



The School District of Okeechobee County

# **Equity Handbook**

*Human Resources*

## Equity Handbook

This grievance procedure is established to provide our customers with a process to formally file a complaint with the Okeechobee County School District and to meet the requirements of the Florida Educational Equity Act, Section 100.05, Florida Statutes and the State Board of Education Rules, 6A-19.001 – 6A-19.010, Title IX, the ADA, and Section 504. This plan can also be accessed on the Okeechobee County Schools' website at [www.okee.k12.fl.us](http://www.okee.k12.fl.us). This publication is made available in English and Spanish, and is online or in your specific school or district department.

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## Prohibition of Discrimination

The School District of Okeechobee County has adopted Board Policy 6.43, Unlawful Discrimination Prohibited. No person shall, on the basis of race, color, religion, gender, pregnancy, age, national or ethnic origin, genetic information, political beliefs, marital status, sexual orientation, disability, if otherwise qualified, social and family background or on the basis of the use of a language other than English by Limited English Proficiency (LEP) students, 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.

The School District of Okeechobee County shall comply with all federal and state laws which include the Title II of the Americans with Disabilities Act of 1990, as amended by the ADA Amendments Act of 2008 (ADAAA), Title IX, Section 504, Florida Education Equity Act, Age Discrimination in Employment Act (ADEA), Genetic Information Non-Discrimination Act of 2008 (GINA), and the Boy Scouts of America Equal Access Act.

Any employee, student, applicant for admissions, or applicant for employment who believes he/she has been discriminated against or has been harassed by another employee, student, or third party is encouraged to use the Equity Plan Grievance Procedure for filing complaints. Complaints may be filed with the principal or immediate supervisor, District Equity Coordinator/Director of Human Resources or the Superintendent.

Director of Human Resources

Title II, Title IX and the Florida Education Equity Act Complaints and

ADA/Section 504 Complaints

700 SW 2<sup>nd</sup> Avenue, Okeechobee, FL 34974

(863) 462-5000 Ext. 267

## Equity Contacts

Sherry Wise  
Equity Coordinator  
Human Resources Director  
700 S.W. 2<sup>nd</sup> Avenue  
Okeechobee, FL 34974  
Telephone: 863-462-5000 Ext. 222  
[sherry.wise@okee.k12.fl.us](mailto:sherry.wise@okee.k12.fl.us)

# Okeechobee School Board Unlawful Discrimination Policy

## POLICY 6.43+

- I. No person shall, on the basis of race, color, religion, gender, pregnancy, age, national or ethnic origin, genetic information, political beliefs, marital status, sexual orientation, gender identity, disability if otherwise qualified, social and family background, or on the basis of the use of a language other than English by Limited English Proficiency (LEP) students, 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.
- II. The School Board shall comply with all federal and state laws which include the Title II of the Americans with Disabilities Act of 1990 (ADA), as amended by the ADA Amendments Act of 2008 (ADAAA), Title IX, Section 504, Florida Education Equity Act, Age Discrimination in Employment Act (ADEA), Genetic Information Non-Discrimination Act of 2008 (GINA), and the Boy Scouts of America Equal Access Act.
- III. Any employee, student, applicant for admissions, or applicant for employment who believes he/she has been discriminated against or has been harassed by another employee, student, or third party is encouraged to use the Equity Plan Grievance Procedure for filing complaints. Complaints may be filled with the principal or immediate supervisor, District Equity Coordinator/Director of Human Resources, or the Superintendent.
- IV. The Superintendent shall develop procedures to notify employees, applicants for employment, and students regarding their rights under this policy.

STATUTORY AUTHORITY:	1001.41, 1001.42, 1012.22, 1012.23, F.S.	
LAWS IMPLEMENTED:	1000.05, 1000.21, 1001.43, 1012.22, F.S. 28 CFR 35, 34 CFR 100, 34 CFR 104, 34 CFR 108, 34 CFR 200 PL 100-233 Americans with Disabilities Act (ADA)	
STATE BOARD OF EDUCATION RULES:	6A-19.002, 6A-19.003, 6A-19.009, 6A-19.010	
HISTORY:	Adopted:	07/14/1998
	Revision Date(s):	10/12/1999, 10/11/2011, 10/13/2015
	Formerly:	C-39, D-25, E-6
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# Okeechobee School Board Prohibition of Harassment

## POLICY 3.33\*

- I. The School Board prohibits harassment against any employee, applicant for employment, student, or student applicant based upon race, color, religion, gender, pregnancy, age, national or ethnic origin, genetic information, political beliefs, marital status, sexual orientation, gender identity, disability, if otherwise qualified, social and family background or on the basis of the use of a language other than English by Limited English Proficiency (LEP) students, 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. This policy also applies to non-employee volunteers who work subject to the control of school authorities.
- II. Harassment includes:
  - a. Any slurs, innuendoes or other verbal or physical conduct reflecting on an individual's race, ethnic background, gender or disabling condition which has the purpose or effect of creating an intimidating, hostile or offensive educational or work environment; has the purpose or effect of unreasonably interfering with the individual's work or school performance or participation; or otherwise adversely affects an individual's employment or educational opportunities.
  - b. The denial of or the provision of aid, benefits, grades, rewards, employment, faculty assistance, services, or treatment on the basis of sexual advances or requests for sexual favors.
  - c. Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational career; submission to or rejection of such conduct is used as a basis for educational or employment decisions affecting the individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working or educational environment.
- III. Persons alleging such harassment shall use the Board approved Equity Plan Grievance Procedures, available in all school and district offices, to remedy such harassment. Complaints may be submitted to the Principal or immediate supervisor, the school district Equity Coordinator, or the Superintendent.
- IV. Any employee or student who makes a complaint of harassment will be protected against retaliation.
- V. Confidentiality and protection from retaliation will be provided to the extent possible to any employee, student, applicant or affected party who alleges discrimination or

harassment.

- VI. Appropriate action will be taken when it is determined that harassment has occurred.
- VII. The Superintendent is responsible for ensuring that all employees, students, and other affected groups are informed of the District's prohibition of harassment and the related resolution procedures.

STATUTORY AUTHORITY:	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. 110-223	
STATE BOARD OF EDUCATION RULES:	6A-19.001 et seq.	
HISTORY:	Adopted:	09/11/2002
	Revision Date(s):	04/12/2016
	Formerly:	New
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## Complaint & Grievance Procedure

Anyone wishing to file a complaint regarding alleged discrimination or harassment based on race, color, religion, gender, pregnancy, age, national or ethnic origin, genetic information, political beliefs, marital status, sexual orientation, gender identity, disability, if otherwise qualified, social and family background or on the basis of the use of a language other than English by Limited English Proficiency (LEP) students shall follow the procedure listed below. This procedure may be used by all customers served by the School District of Okeechobee County including but not limited to employees, students, parents or job applicants.

Filing a complaint/grievance 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 or a claim or harassment or cooperation in an investigation will not be tolerated and will itself be subject to appropriate discipline.

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

Within sixty (60) business days of the alleged incident, the complainant shall file the complaint, in writing.

If the administrator/supervisor determines that a referral to law enforcement is appropriate during any part of the investigation law enforcement will be notified. Pending a law enforcement investigation, the complaint/grievance procedure timeline might be altered.

The complaint shall include the complainant's name, address, and phone number and a detailed description of the alleged incident, including date, persons involved and location. (Alternate means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available upon request. Individuals may remain anonymous by calling the Employee Protection Line at 1-800-576-5262 to report alleged misconduct. The company code for the Okeechobee County School District is #30032.)

### **Step I**

The complaint shall be submitted to one of the following:

- A. The principal/administrator of the school or immediate supervisor of the school or center involved
- B. Sherry Wise, the district's Equity Coordinator
- C. The Superintendent

If the administrator of the school or immediate supervisor is involved in the alleged incident, or is the offending person, the complaint shall be submitted to the next highest level of administration or supervision.

The selected administrator/supervisor shall meet with the complainant within three (3) business days from the date the complaint is received, to attempt to resolve the issue. The grievant and respondent shall be afforded an opportunity to present evidence relevant to the facts and to the issues.

When the complaint is received, the person accused (called the respondent) shall be advised of the existence of the receipt of the complaint and advised that any interference in the investigation or any retaliation against the complainant will subject the respondent to disciplinary action.

- A. The respondent shall be given an opportunity to respond to the complaint. Such response shall be made to the investigator either orally or in writing.
- B. Oral responses shall be immediately recorded by the investigator and signed by the respondent to verify its accuracy.

Upon completion of the investigation the investigator shall provide a final written disposition of the complaint containing a summary of findings, and an analysis and conclusion to the complainant and respondent within ten (10) business days after the meeting. If the complaint is still unresolved after Step I, the complainant may proceed to the next level(s).

## **Step II**

Upon completion of Step I, the matter shall be submitted to:

Sherry Wise, Equity Coordinator  
Okeechobee County School Board  
700 S.W. 2<sup>nd</sup> Avenue  
Okeechobee, FL 34974  
Phone: (863) 462-5000, ext. 267  
Fax: (863) 462-5013

The grievant or respondent shall submit the written Step I complaint and findings to the Equity Coordinator with copies to the Superintendent, within five (5) business days of receiving the administrator's/supervisor's Step I findings.

When the grievance is received, the respondent shall be advised of the existence of the receipt of the grievance and advised that any interference in the investigation or any retaliation against the grievant will subject the respondent to disciplinary action.

- A. The respondent shall be given an opportunity to respond to the complaint. Such response shall be made to the investigator either orally or in writing.
- B. Oral responses shall be immediately recorded by the investigator and signed by the respondent to verify its accuracy.

The Equity Coordinator shall investigate and file a written report of his/her findings within

ten (10) days after receiving the Step I documents. The grievant and respondent shall be afforded an opportunity to present evidence relevant to the facts and to the issues. The Equity Coordinator's findings and recommendations shall be sent to the grievant, respondent, the Superintendent, and the Step I administrator/supervisor.

Upon completion of the investigation the investigator shall provide a final written disposition of the grievance containing a summary of findings, and an analysis and conclusion to the grievant and respondent.

### **Step III**

The grievant or respondent may, within three (3) business days of receipt of the "Equity Coordinator" or other appropriate official's answer, appeal in writing, to the Superintendent.

The Superintendent or the designee shall hear the complaint within three (3) business days after receipt of the Appeal. No new facts shall be entered that were not previously considered in Steps I and II.

The grievant and respondent shall be afforded an opportunity to present evidence relevant to the facts and to the issues.

The Superintendent shall render the decision and sent to all concerned parties by certified mail with return receipt, within ten (10) business days after such hearing.

Revised 12/16