

## SCHOOL BOARD WORKSHOP

GADSDEN COUNTY SCHOOL BOARD  
MAX D. WALKER ADMINISTRATION BUILDING  
35 MARTIN LUTHER KING, JR. BLVD.  
QUINCY, FLORIDA

December 14, 2021

4:30 P.M.

The workshop was open to the public and electronically recorded.

The following Board members were present: Mr. Leroy McMillan, Chairman; Mr. Steve Scott, Ms. Cathy S. Johnson, Mrs. Karema D. Dudley, and Mr. Charlie D. Frost. Also present were Mr. Elijah Key, Superintendent and Secretary to the Board, Mrs. Deborah Minnis, Attorney for the Board; and others.

1. The workshop was called to order by the Chairman, Mr. Leroy McMillan, at 4:32 p.m.
2. Title IX Compliance Training

Ms. Ella Mae Daniels shares with the Board a power-point presentation regarding information on Title IX Compliance. She introduced Ms. Betsy Smith, Senior Investigator and Consultant with Institution Compliance Solutions.

Ms. Betsy Smith stated that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance. She stated that Title IX covers sexual harassment, equity in programming (including athletics), and discrimination on the basis of sex (including pregnancy and SOGI – Sexual Orientation and Gender Identity). She stated that the evolution of Title IX includes the following: 2001 Title IX Guidance on Sexual Harassment; 2011 Title IX Guidance (DCI); 2014 Title IX Guidance (Q & A); 2015 Title IX Guidance (DCL); 2017 Q & A and DCL Withdrawing 2011 and 2014 Guidance; 2018 Notice of Proposed Rulemaking; May 6, 2020 Title IX Regulations w/August 14, 2020 Implementation Deadline; July 20, 21 Q & A on the Title IX Regulations and Sexual Harassment; June 16, 2021, Notice of Interpretation “On the Basis of Sex”; April 6, 2021 DOE Launches Comprehensive Review of the Title IX Regulations; and Expected May 2022 Title IX Rule Changes / Amendments. She stated that potential scenarios include Student on Student; Student on Employee; Employee on Employee; and Employee on Student. She stated that the Title IX Coordinator cannot serve as the Decision-Maker or Appellate Decision-Maker. May serve as an Investigator-though if possible, it is recommended that another individual serve as an Investigator. May serve as an Informal Resolution Facilitator. She stated that that the Investigator cannot serve as the Decision-Maker or Appellate Decision-Maker. May be the Title IX Coordinator but if possible, it is recommended that this individual be separate from the Title IX Coordinator. It is not recommended that an Investigator serve as the Informal Resolution facilitator in a case that they have started, or later serve, as an Investigator. She stated that the Decision-Maker cannot be the Title IX Coordinator. Cannot serve as the Investigator or Appellate Decision-Maker. It is not recommended that a Decision-Maker serve as the Informal Resolution facilitator in a case that they may later serve as a Decision-Maker. She stated that the Appellate Decision-Maker cannot be the Title IX Coordinator.

Cannot serve as the Investigator or Decision-Maker. It is not recommended that an Appellate Decision-Maker serve as the Informal Resolutions facilitator in a case that they may later serve as an Appellate Decision-Maker. She stated that the Informal Resolution Facilitator may be the Title IX Coordinator. It is not recommended that an individual who has or will serve as an Investigator, Decision-Maker or Appellate Decision-Maker in the same case serve as the Informal Resolution Facilitator. She stated that the Department of Education states that a school district has “actual knowledge” of Sexual Harassment or allegations of Sexual Harassment when an employee of an elementary or secondary school has knowledge of said conduct. She stated that all employees are “officials with authority” in K-12 districts. She stated that conduct on the basis of sex that satisfies one or more of the following: an employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual’s participation in unwelcome sexual conduct; 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 recipient’s education program or activity; and “Sexual Assault”, “Dating Violence”, “Domestic Violence” or “Stalking” as defined in the Clery Act. She stated that sexual assault is an offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI’s Crime Reporting system. A sex offense is a sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. She stated that rape is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. She stated that 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 his/her age or because of his/her temporary or permanent mental incapacity. She stated that incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. She stated that statutory rape is sexual intercourse with a person who is under the statutory age of consent. She stated that dating violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. She stated that the existence of such a relationship shall be based upon the reporting party’s statement with consideration of the following factors: the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship. She stated that dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. She stated that domestic violence is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by 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 of violence occurred. She stated that stalking engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress. She stated that for the purposes of this definition: course of conduct means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property. She stated that substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. She stated that reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. She stated that where the conduct took place must be considered. She stated that districts can and should respond even if the alleged behavior falls outside of the Title IX definition and or jurisdiction. She stated that after a report, there should be supportive measures offered, possible investigation/resolution; process dictated by your policies and procedures; and confidentiality and privacy. She stated that the district’s website should be updated with Title IX information.

During the presentation, Board members and the Superintendent asked questions, shared their concerns and made comments.

### 3. Financial Information

Mr. Mays stated that the teacher salary increases are completed. He stated that the district is working on non-instructional salary increases. He stated that the district cares about all employees.

### 4. Facilities Update

Mr. Hunter shared with the Board an overview of the facilities planning committee meeting. He stated that the “Special Facilities Construction Funds” Schedule of Events are as follows: Castaldi Analysis was completed. He stated that signatures are needed. He stated that the Spot Survey was changed to a full five-year survey and is completed, need Board approval. He stated that on December 6<sup>th</sup> the RFQ for the architect of record was advertised. He stated that on December 15<sup>th</sup> the survey will be submitted to the Department of Education for record in the EFIS site. He stated that the Special Facilities Construction Funds letter of application is due to the Department of Education on February 1, 2022. He stated that the letter of application will be submitted after receiving the remaining 3 castaldi reports from DOE signed. He stated that the pre-application committee visits district within 90 days. (May 1, 2022). He stated that he anticipates a contract with an Architect for the new school by February 28, 2022. He stated that Phase I drawings are due to DOE on June 1, 2022. He stated that the district will make presentations to the Special Facilities Construction Account (SFCA) committee in July 2022. He stated that requests go to the Legislative session for approval in April 2023. He stated that DOE will notify the district when funding is approved in July 2023. He stated that the schedule of events for the Architect RFQ are December 6, 2021 advertise RFQ; January 21, 2022 proposals are due; January 25, 2022 anticipated recommendations to the Board; month of February presentations to the Board; and March 1, 2022 sign contract with an architect. He stated that as part of the new school, the district must have an exit plan in place for the existing schools that will be closed or repurposed. George Munroe – raze buildings 1 -10, remodel buildings 11, 12, 14, & 15 for head Start program, and sell portables. Old Quincy High School – raze whole site and sell portables; Carter Parramore Academy – raze buildings 2 & 7, renovate buildings 1, 2 and 4, remodel building 5 and sell portables; Stewart Street Elementary – repurpose buildings 2 & 3 to storage. Remodel buildings 1, 4, 5 and 7 to offices, and sell portables. (using \$1,229,177.00 of ESSER II grant funds to replace HVAC units in buildings 3, 4, 5 and 7. This leaves the district with a lot less remodeling cost to convert to office space). He stated that the costs to do the exit plans are not covered by the Special Construction Funds. He stated that at minimum the district should anticipate executing the demolition part of the exit plans. He stated that the district’s architect will prepare bid documents for each plan with more detailed cost estimates. He stated that the district anticipates demolition will be around \$1.4 million before professional service fees. He stated that the committee will recommend funding sources at a later date. He stated that community meetings need to begin as soon as possible. He stated that the Board needs to decide how many are needed, the location and who will lead the meetings.

### 5. Educational Items by the Superintendent

None.

### 6. School Board Requests and Concerns

None.

### 7. The workshop adjourned at 5:52 p.m.