement provisions, to resolve a complaint of harassment or discrimination:
 - i. No action if the complaint is unsubstantiated;
 - ii. Training requirements for the employee;
 - iii. Oral reprimand of the employee;
 - iv. Written reprimand of the employee;
 - v. Suspension of the employee; or
 - vi. Termination of the employee.
 - A. For the first verified offense of harassment of, or discrimination against, a student, suspension should be recommended for a minimum of thirty (30) days without pay.
 - B. Suspension without pay and/or termination requires Board action.

11. Appeal Procedure for the Accused/Employee -

- a. **Appeal to South Tech Charter Academy, Inc. President or Management Company Representative** – If the complainant (or custodial parent(s)/guardian if the complainant is a minor as defined in paragraph (5)(f)) is dissatisfied with the Vice Principal of Curriculum and Instruction's decision, the decision may be appealed in writing to the Academy President or Management Company Representative within ten (10) days after receipt of the decision.
 - i. If the President or Management Company Representative is directly involved with a complainant or closely related to a party in the complaint, then the legal counsel to the Board will be asked to review the matter and report findings to the Board.
 - ii. **Notice** – Notice of the appeal shall be given in writing to the parties (and their custodial parents/guardian if the parties are minors) within two (2) days of receipt of the appeal.
 - iii. The President or Management Company Representative/designee shall review the written complaint, the accused/employee's response to the complaint, and all documentation pertaining to the alleged harassment or discrimination, including the Vice Principal of Curriculum and Instruction's decision.

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information.

- A. The President or Management Company Representative may request additional
 - B. The President or Management Company Representative shall issue a written decision to the parties (and the custodial parents/guardians if the complainant is a minor) within twenty (20) calendar days of request of the appeal. The decision of the President or Management Company Representative is the final decision of South Tech Charter Academy, Inc..
- b. **Other Means of Resolution** – If the complainant is not satisfied with the results of the procedure contained in this policy, he or she may utilize other means for resolution as provided by law, including seeking recourse through the Office of Civil Rights (OCR).
12. **GRIEVANCE PROCEDURE FOR SEXUAL HARASSMENT OR DISCRIMINATION BY VOLUNTEERS, VISITORS, OR CONTRACTORS** – Investigation of Complaints Against an Academy Volunteer, Visitor or Contractor/Consultant, or Other Third Party
- a. The Governing Board will not tolerate harassment or discrimination by school volunteers, consultants, independent contractors, sub contractors (or their employees), or any third party in the school (or outside the school at school-sponsored events), on school busses, or at training facilities sponsored by the Academy or Charter School Sponsor. Any such alleged harassment or discrimination should be reported immediately to the Academy President or Management Company Representative, using the same formal written complaint process as would be used to report harassment or discrimination by an Academy employee. The complaint should be filed as soon as possible, at least within one hundred eighty (180) calendar days of the alleged incident (i.e. within 180 days of the last act of alleged harassment or discrimination).
 - b. It is the responsibility of the President or Management Company Representative to forward all complaints to the Vice Principal of Curriculum and Instruction within two (2) work days.

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- c. Within two (2) work days of receiving the complaint, and in accordance with federal and state privacy laws, the President or Management Company Representative/designee shall notify the custodial parent(s)/guardian of any minor student as defined in paragraph 5(f) who is allegedly subject to harassment or discrimination. Notification may be made by telephone, letter, or personal conference. The students involved (and their custodial parent(s)/guardians, if the students are minors) will also be notified of events and decisions described in this policy.
- d. Within two (2) days of receiving the complaint, the Vice Principal of Curriculum and Instruction/designee shall begin an investigation, using procedures similar to those used for investigation of allegations against Academy employees.
- e. If the Academy's investigation substantiates a complaint of sexual harassment or discrimination by a school volunteer, visitor, consultant/independent contractor, vendor, or other third party, the President or Management Company Representative shall promptly recommend appropriate action. As stated in OCR's *Revised Sexual harassment Guidance (2001)*:
 - The type of appropriate steps that the school shall take will differ depending on the level of control that the school has over the third party harasser. For example, if athletes from a visiting team harass the home school's students, the home school may not be able to discipline the athletes. However, it could encourage the other school to take appropriate action to prevent further incidents; if necessary, the home school may choose not to invite the other school back.
- f. Depending on the situation, an appropriate response may include, but not limited to, revoking the volunteer's status under South Tech Charter Academy, Inc. Board Policy 2.18; asking the visitor to refrain from returning to the campus; requesting a contractor to remove an employee from a project at the school site and discipline the employee; or debaring a vendor. The Academy's response will be designed to eliminate the harassment or discrimination and prevent its reoccurrence. If the complainant is not satisfied with the Academy's response, he/she (or the Parent(s)/guardians of a minor student) may appeal according to the procedures used to appeal a decision regarding alleged harassment or discrimination by an Academy employee under Section 11(a).

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- g. **Other Means of Resolution** – If the complainant is not satisfied with the results of the procedure contained in this policy, he or she may utilize other means for resolution as provided by law, including seeking recourse through the Office of Civil Rights (OCR).

13. Confidentiality

- a. To the greatest extent possible, all complaints will be treated as confidential and in accordance with Fla. Stat. § 1002.22(3)(d); the Family Educational Rights and Privacy Act (FERPA) and any other applicable law, such as Fla. Stat. §§ 119.07(3)(p)(u); 1012.31(3)(a); or 1012.796(1)(c).
- b. Limited disclosure may be necessary to complete a thorough investigation as described above. The Academy's obligation to investigate and take corrective action may supercede an individual's right to privacy.
- c. The complainant's identity shall be protected, but absolute confidentiality cannot be guaranteed.

- 14. Informing Students and Employees About this Policy** – Notice of the existence of this policy, prevention plan, and procedures shall be posted in prominent locations in all Academy buildings, including information on how to receive a copy. Notice shall be included annually in Student, parent, and staff handbooks.

15 Retaliation Prohibited

- a. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment in connection with filing a complaint or assisting with an investigation under this policy.
- b. Retaliatory or intimidating conduct against any individual who has made a harassment or discrimination complaint or any individual who has testified, assisted, or participated, in any manner, in an investigation is specifically prohibited.

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- c. The President or Management Company Representative/designee, and Vice Principal of Curriculum and Instruction, if applicable, shall inform complainants they are protected by law from retaliation.

16. Additional Assistance Available

- a. In all cases, South Tech Charter Academy, Inc. reserves the right to refer the results of its own investigation to the State Attorney for the Fifteenth Judicial Circuit of Florida for possible criminal charges, whether or not the Academy takes any other action.
- b. The Academy will provide counseling services for students who have experienced harassment or discrimination against them.
- c. Training will be provided to assist teachers and counselors who work with students to prevent harassment and discrimination.
- d. The Office of Civil Rights is the federal agency in the Department of Education that monitors schools' compliance with Title IX, Title VI, Title II of The Americans With Disabilities Act, and Section 504, and it can be contacted at 1-800-421-3481; by fax at (404) 582-6455, or by e-mail at OCR_Atlanta@ed.gov.

Authority: §§ 1001.41(2); 1001.43(1)(6); 1006.07; 1012.23(1) Fla. Stat.

Implemented: §§ 119.07(3)(p)(u); 1000.05(2)(a)(b) (Florida Education Equity Act); 1002.22(3)(a)(d); 1001.41(1)(2); 1006.07(2)(h); 1006.08; 1012.31(3)(a); 1012.796(1)(c); 760.01(2), Fla. Stat.; 42 U.S.C.12131, et. seq. (Title II of the Americans With Disabilities Act); 20 U.S.C. § 1681-1688 (Title IX of the Education Amendments of 1972); 42 U.S.C. § 2000d et. seq. (Title VI of the Civil Rights Act of 1964); 29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973); 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act) (FERPA)

State Board Rules 6A-1901; 6A-1902; 6A-19.008; 6A-1.0404(5)(7); 6B-1.006(3)(a)(g)
Supplemented:

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History: New: 08/04/2005; Revised: 3/11/2010

Reference: Palm Beach School District Policy 5.001