

## 539 TITLE IX GRIEVANCE PROCEDURE

**Adopted:**     **October 17, 1994**

**Revised:**     \_\_\_\_\_

WHEREAS, this School District prohibits discrimination on the basis of sex in access or in participation in educational programs, activities, and facilities in accordance with Title IX; and

WHEREAS, this School District prohibits discrimination in employment and in educational programs and activities on the basis of sex in accordance with Title IX.

A student or employee of Independent School District No. 2143 who feels that he or shee has been discriminated against in violation of this School District's above stated prohibition on sex discrimination may avail himself or herself of the following grievance procedures:

### Section 1. Responsible Employee:

The School District employee who shall coordinate, comply with, and carry out the School District responsibilities under Title IX is:

Joel Whitehurst, Superintendent  
500 East Paquin Street, Waterville, MN. 56096  
507-362-4432

All District students and employees shall be notified of this appointment.

### Section 2. Filing a Grievance:

A student or employee who believes himself or herself to be a victim of sex discrimination, or who has knowledge of sex discrimination, in violation of Title IX of the Education Amendments of 1972, may file a grievance with the School District's Title IX responsible employee.

The grievant is encouraged to make the grievance in writing, but oral reports will be considered grievances as well.

The School District will maintain confidentiality to the extent possible within the law.

### Section 3. Investigation:

The School District's responsible employee or his or her designee shall make a prompt and equitable investigation of each grievance filed.

The investigation may consist of personal interviews with the complainant, the individual(s) against whom the grievance is filed, and others who may have knowledge of the alleged incident(s) or circumstance(s) giving rise to the grievance.

In determining whether the allegations are substantiated, the responsible employee will consider the surrounding circumstances, the nature of the behavior, past incidents, past or continuing patterns of behavior, the relationships between the persons involved and the context in which the alleged incidents occurred.

The investigation will be completed within a reasonable time. The responsible employee will make a finding as to whether the grievance has or has not been substantiated. The responsible employee or his or her designee will make a written report to the superintendent upon completion of the investigation. If the grievance involves the superintendent, the report may be filed directly with the school board.

### Section 4. School District Action:

Upon conclusion of the investigation, the School District will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. School District action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements, state and federal law, and School District policies.

The grieving party and the party against whom a grievance was filed will be informed in writing of the disposition of the grievance, consistent with the Minnesota Government Data Practices Act and other applicable law.

### Section 5. Reprisal:

The School District will take appropriate action against any student or employee who retaliates against any person who reports alleged sex discrimination or any person who assists or participates in the investigation of reports of alleged sex discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

### Section 6. Publication

This procedure shall be published to all staff and students.