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**RICHFIELD PUBLIC SCHOOLS**

**STUDENT SEX NONDISCRIMINATION**

**I. PURPOSE**

Students are protected from discrimination on the basis of sex pursuant to Title IX of the Education Amendments of 1972 and the Minnesota Human Rights Act. The purpose of this policy is to provide equal educational opportunity for all students and to prohibit discrimination on the basis of sex.

**II. GENERAL STATEMENT OF POLICY**

- A. The school district provides equal educational opportunity for all students, and does not unlawfully discriminate on the basis of sex. No student will be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any educational program or activity operated by the school district on the basis of sex.
- B. It is the responsibility of every school district employee to comply with this policy.
- C. The school board hereby designates Chief Human Resources & Administrative Officer Craig Holje, 401 70<sup>th</sup> Street W. (Door #26), Richfield, 612-798-6031, [craig.holje@rpsmn.org](mailto:craig.holje@rpsmn.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.
- D. 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 are addressed in Policy 115: Title IX and may also 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. REPORTING GRIEVANCE PROCEDURES**

- A. Any student who believes he or she has been the victim of unlawful sex discrimination by a teacher, administrator or other school district personnel, or any person with knowledge or belief of conduct which may constitute unlawful sex discrimination toward a student should report the alleged acts immediately to an appropriate school district official designated by this policy or may file a grievance. The school district encourages the reporting party

- 1 or complainant to use the report form available from the principal of  
2 each building or available from the school district office, but oral  
3 reports shall be considered complaints as well. Nothing in this  
4 policy shall prevent any person from reporting unlawful sex  
5 discrimination toward a student directly to a school district human  
6 rights officer or to the superintendent.  
7
- 8 B. In Each School Building. The building principal is the person  
9 responsible for receiving oral or written reports or grievances of  
10 unlawful sex discrimination toward a student at the building level.  
11 Any adult school district personnel who receives a report of  
12 unlawful sex discrimination toward a student shall inform the  
13 building principal immediately.  
14
- 15 C. Upon receipt of a report or grievance, the principal must notify the  
16 school district human rights officer immediately. The principal may  
17 request, but may not insist upon a written complaint. A written  
18 statement of the facts alleged will be forwarded as soon as  
19 practicable by the principal to the human rights officer. If the report  
20 was given verbally, the principal shall personally reduce it to written  
21 form within 24 hours and forward it to the human rights officer.  
22 Failure to forward any report or complaint of unlawful sex  
23 discrimination toward a student as provided herein may result in  
24 disciplinary action against the principal. If the complaint involves  
25 the building principal, the complaint shall be made or filed directly  
26 with the superintendent or the school district human rights officer  
27 by the reporting party or complainant.  
28
- 29 D. The school board hereby designates its Title IX coordinator as the  
30 school district human rights officer(s) to receive reports, complaints  
31 or grievances of unlawful sex discrimination toward a student. If  
32 the complaint involves a human rights officer, the complaint shall  
33 be filed directly with the superintendent.  
34
- 35 E. The school district shall conspicuously post the name of the Title IX  
36 coordinator and human rights officer(s), including office mailing  
37 addresses and telephone numbers.  
38
- 39 F. Submission of a good faith complaint, grievance or report of  
40 unlawful sex discrimination toward a student will not affect the  
41 complainant or reporter's future employment, grades or work  
42 assignments.  
43
- 44 G. Use of formal reporting forms is not mandatory.  
45
- 46 H. The school district will respect the privacy of the complainant, the  
47 individual(s) against whom the complaint is filed, and the witnesses  
48 as much as possible, consistent with the school district's legal

1 obligations to investigate, to take appropriate action, and to  
2 conform with any discovery or disclosure obligations.  
3

4 **IV. INVESTIGATION**

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6 A. By authority of the school district, the human rights officer, upon  
7 receipt of a report, complaint or grievance alleging unlawful sex  
8 discrimination toward a student shall promptly undertake or  
9 authorize an investigation. The investigation may be conducted by  
10 school district officials or by a third party designated by the school  
11 district.  
12

13 B. The investigation may consist of personal interviews with the  
14 complainant, the individual(s) against whom the complaint is filed,  
15 and others who may have knowledge of the alleged incident(s) or  
16 circumstances giving rise to the complaint. The investigation may  
17 also consist of any other methods and documents deemed  
18 pertinent by the investigator.  
19

20 C. In determining whether alleged conduct constitutes a violation of  
21 this policy, the school district should consider the surrounding  
22 circumstances, the nature of the behavior, past incidents or past or  
23 continuing patterns of behavior, the relationships between the  
24 parties involved and the context in which the alleged incidents  
25 occurred. Whether a particular action or incident constitutes a  
26 violation of this policy requires a determination based on all the  
27 facts and surrounding circumstances.  
28

29 D. In addition, the school district may take immediate steps, at its  
30 discretion, to protect the complainant, pupils, teachers,  
31 administrators or other school personnel pending completion of an  
32 investigation of alleged unlawful sex discrimination toward a  
33 student.  
34

35 E. The investigation will be completed as soon as practicable. The  
36 school district human rights officer shall make a written report to  
37 the superintendent upon completion of the investigation. If the  
38 complaint involves the superintendent, the report may be filed  
39 directly with the school board. The report shall include a  
40 determination of whether the allegations have been substantiated  
41 as factual and whether they appear to be violations of this policy.  
42

43 **V. SCHOOL DISTRICT ACTION**

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45 A. Upon conclusion of the investigation and receipt of a report, the  
46 school district will take appropriate action. Such action may  
47 include, but is not limited to, warning, suspension, exclusion,  
48 expulsion, transfer, remediation, termination or discharge. School  
49 district action taken for violation of this policy will be consistent with

- 1 requirements of applicable collective bargaining agreements,  
2 Minnesota and federal law and school district policies.  
3
- 4 B. The result of the school district's investigation of each complaint  
5 filed under these procedures will be reported in writing to the  
6 complainant by the school district in accordance with state and  
7 federal law regarding data or records privacy.  
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9 **VI. REPRISAL**

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11 The school district will discipline or take appropriate action against any  
12 pupil, teacher, administrator or other school personnel who retaliates  
13 against any person who reports alleged unlawful sex discrimination toward  
14 a student or any person who testifies, assists or participates in an  
15 investigation, or who testifies, assists or participates in a proceeding or  
16 hearing relating to such unlawful sex discrimination. Retaliation includes,  
17 but is not limited to, any form of intimidation, reprisal or harassment.  
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19 **VII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

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21 These procedures do not deny the right of any individual to pursue other  
22 avenues of recourse which may include filing charges with the Minnesota  
23 Department of Human Rights, initiating civil action or seeking redress  
24 under state criminal statutes and/or federal law, or contacting the Office of  
25 Civil Rights for the United States Department of Education.  
26

27 **VIII. DISSEMINATION OF POLICY AND EVALUATION**

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- 29 A. This policy shall be made available to all students,  
30 parents/guardians of students, staff members, employee unions  
31 and organizations.  
32
- 33 B. The school district shall review this policy and the school district's  
34 operation for compliance with state and federal laws prohibiting  
35 discrimination on a continuous basis.  
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38 ***Legal References:***

39 Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)  
40 Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
41 20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)  
42 34 C.F.R. Part 106 (Implementing Regulations of Title IX)  
43

44 ***Cross References:***

45 Board Policy 102 (Equal Educational Opportunity)  
46 Board Policy 104 (Harassment Prohibition)  
47 Board Policy 115 (Title IX)  
48

49 RATIFIED BY THE BOARD OF EDUCATION: June 17, 2008

- 1 REVIEWED AND REAFFIRMED BY THE BOARD OF EDUCATION:
- 2 October 1, 2018; August 17, 2020
- 3 REVISED BY THE BOARD OF EDUCATION: August 16, 2021; September 6,
- 4 2022
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