

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

PROHIBITING DISCRIMINATION, INCLUDING SEXUAL AND OTHER FORMS OF HARASSMENT

2.70+

A. Policy Against Discrimination

- (1) No person shall, on the basis of race, color, gender, age, ethnic or national origin, genetic information, marital status, sexual orientation, disability, political or religious beliefs, 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 or organizations 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, ethnic or national origin, marital status, disability or handicap.
- (4) The Superintendent shall develop procedures to notify employees and applicants for employment and students regarding their rights under this policy.

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.

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- (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.

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- (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, genetic information, age, disability, marital status, sexual orientation, citizenship or any other characteristic protected by law and that:
 - (a) Has the purpose or affect 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; or
 - (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.

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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.

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

LAWS IMPLEMENTED: 112.51, 119.07, 760.001 *et seq.*, 1000.05,
1000.21, 1001.43, 1012.22, F.S.
34 CFR 99, 34 CFR 108, 34CFR200.43(C),
P.L. 110-233

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

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