

102 EQUAL EDUCATIONAL OPPORTUNITY

I. PURPOSE

The purpose of this policy is to ensure that equal educational opportunity is provided for all students of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to provide equal educational opportunity for all students that is free from discrimination on the basis of race, color, creed, religion, ethnic/national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or a disability. Students with disabilities are entitled to a free appropriate public education that includes general education, special education, and/or related aids and services. The district will provide to students with disabilities appropriate educational services designed to meet the individual needs of such students to the same extent as the needs of students without disabilities are met.
- B. The school district prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute violation of the school district's policy on harassment and violence and the school district's procedures for addressing such complaints, refer to the school district's policy on harassment and violence.
- C. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.
- D. Every school district employee shall be responsible for complying with this policy conscientiously.
- E. Any student, parent, or guardian having a question regarding this policy should discuss it with the appropriate school district official as provided by policy. In the absence of a specific designee, an inquiry or a complaint should be referred to the superintendent.
- F. The school board hereby designates Wendy Webster (office is at 3301 Silver Lake Rd. NE, St. Anthony, MN 55418; phone is 612-706-1170; e-mail is wwebster@isd282.org) as its Title IX coordinator. This employee coordinates the school district's efforts to comply with and carry out its responsibilities under Title IX.
- G. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy should discuss them with the Title IX coordinator. Questions relating solely to Title IX and its regulations may be referred to the Assistant Secretary for Civil Rights of the United States Department of Education. In the absence of a specific designee, an inquiry or complaint should be referred to the superintendent or the school district human rights officer.

III. COORDINATOR

- A. Persons who have questions or comments should contact Administrator Kari Page; address - 3303 33rd Ave NE, St. Anthony, MN 55418; telephone number - 612-706-1201. This person is the school district's Americans with Disabilities Act/Section 504 coordinator.

IV. GRIEVANCE REPORTING PROCEDURE FOR COMPLAINTS OF DISCRIMINATION

The following grievance procedure applies to claims of sex, disability, and racial discrimination:

- A. Any person who believes he or she has been the victim of unlawful discrimination or any person with knowledge or belief of conduct that may constitute unlawful discrimination shall report the alleged acts immediately to an appropriate school district official designated by this policy. The complaint must be filed within 90 calendar days of the alleged violation.
- B. The Human Rights Officer is responsible for receiving oral or written complaints of unlawful discrimination toward an employee or student. However, nothing in this policy shall prevent any person from reporting unlawful discrimination toward an employee or student directly with the Human Rights Officer, the school board or other school district official.
- C. The school board hereby designates Wendy Webster 3301 Silver Lake Road, St. Anthony, MN 55418 612-706-1170 wwebster@isd282.org as the school district Human Rights Officer(s) to receive reports, complaints, or grievances of unlawful discrimination. If the complaint involves a Human Rights Officer, the complaint shall be filed directly with [a different staff member, such as the superintendent or school board chair, designated by the school board].
- D. Upon receipt of a complaint, the Human Rights Officer shall immediately notify the superintendent. If the superintendent is the subject of the complaint, the Human Rights Officer shall immediately notify the school board.
- E. The Human Rights Officer may request but not insist upon a written complaint. Alternative means of filing a complaint, such as through a personal interview or by tape recording, shall be made available upon request for qualified persons with a disability. If the complaint is oral, it shall be reduced to writing within 24 hours and forwarded to the superintendent. Failure to do so may result in disciplinary action. The school district encourages the reporting party to complete the complaint form for written complaints. It is available from the principal of each building or the school district office.
- F. The school district shall respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses, consistent with the school district's legal obligations to investigate, take appropriate action, and comply with any discovery or disclosure obligations.

TITLE IX COORDINATOR HUMAN RIGHTS OFFICER

Wendy Webster
3301 Silver Lake Rd
St. Anthony, MN 55418
612-706-1170
Wwebster@isd282.org

SECTION 504 COORDINATOR

Kari Page
3303 33rd Ave NE
St. Anthony, MN 55418
612-706-1201
kpage@isd282.org

RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

These procedures do not deny the right of any individual to pursue other avenues of recourse, which may include

filing charges with the agencies listed below or initiating action in state or federal court.

Claims of discrimination may also be pursued through the following agencies where appropriate:

U.S. Department of Education
Office for Civil Rights, Region V
500 W. Madison Street – Suite 1475
Chicago, IL 60661
Tel: 312-730-1560
TDD: 312-730-1609

MN Department of Human Rights
540 Fairview Avenue N, Suite 201
St. Paul, MN 55104
800.657.3704
651.296.5663
TDD 651.296.1283

For complaints of employment discrimination:

Equal Employment Opportunity Commission
330 S. 2nd Avenue
Suite 430
Minneapolis, MN 55401
800.669.4000
612.335.4040
TDD 612.335.4045

This document provides general information and is not to be a substitute for legal advice. Changes in the law, including timelines for filing a complaint, may affect your rights.

Legal References:

34 C.F.R. Section 104.7(b) (Section 504 of the Rehabilitation Act)
34 C.F.R. Section 106.8(b) (Title IX of the Education Amendments of 1972)

Resources:

U.S. Department of Education
Office for Civil Rights, Region V
500 W. Madison Street – Suite 1475
Chicago, IL 60661
Tel: 312-730-1560
TDD: 312-730-1609

Reading Room, U.S. Department of Education, Office for Civil Rights:
<http://www2.ed.gov/about/offices/list/ocr/publications.html>

V. RESOURCES:

U.S. Department of Education
Office for Civil Rights, Region V
500 W. Madison Street – Suite 1475
Chicago, IL 60661

Tel: 312-730-1560
TDD: 312-730-1609

Reading Room, U.S. Department of Education, Office for Civil Rights:

<http://www2.ed.gov/about/offices/list/ocr/publications.html>

Legal References: Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy) Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. § 1681 *et seq.* (Title IX of the Education Amendments of 1972) 42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)
34 C.F.R. Section 104.7(b) (Section 504 of the Rehabilitation Act)
34 C.F.R. Section 106.8(b) (Title IX of the Education Amendments of 1972)

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination) MSBA/MASA Model Policy 413 (Harassment and Violence) MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination) MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)