

Learning Lodge Academy Equity Policy

Section: 1000 Administrative

Title: Anti-Harassment

Policy Number: _____

Adopted: September 17, 2024

ANTI-HARASSMENT

Administrative

I. General Policy Statement

It is the policy of the Learning Lodge Academy Board (“LLA Board”) to maintain an educational and work environment that is free from all forms of unlawful harassment, including sexual harassment and bullying. This commitment applies to all School operations, programs, and activities. All students, 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 LLA Board.

The LLA Board and principal will vigorously enforce its prohibition against discriminatory harassment on the basis of race, color, national origin, sex/gender, disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ethnicity, or genetic information which are classes protected by State and/or Federal law (collectively, "protected classes", 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 such problems. The principal will investigate all allegations of unlawful harassment and in those cases where unlawful harassment is substantiated, the principal will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. 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 students, administrators, teachers, staff, LLA Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the LLA 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, parents), vendors doing business with, or seeking to do business with, the School and other individuals who come in contact with members of the School community at school-related events/activities (whether on or off School property).

Nothing in this policy shall be construed to abridge the rights of students or school employees that are protected by the First Amendment to the Constitution of the United States.

II. Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the reporting party files a formal complaint or is seeking an informal resolution to the alleged harassment.

School community means students and employees of Learning Lodge Academy (i.e., administrators, and professional and classified staff), as well as LLA Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the LLA Board.

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).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means school day(s) (i.e., a day(s) that the School office is open for normal operating hours, Monday – Friday, excluding recognized holidays, dates as posted on the School calendar, and closures due to emergency situations).

III. Other Violations of the Anti-Harassment Policy

The principal 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
- B. unlawful harassment, or who has participated as a witness in a harassment investigation.
- C. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- D. 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.

E. 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 students or employees and that bullying is based upon sex, race (including anti-Semitism), 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 student, 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:

1. teasing;
2. threats;
3. intimidation;
4. stalking;
5. cyberstalking;
6. cyberbullying;
7. physical violence;
8. theft;
9. sexual, religious, or racial harassment;
10. public humiliation; or
11. destruction of property

F. Harassment

Harassment means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or

school employee that:

1. Places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
3. Has the effect of substantially disrupting the orderly operation of a school.

F. Sexual Harassment

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "sexual harassment" is defined as "Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:"

1. 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.
2. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
3. 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 any gender against a person of the same or another gender.

Sexual Harassment covered under LLA policy, *Nondiscrimination on the Basis of Sex in Education Programs or Activities*, is not included in this policy. Allegations of such conduct must be addressed solely by *Nondiscrimination on the Basis of Sex in Education Programs or Activities*.

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

1. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
2. Physical and/or sexual assault.

3. 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, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
4. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
5. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings, or literature, placed in the work or educational environment, that may reasonably embarrass or offend individuals.
6. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
7. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.
8. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
9. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.
10. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.
11. Pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
12. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.
13. Inappropriate boundary invasions by a School employee or other adult member of the School community into a student's personal space and personal life.

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 education, or

such that it creates a hostile or abusive 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.

G. Sexual Cyberharassment

Pursuant to Florida law, "sexual cyberharassment" means to publish to an Internet website or disseminate through electronic means to another person a sexually explicit image of a person that contains or conveys the personal identification

information of the depicted person without the depicted person's consent, contrary to the depicted person's reasonable expectation that the image would remain private, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove his/her reasonable expectation of privacy for that image. Sexual cyberharassment may be a form of sexual harassment.

H. Race/Color Harassment (including Anti-Semitism)

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is 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.

Prohibited anti-Semitism harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's Jewish heritage 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 based upon a certain perception of the Jewish people, which may be expressed as hatred toward Jewish people, rhetorical and physical manifestations of anti-Semitism directed toward a person, his/her property, or toward Jewish community institutions or religious facilities.

I. 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.

J. 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.

K. 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 disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

L. Pregnancy Harassment

Prohibited pregnancy harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's pregnancy 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 pregnancy and condition of pregnancy.

IV. Reports and Complaints of Harassing Conduct

All School staff, members of the School community, and third parties are encouraged to promptly report incidents of unlawful harassing conduct to a principal or the LLA Anti-Harassment Compliance Officer so the conduct can be addressed before it becomes severe, pervasive, or persistent.

Any school administrator or employee of the School who receives a report will file it with the LLA Anti-Harassment Compliance Officer within two (2) days of receiving the report of harassment.

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

While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs, while the facts are known, and potential witnesses are available.

If, during an investigation of reported act of harassment in accordance with this policy the principal or designee believes the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on sex, race (including anti-Semitism), color, national origin, religion, or disability, the principal or designee will report the act of harassment to the Anti-Harassment Compliance Officer, if not yet notified, who will investigate the allegation in accordance with this policy.

If the alleged harassment involves Sexual Harassment the matter will be handled by the School's Title IX Coordinator in accordance with the grievance process and procedures outlined in LLA Board Policy, *Nondiscrimination on the Basis of Sex in Education Programs and Activities*, and applicable law.

A. School Compliance Officer

The following person has been designated and will serve in the role of the LLA Anti-Harassment Compliance Officer and shall also serve as the Equity Officer, ADA Coordinator, Section 504 Compliance Officer, and Title IX Coordinator.

Janet Blossfield
Anti-Harassment Compliance Officer / Equity Manager
Learning Lodge Academy
10534 Little Road
New Port Richey, FL 34654
(727) 868-0067
jblossfield@learninglodgeacademy.com

The name, title, and contact information of the Anti-Harassment Compliance Officer will be published annually on the School's website. The individual presently serving as the Anti-Harassment Compliance Officer may change from time to time, and such changes will be deemed technical corrections.

Should it be determined that additional individuals are necessary to ensure compliance with Federal and State regulations, the LLA Board will authorize the principal to appoint one or more qualified persons to serve in any of these capacities.

B. Duties and Responsibilities of Anti-Harassment Compliance Officer

The Compliance Officer will be available to discuss concerns related to unlawful harassment, to assist students, 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 individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Any employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Anti-Harassment Compliance Officers within two (2) days.

The Compliance Officer will accept complaints of unlawful harassment directly from the principal, a School employee, a member of the School community, or third party. Upon receipt of a complaint, the Anti-Harassment 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 nature of the alleged harassment), or designate a specific individual to conduct the process. In the case of a formal complaint, the Compliance Officer or designee will prepare, after consultation with the School's legal counsel, as necessary, recommendations for the principal.

Thereafter, the Compliance Officer or designee must contact the Complainant, if

over age eighteen (18) or the Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the School's intent to investigate the alleged misconduct, including the obligation of the compliance officer or designee 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 School visitor. Upon receipt of a complaint, the Compliance Officer or designee will begin either an informal or formal process, depending on the request of the individual alleging harassment. In the case of a formal complaint, the Compliance Officer or designee will prepare, after consultation with the School's legal counsel, as necessary, recommendations for the principal.

V. Investigation and Complaint Procedure

Except for Sexual Harassment covered by the LLA Board policy, *Nondiscrimination on the Basis of Sex in Education Program or Activities*, any individual who believes s/he has been subjected to unlawful harassment may seek resolution of the complaint through the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

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, generally, within fifteen (15) days following receipt of the complaint.

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

A. Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and to facilitate resolution through an informal means, whenever possible. Students, employees, other members of the School community or third parties who

believe that they have been unlawfully harassed or retaliated against, may initiate their complaint through the informal complaint process but are not required to do so.

This informal procedure is not required as a precursor to the filing of a formal complaint.

The informal process is only available when the Complainant and the Respondent mutually agree to participate.

The Complainant 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.

Any complaint of harassment involving a School employee or any other adult member of the School community against a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Anti-Harassment Compliance Officer is available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. If the Complainant is uncomfortable or unwilling to directly approach the Respondent about the allegedly inappropriate conduct, s/he may file an informal or a formal complaint.

The Anti-Harassment Compliance Officer may advise against the use of the informal complaint process when certain types of unlawful harassment, such as sexual harassment, occur.

A Complainant may make an informal complaint, either orally or in writing to a teacher, other school employee, the principal, or directly to the Anti-Harassment Compliance Officer.

All informal complaints must be reported to the Anti-Harassment Compliance Officer who will facilitate an informal resolution as described below.

Learning Lodge Academy's informal complaint procedure is designed to provide students, other members of the School community and third parties who believe they are being unlawfully harassed 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 Complainant, informal resolution may involve, but not be limited to, one or more of the following:

1. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
2. Reviewing the anti-harassment policy with students and school staff.
3. If both parties agree, the Anti-Harassment Compliance Officer may arrange and facilitate a meeting or a mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the Anti-Harassment Compliance Officer or designee is directed to attempt to resolve all informal complaints within fifteen (15) days of receiving the informal complaint. If the Complainant is dissatisfied with the results of the informal complaint process, the Complainant may proceed to file a formal complaint. As stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

B. Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the Anti-Harassment Compliance Officer determines the allegations are not appropriate for resolution through the informal process, the formal complaint process as described below shall be implemented.

The formal complaint process is not intended to interfere with the rights of a student, another 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.

The Complainant may file a formal complaint, either orally or in writing with a teacher, principal, school employee, or Anti-Harassment 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,

principal, other School employee either orally or in writing, about any complaint of harassment, that employee must report the information to the Anti-Harassment Compliance Officer or designee within two (2) school days.

Throughout the course of the process as described herein, the Anti-Harassment Compliance Officer will keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known:

- The identity of the Respondent;
- A detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); and
- A list of potential witnesses and the resolution sought by the complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Anti-Harassment Compliance Officer may request an oral interview. The Anti-Harassment Compliance Officer will then 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 Anti-Harassment Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the complainant from further harassment or retaliation. Such action may include but not limited to a change or classes or class schedule for the Complainant and/or the Respondent, a possible change of schools for either or both students, or an alternate work setting for an employee. In making a determination, the Anti-Harassment Officer should consult with the principal and legal counsel, as necessary, and in certain situations, Pasco County Schools.

The Anti-Harassment Compliance Officer will then consult with the Complainant to assess whether the individual agrees to any action deemed appropriate. If the Complainant is a student, the parent/guardian must be consulted. If the Complainant, or the Complaint's parent/guardian, is unwilling to consent to any appropriate change, determinations should be made in the best interest of the individual.

Within two (2) school days of receiving a formal complaint, the Anti-Harassment Compliance Officer will inform the Respondent (and his/her parent/guardian if the Respondent is a student) that a formal complaint has been received. The Respondent

(and his/her parent/guardian if the Respondent is a student) will be informed about the nature of the allegations and provided a copy of any relevant policies and/or administrative procedures and the LLA Board's anti-harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) days.

Within two (2) school days of receiving the complaint, the Anti-Harassment Compliance Officer or a designee will initiate a formal investigation to determine whether the complainant has been subjected to offensive conduct/harassment.

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

1. Interviews with the Complainant.
2. Interviews with the Respondent.
3. Interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations.
4. 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, and after consultation with legal counsel, as necessary, the Anti-Harassment Compliance Officer or designee will prepare and deliver a written report to the principal or designee. The report will summarize the evidence gathered during the investigation and provide recommendations based on the evidence and the definition of unlawful harassment per State and Federal law as to whether the Respondent engaged in unlawful harassment/retaliation of the Complainant. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The recommendation must be based on the totality of the circumstances. The Anti-Harassment Compliance Officer may consult with legal counsel before finalizing the report to the principal.

Absent extenuating circumstances, within five (5) business days of receiving the report of the Anti-Harassment Compliance Officer or the designee, the principal will either issue a written decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the principal's final decision will be delivered to both the complainant and the respondent and their parents/guardians.

If the principal or designee requests a further investigation, s/he must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) school days, absent extenuating circumstances. At the conclusion of the additional investigation, the principal will issue a final written decision as described above. The decision of the principal will be final.

The principal reserves the right to investigate and resolve a complaint or report of unlawful harassment regardless of whether the student, employee, member of the School community or third party alleging the unlawful harassment pursues the complaint. Further, the LLA Board 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 LLA Board or its designee.

The parties may be represented, at their own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint will not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the Florida Civil Rights Commission, the Equal Employment Opportunity Commission, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

VI. Privacy/Confidentiality

Learning Lodge Academy will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses to the extent possible, consistent with the LLA Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative procedures will be maintained as confidential to the extent permitted by law. Confidentiality cannot be guaranteed, however. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the Anti-Harassment Compliance Officer or designee 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 is learned or provided 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 Anti-Harassment Compliance Officer in accordance with the LLA Board's

records retention policy. Any records which are considered student 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.

VII. Sanctions and Monitoring

The LLA Board and principal will vigorously enforce its prohibitions against unlawful harassment/retaliation 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, the suspension of a student or a recommendation to the Pasco County School Board for expulsion of a student. All disciplinary action will be taken in accordance with applicable State law. When imposing discipline, the principal will consider the totality of the circumstances, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the LLA Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other policies and/or the Pasco County Schools' Student Code of Conduct, which has been adopted by the LLA Board.

Where the LLA Board becomes aware that a prior remedial action has been taken against a member of the School community, all subsequent sanctions imposed by the LLA Board and/or principal will be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

VIII. Retaliation

Any act of retaliation against an individual who files a complaint alleging unlawful harassment or retaliation or participates as a witness in an investigation is prohibited.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the Internal Complaint Procedures as set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

IX. Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any teacher, administrator, or school employee who knows or suspects that a child with a disability under the age of twenty-one (21) or that a child under the age of eighteen

(18) without a disability 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 Anti-Harassment Officer or designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the complainant, a report must be made in accordance with State law.

If the Anti-Harassment Officer or designee has reason to believe that the Complainant has been the victim of criminal conduct as defined under Florida law, the information should be reported to local law enforcement.

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

X. Mandatory Reporting of Misconduct by Certificated Employees

The principal is required by State law to report alleged misconduct by certificated employees of Learning Lodge Academy that affects the health, safety, or welfare of a student. The principal will investigate each allegation of such conduct and, if confirmed, will report such misconduct to the Office of Professional Practices.

XI. Education and Training

In support of this policy, the LLA Board promotes preventative educational measures to create greater awareness of unlawful discriminatory and harassment practices. The principal, Anti-Harassment Compliance Officer, or designee will provide appropriate information to all members of the School community related to the implementation of this policy and appropriate training for students and staff. All training and information provided regarding this policy and harassment, in general, will be age and content appropriate.

XII. Retention of Investigatory Records and Materials

The Anti-Harassment Compliance Officer is responsible for overseeing the retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy will retain all information, documents, electronically stored information ("ESI"), and electronic media created and received as part of an investigation.

The information, documents, ESI, and electronic media retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The information, documents, ESI, and electronic media created or received as part of an investigation will be retained for not less than three (3) years or in accordance with the State of Florida records retention schedule, whichever is longer.

Legal reference:

F.S. 110.1221

F.S. 784.049

F.S. 1000.05

F.S. 1006.07

20 U.S.C. 1400 et seq., The Individuals with Disabilities Improvement Act of 2004, as amended (commonly known as The Individuals with Disabilities Act)

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

29 U.S.C. 794, Rehabilitation Act of 1973

29 U.S.C. 6101, The Age Discrimination Act of 1975

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended 20 U.S.C. 1681 et seq.

42 U.S.C. 1983

Learning Lodge Academy Equity Policy

Section: 1000 Administration

Title: Administrative Complaint and Grievance Process for an Employee or Applicant

Policy Number: _____

Adopted: September 17, 2024

ADMINISTRATIVE COMPLAINT AND GRIEVANCE PROCESS FOR EMPLOYEE OR APPLICANT FOR EMPLOYMENT

The Learning Lodge Academy Board of Directors (“LLA Board”) encourages the prompt and fair handling of problems, issues, and concerns before they become formal grievances. The complaint and grievance process will be followed objectively so that no individual should fear retribution for seeking full satisfaction of the problem.

PURPOSE

This policy outlines the process for complaints and grievances related to alleged discrimination and/or harassment and sexual discrimination for an employee or applicant for employment.

The purpose of this policy is to provide employees or applicants for employment an orderly process for the prompt and equitable resolution of grievances. The Board intends that, whenever feasible, complaints be resolved at the lowest possible administrative level.

To encourage prompt and equitable solutions and to ensure that no person need fear coercion, interference, restraint, discrimination, or reprisal for utilizing the procedure, Learning Lodge Academy will investigate any reports of discrimination and/or harassment or known instances of discrimination and/or harassment whether the individual who allegedly is the subject of discrimination or harassment files either a formal or informal complaint.

Complaints should be addressed as soon as possible following the alleged infraction. In cases that involve alleged discrimination and/or harassment, including sexual harassment, the initial complaint or report of any alleged infraction should be made within thirty (30) days of the alleged infraction, although Learning Lodge Academy will investigate any such complaints which are made within one (1) year of the alleged discrimination and/or harassment. All complaints and grievances will be handled in a confidential manner to the greatest extent possible.

DEFINITIONS

Aggrieved party: The grievant.

Complainant: The person who has an informal complaint.

Compliant: A complaint is an informal process based on the dissatisfaction of an employee or applicant based on a specific situation(s) or event(s).

Grievance: A grievance is a formal process, in writing, in which a claim is made by an employee or applicant for employment alleging an infraction or misinterpretation arising from a provision of a Learning Lodge Academy policy, procedure, or agreement that assures freedom from harassment based on an individual's race, religion, color, gender, ethnicity, national origin, age, marital status, or disability has allegedly occurred.

Grievant: The person who has a formal complaint, also known as a grievance. The grievant may also be referred to as the complainant.

STEP 1: ORAL OR INFORMAL COMPLAINT

An informal complaint may be initiated, orally or informally, by a person (an employee or applicant for employment) who believes they have been aggrieved. The oral or informal complaint should be directed to the person who is the subject of the complaint. If followed in good faith by all parties, this process should lead to a fair and prompt resolution to most concerns.

If the complaint cannot be resolved satisfactorily, the complainant may file a formal grievance in writing, as outlined in Step 2.

STEP 2: FORMAL GRIEVANCE IN WRITING

If an oral or informal solution is not reached at Step 1, the complainant may file a formal grievance in writing to the Equity Manager. **(Use form: Formal Grievance Form for Employees, including job applicants.)**

Janet Blossfield, Equity Manager
Learning Lodge Academy
10534 Little Road
New Port Richey, FL 34654
(727) 868-0067
Email: jblossfield@learninglodgeacademy.com

A formal grievance must be filed as soon as possible after the grievant knew or could reasonably have been expected to know of the occurrence or action giving rise to the grievance.

The written statement must include a description of the alleged violation, the date of the alleged violation, a suggested resolution, and the signature of the grievant.

If the claim is related to alleged discrimination and/or harassment, the employee can bypass Step 1 and 2 and go directly to Step 3.

STEP 3: REQUEST A REVIEW

If the grievance is not resolved at Step 2, within five (5) school days the grievant may request, in writing, a review by the assistant principal or designee. The written request must include a copy of the original grievance, and the decision arrived at in Step 2.

Within ten (10) school days after receiving the written request, the assistant principal or designee will hold a hearing on the grievance. The person who filed the grievance and the Anti-Harassment Compliance Officer involved in Step 2 will be given at least two (2) days' written notice of the hearing.

Within five (5) working days after the hearing, the assistant principal or designee will communicate the decision in writing, together with supporting reasons, to all parties present at the hearing. Cases which involve alleged discrimination and/or harassment, including sexual harassment, will be handled by the assistant principal or designee.

STEP 4: APPEAL HEARING

If the grievance is not resolved at Step 3, the grievant may request in writing within five (5) school days a review by the principal.

The request for an appeal hearing must be in writing and include a copy of the original grievance and the decisions reached in Steps 2 and 3.

Within fifteen (15) school days after receipt of the written request for appeal the principal may hold a hearing. All parties will be notified at least two (2) days in advance.

Within fifteen (15) school days after the appeal hearing, the principal will issue a decision in writing, together with supporting reasons, and deliver it to the grievant.

RETALIATION

No person will be subject to adverse action in retaliation for having filed a grievance or for having testified, assisted, or participated in any manner in an investigation, proceeding, or hearing conducted under the authority of this policy.

ALTERNATIVE COMPLAINT PROCEDURES

In cases of alleged employment discrimination and/or harassment, nothing in this policy will prohibit or deny an individual from filing a complaint with a federal or state agency in accordance with applicable regulations, including those referenced below.

Alternative Federal and State Agencies to File Complaint

Office for Civil Rights, U. S. Department of Education

Atlanta Office

61 Forsyth St. S.W., Suite 19T70

Atlanta, GA 30303-3104

Phone: 1-800-421-3481

Fax: 404-562-6455

E-mail: OCR.Atlanta@ed.gov

Website: <https://www.ed.gov/about/ed-offices/ocr>

Employment

U.S. Equal Employment Opportunity Commission

Tampa Field Office

501 East Polk Street, Suite 1000

Tampa, FL 33602

Phone: 813-710-9340

Fax: 813-228-2841

Website: <https://www.eeoc.gov/filing-charge-discrimination>

Tampa Field Office: <https://www.eeoc.gov/field-office/tampa/location>

Florida Commission on Human Relations

2009 Apalachee Parkway, Oakland Building, Suite 100

Tallahassee, FL 32301-4857

Phone: 850-488-7082

Fax: 850-488-5291

Email: fchrinfo@fchr.myflorida.com

Website: <http://fchr.state.fl.us>

Complaints concerning retaliation may be filed with the Florida Commission on Human Relations (FCHR).

Learning Lodge Academy Equity Policy

Section: 1000 Administration

Title: NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

Policy Number: _____

Adopted: September 17, 2024

NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

Administration

I. General Statement

The Learning Lodge Academy (LLA) Board does not discriminate on the basis of race (including anti-Semitism), ethnicity, color, national origin, sex (including sexual orientation, gender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information which are classes protected by Federal and/or State law (collectively, "protected classes") in its programs and activities, including employment opportunities. The LLA Board does not, as a condition of employment subject individuals to training, instruction, or other required activity that is prohibited under F.S. 760.10 ("Unlawful Employment Practices") and F.S. 1000.05., the "Florida Educational Equity Act." Prohibited discrimination also occurs when any student or employee is subjected to training or instruction that is unlawful under F.S. 1000.05.

The LLA Board has the legal obligation to employ only those persons who are best qualified, with or without reasonable accommodations.

Further, nothing in this policy shall be construed to abridge the rights of students or school employees that are protected by the First Amendment to the Constitution of the United States.

II. Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.

Respondent is the individual who has been alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the reporting party files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

School community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School property, vendors doing business with or seeking to do business with the School, and other individuals who come in contact with members of the School community at school-related events/activities (whether on or off School property).

Day(s): Unless expressly stated otherwise, the term “day” or “days” as used in this policy refers to school day(s) (i.e., a day(s) the school office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

For purposes of this policy, "military status" refers to a person's status in the uniformed services, which includes the performance of duty, on a voluntary basis, or involuntary basis, in a uniformed service including active duty, active duty for training, initial active duty for training, inactive duty for training, and full-time National Guard duty. It also includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any such duty as listed above.

III. **School Compliance Officer(s)**

The LLA Board or principal will appoint a compliance officer whose responsibility it will be to require that Federal and State regulations are complied with and that any inquiries or complaints are dealt with promptly in accordance with law. The LLA Board will also require that proper notice of nondiscrimination for Title II, Title VI, and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, and the Age Discrimination in Employment Act will be provided to employees and the general public.

The following person has been designated and will serve in the role of the LLA Compliance Officer, Anti-Harassment Compliance Officer, Equity Officer, ADA Coordinator, Section 504 Compliance Officer, and Title IX Coordinator.

Janet Blossfield
Anti-Harassment Compliance Officer
Learning Lodge Academy
10534 Little Road
New Port Richey, FL 34654
(727) 868-0067
jblossfield@learninglodgeacademy.com

The name, title, and contact information of the School Compliance Officer will be published annually on the School's website. The individual presently serving as the School Compliance Officer may change from time to time, and such changes will be deemed technical corrections.

Should it be determined that additional individuals are necessary to ensure compliance with Federal and State regulations, the LLA Board will authorize the principal to appoint one or more qualified persons to serve in any of these capacities.

IV. Complaint Procedures

Except for sex discrimination and/or Sexual Harassment that is covered by the LLA Board's policy, *Nondiscrimination on the Basis of Sex in Education Programs or Activities*, any employee who alleges to have been subjected to unlawful discrimination may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter. Nothing contained in this policy is intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the U.S. Department of Education's Office for Civil Rights ("OCR"), the Equal Employment Opportunity Commission ("EEOC"), the Florida Commission on Human Relations ("FCHR").

School employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation, or misapplication of Federal and/or State law and their right to file a complaint with the OCR, FCHR, or EEOC, in accordance with Federal and State law.

Internal complaints must be in writing and identify the specific circumstances or areas of dispute that have given rise to the complaint and offer possible solutions to the dispute. The complaint must be filed with the School compliance officer within the time limits specified below. The School compliance officer is available to assist individuals in filing a complaint.

V. Internal Complaint Procedure

The following internal complaint procedure is available to employees for the prompt and equitable resolution of complaints alleging discrimination that is prohibited in this policy. This complaint procedure is not available to unsuccessful applicants. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the OCR, FCHR, or EEOC.

- A. An employee with a complaint based on alleged discrimination may first discuss the problem with the School compliance officer.
- B. If the informal discussion does not resolve the matter, or if the employee bypasses Step A, the individual may file a formal written complaint with the School compliance officer. The written complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone

authorized to sign for the complainant, describe the alleged discriminatory action in sufficient detail to inform the School compliance officer of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) days of the circumstances or event giving rise to the complaint unless the time for filing is extended by the School compliance officer for good cause.

- C. The School compliance officer will conduct an independent investigation of the matter (which may or may not include a hearing). This complaint procedure contemplates informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to present witnesses and other evidence relevant to the complaint. The School compliance officer will provide the complainant with a written disposition of the complaint within ten (10) days. If no decision is rendered within ten (10) days, or the decision is unsatisfactory in the opinion of the complainant, the employee may file, in writing, an appeal with the principal.
- D. The principal will, within ten (10) working days of receiving the written appeal, conduct a hearing with all parties involved in an attempt to resolve the complaint.
- E. The principal will render a decision within ten (10) days of the hearing.
- F. The employee may be represented, at his or her own cost, at any of the above-described meetings/hearings.
- G. The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

If it is determined that the complainant was subjected to unlawful discrimination, the School compliance officer must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

VI. Filing a Complaint with OCR/FCHR/EEOC

At any time, if an employee believes that he or she has been subjected to unlawful discrimination, the individual may file a complaint with the OCR, FCHR, or EEOC.

VII. Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation or participates as a witness in an investigation is prohibited.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

VIII. Training

The compliance officer will also oversee the training of school employees so that all employees understand their rights and responsibilities under Federal and State law, and are informed of the LLA Board's policies and practices with respect to fully implementing and complying with the requirements of Federal and State law.

IX. Notice

Notice of the LLA Board's policy on nondiscrimination in employment practices and the identity of the compliance officer will be posted on the School's website and published in the School's recruitment statements or general information publications as required by Federal and State law and this policy.

X. Retention of Investigatory Records and Materials

The School Compliance Officer is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an investigation.

The information, documents, ESI, and electronic media retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The information, documents, ESI, and electronic media created or received as part of an investigation shall be retained for not less than three (3) years, but longer if required by the State's records retention schedule.

Legal Reference

F.S. 110.1221
F.S. 250.481
F.S. 760.01
F.S. 760.10
F.S. 1000.05

20 U.S.C. 1681 et seq., Title IX
29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967
29 U.S.C. 701 et seq., Rehabilitation Act of 1973
42 U.S.C. 2000e et seq., Civil Rights Act of 1964
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
42 U.S.C. 12112, Americans with Disabilities Act of 1990
29 C.F.R. Part 1635
38 U.S.C. 4301 et seq., The Uniformed Services Employment and Reemployment Rights Act