

Stephen Dionisio
Superintendent



School Board

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June 5, 2023

To: Superintendent Dionisio and Title IX Coordinator Hudzina

From: Adrienne McElroy, Assistant Superintendent of Human Resources and Labor Relations

Regarding: Complaint of Sexual Harassment by Principal Loge toward Teacher [victim/witne]

On May 8, 2023, Dr. Danielle Hudzina (HR Director and Title IX Coordinator) took a complaint from [victim/witne] [victim/wit] (Teacher) of sexual harassment by Matt Loge (Principal). On May 9, 2023, the District contacted Johnson Jackson PLLC, Erin Jackson (Attorney) to investigate the complaint. Pursuant to School Board Policy 2266, I served in the role of Decision-Maker for this complaint and am issuing the following determination regarding responsibility after reviewing the investigative report and the permitted 10-day window for reviewing the report which concluded today, June 5, 2023.

Identification of Allegations.

On or about May 5, 2023, [victim/witness] received a report from a Kindergarten teacher of inappropriate behavior by Principal Loge toward [victim/witne] [victim/witness]. Specifically, it was reported that Principal Loge had been sending Ms. [victim/wit] text messages in which he commented on her appearance and referred to her as "princess". It was also alleged that Principal Loge regularly visited Ms. [victim/witnes] classroom, brought her snacks, and made verbal comments to her about her clothes and her appearance that made her feel uncomfortable. Ms. [victim/wit] was actively taking steps to try to avoid being alone with Principal Loge.

Description of Procedural Steps

[victim/witness] contacted me on the evening of May 5th regarding a complaint of sexual harassment by Principal Loge toward a new educator at her school. I dispatched HR Director Hudzina and District Investigative Specialist Bergh to the location on Monday, May 8th to take the formal complaint. On May 8, 2023, Dr. Danielle Hudzina (HR Director and Title IX Coordinator) took a complaint from [victim/witness] (Teacher) of sexual harassment by Matt Loge (Principal). Principal Loge was placed on administrative leave with pay on May 8, 2023. He was offered supportive measures of employee counseling. On May 9, 2023, the District contacted Johnson Jackson PLLC, Erin Jackson (Attorney) to investigate the complaint which is our normal practice when an administrator is the respondent. HR Director Hudzina offered the supportive measures on May 8th of a change in location which she did not accept then four (4) additional contacts were made offering employee counseling and updates on the investigation. An investigative timeline including interview schedule is included in the report attached.

On May 26, 2023, I received the completed Investigative report. Pursuant to School Board Policy 2266, I am serving in the role of Decision-Maker for this complaint. The Investigative report was shared the same day with the

complainant and the respondent with notification of the 10-day window for which additional information can be submitted for review before final determination. Principal Loge submitted a statement to me and Superintendent Dionisio apologizing for his uncalled for and inappropriate text messages. He stated that Teacher **victim/wit** never told him he should text her about work-related matters. He stressed his pride in being the principal of Meadow Park but asked if a demotion would be considered. I spoke to Principal Loge on the phone, at his request, to address his question regarding a statement from **victim/witness**. I shared this was out of the scope of the investigation. Subsequently, I contacted Teacher **victim/witn** via phone to see if she had anything additional that she would like to submit. Ms. **victim/wit** replied that she did not wish to submit any further statement. I did ask for a copy of the facebook message which she emailed me. I shared the screenshot with Mr. Loge as well. He admitted to sending the message on facebook based on a conversation between the two of them regarding a **victim/witne**.

Findings of Fact.

1. Principal Loge sent numerous text messages to Ms. **victim/witn**. It is important to note that Principal Loge admits that he sent each of these messages to Ms. **victim/wit**. See investigative report for specific text messages.
2. Principal Loge regularly visited Ms. **victim/wit** in her classroom before school, during planning time, during instructional time, and after school. While there, he made comments regarding what she wore when she exercised. He told her that he would like to see her in her sports bra. He often told her he had to "bite his tongue", referencing his thoughts on her appearance. He told her she was beautiful.
3. In response and due to her discomfort, Ms. **victim/witn** tried to avoid being alone with him. Ms. **victim/witn** would hide in her closet in her classroom so that Principal Loge would not visit her. She would tell him that she was in training or at the doctor. (Attachment 1 at 000017). She also asked two of her co-workers to come into the classroom if she sent an SOS message so that she would not have to be alone with Principal Loge. Further, Ms. **victim/wit** told Principal Loge that he should only text her if it was school related. Shortly after this, Principal Loge messaged Ms. **victim/wit** via Facebook on a Saturday morning and asked her if she had plans to take out her **victim/**.

Conclusions.

The purpose of the investigation is to determine whether Principal Loge's conduct as summarized above violates School Board Policy 2266 and/or School Board Policy 1362 based on the preponderance of the evidence. To prove something based on the preponderance of the evidence means to prove that something is more likely than not to have occurred. It is based on the more convincing credible evidence and its probable truth or accuracy and not on the amount of evidence.

The Investigator concluded based on the preponderance of the evidence that Principal Loge has violated Policies 2266 and 1362.

The following is undisputed. Principal Loge admits to sending the text messages set forth in detail above. Principal Loge also admits to visiting Ms. **victim/wit** in her classroom, though he denies the frequency. Principal Loge is Ms. **victim/witne** supervisor. She is a **victim/witness**.

The evidence further shows that Ms. **victim/wit** was fearful of retaliation and fearful to come forward based on his position of authority over her. As a result, Ms. **victim/witn** tried to manage the situation on her own by trying to avoid Principal Loge and telling him to text her only about school related matters.

Statement of Rationale

As the Decision-Maker reviewing all the information of the complaint of sexual harassment by Principal Loge toward Teacher [victim/witn] I conclude Principal Matthew Loge bears the responsibility of creating a hostile work environment for Teacher [victim/wit] by his persistent text messages before and after work hours. The nature and frequency of the text messages were inappropriate of a school administrator directed toward a subordinate and new teacher. In addition, one of the texting conversations was borderline quid pro quo in the discussion around Teacher [victim/witn] grade placement for the following year. I do not believe Principal Loge sent a text message to all teachers regarding this subject. It is noted that Principal Loge denies Teacher [victim/wit] telling him it's okay to text about work-related topics. Although the text messages imply a different message. On April 25th Principal Loge sent a text message stating "just seeing if you would respond lol" and on April, 26th Principal Loge refers to himself as being polite and professional. During this same timeframe, he attempted to contact Teacher [victim/wit] on Facebook messenger which he also denies but evidence was shared.

Principal Loge is an experienced school administrator and completed five documented Title IX trainings with the most recent one being completed on July 11, 2023. I agree with the Investigator and I find that Principal Loge has violated School Board Policies 2266 and 1362.

As the Decision-Maker in this case, I find the only remedy to restore and preserve the equal access to employment of Teacher [victim/wit] and other teachers of Meadow Park is to remove Matthew Loge from the principalship of Meadow Park Elementary. He is in violation of School Board Policies 2266 and 1362 and he has lost the trust of several employees as documented in the complaint. I am recommending the immediate removal of Matthew Loge as principal of Meadow Park Elementary. Matthew Loge cannot fulfill the duties of principal as outlined in F.S. 1012.28 (1-3).

Appeal Process

The appeal process is outlined in School Board Policy 2266 and summarized below:

Both parties have the right to appeal on the following bases: procedural irregularity, new evidence that was not reasonably available, or conflict of interest or bias for or against complainant or respondent. The complainant may not challenge the disciplinary sanction/consequence imposed. Appeals must be submitted in writing within three (3) days after receipt of the decision maker's determination of responsibility.

Attachments:

- Investigative Reports
- Follow up Responses from Matthew Loge
- Facebook Messenger screenshot
- Most Recent Certificate of Training Related to Sexual Harassment
- School Board Policies 2266 and 1362

May 26, 2023

VIA EMAIL

Adrienne McElroy, EdD, SHRM-SCP
Assistant Superintendent for Human Resources and Labor Relations
adrienne.mcelroy@yourcharlotteschools.net

**RE: *Title IX Investigation regarding a Complaint of Improper Conduct
(Matt Loge)***

Dear Dr. McElroy,

Please allow this correspondence to serve as my investigative report into a complaint of improper conduct toward a teacher by Matt Loge, Principal of Meadow Law Elementary.

Summary of Engagement.

On or about May 9, 2023, I was retained to perform an independent investigation into a complaint of sexual harassment against Matt Loge pursuant to Title IX of the Education Amendments of 1972 and Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs and Activities.

On May 9 and 10, 2023, I was provided with a written statement by **victim/witness** (Attachment 1 at 000013), text messages, written statements, and emails related to allegations of inappropriate conduct by Principal Loge toward **victim/witness**. Those documents are Composite Attachment 1 to this Report. Additionally, I was provided with a statement provided by Adrienne Bergh (Investigator, Human Resources) summarizing statements and texts received by Human Resources in support of the claims of misconduct by Principal Loge. Ms. Bergh's statement is Attachment 2 to this Report.

Following receipt and review of this information, I conducted five (5) interviews of School Board employees between May 15 and May 17, 2023. I also received a written statement from Principal Loge following his interview on May 17, 2023. That statement is attached as Attachment 3 to this Report.

I have concluded my investigation, and I now report my findings.¹

¹ In this Report, I have not attempted to summarize all of the information gathered during the investigation. Rather, I have included only that information that I feel is most relevant to the complaint and the general themes that emerged during the investigation.

Witness Interviews.

I interviewed the following individuals:

- 1.
- 2.
3. victim/witness
- 4.
- 5.

Identification of Allegations.

On or about May 5, 2023, victim/witness received a report from a Kindergarten teacher of inappropriate behavior by Principal Loge toward victim/witness. Specifically, it was reported that Principal Loge had been sending Ms. victim/wit text messages in which he commented on her appearance and referred to her as "princess". It was also alleged that Principal Loge regularly visited Ms. victim/witne classroom, brought her snacks, and made verbal comments to her about her clothes and her appearance that made her feel uncomfortable. Ms. victim/wit was actively taking steps to try to avoid being alone with Principal Loge. I interviewed the above-identified witnesses and reviewed the evidence submitted. Based on my investigation, I make the following findings of fact.

Findings of Fact.

1. Principal Loge sent numerous text messages to Ms. victim/witn. It is important to note that Principal Loge admits that he sent each of these messages to victim/witness.
 - a. "Hows [sic] the princess this morning"
 - b. "I know right :) don't workout to [sic] hard this morning. U don't need to workout lol"
 - c. "Lol well u look like a model :)"
 - d. "I hope i wasn't staring lol"
 - e. "I enjoy talkin w ya :)"
 - f. "Your [sic] pig tails were awesome" "Should take a pic"
 - g. "You look beautiful as always" "Just seeing if you would respond lol"
"Im [sic] being polite and professional lol" "My tongue is sore from biting it to [sic] much" (*Notably, these four texts are in the same text string*).
 - h. "I think u r awesome :)"
 - i. "You are so darn cute today with your pig tails. Your sik is going to be all go :) deep breath :)"
 - j. "If u need a ride home let me know i [sic] drive right by Kia"
 - k. "You look so beautiful today :)"
 - l. "You deserve a drink and a pedicure after your week" "My treat lol"

2. Principal Loge regularly visited Ms. **victim/wit** in her classroom before school, during planning time, during instructional time, and after school. While there, he made comments regarding what she wore when she exercised. He told her that he would like to see her in her sports bra. He often told her he had to “bite his tongue”, referencing his thoughts on her appearance. He told her she was beautiful.
3. In response and due to her discomfort, Ms. **victim/wit** tried to avoid being alone with him. Ms. **victim/wit** would hide in her closet in her classroom so that Principal Loge would not visit her. She would tell him that she was in training or at the doctor. (Attachment 1 at 000017). She also asked two of her co-workers to come into the classroom if she sent an SOS message so that she would not have to be alone with Principal Loge. Further, Ms. **victim/witn** told Principal Loge that he should only text her if it was school related. Shortly after this, Principal Loge messaged Ms. **victim/wit** via Facebook on a Saturday morning and asked her if she had plans to take out her **victim/**

Conclusions.

The purpose of my investigation is to determine whether Principal Loge’s conduct as summarized above violates School Board Policy 2266 and/or School Board Policy 1362 based on the preponderance of the evidence. To prove something based on the preponderance of the evidence means to prove that something is more likely than not to have occurred. It is based on the more convincing credible evidence and its probable truth or accuracy and not on the amount of evidence.

I have concluded based on the preponderance of the evidence that Principal Loge has violated Policies 2266 and 1362.

The following is undisputed. Principal Loge admits to sending the text messages set forth in detail above. Principal Loge also admits to visiting Ms. **victim/wit** in her classroom, though he denies the frequency. Principal Loge is Ms. **victim/wit**’s supervisor. She is a **victim/witne** teacher.

The evidence further shows that Ms. **victim/wit** was fearful of retaliation and fearful to come forward based on his position of authority over her. As a result, Ms. **victim/wit** tried to manage the situation on her own by trying to avoid Principal Loge and telling him to text her only about school related matters.

In response to the evidence shown to Principal Loge on May 17, 2023, Principal Loge provided a written statement , which stated in part:

The comments or information mentioned in Ms. **victim/witne** written statement are misconstrued, taken out of context, exaggerated, or never said by me. Ms. **victim/witn** has taken conversations we had out of context which maybe detrimental to my career. The statements made by her again were embellished and exaggerated. The communication we had in person was professional or at times “light hearted” or friendly in nature. I was not inappropriate nor did I allude to anything that might be deemed inappropriate or have negative connotations.

I have found no support for Principal Loge's explanation. However, even if I had found any support for this explanation, the text messages that Principal Loge admitted to sending, without more, violate Policies 2266 and 1362. The conduct was unwelcome. He was in an authoritative, supervisory position with over 25 years of experience in education. There is no excuse for this behavior.

Policy 2266 prohibits sexual harassment that occurs within its education programs and activities. It defines sexual harassment in relevant part as "Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity."

Policy 1362 – Anti-Harassment provides that it is the policy of the School Board to maintain an educational and work environment that is free from all forms of unlawful harassment, including sexual harassment. The Policy defines sexual harassment 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.

Based on my review of the evidence, my discussion with Principal Loge, Ms. **victim/witn** and the interviews with the witnesses, I find Principal Loge has violated School Board Policies 2266 and 1362. Prompt remedial measures should be taken to address Principal Loge's misconduct in the workplace.

Sincerely,

A handwritten signature in black ink, appearing to read "Erin G. Jackson", with a stylized, flowing script.

Erin G. Jackson

ATTACHMENT 1

From: Loge, Matthew
To: victim/witness
Subject: Fwd: Kinder Interventions
Date: Wednesday, April 5, 2023 7:00:25 AM

Get [Outlook for iOS](#)

From: Magagnos, Megan <megan.magagnos@yourcharlotteschools.net>
Sent: Tuesday, April 4, 2023 3:46:04 PM
To: Loge, Matthew <matthew.loge@yourcharlotteschools.net>; Elek, Lauren <lauren.elek@yourcharlotteschools.net>; Meerman, Meridith <meridith.meerman@yourcharlotteschools.net>; McRae, Deanna <deanna.mcrae@yourcharlotteschools.net>
Cc: Colleen, Elizabeth <elizabeth.colleen@yourcharlotteschools.net>; Klaholz, Debra <debra.klaholz@yourcharlotteschools.net>
Subject: Kinder interventions

Hi all,

I am reaching out for my team and the stress we are reaching with Kinder interventions. Our groups have grown with the recent change and every new student enrolls in the school is added to the SP groups. There are about 30 kids coming into the media center and the group that Deb has had all year has completely changed to being a new class entirely.

We understand the reason for the sudden change and sympathize entirely. This is hard for the kinder teachers and the students. Is there a para or admin available during interventions to pull some of the kids outside or into a different room to decrease the number of kids? We have some pretty heavy hitters in the rooms such as **Ed./Student Recs** that could really do a small group of proper socializing and keeping their hands to themselves. Just a thought. I know time is short and on paper it seems like such an easy task; take kinder and have them do centers and play but it is too many kids.

We are open to any suggestions and support.

Thank you

Megan Magagnos

K-5 STEM Teacher

Specials Team Lead

Safety Patrol Coordinator

Science Fair Coordinator

STEM Club Coordinator

Meadow Park Elementary

KNOW OUR KIDS. GROW OUR KIDS. ALL OF THEM.

000001

"When educating the minds of our youth, we must not forget to educate their hearts."

- Dalai Lama

From: **victim/witness**
To: Loge, Matthew
Subject: Accepted **Ed** Conference

From: Loge, Matthew
To: [REDACTED] **victim/witness** Bishop, Bo; Meerman, Meredith; Robinson, Jessica
Subject: [REDACTED] Ed. Conference

From: victim/witness
To: [Loge, Matthew](#)
Subject: Accepted: Kindergarten Interventions Conversation

From: Loge, Matthew
To: Pezzullo, Pam
Cc: **victim/witness**
Subject: Para to Teacher
Date: Friday, April 29, 2022 8:23:35 AM

Pam,

I have a para who has her elementary education degree. She has applied through the state to receive her temp license. She still must pass all her tests. Are you able to look at her transcripts to see if we can go offer her a teaching position for 22/23?

victim/witness applicant for teaching position and current para at Meadow.

*Matthew Loge
Principal
Meadow Park Elementary School
941-255-7470*

From: [REDACTED] **victim/witness**
To: [Loge, Matthew](#)
Subject: Re:
Date: Monday, April 11, 2022 2:18:50 PM

Thank you. I appreciate that!

From: Loge, Matthew <matthew.loge@yourcharlotteschools.net>
Sent: Monday, April 11, 2022 1:13 PM
To: [REDACTED] **victim/witness** @yourcharlotteschools.net>
Subject:

If you ever need anything don't hesitate to text me. I do have more sanitizing wipes :) Sorry about your pants : (

*Matthew Loge
Principal
Meadow Park Elementary School
941-255-7470*

From: Loge, Matthew
To: **victim/witness**
Subject: Re: Bring your child to work day
Date: Friday, April 8, 2022 11:03:21 AM
Attachments: [Take Our Daughters and Sons to Work Day April 28 2022.pdf](#)

Absolutely :)

*Matthew Loge
Principal
Meadow Park Elementary School
941-255-7470*

From: **victim/witness** @yourcharlotteschools.net>
Sent: Friday, April 8, 2022 10:54 AM
To: Loge, Matthew <matthew.loge@yourcharlotteschools.net>
Subject: Bring your child to work day

Can you please send the email to me again regarding the "bring your child to work day"? I accidentally deleted it!

victim/witness

From: Loge, Matthew
To: **victim/witness**
Subject: Phone Number
Date: Friday, April 1, 2022 1:25:23 PM

Em. Contact

*Matthew Loge
Principal
Meadow Park Elementary School
941-255-7470*

From: Loge, Matthew
To: **victim/witness**
Date: Monday, April 11, 2022 1:13:25 PM

If you ever need anything don't hesitate to text me. I do have more sanitizing wipes :) Sorry about your pants : (

*Matthew Loge
Principal
Meadow Park Elementary School
941-255-7470*

On May 5th, I received a report from a staff member about inappropriate actions taken by our principal Matt Loge. She reported that Mr. Loge has been sending text messages to one of the **victim** teachers at our school, **victim/witness**. Some of the texts referenced things like him running with his shirt off and asking her if she ever gets sweaty when she runs and if she takes her shirt off. Other comments were about the way she was dressed and one mentioned that after seeing her wear a short skirt/dress to school one day, he had to bite his tongue from acting on how he felt while at school. One text was at 7:00 in the morning calling her "princess". One mentioned that he saw her walking in the parking lot and commented on the tight exercise clothes she was wearing on her way to the gym after work.

Miss **victim/wit** mentioned to her teammates that she thought the texts were inappropriate and that they made her uncomfortable. She would say things like "eww" or "yuck" when she'd show the texts to her teammates at recess. They recommended that she not engage back when he sends the messages. She told them she replies with short responses like "ok" or "thanks" when he writes to her or talks to her in person. When they encouraged her to file a complaint, she'd say that she didn't know what to do because he was her boss and she has a boyfriend. According to the report, these comments and texts have been happening consistently all year long (the reporter said since before hurricane Ian) He has written to her via text and also Facebook Messenger.

The report also mentioned that he spends a lot of time in her classroom before school, during breaks, or even while she's teaching. He's commented to Miss **victim/wi** that he wants to hide out in her room so nobody finds him for awhile. According to the report, her students have commented that Mr. Loge says how pretty their teacher is. The report mentioned that he leaves her snacks on her desk almost daily. One day he left a bag of popcorn called pirate booty in her classroom and Miss **victim/wi** expressed her discomfort to her teammates about what the snack meant since it had booty in the name. Another day, one of her teammates commented about how difficult students are often moved out of Miss **victim/witn** room, and when discussing putting in for team lead for next year, that teammate commented that more than likely Mr. Loge would give it to Miss **victim/wi** because of favoritism for her.

Although specific names of other staff members weren't mentioned, the teacher reporting the misconduct is under the impression that other younger staff members at Meadow Park may have also received similar texts from him in the past.

victim/witnes

May 5, 2023

victim/witness

victim/witnes

May 5, 2023

victim/witness

teacher

Matt comes in 3-4x day usually when kids arent there. Started last year para - first email. Never gave him my number. A while thought might be nice - then it got to be too much. Jst came in this morning. Kids were there. Hows your weekend?

Now its uncomfortable. you look beautiful as always - hard 4 me not to stare. You're still messaging me. This is gotten out of hand 4/29. Hope you got

victim/witness

One night he sent me picture of wine glasses. Only school related you didnt answer my text messages.

victim/witness

they've seen messages. Tuesday - hide in their rooms. I text SOS. They come in. He leaves. you look like a model. I hope I wasn't staring. Just trying to be professional. He could be my dad. I think you are awesome.

victim/witness

000013

I knew it wasn't right. Please don't tell anyone. He's my boss, I don't want him to get mad. I don't want to get in trouble. It's okay. She came to me b4 Ian. Not always show us, but tell us. How is the princess today? at 7am. I saw u in workout clothes. I run. I run w/ shirt off because it's hot. Do u run w/ your shirt off. So gross. How cute she was. In front of kids - Isnt your teacher beautiful. Short skirt. If its above short its fine.

Then FB messenger. Goes in her room 3-4 x day. I use this bathroom so I can get out of office. Recently SOS - I try to keep doing my work and ignore him. He knows she has a bf. She was getting a new student. Two sharks instead of one.

victim/witness

Is the other teacher.

victim/witness

We asked the said no. I can't work for him anymore. It sucks saying it. Going 100%.

victim/witness

I know Matt goes in her room
several x day. See it myself.
Can I text you. Only if it
relates to school. Send her a
friend request on FB. But it's
how beautiful she is. You look
cute. today - saw that one

victim/witness

— Inappropriate
messages. I like your outfit

victim/witness

5-9-23

These are messages/things said
to me either in text or in person.
*commented about what I wear when I
workout & says he would love to see
me in a sports bra + shorts.
*asked me to come on a run with him.
*asked me out to get drinks
*mentioned he didn't wear a shirt when
he runs + mentioned again how he'd love
to see me run in a sports bra.
*comments about my body
-toned my legs are
-nice complexion
*hard to bite his tongue was said
on multiple occasions in text + in person.
*wanted me to take him out on my

victim/witness

*has asked where I live + who I live
with
*has said I was the best dressed/best
looking teacher in the building.
*comments about what I wear +
how he likes seeing my legs.
*How I look like a model.
*Asks me about what I buy at Victoria's
Secret (victim/witness)
*Has asked Courtney (another
teacher (victim/)) + I to get drinks, his treat.
*commented about (victim/witness)
wondering why he is always in my room.
*would bring me snacks pretty often
*said I had him wrapped around his finger.
*said he would do anything I asked/wanted.

000016

4:28

81



Matt



Tuesday 2:02 PM

More training

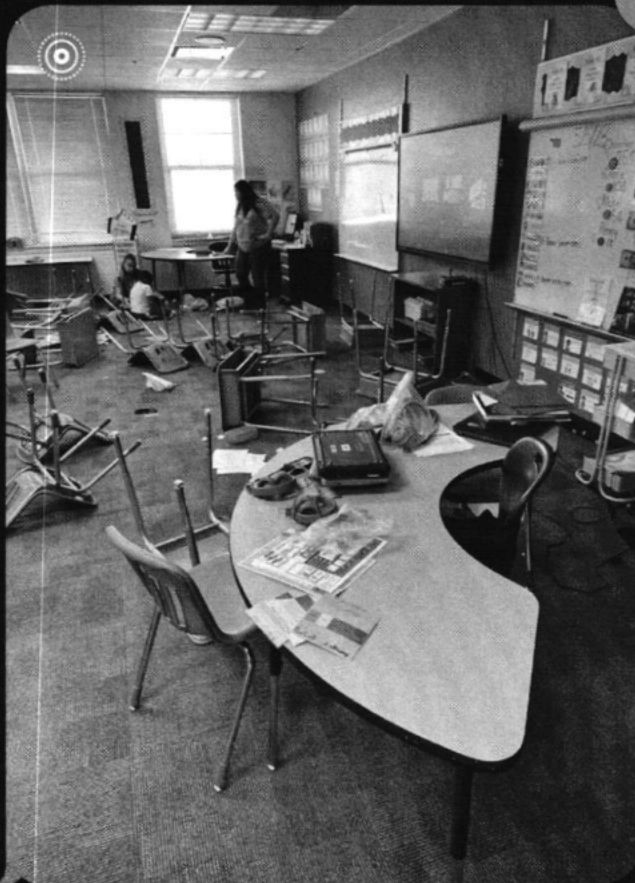
doctors

Read Tuesday

Oh okay lol :)

Friday 8:52 PM

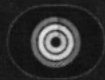
HA
HA



Text Message



Cash



4:27

81



Matt



just seems like a lot of unwanted work for something not that serious

I know right :) don't workout too hard this morning

U dont need to workout lol

as a victim/wit teacher yes i do need to

HA
HA

Lol well u look like a model :)

Thu, Apr 27 at 2:31 PM

I hope i wasn't staring lol

Fri, Apr 28 at 7:00 AM

Was Mr. smoker working out today?

nope

Lol



TGIF

Tuesday 2:02 PM

More training

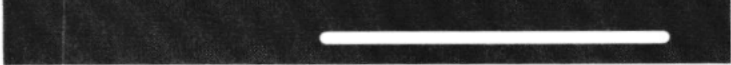


Text Message



Cash





4:27

81



Matt



Wed, Apr 26 at 10:51 AM

Don't forget your lunchbox upstairs
chick-fil-A

got it

Good:) free gift card inside

Wed, Apr 26 at 6:56 PM

I never liked doing a k graduation

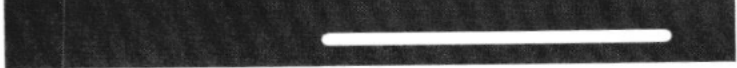


Text Message



Cash





4:27

81



Matt



I guess u r stuck in k next year :)

Its been nice working w ya

yes i agree

I enjoy talking w ya :)

I can see Slifer in 2nd

she wants older i thought

I thought so too

Your pig tails were awesome

Should take a pic lol

Tue, Apr 18 at 6:37 AM

Modern Scottsdale Hotel + Spa
hotelvalleyho.com



I stayed there for a conference. Really cool place.

Wed, Apr 19 at 7:23 PM

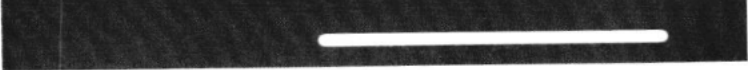


Text Message



Cash





4:27

81



Matt

Wed, Apr 19 at 7:23 PM

Sorry u have to work :(

Tue, Apr 25 at 2:18 PM



You look beautiful as always :)

Just seeing if you would respond lol

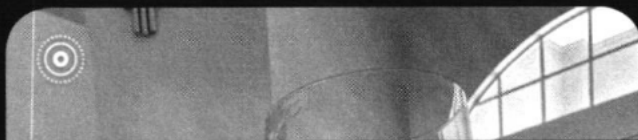


Im being polite and professional lol

My tongue is sore from biting it to much



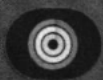
Tue, Apr 25 at 6:07 PM



Text Message



Cash



4:27

81



Matt



yes

Okay just checking:)

No desire to go to 2nd

noo 2nd is a little too high

bacceliere is leaving right?

Ya i think so. im trying to see who might like to go to 2nd

I like u where u r at :)

i wonder if tapia would like second

I think she loves 1st :)

Shes in her element

she does love 1st she said it's so much better

She taught k for a long time :)

I think 🤔 u r awesome:)



HA



Text Message



Cash





4:27

81



Matt



it was good



Yeah im glad u broke it in :)

I might buy 1

Mon, Apr 17 at 8:50 AM



You are so darn cute today with your pig tails. Your ^{victi} is going to be all go :) deep breath:)

All good

Mon, Apr 17 at 3:43 PM

If u need a ride home let me know i drive right by Kia

Mon, Apr 17 at 7:06 PM

Your oil is all good

yes

Thats good :)

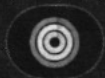
Do u like teaching k



Text Message



Cash



9:01

95



Matt

I hope you get that victi out

iMessage
Tue, Apr 11 at 2:09 PM



You look so beautiful today :)

Wed, Apr 12 at 10:49 AM

i've called for victim/w twice now can you please come get her before i lose it

On my way

they're at lunch now

Fri, Apr 14 at 4:04 PM

HA
HA

You deserve a drink and a pedicure after your week

My treat lol

Sun, Apr 16 at 5:45 PM

How was the victim/



iMessage



Cash



9:26

95



Edit



Matt



message



call



FaceTime



mail



pay

phone RECENT

Em. Contact

FaceTime



Notes

Send Message

Share Contact

Add to Favorites

Share My Location

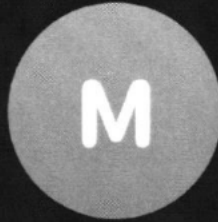
000025

Block this Caller

9:26

95

Done



Matt



call



video



mail



info

Send My Current Location

Share My Location

Show in Shared with You



Content shared in this conversation will appear in selected apps. Pins will always show. [Learn more...](#)

Hide Alerts



Send Read Receipts



Photos

See All



000026



ATTACHMENT 2

MEMORANDUM 2022-2023 HR/ER

To: Dr. Adrienne McElroy
Assistant Superintendent, Human Resources and Employee Relations

From: Adrienne Bergh
Investigator, Human Resources

Date: May 9, 2023

Re: Complaint against Matthew Loge, Principal at Meadow Park Elementary

Complaint:

On or about the evening of May 5, 2023, [redacted] victim/witness received a report from a staff member that Principal Matt Loge had been sending text messages to [redacted] victim/witness which made her feel uncomfortable. Her coworkers encouraged Ms. [redacted] victim/witne to report the behavior because it had been going on for so long, but she was concerned because Mr. Loge is her boss, and she has a boyfriend. Mr. Loge left snacks in her room daily, and visited before school and even while she was working, sometimes up to four times a day. He commented on her clothes being short or tight, and called her "princess."

[redacted] victim/witness reported the complaint to Human Resources. On or about May 8, 2023, Principal Loge was placed on administrative leave with pay while allegations of violating Title IX and Rule 6A-10.081 were investigated.

Investigation:

Four adults were interviewed. Principal Loge was not interviewed by the district.

Investigative Findings:

Teacher [victim/witness] is a [victim/witness]. The messages started last year when she was a [victim/witness]. At first they were all email. She never gave Principal Loge her phone number. For a while, it was nice, but then it got to be too much. He began coming into her room three and four times a day. He was just in earlier that morning. The kids were already in the room. He asked how her weekend was, and told her she looked beautiful as always, and that it was hard for him not to stare. Late last month she began to feel as if it had gotten out of hand and he commented when she did not respond to his text message. He had asked whether he could text her and she said it was fine if it was school related. Later he used Facebook Messenger to ask about her new [victim/wit]. He sent her a picture of a glass of wine.

Mr. Loge knew she worked out every morning, said that she didn't need to, that she looked like a model, and he hoped he "wasn't staring, lol." He texted her that she looked beautiful, that he was trying to keep it professional, and his "tongue is sore from biting it to (sic) much."

Mr. Loge knew she worked at [victim/witness] [victim/witness] and asked her what she bought there. He told her she looked like a model and was the best dressed person in the building. He commented on how toned her legs were and how much he liked seeing them. He told her she had him "wrapped around his finger," and would do anything she asked.

She talked with [victim/witness] [victim/witness] and another teacher [victim/witness]. She showed them some of the messages. Sometimes she'd hide in their rooms. She worked out a "SOS" signal so that when Principal Loge came into the room, one of them would come in and ask for assistance.

Mr. Loge could be her father. When she answered him, she was being polite, but now that he's in her room three or four times a day, it is too much. She shouldn't have to hide or call for backup, but she was afraid of getting in trouble if she reported him.

[victim/witness] initially wanted to remain anonymous when she reported Mr. Loge to [victim/witness]. [victim/witness] asked her not to tell anyone because Matt was her boss and she didn't want him to get mad. [victim/witness] showed her and [victim/witnes] some of the texts and told them about others. He texted "How is the princess today?" He said he'd seen [victim/witness] in workout clothes and mentioned that he ran with his shirt off because it was so hot. He asked [victim/witness] if she ran with her shirt off. It was gross. He told [victim/witness] how beautiful she was and mentioned her short skirt. He asked the class to agree how beautiful their teacher was.

Mr. Loge has a bathroom in his office but comes down their hall to use the staff lounge by them so he can “get out of the office.” It also coincides with the three or four times a day he goes in [victim/witness] room. Recently they started using an SOS so she and [victim/witness] would know if [victim/witness] needed help.

It “sucks” to say it, but [victim/witness] can’t work for Matt anymore. She is moving to a different school.

Teacher [victim/witness] sees Mr. Loge go to [victim/witness] room several times a day. [victim/witness] shared with her and [victim/witn] some of the text messages Matt sent her, commenting on her outfits and how beautiful she is. When [victim/witness] said he could text her as it related to school, Matt used Facebook messenger. [victim/witness] go into [victim/witness] room when asked because Matt is there.

[victim/witness] received a report on May 5, 2023, that Principal Matt Loge had been sending inappropriate messages to [victim/witness]. Some of the text messages referenced her running, and whether she took her shirt off like he did. Another message mentioned her short skirt and how he had to bite his tongue to keep from acting how he felt at school.

As Ms. [victim/witne] became increasingly uncomfortable with the texts and unwanted attention, teachers [victim/witness] encouraged her to report Mr. Loge, but she said she didn’t know what to do because he was her boss, and she had a boyfriend. She also mentioned that he’s in her room frequently and leaves her snacks every day. The most recent snack was popcorn named “Pirate Booty,” which made her feel more uncomfortable.

[victim/witn] contacted Human Resources. When the Director and the investigator came to the school, she placed them in the cafeteria lounge, close to the kindergarten classrooms, and away from the main office. She returned to the conference room and was organizing testing materials when Matt came in and asked why HR was there. He asked whether he was going to be put out, and whether [victim/witness] had reported him. [vi] [victim] said she could not talk about it, only that HR had called and asked for a room. Mr. Loge seemed to be in shock, and said something to the effect of “I didn’t even say anything graphic or anything.” She apologized for not being able to say more, and Mr. Loge said he understood and then left.

Conclusion:

In an administrative personnel investigation, the threshold or degree of proof required in determining the facts is the preponderance of evidence. The preponderance is based on the more convincing credible evidence and its probable truth or accuracy and not on the amount of evidence. Simply put, it is that which slightly tips the scales of justice.

Mr. Loge will be interviewed by an outside entity, who will come to their own conclusion. This memorandum serves simply to document the statements and texts received by the district.

Attachments:
Statements
Text messages

ATTACHMENT 3

From: Matt Loge [Personal E-mails]
Sent: Thursday, May 18, 2023 3:52 PM
To: Erin Jackson <ejackson@johnsonjackson.com>
Subject: Matthew Loge Post Interview Statement

Dear Ms. Jackson,

Since being in education for over 25 years, I have been well respected by students, staff, parents, and the school communities I have served. After reflecting on the interview yesterday and having time to process the information presented to me, I would like to make the following statement.

The comments or information mentioned in Ms. [victim/witne] written statement are misconstrued, taken out of context, exaggerated, or never said by me. Ms. [victim/wit] has taken conversations we had out of context which maybe detrimental to my career. The statements made by her again were embellished and exaggerated. The communication we had in person was professional or at times "light hearted" or friendly in nature. I was not inappropriate nor did I allude to anything that might be deemed inappropriate or have negative connotations. Again, I have been in the field of education for over twenty five years serving my community as a coach, teacher, Dean of Students, Assistant principal, and Principal. The staff at Meadow Park can attest to my caring and positive spirit and my hands on approach to tackling the day to day conflicts and challenges we face on a daily basis. I always listen to the concerns of others and work hard to promote and support a positive student and staff community and culture.

Sincerely,

Matthew Loge

Sent from Yahoo Mail for iPhone

5/29/2023

To: Dr. McElroy and Mr. Dionisio

From: Matthew Loge

Dear Dr. McElroy and Mr. Dionisio,

I want to begin by apologizing to you both, Miss **victim/witne** Mrs. **victim** the staff and students of Meadow Park, and my family. The actions I took, such as sending inappropriate text messages to Miss. **victim/witn** were uncalled for and not professional. I am genuinely sorry for making Miss **victim/witn** feel uncomfortable. I realize my actions were not becoming of a principal nor that of a school leader. My intentions were to be supportive of Miss. **victim/witnes** since I knew she was having a difficult time with a few of her students and parents. I should have never communicated with her through text or made frequent visits to her classroom and students. In my statement provided in the report, I continue to believe that comments stated by Miss **victim/witne** about me were taken out of context, embellished, or not said at all. For example, I never made a comment about her wearing a "sports bra". Furthermore, Ms. **victim/witnes** never communicated with me that I should only text her about work-related matters. On several occasions, Miss **victim/witne** texted me to come to her room to provide support, to deal with students misbehaving, or bring supplies to her such as extra headphones. However, I was extremely wrong in communicating with her regarding non-work-related matters.

I am sincerely sorry for the stress and discomfort I caused Miss **victim/witn**, her teammates, **victim/witnes** and the district. I have always had an excellent rapport with my staff and have been professional in my approach and communication with teachers, staff, and students. This incident was out of character for me, as I always feel my staff should be valued, respected, and feel comfortable to be able to come to me with any concerns they have. I would like to reassure both of you, along with the district, that I will never conduct myself in this manner again. I am remorseful and regretful for my lapse in judgment as it relates to Miss. **victim/witne** During my leave of absence, I have spent countless hours reflecting on what happened and the impact those actions have had on others. I am saddened and

heartbroken that I was not able to see my fifth-grade students graduate as they were in kindergarten during my first year at Meadow Park nor was I able to say goodbye to them before they headed off for summer break.

I have been proud to call myself the principal of Meadow Park for the last six years. The academic growth, staff retention, and the overall stability of the school have improved since I have been at Meadow Park. I take pride in running the school and for being a servant leader for my students, staff, parents, and community. I want to continue to build on the progress we have made and strive to meet our goal of becoming an A school. I feel my journey at Meadow Park is not over. I believe we can heal from this and continue to move the school in a positive direction. My lack of judgment in this case is not a depiction of my reputation as a school leader at Meadow Park. Again, I can reassure both of you that this lack of judgment and poor decision making on my behalf will never occur again. I made a mistake, and I am asking for forgiveness from those that have been impacted by my actions.

I truly hope and pray that you will allow me to continue to serve and lead Meadow Park. As you make future decisions regarding this matter, I am requesting that I be given a second chance to serve as a principal, assistant principal, dean of students, teacher, or facilities specialist in the event you do not place me back at Meadow Park. In addition, I am requesting that you consider precedence regarding this situation and with similar matters that have occurred in the past with previous administrators. For example, I understand a former principal at Meadow Park was reassigned to an assistant principal position at another school as a result of an incident. I believe I deserve a second chance and will give my all to serve the school district of Charlotte County. The main reason I went into education to begin with was to be able to make a difference in the lives of children. I would be devastated if I couldn't serve in some capacity with children in our amazing school district.

Sincerely,


Matthew Loge

McElroy, Adrienne

From: Loge, Matthew
Sent: Wednesday, May 31, 2023 11:34 AM
To: McElroy, Adrienne
Subject: Re: Statement

Thank you.

Get [Outlook for iOS](#)

From: McElroy, Adrienne <adrienne.mcelroy@yourcharlotteschools.net>
Sent: Wednesday, May 31, 2023 11:32:45 AM
To: Loge, Matthew <matthew.loge@yourcharlotteschools.net>
Subject: RE: Statement

I am planning to call you back today. That statement was outside the scope of the investigation. We aren't considering it. It isn't related to this case.

Adrienne McElroy, EdD, SHRM-SCP



From: Loge, Matthew <matthew.loge@yourcharlotteschools.net>
Sent: Wednesday, May 31, 2023 11:30 AM
To: McElroy, Adrienne <adrienne.mcelroy@yourcharlotteschools.net>
Subject: Statement

Dr. McElroy,

There was a statement made which is included in the report that mentioned my daughter and ex-wife. Would you like a statement from Mrs. Nelson, my ex-wife? Thank you

Matt

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McElroy, Adrienne

From: Loge, Matthew
Sent: Tuesday, May 30, 2023 7:37 AM
To: McElroy, Adrienne
Cc: Dionisio, Steve
Subject: Statement
Attachments: Loge Document.pdf

Dr. McElroy,

Here is my final statement regarding the matter. It is addressed to you and Mr. Dionisio. I do have a one concern regarding one section of the report. At your convenience, I would like to briefly discuss it with you. Thank you.

Matt

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McElroy, Adrienne

From: Loge, Matthew
Sent: Thursday, June 1, 2023 8:55 AM
To: McElroy, Adrienne
Subject: Re: Additional information

Ms **victim/witn** had shared with me her excitement about purchasing a **victim/witne**. Several weeks later she shared with me the story of her first trip out with the **vic**. As she described the story, she was so upset. She explained that after taking out the **vic** for the first time, she did not flush the engine correctly and was worried that water had gotten into the oil. I reassured her that the engine would be fine. She shared how she was going to take the **victim/** to have it looked at. A week or so later she shared how the **victim/** was okay and grateful no damage was done. She said she hoping to get the **vict** out over the weekend but was worried about the weather.

I did send the message to her via Facebook only because she had shared with me in depth regarding the purchase of the **vict**. She also wanted to share with me the brochure of the **vict**. As I stated in my letter, I sent you this week, I can reassure you and the district that this will never happen again. I was wrong in sending her the message and this will never happen again with Ms **victim/witn** or with anyone else. I will never use text messages or social media to communicate with staff.

Sincerely,

Matt

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From: McElroy, Adrienne <adrienne.mcelroy@yourcharlotteschools.net>
Sent: Thursday, June 1, 2023 8:11:09 AM
To: Loge, Matthew <matthew.loge@yourcharlotteschools.net>
Subject: RE: Additional information

I am meetings all morning. You are welcome to send in writing.

Adrienne McElroy, EdD, SHRM-SCP



From: Loge, Matthew <matthew.loge@yourcharlotteschools.net>
Sent: Thursday, June 1, 2023 7:53 AM
To: McElroy, Adrienne <adrienne.mcelroy@yourcharlotteschools.net>
Subject: Re: Additional information

May I call you to discuss?

Get [Outlook for iOS](#)

From: McElroy, Adrienne <adrienne.mcelroy@yourcharlotteschools.net>
Sent: Thursday, June 1, 2023 7:46:45 AM
To: Loge, Matthew <matthew.loge@yourcharlotteschools.net>
Subject: Additional information

Please see the additional image that was submitted and let me know if you would like to respond to this.

Adrienne McElroy, EdD, SHRM-SCP

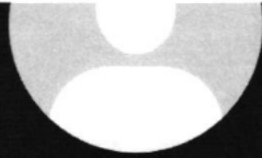


McElroy, Adrienne

From: victim/witness
Sent: Wednesday, May 31, 2023 7:52 AM
To: McElroy, Adrienne
Subject: fb message
Attachments: Image.jpeg

victim/witness

Meadow Park Elemen



Matt Loge

Facebook

You're not friends on Facebook

[View profile](#)

APR 29 AT 9:15 AM



Hope u can get the **victi** out

If you reply, Matt Loge will also be able to call you and see info like your Active Status and when you've seen messages.

Certificate of Completion

Charlotte County Public Schools

Matthew Loge

has completed

Mandatory Reporting Training Under Title IX (Custom)

a training program requiring **27 minutes**

on

Monday, July 11, 2022



Training Coordinator's
Signature

Employee's Initials: _____



Book	Policy Manual
Section	2000 Program
Title	NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND ACTIVITIES
Code	po2266
Status	Active
Adopted	April 13, 2021
Last Revised	June 21, 2021

2266 – **NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND ACTIVITIES**

Introduction

The School Board does not discriminate on the basis of sex (including sexual orientation or gender identity), in its education programs or activities, and is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The Board is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

The Board prohibits Sexual Harassment that occurs within its education programs and activities. When the District has actual knowledge of Sexual Harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

Pursuant to its Title IX obligations, the Board is committed to eliminating Sexual Harassment and will take appropriate action when an individual is determined responsible for violating this policy. Board employees, students, third-party vendors and contractors, guests, and other members of the School District community who commit Sexual Harassment are subject to the full range of disciplinary sanctions set forth in this policy. The Board will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the District's education programs and activities.

Coverage

This policy applies to Sexual Harassment that occurs within the District's education programs and activities and that is committed by a member of the School District community or a Third Party.

This policy does not apply to Sexual Harassment that occurs off school grounds, in a private setting, and outside the scope of the District's education programs and activities; such Sexual Misconduct/Sexual Activity may be prohibited by the Student Code of Conduct if committed by a student, or by Board policies and administrative procedures, applicable State and/or Federal laws if committed by a Board employee.

Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the District's education programs or activities. Sexual Harassment that occurs outside the geographic boundaries of the United States is governed by the Student Code of Conduct if committed by a student, or by Board policies and administrative procedures, applicable State and/or Federal laws if committed by a Board employee.

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.

Sexual Harassment: "Sexual Harassment" means conduct on the basis of sex that satisfies one or more of the following:

- A. A Board employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (often called "*quid pro quo*" harassment);

B. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, *and* objectively offensive that it effectively denies a person equal access to the District's education program or activity; or

C. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)A(v), or "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

"Sexual assault" means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault includes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape;

1. *Rape* is the carnal knowledge of a person (i.e., penetration, no matter how slight, of the genital or anal opening of a person), without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity;
2. *Sodomy* is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity;
3. *Sexual Assault with an Object* is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia;
4. *Fondling* is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity;
5. *Incest* is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by State law;
6. *Statutory Rape* is sexual intercourse with a person who is under the statutory age of consent as defined by State law;
7. *Consent* refers to words or actions that a reasonable person would understand as agreement to engage in the sexual conduct at issue. A person may be incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. A person who is incapacitated is not capable of giving consent;
8. *Incapacitated* refers to the state where a person does not understand and/or appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition, disability, or due to a state of unconsciousness or sleep;

D. "Domestic violence" includes felony or misdemeanor crimes of violence committed by:

1. A current or former spouse or intimate partner of the victim;
2. A person with whom the victim shares a child in common;
3. A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
4. A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred; or
5. Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred;

E. "Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship;

F. "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

Complainant: "Complainant" means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

Respondent: "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

Formal Complaint: "Formal Complaint" means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the District investigate the allegation(s) of Sexual Harassment. At the time of filing a Formal Complaint with the District, a Complainant must be participating in or attempting to participate in the District's education program or activity. A "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal that the Board provides for this purpose) that contains the Complainant's physical or

digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or a party to the Formal Complaint and must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Actual Knowledge: "Actual knowledge" means notice of Sexual Harassment or allegations of Sexual Harassment to the District's Title IX Coordinator, or any District official who has authority to institute corrective measures on behalf of the Board, or any Board employee. The mere ability or obligation to report Sexual Harassment or to inform a student about how to report Sexual Harassment, or having been trained to do so, does not qualify an individual as one who has the authority to institute corrective measures on behalf of the District. "Notice" includes, but is not limited to, a report of Sexual Harassment to the Title IX Coordinator. This standard is not met when the only District official with actual knowledge is the Respondent.

Supportive Measures: "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment or deter Sexual Harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, school/campus escort services, mutual restrictions of contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus (including school buildings and facilities), referral to Employee Assistance Program and other similar measures.

Education Program or Activity: "Education program or activity" refers to all operations of the District, including but not limited to in-person and online educational instruction, employment, extracurricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all activity that occurs on school grounds or on other property owned or occupied by the Board. It also includes locations, events, and circumstances that take place off-school property/grounds over which the Board exercises substantial control over both the Respondent and the context in which the Sexual Harassment occurs.

School District community: "School District community" refers to 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: "Third Parties" include, but are not limited to, guests and/or visitors on School District 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 District community at school-related events/activities (whether on or off District property).

Inculpatory Evidence: "Inculpatory evidence" is evidence that tends to establish a Respondent's responsibility for alleged Sexual Harassment.

Exculpatory Evidence: "Exculpatory evidence" is evidence that tends to clear or excuse a Respondent from allegations of Sexual Harassment.

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays),

Eligible Student: "Eligible Student" means a student who has reached eighteen (18) years of age or is attending an institution of postsecondary education.

Title IX Coordinator(s)

The Board designates and authorizes the following individual(s) to oversee and coordinate its efforts to comply with Title IX and its implementing regulations:

Assistant Superintendent for Human Resources

Director of Human Resources

Assistant Superintendent for School Support Services

The Title IX Coordinator shall report directly to the Superintendent except when the Superintendent is a Respondent. In such matters, the Title IX Coordinator shall report directly to the School Board Chairman. Questions about this policy should be directed to the Title IX Coordinator.

The Superintendent shall notify applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Board employees, and all unions or professional organizations holding collective bargaining or professional agreements with the Board of the following information:

The School Board of Charlotte County, Florida does not discriminate on the basis of sex in its education program or activity, and is required by Title IX and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The District's Title IX Coordinator(s) is/are:

Assistant Superintendent for Human Resources

Director of Human Resources

Assistant Superintendent for School Support Services

Any inquiries about the application of Title IX and its implementing regulations to the District may be referred to the Title IX Coordinator(s), the Assistant Secretary for the U.S. Department of Education's Office for Civil Rights, or both.

The Board has adopted a grievance process that provides for the prompt and equitable resolution of student and employee complaints alleging any action that is prohibited by Title IX and/or its implementing regulations. The grievance process is included in Policy 2266 Nondiscrimination on the Basis of Sex in Education Programs or Activities, which is available at: yourcharlotteschools.net. The grievance process specifically addresses how to report or file a complaint of sex discrimination, how to report or file a formal complaint of Sexual Harassment, and how the District will respond.

The Superintendent shall also prominently display the Title IX Coordinator's(s') contact information – including name(s) and/or title(s), phone number(s), office address(es), and e-mail address(es) – and this policy on the District's website and in each handbook or catalog that the Board makes available to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Board employees, and all unions or professional organizations holding collective bargaining or professional agreements.

Grievance Process

The Board is committed to promptly and equitably resolving student and employee complaints alleging Sexual Harassment. The District's response to allegations of Sexual Harassment will treat Complainants and Respondents equitably, including providing supportive measures to the Complainant and Respondent, as appropriate, and following this Grievance Process before imposition of any disciplinary sanctions or other actions, other than supportive measures, against the Respondent.

The Title IX Coordinator(s), along with any investigator(s), decision-maker(s), or any person(s) designated to facilitate an informal resolution process, shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

If a determination of responsibility for Sexual Harassment is made against the Respondent, the Board will provide remedies to the Complainant. The remedies will be designed to restore or preserve equal access to the District's education program or activity. Potential remedies include, but are not limited to, individualized services that constitute supportive measures. Remedies may also be disciplinary or punitive in nature and may burden the Respondent.

Report of Sexual Discrimination/Harassment

Any person may report sex discrimination, including Sexual Harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or Sexual Harassment), in person, by mail, by telephone, or by electronic mail, using the Title IX Coordinator's(s') contact information listed above, or by any other means that results in the Title IX Coordinator receiving the person's oral or written report. Reports may be made at any time (including during non-business hours), by using the telephone number(s) or electronic mail address(es), or by mail to the office address(es), listed for the Title IX Coordinator(s). Anonymous reports may be submitted. Anonymity cannot be guaranteed for the complainant in connection with any harassment investigation. Anonymous complaints shall be investigated by the District only if the complaint contains actionable specific information. No formal investigation action shall be initiated based solely on unverified anonymous information. Nothing in this policy shall be construed to infringe upon a Respondent's right to due process. Additionally, the Respondent will be provided the Complainant's identity prior to conclusion of the formal hearing and finding of fact (See Policy 1362, Policy 3362, and Policy 4362).

Students, Board members, and Board employees are required, and other members of the School District community, and Third Parties) are encouraged, to report allegations of sex discrimination or Sexual Harassment promptly to the/a Title IX Coordinator or to any Board employee, who will in turn notify the/a Title IX Coordinator. Reports can be made orally or in writing and should be as specific as possible. The person making the report should, to the extent known, identify the alleged victim(s), perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s).

If a report involves allegations of Sexual Harassment by or involving the Title IX Coordinator, the person making the report should submit it to the Superintendent, or another Board employee who, in turn, will notify the Superintendent of the report. The Superintendent will then serve in place of the Title IX Coordinator for purposes of addressing that report of Sexual Harassment.

The Board does business with various vendors, contractors, and other third parties who are not students or employees of the Board. Notwithstanding any rights that a given vendor, contractor, or third-party Respondent may have under this policy, the Board retains the right to limit any vendor's, contractor's, or third-party's access to school grounds for any reason. The Board further retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or third-party irrespective of any process or outcome under this policy.

A person may file criminal charges simultaneously with filing a Formal Complaint. A person does not need to wait until the Title IX investigation is completed before filing a criminal complaint. Likewise, questions or complaints relating to Title IX may be filed with the U.S. Department of Education's Office for Civil Rights at any time.

Any allegations of Sexual Misconduct/Sexual Activity not involving Sexual Harassment will be addressed through the procedures outlined in Board policies the applicable Student Code of Conduct, applicable collective bargaining agreement, and/or Employee/Administrator Handbook.

Because the Board is considered to have actual knowledge of Sexual Harassment or allegations of Sexual Harassment if any Board employee has such knowledge, and because the Board must take specific actions when it has notice of Sexual Harassment or allegations of Sexual Harassment, a Board employee who has independent knowledge of or receives a report involving allegations of sex discrimination and/or Sexual Harassment must notify the/a Title IX Coordinator within two (2) days of learning the information or receiving the report. The Board employee must also comply with mandatory reporting responsibilities regarding suspected abuse, abandonment, or neglect of a child pursuant to F.S. 39.201 and Policy 8462 – Student Abuse, Abandonment, and Neglect, if applicable. If the Board employee's knowledge is based on another individual bringing the information to the Board employee's attention and the reporting individual submitted a written complaint to the Board employee, the Board employee must provide the written complaint to the Title IX Coordinator.

If a Board employee fails to report an incident of Sexual Harassment of which the Board employee is aware, the Board employee may be subject to disciplinary action, up to and including termination.

When a report of Sexual Harassment is made, the Title IX Coordinator shall promptly (i.e., within two (2) days of the Title IX Coordinator's receipt of the report of Sexual Harassment) contact the Complainant (including the parent/guardian if the Complainant is under eighteen (18) years of age or under guardianship) to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a Formal Complaint, and explain to the Complainant the process for filing a Formal Complaint. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Any supportive measures provided to the Complainant or Respondent shall be maintained as confidential, to the extent that maintaining such confidentiality will not impair the ability of the District to provide the supportive measures.

Emergency Removal: Subject to limitations and/or procedures imposed by State and/or Federal law, the District may remove a student Respondent from its education program or activity on an emergency basis after conducting an individualized safety and risk analysis. The purposes of the individualized safety and risk analysis is to determine whether the student Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment that justifies removal. If the District determines the student Respondent poses such a threat, it will so notify the student Respondent and the student Respondent will have an opportunity to challenge the decision immediately following the removal. See Policy 5610 – Removal, Out-of-School Suspension, Disciplinary Placement, and Expulsion of Students, Policy 5610.01 Teacher Removal of Student from Classroom, and Policy 5611 – Due Process Rights.

If the Respondent is a non-student employee, the District may place the Respondent on administrative leave during the pendency of the grievance process.

For all other Respondents, including other members of the School District community and Third Parties, the Board retains broad discretion to prohibit such persons from entering onto its school grounds and other properties at any time and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

Formal Complaint of Sexual Harassment

A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information set forth above. If a Formal Complaint involves allegations of Sexual Harassment by or involving the Title IX Coordinator, the Complainant should submit the Formal Complaint to the Superintendent, who will designate another person to serve in place of the Title IX Coordinator for the limited purpose of implementing the grievance process with respect to that Formal Complaint.

When the Title IX Coordinator receives a Formal Complaint or signs a Formal Complaint, the District will follow its Grievance Process, as set forth herein. Specifically, the District will undertake an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

It is a violation of this policy for a Complainant(s), Respondent(s), and/or witness(es) to knowingly making false statements or knowingly submitting false information during the grievance process, including intentionally making a false report of Sexual Harassment or submitting a false Formal Complaint. The Board will not tolerate such conduct, which is a violation of the Student Code of Conduct.

The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Timeline

The District will seek to conclude the grievance process, including resolving any appeals, within sixty (60) days of receipt of the Formal Complaint.

If the Title IX Coordinator offers informal resolution processes, the informal resolution processes may not be used by the Complainant or Respondent to unduly delay the investigation and determination of responsibility. The timeline, however, may be subject to a temporary delay of the grievance process or a limited extension for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; and the need for language assistance or an accommodation of disabilities.

Upon receipt of a Formal Complaint, the Title IX Coordinator will provide written notice of the following to the parties who are known:

- A. Notice of the Board's grievance process, including any informal resolution processes;
- B. Notice of the allegations of misconduct that potentially constitutes Sexual Harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident, if known. The written notice must:
 1. Include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
 2. Inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence.
 3. Inform the parties of any provision in the Student Code of Conduct, this policy, that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, during the course of the investigation, the investigator becomes aware of allegations about the Complainant or Respondent that are not included in the original notice provided to the parties, the investigator will notify the Title IX Coordinator and the Title IX Coordinator will decide whether the investigator should investigate the additional allegations; if the Title IX Coordinator decides to include the new allegations as part of the investigation, the Title IX Coordinator will provide notice of the additional allegations to the parties whose identities are known.

Dismissal of a Formal Complaint

The District shall investigate the allegations in a Formal Complaint, *unless* the conduct alleged in the Formal Complaint:

- A. Would not constitute Sexual Harassment (as defined in this policy) even if proved;
- B. Did not occur in the District's education program or activity; or
- C. Did not occur against a person in the United States.

If one of the preceding circumstances exist, the Title IX Coordinator *shall* dismiss the Formal Complaint. If the Title IX Coordinator dismisses the Formal Complaint due to one of the preceding reasons, the District may still investigate and take action with respect to such alleged misconduct pursuant to another provision of an applicable code of conduct, Board policy, and/or Employee/Administrator Handbook.

The Title IX Coordinator *may* dismiss a Formal Complaint, or any allegations therein, if at any time during the investigation:

- A. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- B. The Respondent is no longer enrolled in the District or employed by the Board; or
- C. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

If the Title IX Coordinator dismisses a Formal Complaint or allegations therein, the Title IX Coordinator must promptly send written notice of the dismissal and the reason(s) therefore simultaneously to the parties.

Consolidation of Formal Complaints

The Title IX Coordinator may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.

Where a grievance process involves more than one Complainant or more than one Respondent, references in this policy to the singular "party," "Complainant," or "Respondent" include the plural, as applicable.

Informal Resolution Process

Under no circumstances shall a Complainant be required as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, to waive any right to an investigation and adjudication of a Formal Complaint of Sexual Harassment. Similarly, no party shall be required to participate in an informal resolution process.

If a Formal Complaint is filed, the Title IX Coordinator may offer to the parties an informal resolution process. If the parties mutually agree to participate in the informal resolution process, the Title IX Coordinator shall designate a trained individual to facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. The informal resolution process may be used at any time prior to the decision-maker(s) reaching a determination regarding responsibility.

If the Title IX Coordinator is going to propose an informal resolution process, the Title IX Coordinator shall provide to the parties a written notice disclosing:

- A. The allegations;
- B. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations; and
- C. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint.

Before commencing the informal resolution process, the Title IX Coordinator shall obtain from the parties their voluntary, written consent to the informal resolution process.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur have stayed and all related deadlines are suspended.

The informal resolution process is not available to resolve allegations that a Board employee or another adult member of the School District community or Third Party sexually harassed a student.

Investigation of a Formal Complaint of Sexual Harassment

In conducting the investigation of a Formal Complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility is on the District, not the parties.

In making the determination of responsibility, the decision-maker(s) is(are) directed to use the preponderance of the evidence standard. The decision-maker(s) is charged with considering the totality of all available evidence, from all relevant sources.

The District is not permitted to access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the party provides the District with voluntary, written consent to do so; if a student party is not an Eligible Student, the District must obtain the voluntary, written consent of a parent.

Similarly, the investigator(s) and decision-maker(s) may not require, allow, rely upon or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege in writing.

As part of the investigation, the parties have the right to:

- A. Present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence; and
- B. Have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The District may not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or grievance proceeding.

Board Policy 2461 – Recording of IEP Team Meetings controls whether a person is allowed to audio record or video record any meeting or grievance proceeding.

Neither party shall be restricted in their ability to discuss the allegations under investigation or to gather and present relevant evidence.

The District will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

Both parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

Prior to completion of the investigative report, the investigator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least ten (10) calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report.

At the conclusion of the investigation, the investigator shall create an investigative report that fairly summarizes relevant evidence and send the report to each party and the party's advisor, if any, for their review and written response. The investigator will send the investigative report in an electronic format or a hard copy, at least ten (10) calendar days prior to the decision-maker(s) issuing a determination regarding responsibility.

Determination of Responsibility

The Title IX Coordinator shall appoint a decision-maker(s) to issue a determination of responsibility. The decision-maker(s) cannot be the same person(s) as the Title IX Coordinator(s) or the investigator(s).

After the investigator sends the investigative report to the parties and the decision-maker(s), and before the decision-maker(s) reaches a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Determination regarding responsibility: The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) must apply the preponderance of the evidence standard.

The written determination will include the following content:

- A. Identification of the allegations potentially constituting Sexual Harassment pursuant to this policy;
- B. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, [and] methods used to gather other evidence;
- C. Findings of fact supporting the determination;
- D. Conclusions regarding the application of the applicable code of conduct to the facts;
- E. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the decision-maker(s) is recommending that the District impose on the Respondent(s), and whether remedies designed to restore or preserve equal access to the District's education program or activity should be provided by the District to the Complainant(s); and
- F. The procedures and permissible bases for the Complainant(s) and Respondent(s) to appeal.

The following disciplinary sanctions/consequences may be imposed on a student Respondent who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

A. Informal Discipline

- 1. writing assignments;
- 2. changing of seating or location;
- 3. pre-school, lunchtime, after-school detention;
- 4. in-school discipline;
- 5. Saturday school;

B. Formal Discipline

- 1. suspension of bus riding/transportation privileges;
- 2. removal from co-curricular and/or extra-curricular activity(ies), including athletics;
- 3. emergency removal;
- 4. suspension for up to ten (10) school days;
- 5. expulsion not to exceed the remainder of the term or school year and one (1) additional year of attendance;
- 6. any other sanction authorized by the Student Code of Conduct.

If the decision-maker(s) determines the student Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with Policy 5600 – Student Discipline, Policy 5610 – Removal, Out-of-School Suspension, Disciplinary Placement, and Expulsion of Students, Policy 5601.01 – Teacher Removal of Students from Classroom, Policy 5610.02 – In-School Discipline, Policy 5610.04 – Detaining Students for Questioning, and Policy

5611 – Due Process Rights. Discipline of a student Respondent must comply with the applicable provisions of the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

The following disciplinary sanctions/consequences may be imposed on an employee Respondent who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

- A. Oral or written warning;
- B. Written reprimands;
- C. Required counseling;
- D. Required training or education;
- E. Demotion;
- F. Suspension without pay;
- G. Termination, and any other sanction authorized by any applicable Employee/Administrator Handbook and/or collective bargaining agreement.

If the decision-maker(s) determines the employee Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with applicable due process procedures, whether statutory or contractual.

Discipline of an employee will be implemented in accordance with Federal and State law, Board policy, and applicable provisions of any relevant collective bargaining agreement.

The following disciplinary sanctions/consequences may be imposed on a non-student/non-employee member of the School District community or Third Party who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

- A. Oral or written warning;
- B. Suspension or termination/cancellation of the Board's contract with the third-party vendor or contractor;
- C. Mandatory monitoring of the third-party while on school property and/or while working/interacting with students;
- D. Restriction/prohibition on the third-party's ability to be on school property; and
- E. Any combination of the same.

If the decision-maker(s) determines the third-party Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including imposition of sanctions. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so appropriate action can be taken.

The decision-maker(s) will provide the written determination to the Title IX Coordinator who will provide the written determination to the parties simultaneously.

In ultimately, imposing a disciplinary sanction/consequence, the Superintendent (or the Board when the appointed Superintendent is the Respondent) will consider the severity of the incident, previous disciplinary violations (if any), and any mitigating circumstances. If the Respondent is an elected Superintendent or Member of the Board, the Board shall notify the appropriate Florida governmental authority(ies).

The District's resolution of a Formal Complaint ordinarily will not be impacted by the fact that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

At any point in the grievance process, the Superintendent (or the Title IX Coordinator if the Superintendent is the Respondent) may involve local law enforcement and/or file criminal charges related to allegations of Sexual Harassment that involve a sexual assault.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeal

Both parties have the right to file an appeal from a determination regarding responsibility, or from the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, on the following bases:

- A. Procedural irregularity that affected the outcome of the matter (e.g., material deviation from established procedures);
- B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

- C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant(s) or Respondent(s) that affected the outcome of the matter.

The Complainant(s) may not challenge the ultimate disciplinary sanction/consequence that is imposed.

Any party wishing to appeal the decision-maker(s)'s determination of responsibility, or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, must submit a written appeal to the Title IX Coordinator within three (3) days after receipt of the decision-maker(s)'s determination of responsibility or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein.

Nothing herein shall prevent the Superintendent (or the Board when the appointed Superintendent is the Respondent) from imposing any remedy, including disciplinary sanction, while the appeal is pending.

As to all appeals, the Title IX Coordinator will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.

The decision-maker(s) for the appeal shall not be the same person(s) as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator(s). The decision-maker(s) for the appeal shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant(s) or Respondent(s) and shall receive the same training as required of other decision-makers.

Both parties shall have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The parties' written statements in support of, or challenging, the determination of responsibility must be submitted within five (5) days after the Title IX Coordinator provides notice to the non-appealing party of the appeal.

The decision-maker(s) for the appeal shall issue a written decision describing the result of the appeal and the rationale for the result. The original decision-maker(s)' determination of responsibility will stand if the appeal request is not filed in a timely manner or the appealing party fails to show clear error and/or a compelling rationale for overturning or modifying the original determination. The written decision will be provided to the Title IX Coordinator who will provide it simultaneously to both parties. The written decision will be issued within five (5) days of when the parties' written statements were submitted.

The determination of responsibility associated with a Formal Complaint, including any recommendations for remedies/disciplinary sanctions, becomes final when the time for filing an appeal has passed or, if an appeal is filed, at the point when the decision-maker(s) for the appeal's decision is delivered to the Complainant and the Respondent. No further review beyond the appeal is permitted.

Retaliation

Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or Sexual Harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of Sexual Harassment, filing a Formal Complaint, or participating in an investigation, is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Complaints alleging retaliation may be filed according to the grievance 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.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Confidentiality

The District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a Formal Complaint of Sexual Harassment, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, F.S. 1002.22-1002.222, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the District's obligation to maintain confidentiality shall not impair or otherwise affect the Complainant's and Respondent's receipt of the information to which they are entitled related to the investigative record and determination of responsibility).

Application of the First Amendment

The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution. In no case will a Respondent be found to have committed Sexual Harassment based on expressive conduct that is protected by the First Amendment.

Training

The District's Title IX Coordinator, along with any investigator(s), decision-maker(s), or person(s) designated to facilitate an informal resolution process, must receive training on:

- A. The definition of Sexual Harassment (as that term is used in this policy);
- B. The scope of the District's education program or activity;
- C. How to conduct an investigation and implement the grievance process, appeals and informal resolution processes, as applicable; and
- D. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interests, and bias.

All Board employees will be trained concerning their legal obligation to report Sexual Harassment to the Title IX Coordinator. This training will include practical information about how to identify and report Sexual Harassment.

Recordkeeping

As part of its response to alleged violations of this policy, the District shall create, and maintain for a period of seven (7) calendar years, records of any actions, including any supportive measures, taken in response to a report or Formal Complaint of Sexual Harassment. In each instance, the District shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity. If the District does not provide a Complainant with supportive measures, then the District will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

The District shall maintain for a period of seven (7) calendar years the following records:

- A. Each Sexual Harassment investigation including any determination regarding responsibility, any disciplinary sanctions recommended and/or imposed on the Respondent(s), and any remedies provided to the Complainant(s) designed to restore or preserve equal access to the District's education program or activity;
- B. Any appeal and the result therefrom;
- C. Any informal resolution and the result therefrom; and
- D. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.

The District will make its training materials publicly available on its website.

Outside Appointments, Dual Appointments, and Delegations

The Board retains discretion to appoint suitably qualified persons who are not Board employees to fulfill any function of the Board under this policy, including, but not limited to, Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Board also retains discretion to appoint two or more persons to jointly fulfill the role of Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Superintendent may delegate functions assigned to a specific Board employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor, to any suitably qualified individual and such delegation may be rescinded by the Superintendent at any time.

Discretion in Application

The Board retains discretion to interpret and apply this policy in a manner that is not clearly unreasonable, even if the Board's interpretation or application differs from the interpretation of any specific Complainant and/or Respondent.

Despite the Board's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express policy language, in which case the Board retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this policy are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the Board retains discretion to revise this policy at any time, and for any reason. The Board may apply policy revisions to an active case provided that doing so is not clearly unreasonable.

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Legal

20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX)

20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)

42 U.S.C. 2000c et seq., Title IV of the Civil Rights Act of 1964

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

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

42 U.S.C. 1983

34 C.F.R. Part 106

Dear Colleague Letter on Sexual Violence (Office for Civil Rights, 2011)

F.S. 1000.05

OCR's Revised Sexual Harassment Guidance (2001)



Book	Policy Manual
Section	1000 Administration
Title	ANTI-HARASSMENT
Code	po1362
Status	Active
Adopted	June 28, 2005
Last Revised	May 12, 2023

1362 - **ANTI-HARASSMENT**

I. General Policy Statement

It is the policy of the School 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 District 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 District.

The Superintendent will vigorously enforce its prohibition against discriminatory harassment (including anti-Semitism [as defined in Bylaw 0100]) on the basis of race, ethnicity, color, national origin, sex (including sexual orientation, gender status, or gender identity), recognized disability, pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, 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 District community as well as Third Parties, who feel aggrieved to seek assistance to rectify such problems. The Superintendent will investigate all allegations of unlawful harassment and in those cases where unlawful harassment is substantiated, the Superintendent 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.

The District will offer counseling services to any staff member found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.

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. Other Violations of the Anti-Harassment Policy

The District 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 the investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties;

III. 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 District 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 District 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 District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays);

A. 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. This unlawful harassment may include, but not be limited to, the following:

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.

B. '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 a 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;

C. Sexual Harassment

For purposes of this policy and consistent with 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:

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 by Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

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. Unwanted physical and/or sexual contact;
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. A 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. Consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment;
13. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping that does not involve conduct of a sexual nature;
14. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life (see AP 1362);

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based and gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment, or such that it creates a hostile or abusive employment or educational environment.

NOTE: Any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of a crime. The issue of consent is irrelevant in regard to such criminal charges and/or with respect to the application of this policy to District employees or other adult members of the School District community.

D. 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;

E. Race/Color Harassment (Including Anti-Semitism)

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.

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;

F. 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;

G. 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;

H. 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. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information;

I. 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

Members of the School District community and Third Parties, which includes all staff, are encouraged to promptly report incidents of unlawful harassing conduct to an administrator, supervisor, or other School District official so that the Superintendent may address the conduct before it becomes severe, pervasive, or persistent.

Any administrator, supervisor, or other District official who receives such a report shall file it with the District's Anti-Harassment Compliance Officer as soon as possible after the conduct occurs within two (2) business days of receiving the report of harassment.

Members of the School District community and Third Parties who believe they have been unlawfully harassed by another member of the School District community or a third party 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 Complainant'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. 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.

If, during an investigation of reported act of bullying and/or harassment in accordance with Policy 5517.01 – Bullying and Harassment, the principal or his/her designee believes that the reported misconduct may have created a hostile work

environment and may have constituted unlawful discriminatory harassment (including anti-Semitism) based on sex, race, color, national origin, religion, or disability, the principal or his/her designee 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. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or while the matter is being addressed pursuant to Policy 2266, the Principal shall suspend r Policy 5517.01 investigation to await the Compliance Officer's written report or the determination or responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 1362 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibilities that results from the Policy 2266 grievance process;

A. Compliance Officers

The Board designates the following individuals to serve as the District's 'Compliance Officers' (also known as 'Civil Rights Coordinators'; hereinafter referred to as the 'COs');

Director of Human Resources
Danielle Hudzina, Ed.D.
1445 Education Way
Port Charlotte, Florida 33948
941-255-0808
danielle.hudzina@yourcharlotteschools.net

Assistant Superintendent of Human Resources and Labor Relations
Adrienne McElroy, Ed.D.
1445 Education Way
Port Charlotte, Florida 33948
941-255-0808
Adrienne McElroy@yourcharlotteschools.net

B. Section 504 Compliance Officer/ADA Coordinator

The Board designates the following individual to serve as the District's Section 504 Compliance Officer/ADA Coordinators;

Rebecca Marazon
Coordinator of Psychological Services
1445 Education Way
Port Charlotte, Florida 33948
Phone: 941-255-0808
Fax: 941-255-7573

C. Title IX Coordinators

The Board designates the following individuals to serve as the District's Title IX Coordinators;

Director of Human Resources
Danielle Hudzina, Ed.D.
1445 Education Way
Port Charlotte, Florida 33948
941-255-0808
danielle.hudzina@yourcharlotteschools.net

Assistant Superintendent of Human Resources and Labor Relations
Adrienne McElroy, Ed.D.
1445 Education Way
Port Charlotte, Florida 33948
941-255-0808
adrienne.mcelroy@yourcharlotteschools.net

Assistant Superintendent for School Support
Michael Desjardins, Ed.D.
1445 Education Way
Port Charlotte, Florida 33948
941-255-0808
mike.desjardins@yourcharlotteschools.net

D. Publication Required

The names, titles, and contact information of these individuals will be published annually in the parent and staff handbooks and/or on the School District's website.

The names, titles, and/or contact information of the persons presently serving as Compliance Officers may change

from time to time, and such changes shall be deemed technical corrections within the meaning of Bylaw 0131.1 and shall be made pursuant to that bylaw.

E. Duties and Responsibilities

A Compliance Officer will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the School District 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 District 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) business days. Thereafter, the Compliance Officer or designee must contact the Complainant, if over age eighteen (18) or the Complainant's parents/guardians if under the age eighteen (18), within two (2) business days to advise of the Superintendent'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.

Compliance Officers are assigned to accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District or to receive complaints which 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 District 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, after consultation with the Superintendent, recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of unlawful harassment which are reported to them to a Compliance Officer within five (5) days of learning of the incident;

V. Investigation and Complaint Procedure

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Program or Activities, any employee or other member of the School District community or Third Party who believes that they have been subjected to unlawful harassment may seek resolution of the complaint through the informal or formal procedures as described below.

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, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or Third Party who alleges unlawful harassment or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint.

Employees, other members of the School District community, or Third Parties who believe that they have been unlawfully harassed or retaliated against 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 Complainant and the Respondent mutually agree to participate in it.

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.

The Informal Complaint Procedure is not allowed to be used for any complaints of harassment involving a District employee, any other adult member of the School District community, or a Third Party and a student. Any such complaints must be addressed through the Formal Complaint Procedure and resolved through the formal process.

As an initial course of action resolved through the Informal Complaint Process, 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 Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A complainant who is uncomfortable or unwilling to directly approach the Respondent about the allegedly inappropriate conduct may file 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 complainant may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator; (2) to the Superintendent or other District-level employee; and/or (3) directly to one of the Compliance Officers.

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

The School District's informal complaint procedure is designed to provide employees, other members of the School District community, or Third Parties who believe they are being unlawfully harassed by another individual 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. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent works or attends;
3. If both parties agree, the Compliance Officers may arrange and facilitate a meeting or mediation meeting or mediation between the Complainant and Respondent to work out a mutual resolution;

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officers 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 informal complaint process may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

All materials generated as part of the informal complaint process will be retained by the Compliance Officers or designee in accordance with the Board's records retention policy. (See Policy 8310)

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 CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process as described below shall be implemented.

This formal complaint process is not intended to interfere with the rights of an employee, other member of the School District 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, or other District official, the Compliance Officer, Superintendent, or other District official. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within five (5) calendar days after the conduct occurs. If a Complainant informs a teacher, principal, or other District employee, the Compliance Officer, Superintendent, or other District employee, either orally or in writing, about any complaint of harassment, that employee must report such information to the Compliance Officer or designee within two (2) days.

Throughout the course of the process, as described herein, the Compliance Officer should keep the parties 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/retaliation; a detailed description of the facts upon which the complaint is based; 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 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 work assignment or schedule for the complainant and/or the alleged harasser. In making such a determination, the Compliance Officer should consult the complainant to assess his/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 s/he deems appropriate in consultation with the Superintendent and/or Board Attorney.

Within five (5) business days of receiving a formal complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the complainant has been subjected to offensive conduct/harassment/retaliation. A Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the individual alleged to have engaged in the 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) business days.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an

investigation into the allegations of harassment/retaliation within fifteen (15) calendar 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, the Compliance Officer or the designee may consult with the Board Attorney or Superintendent. A written report shall then be prepared and delivered to the Superintendent 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. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer may consult with the Board Attorney before finalizing the report to the Superintendent.

Absent extenuating circumstances, within ten (10) business days of receiving the report of the Compliance Officer or the designee, the Superintendent 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 Superintendent's final decision will be delivered to both the complainant and the respondent.

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

The decision of the Superintendent shall be final.

The Superintendent reserves the right to investigate and resolve a complaint or report of unlawful harassment regardless of whether the member of the School District community or third party alleging the unlawful harassment pursues the complaint. The Superintendent 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 Superintendent.

VI. Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the 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 shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the respondent.

Anonymous reports may be submitted. Anonymity cannot be guaranteed for the complainant in connection with any harassment investigation. Anonymous complaints shall be investigated by the District only if the complaint contains actionable specific information. No formal investigation action shall be initiated based solely on unverified anonymous information. Nothing in this policy shall be construed to infringe upon a Respondent's right to due process. Additionally, the Respondent will be provided the Complainant's identity prior to conclusion of the formal hearing and finding of fact.

During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the School District 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 s/he learns or that s/he provides 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 the 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 and state laws.

VII. Sanctions and Monitoring

The Superintendent shall vigorously enforce the Board's 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 student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent 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 Superintendent may consider whether the alleged conduct nevertheless

warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

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

VIII. 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;

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

State law requires any teacher or school employee 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 or a designee 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 or a designee 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 or a designee'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 Superintendent;

X. Mandatory Reporting of Misconduct by Certificated Employees

The Superintendent is required by State law and Board Policy 8141 to report alleged misconduct by certificated employees of the District that affects the health, safety, or welfare of a student. In accordance with Board policy and State law, the Superintendent shall investigate each allegation of such conduct and, if confirmed, shall report such misconduct pursuant to Policy 8141;

XI. Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding this policy and harassment in general, will be age and content appropriate;

XII. Retention of Investigatory Records and Materials

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, including, but not limited to:

- A. All written reports/allegations/complaints/statements;
- B. Narratives of all verbal reports/allegations/complaints/statements;
- C. A narrative of all actions taken by District personnel;
- D. Any written documentation of actions taken by District personnel;
- E. Written witness statements;
- F. Narratives of, notes from, or audio, video, or digital recordings of witness statements;
- G. All documentary evidence;
- H. E-mails, texts, or social media posts pertaining to the investigation;
- I. Contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;
- J. Written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;

K. Dated written determinations to the parties;

L. Dated written descriptions of verbal notifications to the parties;

M. Written documentation of any interim measures offered and/or provided to complainants, including no contact orders issued to both parties, the dates issued, and the dates the parties acknowledged receipt; and

N. Documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects.

The information, documents, ESI, and electronic media (as defined in Policy 8315) 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 (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Revised 9/28/10

Revised 9/3/16

Revised 10/17/17

Revised 10/9/18

Technical Correction 12/22/20

Revised 4/13/21

Revised 10/12/21

Technical Correction 5/12/23

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Legal

F.S. 110.1221

F.S. 250.481

F.S. 760.01

F.S. 760.10

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 C.F.R. Part 1635

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

38 U.S.C. 4301 et seq., The Uniformed Services Employment and Reemployment Rights Act

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

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

Redaction Log

Total Number of Redactions in Document: 168

Redaction Reasons by Page

Page	Reason	Description	Occurrences
1	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	10
2	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	18
3	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	6
4	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	2
5	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	8
6	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	13
7	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	1
8	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	1
8	Ed./Student Recs	Educational or Student Records § 1002.221, F.S. (K-12) - §1006.52, F.S. (Postsecondary) FERPA	1
10	Ed./Student Recs	Educational or Student Records § 1002.221, F.S. (K-12) - §1006.52, F.S. (Postsecondary) FERPA	1
10	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	1
11	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	1
11	Ed./Student Recs	Educational or Student Records § 1002.221, F.S. (K-12) - §1006.52, F.S. (Postsecondary) FERPA	1
12	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	1
13	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	2
14	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	1
15	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	3

Redaction Log

Page	Reason	Description	Occurrences
16	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	1
17	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	1
18	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	8
19	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	2
20	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	4
21	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	2
22	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	2
23	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	6
25	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	1
30	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	1
31	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	3
34	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	4
35	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	16
36	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	20
38	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	2
39	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	11
43	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	10
45	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	2
46	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	1

Redaction Log

Redaction Reasons by Exemption

Reason	Description	Pages (Count)
Ed./Student Recs	Educational or Student Records § 1002.221, F.S. (K-12) - §1006.52, F.S. (Postsecondary) FERPA	8(1) 10(1) 11(1)
victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	1(10) 2(18) 3(6) 4(2) 5(8) 6(13) 7(1) 8(1) 10(1) 11(1) 12(1) 13(2) 14(1) 15(3) 16(1) 17(1) 18(8) 19(2) 20(4) 21(2) 22(2) 23(6) 25(1) 31(3) 30(1) 34(4) 35(16) 36(20) 38(2) 39(11) 43(10) 45(2) 46(1)

Redaction Log

Total Number of Redactions in Document: 3

Redaction Reasons by Page

Page	Reason	Description	Occurrences
31	Em. Contact	Emergency Contact Information Provided to an Agency §119.071(5)(j), F.S.	1
63	Em. Contact	Emergency Contact Information Provided to an Agency §119.071(5)(j), F.S.	1
75	Personal E-mails	Personal Emails transmitted or received by public employees on government-owned computer systems Butler v. City of Hallandale Beach, 68 So.3d 278 (Fla. 4th DCA) State v. City of Clearwater, 863 So. 2d 149 (Fla. 2003) Shevin v. Byron, Harless, Schaffer, Reid & Assocs., Inc., 379 So. 2d 633, 640 (Fla. 1980)	1

Redaction Log

Redaction Reasons by Exemption

Reason	Description	Pages (Count)
Em. Contact	Emergency Contact Information Provided to an Agency §119.071(5)(j), F.S.	31(1) 63(1)
Personal E-mails	Personal Emails transmitted or received by public employees on government-owned computer systems Butler v. City of Hallandale Beach, 68 So.3d 278 (Fla. 4th DCA) State v. City of Clearwater, 863 So. 2d 149 (Fla. 2003) Shevin v. Byron, Harless, Schaffer, Reid & Assocs., Inc., 379 So. 2d 633, 640 (Fla. 1980)	75(1)

Redaction Log

Total Number of Redactions in Document: 2

Redaction Reasons by Page

Page	Reason	Description	Occurrences
9	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	1
27	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	1

Redaction Log

Redaction Reasons by Exemption

Reason	Description	Pages (Count)
victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	9(1) 27(1)

Redaction Log

Total Number of Redactions in Document: 1

Redaction Reasons by Page

Page	Reason	Description	Occurrences
1	victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	1

Redaction Log

Redaction Reasons by Exemption

Reason	Description	Pages (Count)
victim/witness	34 C.F.R. sec. 106.71 (a) confidentiality, Sec. 119.071 (2) (n), F.S. victim	1(1)