

Pepin Academies Equity Policy Learner

Board Approved 02/07/2024

NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationship and/or personal sense of self-worth. Therefore, the Board will not discriminate nor tolerate harassment in its educational programs or activities for any reasons, including on the basis of religion, race, color, national origin, sex, disability, age, or genetic information. Additionally, it will not discriminate in its employment policies and practices.

The Board is committed to providing an equal opportunity for all learners, regardless of race, color, creed, disability, religion, gender, ancestry, age, national origin, place of residence within the boundaries of the School, or social or economic background, to learn through the curriculum offered in this School.

In order to achieve the aforesaid goal, the Board directs the Executive Director to:

- A. **Curriculum Content**
review current and proposed courses of study and textbooks to detect any bias based upon race, color, gender, disability, religion, national origin, ancestry, or culture; ascertaining whether or not supplemental materials, singly or taken as a whole, fairly depict the contribution of both genders, various races, ethnic groups, etc., toward the development of human society;
- B. **Staff Training**
develop an ongoing program of in-service training for school personnel designed to identify and solve problems of color/race, gender, religious, national, cultural, or other bias in all aspects of the program;
- C. **Learner Access**
review current and proposed programs, activities, facilities, and practices to verify that all learners have equal access thereto and are not segregated on the basis of race, color, creed, gender, disability, or national origin in any duty, work, play, classroom, or school practice, except as may be permitted under State and Federal laws and regulations; In accordance with Florida statute, the Board may establish and maintain a single-gender non vocational class, extra-curricular activity, or school for elementary, middle, or high school learners.
- D. **Operational Support**
verify that like aspects of the School's program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters;
- E. **Learner Evaluation**
verify that tests, procedures, or guidance and counseling materials, which are designed to evaluate learner progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a learner may be judged, are not differentiated or stereotyped on the basis of race, color, creed, gender, or national origin.

The Board shall appoint compliance officers whose responsibility will be to ensure that Federal and State regulations are complied with and that any complaints are dealt with promptly in accordance with the law. They shall also ensure that proper notice of nondiscrimination for Title II, Title VI, and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Act is provided to learners, their parents/guardians, staff members, and the general public.

The School shall establish procedures to identify learners who are Limited English Proficient (LEP), including immigrant children and youth, to assess their ability to participate in School programs, and develop and administer a program that meets the English language and academic needs of these learners. This program shall include procedures for learner placement, services, evaluation, and exit procedures and shall be designed to provide learners with effective instruction that leads to academic achievement and timely acquisition of proficiency in English.

The School shall develop and update administrative procedures as necessary to implement this policy.

ANTI-HARASSMENT

General Policy Statement

It is the policy of the Board to maintain an educational and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School operations, programs, and activities. All learners, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against harassment based on the traits of sex, race, color, national origin, religion, or disability that are protected by Federal civil rights laws (hereinafter referred to as unlawful harassment) and encourages those within the School community as well as third parties, who feel aggrieved to seek assistance to rectify the problems. The Board will investigate all allegations of unlawful harassment and, in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end such unlawful harassment. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "School community" means learners, administrators, teachers, staff, and all other school personnel, including Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School community at school-related events/activities (whether on or off School property).

For the purposes of this policy all days referenced in timelines will be school days.

For the purposes of this policy, all administrative positions mentioned (Principal, Compliance Officer, Executive Director, etc.) are authorized to appoint a designee to act on their behalf.

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more learners or employees and that bullying is based upon sex, race, color, national origin, religion, or disability, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or learner, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

Harassment

Harassment means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a learner or staff member that:

- A. places a learner or staff member in reasonable fear of harm to their person or damage to their property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individuals.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Physical and/or sexual assault.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls Sexually suggestive objects, pictures, video recordings, audio recordings, or literature, placed in the work or educational environment, which may embarrass or offend individuals.
- E. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- F. A pattern of conduct, which can be subtle in nature, which has sexual overtones, and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- G. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- H. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, creates a hostile or abusive employment or educational environment, or such that it is intended to, or has the effect of, denying or limiting a student's ability to participate in or benefit from the educational program or activities.

NOTE: Any teacher, administrator, coach, or other school authority who engages in sexual conduct with a learner may also be guilty of a crime.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

Reports and Complaints of Harassing Conduct

Learners and all other members of the School community, as well as third parties, are encouraged to promptly report incidents of unlawful harassing conduct, either orally or in writing, to a teacher, administrator, supervisor, or other School employee or official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other staff member or officials who receive such a complaint shall file it with the School's Anti-Harassment Compliance Officer within two (2) days.

Members of the School community, which includes learners, or third parties who believe that they have been unlawfully harassed by a learner are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs unless the complaining individual makes the complaint maliciously or with knowledge that it is false.

If, during an investigation of reported act of bullying and/or harassment the principal believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on sex, race, color, national origin, religion, or disability, the principal will report the act of bullying and/or harassment to one of the Compliance Officers who shall investigate the allegation in accordance with this policy.

Anti-Harassment Compliance Officer

The Equity Manager serves as "Anti-Harassment Compliance Officer" for the School. The Equity Manager is hereinafter referred to as the "Compliance Officer".

Compliance Officers:

Pepin Academies

Monika Perez

Chief Operating Officer

mperez@pepinacademies.us

813-670-8485

Pepin Academies

Jason Aponte

Director, Human Resources

japonte@pepinacademeis.us

813-710-9279

The name, title, and contact information of these individuals will be published annually in the parent and staff handbooks, in the School Annual Report to the public, and/or on the School's website.

A Compliance Officer will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist learners, other members of the School community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the learner.

Any staff member who directly observes unlawful harassment of a learner is obligated, in accordance with this policy, to report such observations to the Compliance Officer within two (2) days. Thereafter, the Compliance Officer must contact the learner, if age eighteen (18) or older, or the student's parent/guardian if under the age of eighteen (18), within two (2) days, to advise them of the Board's intent to investigate the alleged misconduct, including the obligation of the compliance officer to conduct an investigation following all the procedures outlined for a formal complaint.

The Compliance Officer is assigned to accept complaints of unlawful harassment directly from any member of the School community or a visitor to the School, or to receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, the Compliance Officer will begin either an informal or formal process (depending on the request of the member of the School community alleging harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Executive Director or will oversee the preparation of such recommendations by a designee. All members of the School community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) days of learning of the incident.

Investigation and Complaint Procedure

Any learner who believes that they have been subjected to unlawful harassment may seek resolution of their complaint through either the informal or formal procedures as described below. Further, a process for investigating claims of harassment and a process for rendering a decision regarding whether the claim of legally prohibited harassment was substantiated or unsubstantiated are set forth below.

Due to the sensitivity surrounding complaints of unlawful harassment, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30)

days after the conduct occurs while the facts are known, and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) days of the complaint being received).

The informal and formal procedures set forth below are not intended to interfere with the rights of a learner to pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights, the Florida Civil Rights Commission, or the Equal Employment Opportunity Commission.

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate and facilitate resolution through informal means, if possible. The informal complaint procedure is provided as a less formal option for a learner who believes they have been unlawfully harassed. This informal procedure is not required as a precursor to the filing of a formal complaint.

Learners, other members of the School community or third parties who believe that they have been unlawfully harassed may initiate their complaint through this informal complaint process but are not required to do so. The informal process is only available in those circumstances where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in the informal process.

Learners, other members of the School community or third parties who believe that they have been unlawfully harassed may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process. However, all complaints of harassment involving a staff member or any other adult member of the School community against a learner will be formally investigated.

As an initial course of action, if a learner feels that they are being unlawfully harassed and they are able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. The complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the harasser of their complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A learner who believes they have been unlawfully harassed may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the learner attends; (2) to the Executive Director or other Administration-level employee; and/or (3) directly to one of the Compliance Officers.

All informal complaints must be reported to the Compliance Officer who will either facilitate an informal resolution as described below on their own or appoint another individual to facilitate an informal resolution.

The School's informal complaint procedure is designed to provide learners, other members of the School community and third parties who believe they are being unlawfully harassed by a learner with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the learner claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the learner about how to communicate the unwelcome nature of the behavior to the alleged harasser.
- B. Distributing a copy of the anti-harassment policy as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting between the learner claiming harassment and the individual accused of harassment to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer will exercise their authority to attempt to resolve all informal complaints within fifteen (15) days of receiving the informal complaint. Those members of the School community or third parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint.

All materials generated as part of the informal complaint process will be retained by the Compliance Officer in accordance with Board Policy.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, or if the learner elects to file a formal complaint initially, the formal complaint process as described below shall be implemented.

This formal complaint process is not intended to interfere with the rights of a learner, other member of the School community, or third party to pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights, the Florida Civil Rights Commission, or the Equal Employment Opportunity Commission.

A learner who believes they has been subjected to offensive conduct/harassment hereinafter referred to as the "complainant", may file a formal complaint, either orally or in writing, with a teacher, Executive Director, or other staff member at the student's school, or the Compliance Officer. Due to the sensitivity surrounding complaints of unlawful harassment, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known, and potential witnesses are available. If a complainant informs a teacher, Executive Director or other School employee at the student's school, the Compliance Officer, or other School employee, either orally or in writing, about any complaint of harassment, that employee must report such information to the Compliance Officer within two (2) days.

Throughout the course of the process as described herein, the Compliance Officer should keep the complainant informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or engaging in, offensive conduct/harassment; a detailed description of the facts upon which the complaint is based; and a list of potential witnesses.

If the complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter the Compliance Officer will prepare a written summary of the oral interview, and the complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the complainant from further harassment or retaliation including but not limited to a change of class schedule, or possibly a change of school. In making such a determination, the Compliance Officer should consult the complainant to assess their/her agreement to any action deemed appropriate. If the complainant is unwilling to consent to any change that is deemed appropriate by the Compliance Officer, the Compliance Officer may still take whatever actions they deem appropriate in consultation with the Executive Director.

Within two (2) days of receiving a formal complaint, the Compliance Officer will inform the individual alleged to have engaged in harassing conduct, hereinafter referred to as the "respondent", that a complaint has been received. The respondent will be informed about the nature of the allegations and a copy of these administrative procedures and the Board's anti-harassment policy shall be provided to the respondent at that time. The respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) days.

Within five (5) days of receiving the complaint, the Compliance Officer will initiate a formal investigation to determine whether the complainant has been subject to offensive conduct/harassment. The Executive Director will not conduct an investigation unless directed to do so by the Compliance Officer.

Although certain cases may require additional time, the Compliance Officer will attempt to complete an investigation into the allegations of harassment within fifteen (15) days of receiving the formal complaint. The investigation will include:

- A. interviews with the complainant;
- B. interviews with the respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other evidence presented by the complainant, respondent, or any other witness which is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer shall prepare and deliver a written report to the Executive Director and/or the Board which summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the complainant has been subject to unlawful harassment, or the complainant's claim was unsubstantiated. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved.

Absent extenuating circumstances, within ten (10) days of receiving the report of the Compliance Officer, the Executive Director must either issue a final decision regarding whether or not the complaint of harassment has been substantiated or request further investigation. A copy of the Executive Director's final decision will be delivered to both the complainant and the respondent.

If the Executive Director requests additional investigation, the Executive Director must specify the additional information that is to be gathered, and such additional investigation must be completed within ten (10) days. At the conclusion of the additional investigation, the Executive Director must issue a final written decision as described above.

The decision of the Executive Director shall be final.

If the complainant is not satisfied with the Executive Director's decision, the complainant will have an additional sixty (60) days to file a complaint with the United States Department of Education Office of Civil Rights, Florida Commission on Human Relations, or the Equal Educational Opportunity Commission.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment regardless of whether the member of the School community or third party alleging the unlawful harassment pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

Confidentiality

The School will make all reasonable efforts to protect the rights of the complainant and the respondent. The School will respect the privacy of the complainant, the respondent, and all witnesses in a manner consistent with the School's legal obligations under State and Federal law. Confidentiality cannot be guaranteed, however. All complainants proceeding through the formal investigation process should be advised that their identities may be disclosed to the respondent.

During the course of a formal investigation, the Compliance Officer will instruct all members of the School community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that they learn or that they provide during the course of the investigation.

All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with State law. Any records that are considered learner records in accordance with the Family Educational Rights and Privacy Act will be maintained in a manner consistent with the provisions of the Federal law and district policy.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a learner. All disciplinary action will be taken in accordance with applicable State law. When imposing discipline, the Executive Director shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies.

Where the Board becomes aware that a prior remedial action has been taken against a member of the School community, all subsequent sanctions imposed by the Board and/or Executive Director shall be reasonably calculated to eliminate such conduct in the future.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any staff member who knows or suspects that a child under the age of eighteen (18) is a victim of child abuse or neglect to immediately report that knowledge or suspicion to the Department of Children and Family Services. If, during the course of a harassment investigation, the Compliance Officer has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the complainant, a report of such knowledge must be made in accordance with State law and Board policy.

If the Compliance Officer has reason to believe that the complainant has been the victim of criminal conduct as defined under Florida law, such knowledge should be reported to local law enforcement.

Any reports made to the local child protection service or to local law enforcement shall not terminate the Compliance Officer's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officers or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Executive Director.

Mandatory Reporting of Misconduct by Certificated Employees

Administration is required by State law to report alleged misconduct by certificated employees of the School that affects the health, safety, or welfare of a learner. In accordance with State law, the Executive Director or designee shall investigate each allegation of such conduct and, if confirmed, shall report such misconduct.

Education and Training

In support of this policy, the Board requires preventative educational measures to create greater awareness of unlawful discriminatory practices. The Executive Director shall ensure appropriate training is provided to all members of the School community related to the implementation of this policy and all training regarding this policy and harassment in general will be age and content appropriate.

Retaliation

Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

NONDISCRIMINATION GRIEVANCE PROCEDURE

It is the policy of the Board to offer the opportunity to learners to participate in appropriate programs and activities without regard to race, color, religion, national origin, sex, disability, marital status, or age, except as otherwise provided by State law.

The Compliance Officer for the Board is identified annually, and the name is published in the learner handbooks. The compliance officers may be reached at:

Pepin Academies
Monika Perez
Chief Operating Officer
mperez@pepinacademies.us
813-670-8485

Pepin Academies
Jason Aponte
Director, Human Resources
japonte@pepinacademeis.us
813-710-9279

The Executive Director may designate other persons to act in this capacity on their behalf as the

demands of the institution dictate. Nevertheless, all written grievances may be properly directed to the Executive Director of the institution alleged to be in violation of Title IX of the Florida Education Equity Act.

All written complaints alleging violations of Title IX of the Florida Education Equity Act, regardless of resolution at the individual school level, shall be forwarded to the Compliance Officer. The Board's Compliance Officers shall maintain all such written complaints, as well as the written response/resolution to such complaints. These documents are public records and shall be available for inspection and copying through proper public records requested by any person or organization, subject to a reasonable fee.

Learner Grievance Procedure:

The steps described below must be followed in the submission and resolution of learner grievances.

A. Step 1

A learner should first take the complaint to the person(s) and/or appropriate school official involved and try to solve the problem informally. If this does not work, then they may go on to the next step. The learner may begin the process at the second step.

B. Step 2

The learner or parent/guardian must submit the online Bullying and/or Harassment form no later than three (3) days after the date of the event giving rise to the grievance. The Principal will make a decision within seven (7) days.

C. Step 3

If a learner or parent/guardian does not agree with the Principal's decision, they should notify the Executive Director in writing of their grievance. A copy of the grievance is to be given to the Principal. This must be done within seven (7) days after receiving the Principal's decision. The Executive Director will make a decision within seven (7) days after receiving the grievance.

D. Step 4

If the parent/guardian of the learner does not agree with the Executive Director's decision, they may contact the Board Parent Liaison within seven (7) days after they receive the Executive Director's decision. A copy of the harassment grievance is to be given to the Executive Director. The Board will take action at its next regularly scheduled meeting. The Board will communicate its decision to the grieving party.

At any time, if a learner and/or their parent/guardian believes that they have been subjected to discrimination pursuant to State or Federal law, the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR") or with the Office of Equal Educational Opportunity, Florida Department of Education, as appropriate.

The OCR can be reached at:

U.S. Department of Health and Human Services Office for Civil Rights
Atlanta Office
Sam Nunn Atlanta Federal Center, Suite 16T70 61 Forsyth Street, SW
Atlanta, GA 30303-8909
404-562-7881