

**ODYSSEY CHARTER SCHOOL, INC.**

**ADOPTION OF SCHOOL BOARD POLICIES ON BULLYING, ANTI-HARASSMENT, NONDISCRIMINATION, DATING VIOLENCE, AND RELATED INVESTIGATIONS**

The Board of Directors of Odyssey Charter School, Inc. ("OCS") hereby adopts in full Policies 2260.01, 5517, 5517.01, and 5517.03 of the School Board of Brevard County, as may be amended from time to time, subject to the following changes and clarifications:

- The term "Board" shall instead mean the Board of Directors of OCS.
- The terms "School District" or "District" shall instead mean OCS.
- The term "District Compliance Officer" shall instead mean the Board Compliance Officer, who shall be an individual who is appointed by the Board President to serve as the Board Compliance Officer. The Board Compliance Officer shall be appointed annually.
- The term "School Compliance Officer" shall instead mean the Site Administrator for each respective campus operated by OCS.
- The term "Superintendent" shall instead mean the Board of Directors.
- The terms "Board Policy 8310" and "Board Policy 8320" shall instead refer to the General Records Retention Schedules GS1-SL and GS7 published by the Florida Division of Library and Information Services.
- All cross references to other policies or forms of the School Board of Brevard County shall instead refer to the comparable policies and forms of OCS.

OCS does not expressly adopt any other policies of the School Board of Brevard County except for Policies 2260.01, 5517, 5517.01, and 5517.03, as well as any other policies that may have previously been adopted by the Board of Directors or which may hereafter be expressly adopted. The aforementioned policies are attached hereinto and incorporated herein, subject to the changes and clarifications noted above.

**Board President Certificate**

I hereby certify that the foregoing policy was adopted by a majority vote of a quorum of the Governing Board of Directors at a duly noticed meeting held on January 28, 2021.

  
\_\_\_\_\_  
Board President

January 28, 2021  
\_\_\_\_\_  
Date



Book	Policy Manual
Section	2000 Program
Title	ANTI-HARASSMENT AND NONDISCRIMINATION APPEAL PROCEDURES
Code	po2260.01
Status	Active
Adopted	May 1, 2002
Last Revised	September 24, 2019

## 2260.01 - **ANTI-HARASSMENT AND NONDISCRIMINATION APPEAL PROCEDURES**

### I. **Generally**

The Board provides that no qualified individual shall, solely by reason of his/her race, color, national origin, sex (including sexual orientation, transgender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status (except authorized by law), religion, military status, age, ancestry, or genetic information be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity in the District, except as otherwise provided by State law.

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the ADA AAA prohibit discrimination against students with a disability. Mitigating measures as provided in ADA AAA may not be taken into consideration when determining whether a student is disabled. An impairment that is episodic or in remission may qualify as a disability if it would substantially limit a major life activity when active. No discrimination against any student with a disability will knowingly be permitted in any of the programs, policies, procedures, or activities of the District.

#### Appeal Defined

An "appeal," as defined under this policy, stems from a complaint concerning alleged violation(s) of Title IX Education Amendments of 1972, which prohibit gender discrimination in education or alleged violation(s) of the Florida Educational Equity Act, F.S. 1000.05, which prohibits discrimination in public education which is investigated by a Compliance Officer in accordance with Policy 5517 – Anti-Harassment. In addition, Section 504 of the Rehabilitation Act of 1973 and the ADA AAA prohibit discrimination against students with a disability. No discrimination against any student with a disability will knowingly be permitted in any of the programs or activities of the District. To ensure the District's compliance, the following appeal procedures have been adopted.

#### School Compliance Officers

The School Compliance Officer for each school is the school principal. The school principal may designate other persons to act in this capacity on his/her behalf as the demands of the institution dictate. Nevertheless, all written grievances may be properly directed to the principal of the institution alleged to be in violation of Title IX of the Educational Amendments of 1972, the Florida Education Equity Act (F.S. 1000.05), Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act Amendments Act (ADA AAA) of 2008.

#### District Compliance Officers

The District Compliance Officers are identified annually and the contact information for these individuals is published in the Code of Student Conduct, on the District website, and in the District's Anti-Harassment and Nondiscrimination Notice in accordance with Policy 5517 – Anti-Harassment; Compliance Officers; Complaint and Investigation Procedures.

### Maintenance of Written Complaints

All written complaints received at schools in the District alleging violations of Title IX of Education Amendments of 1972, the Florida Education Equity Act (F.S. 1000.05), Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADAAA) of 2008, regardless of resolution at the individual school level, shall be forwarded to the District's Compliance Officer. The District's Compliance Officer or his/her designee shall maintain all such written complaints, as well as the written response/resolution to such complaints. These documents may be public records and shall be available for inspection and copying through proper public records request, subject to reasonable fee. Any records which are considered student records in accordance with the Family Educational Rights and Privacy Act (FERPA) will be maintained in a manner consistent with the provisions of Federal Law.

## **II. Student Appeal Procedures - Steps**

### A. Step 1

If the student and/or parent/legal guardian of the student believes that an action, or inaction, by the school, school representative, or school employee has violated his/her rights under Title IX of Education Amendments of 1972, the Florida Educational Equity Act (F.S. 1000.05), Section 504 of the Rehabilitation Act of 1973, or the ADAAA, the student is encouraged to seek a resolution through appropriate informal discussion with the individual or individuals alleged to have committed the violation or other appropriate school personnel.

### B. Step 2

If the informal discussion does not satisfactorily resolve the issue, the student (or parent/legal guardian on behalf of the student) shall submit a written statement of his/her appeal to the school principal or designee within thirty (30) school days of the informal discussion. This statement shall include a specific description of the alleged discriminatory denial of opportunity to the student, name(s) of the person or persons causing the alleged violation, the date of the alleged violation, the resolution sought by the student, and the signature of the student and his/her parent/legal guardian. Failure of the student to timely submit such written appeal shall not impact the student's legal rights under Title IX of Education Amendments of 1972, the Florida Educational Equity Act (F.S. 1000.05), Section 504 of the Rehabilitation Act of 1973 or the ADAAA.

Within seven (7) days of receipt of the written appeal, the school principal or designee shall investigate and render a written response to the appeal to the student and/or parent/legal guardian. This response shall either uphold, modify, or deny the resolution sought.

### C. Step 3

If the student and/or parent/legal guardian is not satisfied with the response issued in Step 2, the student and/or parent/legal guardian may, within seven (7) school days of the date of the response, resubmit the appeal in writing to the District's Compliance Officer.

Within seven (7) school days, the District's Compliance Officer shall issue a written response to the student and/or parent/legal guardian. The decision of the District's Compliance Officer shall be final except as provided by law or Board policy which includes the right of the student and/or parent/legal guardian to request an impartial due process hearing in regard to the student's identification, evaluation, or placement under Section 504 of the Rehabilitation Act of 1973 and the ADAAA.

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

Revised 9/24/19

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Legal

[F.S. 1000.05](#)

[F.S. 1001.41](#)

Florida Educational Equity Act

Titles VI, VII, and IX of the Civil Rights Act 1964

Section 504 of the Rehabilitation Act of 1973

Americans with Disabilities Act, Public Law 101-336

Section 504 of the Education Amendments of 1972

Americans with Disabilities Act Amendments Act of 2008 (ADAAA)