

SUPERINTENDENT'S REPORT AND AGENDA

Regular Meeting of the Board of Education
Independent School District No. 280, Richfield, Minnesota

Richfield Public Schools *inspires* and *empowers* each individual to learn, grow and *excel*

If you require a reasonable accommodation in order to attend the board meeting or view the livestream, please contact Board Secretary Cassandra Quam at cassandra.quam@rpsmn.org or 612-798-6012 at least 24 hours before the meeting.

Monday, August 19, 2024 7 p.m. School Board Meeting

- I. CALL TO ORDER
- II. REVIEW AND APPROVAL OF THE AGENDA
- III. INFORMATION AND PROPOSALS -- NON-ACTION ITEMS
 - A. Public Comment
 - B. Superintendent Update
 - 1. Presentation of Spartan Foundation Scholarship Check
 - 2. Parent Engagement & Education Presentation
- IV. CONSENT AGENDA
 - A. Routine Matters
 - 1. Minutes of the Regular Meeting held August 5, 2024
 - 2. General Disbursements as of 8/13/24 in the Amount of \$548,290.33
 - B. Personnel Items
 - C. Miscellaneous Pay Rates 2024-2025 Correction
- V. OLD BUSINESS
 - A. Policy 505: Student Disability Nondiscrimination & Administrative Guidelines
505.1 – 505.3
 - B. Policy 525: The Pledge of Allegiance
- VI. NEW BUSINESS
 - A. Policy 301: Organizational Chart & Policy 302: Position Assignments

- B. Change Order #1 for Central Education Center Façade Work
- C. Policy 115: Title IX
- D. Donations

VII. ADVANCE PLANNING

- A. Legislative Update
- B. Information and Questions from Board
- C. Suggested/Future Agenda Items
- D. Future Meeting Dates

*Tuesday, 9-3-2024	7 p.m.	Regular Board Meeting
9-16-2024	7 p.m.	Regular Board Meeting – Public Comment

VIII. ADJOURN REGULAR MEETING

**INFORMATION AND PROPOSALS –
NON-ACTION ITEMS**

Agenda Item II.A.

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, August 19, 2024

Subject: Ongoing Data Reference List

Acronyms:

This list will be added to for each board meeting whenever acronyms are presented in following items of the board packet.

ABE:	Adult Basic Education
AC:	All Conference
ACHM:	All Conference Honorable Mention
ADA:	Americans with Disabilities Act
ADM:	Average Daily Membership
A.I.:	American Indian
A.I.:	Artificial Intelligence
AIPAC:	American Indian Parent Advisory Committee
ALC:	Area Learning Center
AMSD:	Association of Metropolitan School Districts
AP:	Advanced Placement
AP:	Assistant Principal
APBP:	Association of Pedestrian and Bicycle Professionals
BGC:	Background Check
BGC:	Boys & Girls Club
BIPOC:	Black, Indigenous, and People of Color
BILT or ILT:	(Building) Instructional Leadership Team
BLT:	Beacons Leadership Team
BOLT:	Building Operational Leadership Team
BPH:	Bloomington Public Health
BSN:	Bachelor of Science in Nursing
C&A:	Connect & Assess
CACR:	Comprehensive Achievement and Civic Readiness (previously World's Best Workforce)
CAD:	Computer-aided Design
CAREI:	Center for Applied Research & Educational Improvement
CASEL:	Collaborative for Academic, Social, and Emotional Learning
CAV-X:	Connected and Automated Vehicles Office (MnDOT)

CBM:	Curriculum Based Measurement
CCR:	Career & College Readiness
CDC:	Centers for Disease Control
CE:	Community Education
CIS:	College in the Schools
CLSD:	Comprehensive Literacy State Development
CPR & AED:	Cardiopulmonary Resuscitation & Automated External Defibrillator
DA:	Dream Act
D.O.:	District Office
DSLN:	District Summer Learning Network
EAP:	Employee Assistance Program
ECFE:	Early Childhood Family Education
ECSE:	Early Childhood Special Education
ELA:	English Language Arts
EL or ELL:	English Learner or English Language Learner
ESL:	English as a Second Language
ESY:	Extended School Year
FAFSA:	Free Application for Federal Student Aid
FFVP:	Fresh Fruit and Vegetable Program
F/R or FRP:	Free/Reduced or Free and Reduced Price (usually referring to eligible students)
FTE:	Full-Time Equivalent
FY:	Fiscal Year
GASB:	Governmental Accounting Standards Board
GLOW:	Gay, Lesbian Or Whatever (LGBTQ+/allies student group)
GPA:	Grade Point Average
HHM:	Homeless/Highly Mobile
HR:	Human Resources
HSSC:	Hennepin South Services Collaborative
HVAC:	Heating, Ventilation, & Air Conditioning
IEP:	Individualized Education Plan
IHP:	Individual Healthcare Plan
IT:	Instructional Technology
LAN:	Local Area Network
LETRS:	Language Essentials for Teachers of Reading and Spelling
LGBTQ+ or LGBTQIA+:	Lesbian, Gay, Bisexual, Transgender, Queer, and others or Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual, and others
LOR:	Local Optional Revenue
LTD:	Long Term Disability
LTFM:	Long-Term Facilities Maintenance
LSN:	Licensed School Nurse
MASA:	Minnesota Association of School Administrators
MASMS:	Minnesota Educational Facilities Management Professionals Association

MCA:	Minnesota Comprehensive Assessments
MDE:	Minnesota Department of Education
MDH:	Minnesota Department of Health
MFA:	Multi-Factor Authentication
MIEA:	Minnesota Indian Education Association
MIRA:	Módulo de información recursos y apoyo (CE partner)
MLL:	Multilingual Learning
MnDOT:	Minnesota Department of Transportation
MNEEP:	Minnesota Education Equity Partnership
MOA:	Memorandum of Agreement
MSBA:	Minnesota School Boards' Association
MSHSL:	Minnesota State High School League
MTSS:	Multi-Tiered Systems of Support
MVP:	Most Valuable Player
NA/I:	Native American/Indigenous
NCTM:	National Council of Teachers of Mathematics
NSBA:	National School Boards' Association
NSPRA:	National School Public Relations Association
NWEA-MAP	Northwest Evaluation Association-Measures of Academic Progress
OPEB:	Other Post-Employment Benefits
OSHA:	Occupational Safety and Health Administration
OW:	Outreach Worker
PAG:	Parent Advisory Group
PD:	Professional Development
PICA:	Parents in Community Action (Head Start organization)
PHN:	Public Health Nurse
PLC:	Professional Learning Community
PRESS:	Path to Reading Excellence in School Sites
PTO or PTSO:	Parent-Teacher Organization or Parent-Teacher-Student Organization
POS:	Point of Sale
POY:	Player of the Year
Q Comp:	Alternative Teacher Professional Pay System
RCEP:	Richfield College Experience Program
RDLS:	Richfield Dual Language School
READY:	Residents Encouraging Asset Development in Youth
RFP:	Request for Proposal
RHRC:	Richfield Health Resource Center
RHS:	Richfield High School
RMS:	Richfield Middle School
RN:	Registered Nurse
RPS:	Richfield Public Schools
SAEBRS:	Social, Academic, and Emotional Behavior Risk Screener
SBG:	Standards-Based Grading
SEC:	South Education Center

SEIU:	Service Employees International Union
SEL:	Social-Emotional Learning
SIPPS:	Systematic Instruction in Phonological Awareness, Phonics, and Sight Words
SLA:	Spanish Language Arts
SPED:	Special Education
SRTS:	Safe Routes to School
STAR:	Standardized Test for Assessment of Reading
STAT:	Student and Teacher Assistance Team
STEM:	Science, Technology, Engineering, and Math
SWBE:	School Wide Behavior Expectations
SY:	School Year
T&L:	Teaching & Learning
TCRWP:	Teachers College Reading & Writing Project
TMC:	Tri-Metro Conference
TS GOLD:	Teaching Strategies GOLD® Assessment
UFARS:	Uniform Financial Accounting and Reporting Standards
VEAP:	Volunteers Enlisted to Assist People
VEBA:	Voluntary Employees' Beneficiary Association
VPK:	Voluntary PreKindergarten
WBWF:	World's Best Workforce (renamed Comprehensive Achievement and Civic Readiness)
WCPM:	Words Correct Per Minute
WIN:	What I Need
YTD:	Year-to-Date

RPS Student Demographic Data 2023-2024:

4,073 Students Districtwide

- 3,925 Traditional Count
 - 1,685 Elementary (K-5) Average Class Size = 23.08
 - 797 Middle (6-8) Average Class Size = 23.21
 - 1,304 High (9-12) Average Class Size = 25.2
 - 119 ECSE
 - 20 Transition+
- 148 Voluntary Prekindergarten (VPK)

Student Diversity (based on MDE categories)

- BIPOC: 70.71%
 - American Indian or Alaska Native: 0.88%
 - Asian: 3.66%
 - Hispanic: 44.19%
 - Black or African American: 13.5%
 - Native Hawaiian or Other Pacific Islander: 0.07%
 - 2 or More Races: 8.4%
- White: 29.29%

English Learner

- ELL: 23.67%
- Non-ELL: 76.33%

Free/Reduced Eligible

- Eligible: 57.2%
- Not Eligible: 42.8%

**INFORMATION AND PROPOSALS –
NON-ACTION ITEMS**

Agenda Item II.B.

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, August 19, 2024

Subject: Ongoing Board Calendar

Upcoming Events to Attend:

Tuesday, August 27: RPS All-Staff Welcome Back, 11:15 a.m. – 12:45 p.m. @ RHS
Thursday, August 29: RMS Open House, 4 - 7 p.m.

Tuesday, September 3: School Board Meeting, 7 p.m.
Sunday, September 15: Penn Fest, 1 p.m. @ Penn Ave & 66th St
Monday, September 16: School Board Meeting, 7 p.m.
Friday, September 20: RDLS Carnival, 5 – 8 p.m.
Tuesday, September 24, RMS Latino Community Night, 6 - 7:30 p.m.
Wednesday, September 25, Sheridan Family Engineering Night, 5:30 – 7 p.m.

Upcoming Holidays, Heritage Months, and Appreciation Days:

September is Hispanic Heritage Month

**INFORMATION AND PROPOSALS –
NON-ACTION ITEMS**

Agenda Item III.A.

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, August 19, 2024

Subject: Superintendent Update

Representatives from the Spartan Foundation will present their donation check for scholarships for Richfield graduates. Assistant Superintendent Dr. Latanya Daniels and Executive Director of Special Programs Dr. Mary Clarkson will share information about parent engagement.

Attachments:

Spartan Foundation Scholarship Information
Parent Engagement & Education Presentation

**INFORMATION AND PROPOSALS –
NON-ACTION ITEMS**

Agenda Item III.B.1.

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, August 19, 2024

Subject: Spartan Foundation Scholarship

Since the Richfield Spartan Foundation was founded in 1990, they have provided generous contributions to Richfield Public Schools and the community of Richfield. These funds have gone toward equipment for athletics and performing arts as well as sponsorships for Richfield students to participate in activities and scholarships for students with outstanding achievements. Since 2016, the Spartan Foundation has funded approximately 25 student scholarships annually. This year 28 scholarships were awarded!

We welcome members of the Richfield Spartan Foundation Board to present the 2024 scholarship check tonight.

The 2024 scholarship recipients are as follows:

Athena Award (Outstanding senior female athlete)
Janiya Moore

Spooner Award (Outstanding senior male athlete)
Joaquin Jamison

Top Scholar Award (Academic top 10%, leadership, community involvement)
Teagan McCarty
Evelyn Smiley

Success Against All Odds Scholarship (Perseverance through adversity)
Iriani Ayala (First Generation College)
Binta Bajo
Isaiah Frazier
Jake Houle (Technical/Community College)
Leksvin Mendoza Pasten (Technical/Community College)
Angela Morocho Sarmiento (Steve Grindeland Memorial)
Rosita Narvaez Ortiz (First Generation College)
Natalie Nutting (Bill Davis Scholarship)
Connor Okey

Jocelyn Ramirez Aragon
Ethan Soderberg

Career in Aviation Scholarship
Jacob Noonan

Russ Schuveiller Memorial (Outstanding athlete, scholar, and leader)
Thomas Madrid
Parker Pollis

Bob Tripanier Memorial (Dedication to RHS community)
Greta Sollie

Athletic Award (Top athlete and school leader)
Quinn Cossette
Brianna Johnson
Malcolm Peterson

Desmond Family Foundation (To attend Normandale Community College)
Jocelyn Aragon-Gomez

Karnas Family Scholarship (Team-oriented player of softball or baseball)
Emily Olson

Herby Family Education Award (Interest in becoming a teacher or school leader)
Brisa Garcia Genis
Atziry Olivares Guzman

Sandahl Family Scholarship (Makes a difference in the lives of others)
Chimdalú Dibua

Yamamoto Education Award (Interest in becoming a teacher or school leader)
Alli Ingebretson

Enriching and accelerating learning



RICHFIELD
PUBLIC SCHOOLS

Family Engagement and Education

Monday, August 19, 2024

Enriqueciendo y acelerando el aprendizaje

Learning Targets



By the end of this presentation, the Richfield School Board will:

- Learn how schools and programs currently engage our students' parents and guardians
- Learn how our district currently engages historically marginalized parents and guardians of our students
- Gather feedback to inform next steps around parent and guardian involvement and engagement



Why is this important?



Children whose families are engaged in their education are more likely to:



- ❑ Earn higher grades and score higher on tests;
- ❑ Graduate from high school and college;
- ❑ Develop self-confidence and motivation in the classroom; and
- ❑ Have better social skills and classroom behavior.

Parent Involvement vs. Parent Engagement



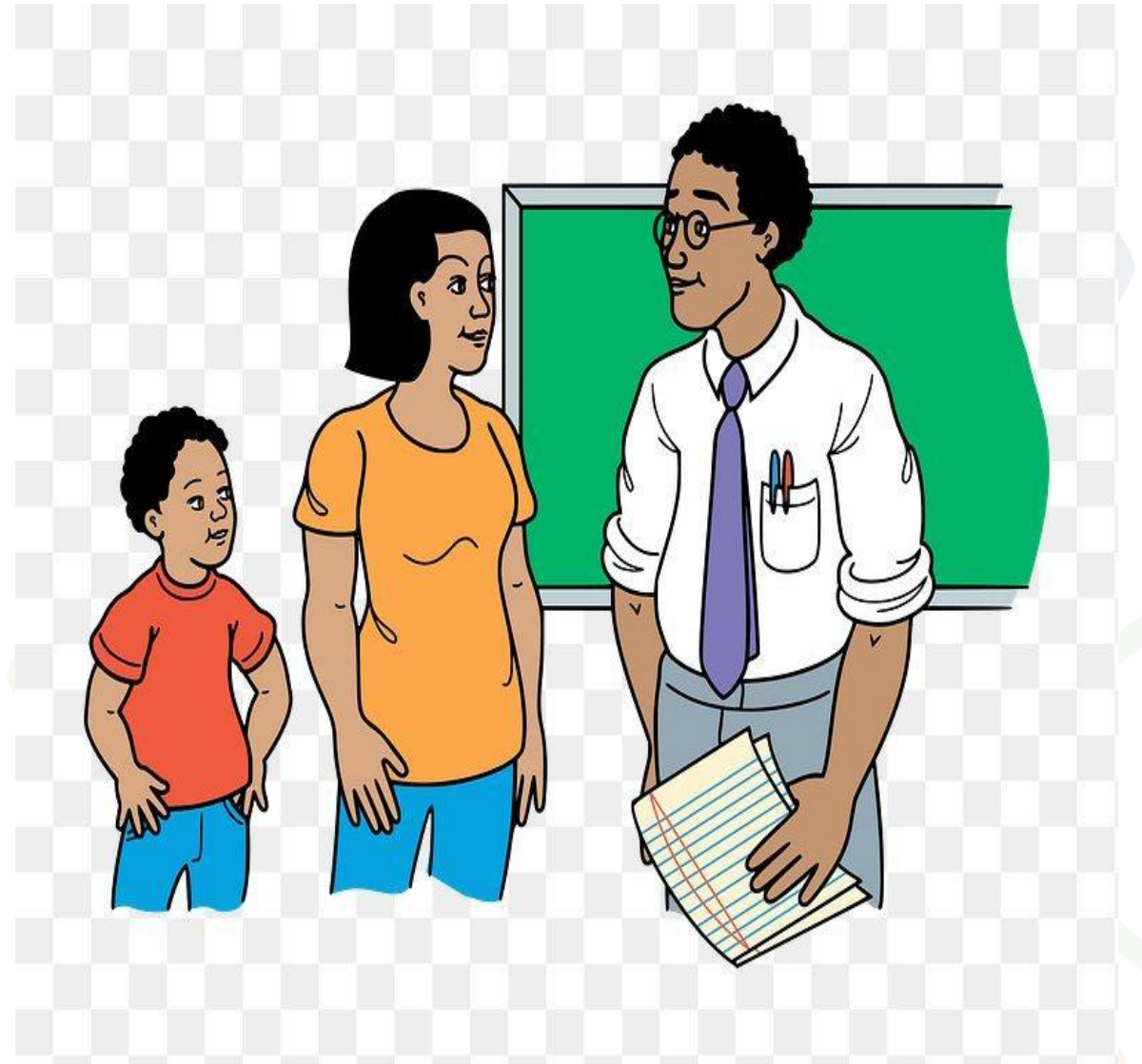
	Involvement	Engagement
Participation	Parents/Guardians attend school events and activities with teachers providing learning resources	Parents/Guardians are empowered to be a participant and a voice in their child's learning
Educational Goals	Teachers set primary learning goals	Teachers and Parent/Guardians partner to set learning goals

The Ultimate Goal



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Parent and guardian
partnership and
engagement
is the goal!



Early Childhood Programs



Academics

- Preschool Connect and Assess
- Preschool Conferences
- Family School

Parent Involvement

- Early Childhood Family Education Classes
- Newsletters
- Kindergarten Kickoff and Preschool Preview (Districtwide)
- School Tours
- Home visits
- Community Education/Early Childhood Advisory Council

Family Events

- Family literacy event
- Winter warm-up, Art Crawl
- Year end celebration
- Variety of family events build community (apple orchard, dance)

Elementary Schools

Academics

- Connect and Assess
- Conferences
- Family Literacy/Math/Specialists/Engineering Nights
- Junta Latina

Parent Involvement

- Parent Teacher Organization (PTO)
- Newsletters
- Kindergarten Kickoff and Preschool Preview (Districtwide)
- School Tours
- Kindergarten information nights

Family Events

- Family movie nights
- Book Fairs
- Cougar Carnival, Sparktacular, Latin American Festival, Fun Fair
- Variety of family events at each school to build community (craft night, dance, etc.)

Academics

- Curriculum night
- Arts night
- Conferences

Parent Involvement

- Open House
- Parent Advisory Group
- Middle School Bulletin
- 5th Grade Orientation
- Parent Volunteers

Family Events

- Latino Family Night
- Winter Wonderland Dance
- Spartan Days



Academics

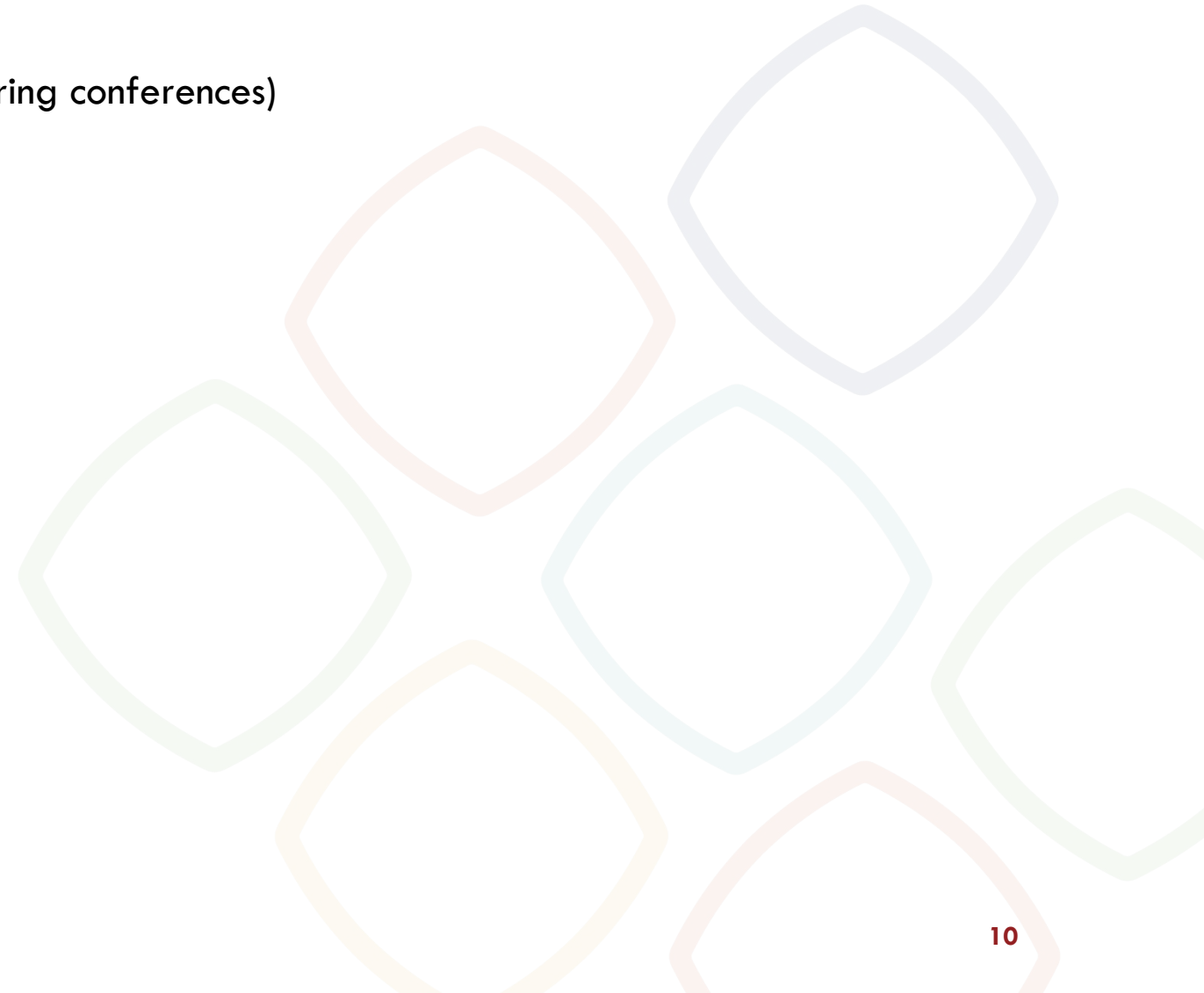
- Student of the Month Breakfast
- Conferences / College recruiting information (during conferences)
- Academic Awards and Honors Events

Parent Involvement

- Family Orientation and School Tours
- Parent Advisory Councils
- Newsletters
- School Tours / Registration for new students
- Competitive Activities Advisory Council
- Preseason Coach Meetings
 - Parents, Players, Coach

Family Events

- Explore RHS
- Workshops: Financial Aid, NCAA
- Culture Show, Fine Arts Night, Empty Bowls
- Powwow
- Latino Family Night



Inclusive Parent and Guardian Engagement



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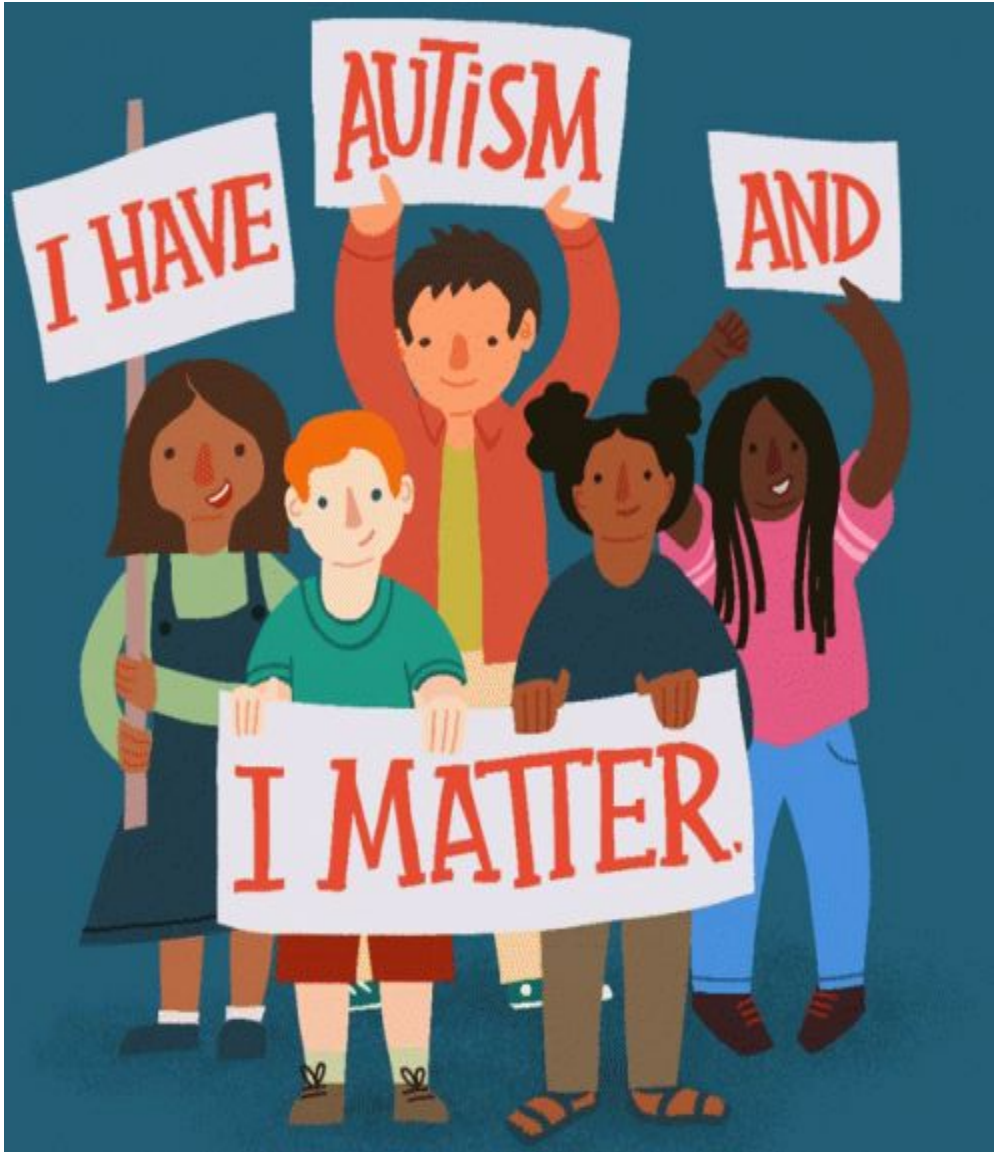
Richfield Latino Family Association

(RLFA): a parent/guardian led and organized association that meets monthly. Topics and content are decided by the committee and the district provides a liaison and translation/interpreting as needed.

American Indian Parent Advisory Council

(AIPAC): this committee is facilitated by the Native American & Indigenous Education Coordinator in partnership with parent/guardian elected Chairs. This council is a grant requirement and the council approves various components of programming.





Safe and Supportive Schools Committee:

Committee comprised of parents and guardians who provide input related to policies and practices that support students, parents/guardians and the larger community.

Special Education Advisory Council:

Committee comprised of parents and guardians who provide advice and input to the district regarding special education programming and support for students with disabilities.

Questions and Feedback



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Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, August 19, 2024

Subject: Routine Matters

(Recommended by the superintendent)

That the board of education approve the attached routine business items.

Attachments:

Minutes of the Regular Meeting held August 5, 2024

- Disbursements from the August 5, 2024 Meeting
- Checks & E-pay Register from the August 5, 2024 Meeting
- Superintendent's Report and Agenda Meeting Minutes from August 5, 2024

General Disbursements as of 8/13/24 in the Amount of \$548,290.33

- Disbursements for the August 19, 2024 Meeting
- Checks & E-pay Register for the August 19, 2024 Meeting

**P-CARD,CHECK RUNS, E-PAYS & WIRES FOR
08/05/2024 BOARD REPORTS**

BANK 05	DATE	AMOUNT
Checks	7/11/2024	10,299.80
	7/12/2024	32,006.03
	7/16/2024	19,865.23
	7/17/2024	317,278.39
	7/19/2024	155.18
	7/24/2024	610,574.00
	7/30/2024	21,015.82
	7/31/2024	219,817.73
P-Cards JUNE 2024	7/5/2024	136,013.46
E-Pays	7/26/2024	2,307.09
Wire Transfer	7/12/2024	50,372.04
	7/29/2024	2,363,768.75

CHECK REGISTER BANK 05 TOTAL =	3,783,473.52
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BREAKDOWN	
01-206-00	1,209,974.23
02-206-00	20,023.21
03-206-00	20,182.88
04-206-00	23,735.26
06-206-00	-
07-206-00	2,270,056.25
18-206-00	-
20-206-00	142,008.93
21-206-00	1,167.76
47-206-00	96,325.00
BANK TOTAL =	3,783,473.52

FUND	CHECK	DATE	VENDOR	TYPE	AMOUNT
01	V2501940	07/05/2024	P-CARD BAIRD LISA	R	4,012.11
01	V2501941	07/05/2024	P-CARD BARLOW ERICA	R	1,943.65
01	V2501942	07/05/2024	P-CARD BROWN MATTHEW	R	1,859.31
01	V2501943	07/05/2024	P-CARD BRUNNER PATTI	R	21,942.62
01	V2501944	07/05/2024	P-CARD CRUZ ESTEVA JENNIFER	R	8,174.79
01	V2501945	07/05/2024	P-CARD EDWARDS NATHAN	R	31.31
01	V2501946	07/05/2024	P-CARD FREEBURG DAVID	R	5,633.89
01	V2501947	07/05/2024	P-CARD GEURINK AREND	R	2,990.28
01	V2501948	07/05/2024	P-CARD GONZALEZ CHRISTINA	R	19,585.44
01	V2501949	07/05/2024	P-CARD HOLJE CRAIG	R	30.00
01	V2501950	07/05/2024	P-CARD KRETSINGER DAN	R	2,923.31
01	V2501951	07/05/2024	P-CARD LEWIS JENNIFER	R	2,366.78
01	V2501953	07/05/2024	P-CARD LUNDY MICHELLE	R	34,834.13
01	V2501954	07/05/2024	P-CARD MAHONEY COLLEEN	R	2,475.97
01	V2501955	07/05/2024	P-CARD MANNING MICHAEL	R	97.93
01	V2501956	07/05/2024	P-CARD MCGINN DAN	R	774.69
01	V2501957	07/05/2024	P-CARD MORALES LIZETTE	R	13,258.29
01	V2501958	07/05/2024	P-CARD PETERSON CHRIS	R	4,701.94
01	V2501959	07/05/2024	P-CARD SETZER ALEXIS	R	1,143.11
01	V2501960	07/05/2024	P-CARD SHAHSAVAND MARTA	R	1,380.92
01	V2501961	07/05/2024	P-CARD SKARE-KLECKER AMY	R	872.22
01	V2501962	07/05/2024	P-CARD SMITH DANE	R	63.85
01	V2501963	07/05/2024	P-CARD STACHEL NANCY	R	1,752.94
01	V2501964	07/05/2024	P-CARD VALLEY JENNIFER	R	125.99
01	V2501965	07/05/2024	P-CARD VENTURA PEREZ RAMIRO	R	282.20
01	V2501966	07/05/2024	P-CARD WILLHITE KASYA	R	792.78
01	V2501967	07/05/2024	P-CARD WOODS KELLY	R	541.93
01	V2501968	07/05/2024	P-CARD YUNKER AUBREE	R	1,421.08
01	312120	07/11/2024	COMCAST BUSINESS	R	549.80
01	312121	07/11/2024	TAFFE SARAH ANN	R	9,750.00
01	V2501939	07/12/2024	GOVERNMENT LEASING	R	50,372.04
01	312122	07/15/2024	ADVANCED COMMERCIAL KITCHENS	R	1,076.36
01	312123	07/15/2024	BRINK'S INCORPORATED	R	31.48
01	312124	07/15/2024	CHARD, SNYDER & ASSOCIATES, LLC	R	2,038.00
01	312125	07/15/2024	HOGAN SEAN	R	77.00
01	312126	07/15/2024	LAND 360	R	21,962.00
01	312127	07/15/2024	LARSON ENGINEERING	R	588.00
01	312128	07/15/2024	MINUTEMAN PRESS EDINA	R	3,596.74
01	312129	07/15/2024	SOURCEWELL	R	1,531.25
01	312130	07/15/2024	ZIMMERMANS DRY GOODS LLC	R	1,105.20
01	312131	07/16/2024	BCBS OF MINNESOTA & BLUE PLUS	R	9,384.00
01	312132	07/16/2024	D.E.L.O.R.E.S WORKS, INC.	R	8,750.00
01	312133	07/16/2024	MSOPA	R	100.00
01	312134	07/16/2024	RYAN JEANNIE M	R	821.12
01	312135	07/16/2024	UNITED HEALTHCARE/AARP MEDICARE RX	R	109.60
01	312136	07/16/2024	UNITED HEARTHCARE /AARP MEDICARE RX	R	109.60
01	312137	07/16/2024	UNITEDHEALTHCARE	R	590.91
01	312138	07/17/2024	AMSD-ASSOC OF METRO SCHOOL DIST	R	9,120.00
01	312139	07/17/2024	ANOKA-HENNEPIN SCHOOL DIST #11	R	650.00
01	312140	07/17/2024	APPRIZE TECHNOLOGIES	R	240.00
01	312141	07/17/2024	AQUA ENGINEERING INC	R	2,529.20
01	312142	07/17/2024	BACHMANS INC	R	170.00
01	312143	07/17/2024	BCN TELECOM, INC TBS	R	1,709.24
01	312144	07/17/2024	BLUUM OF MINNESOTA, LLC	R	36,695.00
01	312145	07/17/2024	BOND TRUST SERVICES CORP	R	2,612.50
01	312146	07/17/2024	BRINK'S INCORPORATED	R	2,222.88
01	312147	07/17/2024	CDW GOVERNMENT INC	R	28,214.00
01	312148	07/17/2024	CINTAS CORPORATION NO 2	R	140.01

01	312149	07/17/2024	CONSOLIDATED COMMUNICATIONS	R	2,323.23
01	312150	07/17/2024	CONTINENTAL RESEARCH CORP	R	2,183.36
01	312151	07/17/2024	CYBERSOFT TECHNOLOGIES	R	8,945.00
01	312152	07/17/2024	ECOLAB INC	R	1,007.36
01	312153	07/17/2024	WW GRAINGER INC	R	109.22
01	312154	07/17/2024	HAAG COMPANIES, INC.	R	71.00
01	312155	07/17/2024	HAWKINS INC	R	4,588.93
01	312156	07/17/2024	HERC U LIFT	R	21,127.55
01	312157	07/17/2024	HILLYARD MINNEAPOLIS	R	8,540.20
01	312158	07/17/2024	HOPE CHURCH	R	15,522.06
01	312159	07/17/2024	LEARNING A-Z	R	28,948.00
01	312160	07/17/2024	LOFFLER	R	994.64
01	312161	07/17/2024	MASBO	R	110.00
01	312162	07/17/2024	NETWORK DESIGN, INC.	R	929.51
01	312163	07/17/2024	MAXORPLUS, LTD	R	19,225.15
01	312164	07/17/2024	MOO CHICKA POO	R	411.34
01	312165	07/17/2024	NAPA AUTO PARTS	R	16.24
01	312166	07/17/2024	NORTH CENTRAL INTERNATIONAL, LLC	R	160.20
01	312167	07/17/2024	ONEBRIDGE BENEFITS INC.	R	5,260.50
01	312168	07/17/2024	PIONEER VALLEY EDUCATIONAL PRESS	R	2,618.00
01	312169	07/17/2024	POWERSCHOOL GROUP LLC	R	12,201.00
01	312170	07/17/2024	REALLY GREAT READING	R	9,933.00
01	312171	07/17/2024	RM COTTON COMPANY	R	1,163.72
01	312172	07/17/2024	SAFE ROUTES PARTNERSHIP	R	595.00
01	312173	07/17/2024	SHERWIN WILLIAMS CO	R	873.73
01	312174	07/17/2024	SOUTH CENTRAL SERVICE COOP	R	3,800.00
01	312175	07/17/2024	SUPPORT WAREHOUSE LIMITED	R	402.00
01	312176	07/17/2024	TRISTATE BOBCAT INC	R	109.77
01	312177	07/17/2024	ZACK'S INC.	R	222.96
01	312178	07/17/2024	AQUA ENGINEERING INC	R	2,710.95
01	312179	07/17/2024	CITY OF RICHFIELD	R	4,866.73
01	312180	07/17/2024	HOME DEPOT U.S.A.	R	1,243.80
01	312181	07/17/2024	INTERMEDIATE DISTRICT 287	R	26,976.43
01	312182	07/17/2024	METROPOLITAN MECHANICAL CONTRACTORS	R	16,535.72
01	312183	07/17/2024	MINNESOTA UI FUND	R	17,657.60
01	312184	07/17/2024	NOKOMIS SHOE SHOP	R	249.95
01	312185	07/17/2024	PROPIO LS, LLC	R	3.95
01	312186	07/17/2024	RIGHT BRAIN GRAPHICS	R	1,403.00
01	312187	07/17/2024	SAFeway DRIVING SCHOOL	R	8,170.00
01	312188	07/17/2024	UHL COMPANY INC	R	305.00
01	312189	07/17/2024	XCEL ENERGY	R	459.76
01	312190	07/19/2024	AMERICAN SCHOOL COUNSELOR ASSOC	R	70.18
01	312191	07/19/2024	OSBERG CRAIG J	R	85.00
01	312192	07/24/2024	BIX FRUIT COMPANY	R	3,219.27
01	312193	07/24/2024	BSN SPORTS, LLC	R	5,263.00
01	312194	07/24/2024	CASE UNVERZAGT	R	400.00
01	312195	07/24/2024	CDW GOVERNMENT INC	R	27,028.00
01	312196	07/24/2024	CEP ART & DESIGN	R	679.50
01	312197	07/24/2024	CINTAS CORPORATION NO 2	R	140.01
01	312198	07/24/2024	COMCAST	R	397.28
01	312199	07/24/2024	D.E.L.O.R.E.S WORKS, INC.	R	8,750.00
01	312200	07/24/2024	DAVE MARSHAK	R	1,000.00
01	312201	07/24/2024	DIGITAL INSURANCE LLC	R	1,584.00
01	312202	07/24/2024	ECOLAB INC	R	158.31
01	312203	07/24/2024	FRONTLINE TECHNOLOGIES GROUP LLC	R	45,443.31
01	312204	07/24/2024	GABRIELLE MEIERHOFER	R	400.00
01	312205	07/24/2024	WW GRAINGER INC	R	283.24
01	312206	07/24/2024	GREGG SAWYER	R	658.06
01	312207	07/24/2024	GROUP MEDICAREBLUE RX	R	7,832.00

01	312208	07/24/2024	HAWKINS INC	R	40.00
01	312209	07/24/2024	HILLYARD MINNEAPOLIS	R	2,102.79
01	312210	07/24/2024	IDEAL ENERGIES SOLAR LEASE 2021,LLC	R	7,592.16
01	312211	07/24/2024	JJ KELLER & ASSOCIATES INC	R	199.00
01	312212	07/24/2024	JOSH VAN DE HINZ	R	1,000.00
01	312213	07/24/2024	KEMPS LLC	R	2,226.48
01	312214	07/24/2024	MADISON NATIONAL LIFE INS CO INC	R	2,803.35
01	312215	07/24/2024	MAXORPLUS, LTD	R	112,568.29
01	312216	07/24/2024	MINUTEMAN PRESS EDINA	R	1,100.46
01	312217	07/24/2024	MN UMPIRES ASSOCIATION	R	96.00
01	312218	07/24/2024	NAPA AUTO PARTS	R	68.41
01	312219	07/24/2024	NATALIE AHLM	R	400.00
01	312220	07/24/2024	NORTH CENTRAL INTERNATIONAL, LLC	R	1,609.82
01	312221	07/24/2024	PAN O GOLD BAKING CO	R	55.80
01	312222	07/24/2024	REALLY GOOD STUFF	R	6,998.00
01	312223	07/24/2024	SCHOOL SERVICE EMPLOYEES UNION	R	3,080.70
01	312224	07/24/2024	SEESAW LEARNING, INC.	R	14,940.63
01	312225	07/24/2024	SHERWIN WILLIAMS CO	R	668.52
01	312226	07/24/2024	SMARTPASS INC.	R	7,732.94
01	312227	07/24/2024	SOLARWINDS	R	22,200.00
01	312228	07/24/2024	THERESA COSGRIFF	R	400.00
01	312229	07/24/2024	TRIO SUPPLY COMPANY	R	946.84
01	312230	07/24/2024	UNITED STATES TREASURER	R	430.00
01	312231	07/24/2024	VSP INSURANCE CO. (CT)	R	3,582.94
01	312232	07/24/2024	WESTERN SPECIALTY CONTRACTORS INC	R	189,365.00
01	312233	07/24/2024	WISEIDENTITY LLC	R	4,142.70
01	312234	07/24/2024	WORLD FUEL SERVICES, INC.	R	1,553.29
01	312235	07/24/2024	XCEL ENERGY	R	58,938.56
01	312236	07/24/2024	FLASHLIGHT LEARNING, INC.	R	2,250.00
01	312237	07/24/2024	INSTITUTE FOR ENVIROMENTAL	R	4,048.48
01	312238	07/24/2024	INTEGRATED FIRE & SECURITY INC	R	562.50
01	312239	07/24/2024	INTERMEDIATE DISTRICT 287	R	48,422.99
01	312240	07/24/2024	METROPOLITAN MECHANICAL CONTRACTORS	R	2,481.87
01	312241	07/24/2024	RATWIK ROSZAK & MALONEY PA	R	2,729.50
01	V614036	07/26/2024	MELISSA M HUSABY	R	11.16
01	V614037	07/26/2024	GRACE M JENNINGS	R	175.00
01	V614038	07/26/2024	MATTHEW KRAUS	R	6.89
01	V614039	07/26/2024	JOHN M LORENZINI	R	110.00
01	V614040	07/26/2024	SHERRI L MEDVEC	R	18.18
01	V614041	07/26/2024	JEFFREY OLSON	R	81.31
01	V614042	07/26/2024	CARLEEN G BURSTEIN	R	15.48
01	V614043	07/26/2024	ANGELA TAYLOR	R	32.25
01	V614044	07/26/2024	MICHELLE R WHITESIDE	R	30.23
01	V614045	07/26/2024	KASYA L WILLHITE	R	1,826.59
01	V2501969	07/29/2024	BOND TRUST SERVICES CORP	R	2,363,768.75
01	312242	07/30/2024	BRIDGING, INC.	R	2,010.00
01	312243	07/30/2024	KAYLEIGH KAPISHKOWIT	R	1,000.00
01	312244	07/30/2024	MARY WEAVER	R	1,000.00
01	312245	07/30/2024	PROPIO LS, LLC	R	133.82
01	312246	07/30/2024	REGENTS OF THE U OF MINNESOTA	R	15,822.00
01	312247	07/30/2024	SYLVIA ALMAGUER	R	1,050.00
01	312248	07/31/2024	BLUUM OF MINNESOTA, LLC	R	3,943.33
01	312249	07/31/2024	CANON USA	R	4,578.42
01	312250	07/31/2024	CAPITAL ONE TRADE CREDIT	R	414.67
01	312251	07/31/2024	CINTAS CORPORATION NO 2	R	140.01
01	312252	07/31/2024	ESS BROTHERS & SONS, INC.	R	322.00
01	312253	07/31/2024	FAIRVIEW HEALTH SERVICES	R	7,500.00
01	312254	07/31/2024	FRONTLINE TECHNOLOGIES GROUP LLC	R	44,891.99
01	312255	07/31/2024	INTEGRATED FIRE & SECURITY INC	R	1,250.00

01	312256	07/31/2024	JUNK MASTERS LLC	R	1,650.00
01	312257	07/31/2024	NOTABLE, INC. (KAMI)	R	7,132.86
01	312258	07/31/2024	LEROY'S GREAT BEAR	R	38.49
01	312259	07/31/2024	MADISON NATIONAL LIFE INS CO INC	R	5,585.70
01	312260	07/31/2024	MATRIX COMMUNICATIONS, INC	R	928.98
01	312261	07/31/2024	MCDONOUGH'S SEWER SERVICES, INC.	R	509.90
01	312262	07/31/2024	MSBA-MINNESOTA SCHOOL BOARD ASSOC	R	10,436.00
01	312263	07/31/2024	NEI ELECTRIC, INC.	R	613.00
01	312264	07/31/2024	NORTH CENTRAL INTERNATIONAL, LLC	R	8,898.13
01	312265	07/31/2024	PAUL WENELL JR.	R	3,500.00
01	312266	07/31/2024	POWERSCHOOL GROUP LLC	R	20,081.25
01	312267	07/31/2024	SAFETYFIRST PLAYGROUND MAINTENANCE	R	3,965.00
01	312268	07/31/2024	SCHOLASTIC INC	R	148.39
01	312269	07/31/2024	SHERWIN WILLIAMS CO	R	629.70
01	312270	07/31/2024	SOURCEWELL	R	38,829.10
01	312271	07/31/2024	SPED FORMS LLC	R	12,340.28
01	312272	07/31/2024	TRISTATE BOBCAT INC	R	256.53
01	312273	07/31/2024	SCENARIO LEARNING, LLC	R	12,278.75
01	312274	07/31/2024	XCEL ENERGY	R	28,955.25

Total P-Cards, Checks, Wires & E-Pays					3,783,473.52
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SUPERINTENDENT'S REPORT AND AGENDA

Regular Meeting of the Board of Education
Independent School District No. 280, Richfield, Minnesota

Richfield Public Schools *inspires* and *empowers* each individual to learn, grow and *excel*

Monday, August 5, 2024
7 p.m. School Board Meeting

I. CALL TO ORDER

The regular meeting of the board of education of ISD 280, Hennepin County, Richfield, Minnesota was held on Monday, August 5, 2024 in the boardroom at the Richfield Public Schools District Office. Chair Cole called the regular board meeting to order at 7 p.m. with the following school board members in attendance: Banks Kupcho, Carter, Liss, Pollis and Spencer.

Superintendent Unowsky was also present.

II. REVIEW AND APPROVAL OF THE AGENDA

Motion by Banks Kupcho, seconded by Carter, and unanimously carried, the board of education approved the agenda.

III. INFORMATION AND PROPOSALS - NON-ACTION ITEMS

- A. Superintendent Update
 - 1. Board Goals for 2024-2025

IV. CONSENT AGENDA

- A. Routine Matters
 - 1. Minutes of the Regular Meeting held July 15, 2024
 - 2. General Disbursements as of 7/31/24 in the Amount of \$3,783,473.52
 - 3. Investment Holdings
- B. Personnel Items

Management Resignation

David Freeburg – Assistant Principal – Richfield Middle School
Effective: 7/31/2024
Yrs. of Service: 3

Certified Full Time Year 1 of 1

Jeanne Lawless – Elementary Teacher – STEM Elementary
Effective: 8/20/2024

Christine Clay – Special Ed Resource Teacher – Richfield Middle School
Effective: 8/20/2024

Alicia Bauers – School Social Worker – South Education Center

Effective: 8/20/2024

Monique Tweh – Lead School Social Worker – District Wide

Effective: 8/20/2024

Patricia McDougall – Special Education Teacher - Richfield Middle School

Effective: 8/20/2024

Certified Full Time Year 1 of 3

Michael Miller – Health Teacher – Richfield Middle School

Effective: 8/20/2024

June Hove – Licensed School Nurse – Richfield Middle School

Effective: 8/20/2024

Certified TIER 2 Teacher Contract

Kaylee Anderson – Special Ed Resource Teacher – Richfield Senior High School

Effective: 8/20/2024

Certified Full Time Teacher Leave of Absence

Genesis Meza – Grade 1 Teacher – Richfield Dual Language Elementary

Effective: 8/23/2024-11/8/24

Certified Full Time Resignation

Joseph Carlyon – Work Based Learning Teacher – South Education Center

Effective: 7/12/2024

Yrs. of Exp: 1

Jessica Kokku – Special Ed Teacher – Stem Elementary

Effective: 6/7/2024

Yrs. Of Exp: 4

Classified Full Time Outreach Worker for Employment

Jamilla Hassan - Outreach Worker - Richfield Senior High

Effective: 09/03/2024

Classified Full Time Facilities and Transportation for Employment

Davanand Mahadeo - Building Cleaner - Richfield Middle School

Effective: 07/22/2024

Radhika Mahadeo - Building Cleaner- Richfield High School

Effective: 07/22/2024

Heather Hansen - Bus Driver - Richfield Bus Garage

Effective: 08/05/2024

Classified Full Time Administrative and Management Support Resignation

Charlotte Wollenburg - Administrative Assistant - Central Education Center

Effective: 07/25/2024

Yrs. of Service: 7

Classified Full Time Paraprofessional Resignation

Joshua Moton – Paraprofessional - Richfield Middle School

Effective: 06/06/2024

Yrs. of Service: 3

Classified Full Time Paraprofessional Probation Extension

Ashton Robinson – Paraprofessional - Richfield STEM Elementary
Effective: 08/28/2024

Classified Part Time Paraprofessional Layoff

Brad Harris - Instructional Paraprofessional - Richfield Middle School
Effective: 06/06/2024
Yrs. of Service: 2

Classified Part Time Position Elimination

Brad Harris - Student Engagement Specialist – Richfield Middle School
Effective: 06/06/2024
Yrs. of Service: 2

Classified Part Time Probationary Termination – Paraprofessional

Anjelika Reid – Paraprofessional - Richfield Middle School
Effective: 06/06/2024

C. Bid Awards - Bread Products, Disposable Products & Milk Products

Motion by Pollis, seconded by Carter, and unanimously carried, the board of education approved the consent agenda.

V. OLD BUSINESS

- A. Policy 979: Community Use of School Facilities and Grounds - third read
- B. Policy 955: Fundraising Activities & Administrative Guideline 955.1 - third read

Motion by Pollis, seconded by Spencer, and unanimously carried, the board of education approved the revised policy and discontinued the administrative guideline.

C. Policy 563: Advertising in the Schools - third read

Motion by Pollis, seconded by Liss, and unanimously carried, the board of education approved the revised policy.

VI. NEW BUSINESS

- A. Authorization for Board Members to Substitute/Be Employed on a Casual/Temporary Basis

Motion by Spencer, seconded by Carter, and unanimously carried, the board of education approved the authorization.

B. Workers' Compensation Insurance Renewal 2024-2025

Motion by Pollis, seconded by Banks Kupcho, and unanimously carried, the board of education approved the renewal.

C. Change Order #3 for Track and Tennis Court Resurfacing

Motion by Carter, seconded by Spencer, and unanimously carried, the board of education approved the change order.

D. Policy 505: Student Disability Nondiscrimination & Administrative Guidelines
505.1-505.3 - first read

E. Policy 525: The Pledge of Allegiance - first read

F. Donations

Motion by Banks Kupcho, seconded by Carter, and unanimously carried, the board of education accepted the donations with gratitude.

VII. ADVANCE PLANNING

A. Legislative Update

B. Information and Questions from Board

C. Suggested/Future Agenda Items

D. Future Meeting Dates

8-19-2024 7 p.m.

Regular Board Meeting - Public Comment

*Tuesday, 9-3-2024 7 p.m.

Regular Board Meeting

VIII. ADJOURN REGULAR MEETING

Chair Cole adjourned the meeting at 8:01 p.m.

P-CARD,CHECK RUNS, E-PAYS & WIRES FOR 08/19/2024 BOARD REPORTS

BANK 05	DATE	AMOUNT
Checks	8/5/2024	10,604.21
	8/7/2024	217,726.72
	8/9/2024	99,682.82
	8/13/2024	194,034.56
 P-Cards JULY 2024	 8/5/2024	 22,922.02
 E-Pays	 8/1/2024	 3,320.00

CHECK REGISTER BANK 05 TOTAL =	548,290.33
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BREAKDOWN

01-206-00	347,824.81
02-206-00	14,636.20
03-206-00	4,931.56
04-206-00	74,570.49
06-206-00	5,000.00
07-206-00	-
18-206-00	-
20-206-00	99,933.91
21-206-00	1,393.36
47-206-00	

BANK TOTAL =	548,290.33
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FUND	CHECK	DATE	VENDOR	TYPE	AMOUNT
01	V614046	08/01/2024	MATTHEW ARNOLD	R	70.00
01	V614047	08/01/2024	MICHELLE L AXELL	R	70.00
01	V614048	08/01/2024	ERICA T BARLOW	R	70.00
01	V614049	08/01/2024	MARY L CLARKSON	R	70.00
01	V614050	08/01/2024	LATANYA R DANIELS	R	70.00
01	V614051	08/01/2024	PETER J FITZPATRICK	R	40.00
01	V614052	08/01/2024	RACHEL GENS	R	70.00
01	V614053	08/01/2024	AREND J GEURINK	R	70.00
01	V614054	08/01/2024	JAMES A GILLIGAN	R	70.00
01	V614055	08/01/2024	CHRISTINA M GONZALEZ	R	70.00
01	V614056	08/01/2024	KEVIN D HARRIS	R	40.00
01	V614057	08/01/2024	MICHAEL G HARRIS	R	70.00
01	V614058	08/01/2024	JONATHAN W HEYER	R	70.00
01	V614059	08/01/2024	JAMES L HILL	R	40.00
01	V614060	08/01/2024	JESSICA M HOFFMAN	R	40.00
01	V614061	08/01/2024	CRAIG D HOLJE	R	70.00
01	V614062	08/01/2024	DANIEL E KRETSINGER	R	70.00
01	V614063	08/01/2024	JENNIFER KRUEGER	R	70.00
01	V614064	08/01/2024	ANOOP KUMAR	R	40.00
01	V614065	08/01/2024	SHANNON J LINDBERG	R	40.00
01	V614066	08/01/2024	JOHN M LORENZINI	R	70.00
01	V614067	08/01/2024	COLLEEN M MAHONEY	R	70.00
01	V614068	08/01/2024	MICHAEL A MANNING	R	70.00
01	V614069	08/01/2024	DANIEL P MCGINN	R	40.00
01	V614070	08/01/2024	DOUG R MCMEEKIN	R	70.00
01	V614071	08/01/2024	KENT D MEYER	R	70.00
01	V614072	08/01/2024	KATRINA L MORGAN	R	40.00
01	V614073	08/01/2024	ERIN H NEILON	R	40.00
01	V614074	08/01/2024	ROBERT G OLSON	R	40.00
01	V614075	08/01/2024	LAURA B OTTERNESS	R	70.00
01	V614076	08/01/2024	MARK S PEDERSEN	R	40.00
01	V614077	08/01/2024	CHRISTOPHER A PETERSON	R	70.00
01	V614078	08/01/2024	CASSANDRA QUAM	R	70.00
01	V614079	08/01/2024	RENEE C REED-KARSTENS	R	40.00
01	V614080	08/01/2024	KEITH D RIEF	R	40.00
01	V614081	08/01/2024	ASHLEY SCHAEFER	R	70.00
01	V614082	08/01/2024	AMY B SKARE-KLECKER	R	70.00
01	V614083	08/01/2024	NANCY J STACHEL	R	70.00
01	V614084	08/01/2024	JUSTIN STEELE	R	140.00
01	V614085	08/01/2024	ANGELA TAYLOR	R	70.00
01	V614086	08/01/2024	STACY THEIEN-COLLINS	R	70.00
01	V614087	08/01/2024	VLADIMIR S TOLEDO	R	40.00
01	V614088	08/01/2024	STEVEN P UNOWSKY	R	270.00
01	V614089	08/01/2024	CARRIE A VALA	R	70.00
01	V614090	08/01/2024	JENNIFER K VALLEY	R	70.00
01	V614091	08/01/2024	REBECCA S WALD	R	40.00
01	V614092	08/01/2024	ALEXANDER WARD	R	70.00
01	V614093	08/01/2024	MICHELLE R WHITESIDE	R	70.00
01	V614094	08/01/2024	KASYA L WILLHITE	R	70.00
01	V614095	08/01/2024	KELLY L WOODS	R	70.00
01	312275	08/05/2024	AQUA LOGIC INC	R	536.02
01	312276	08/05/2024	ARCHETYPE	R	890.00
01	312277	08/05/2024	BIX FRUIT COMPANY	R	524.97
01	312278	08/05/2024	CITY OF RICHFIELD	R	7,371.78
01	312279	08/05/2024	ECM PUBLISHERS INC	R	141.60
01	312280	08/05/2024	RENAISSANCE	R	1,139.84
01	V2501970	08/05/2024	P-CARD BARLOW ERICA	R	200.00
01	V2501971	08/05/2024	P-CARD BRUNNER PATTI	R	736.03

01	V2501972	08/05/2024	P-CARD BAIRD LISA	R	2,142.43
01	V2501973	08/05/2024	P-CARD BROWN MATTHEW	R	1,201.89
01	V2501974	08/05/2024	P-CARD BRUNNER PATTI	R	547.82
01	V2501975	08/05/2024	P-CARD CRUZ ESTEVA JENNIFER	R	53.42
01	V2501976	08/05/2024	P-CARD EDWARDS NATHAN	R	201.97
01	V2501977	08/05/2024	P-CARD GEURINK AREND	R	16.34
01	V2501978	08/05/2024	P-CARD GONZALEZ CHRISTINA	R	1,026.90
01	V2501979	08/05/2024	P-CARD HOLJE CRAIG	R	439.00
01	V2501980	08/05/2024	P-CARD KRETSINGER DAN	R	6,633.70
01	V2501981	08/05/2024	P-CARD LUNDY MICHELLE	R	1,774.51
01	V2501982	08/05/2024	P-CARD MANNING MICHAEL	R	242.44
01	V2501983	08/05/2024	P-CARD MCGINN DAN	R	715.96
01	V2501984	08/05/2024	P-CARD MORALES LIZETTE	R	495.43
01	V2501985	08/05/2024	P-CARD PETERSON CHRIS	R	1,740.30
01	V2501986	08/05/2024	P-CARD SACHER GRACE	R	996.32
01	V2501987	08/05/2024	P-CARD SETZER ALEXIS	R	127.16
01	V2501988	08/05/2024	P-CARD SHAHSAVAND MARTA	R	539.97
01	V2501989	08/05/2024	P-CARD SKARE-KLECKER AMY	R	394.93
01	V2501990	08/05/2024	P-CARD STACHEL NANCY	R	1,882.85
01	V2501991	08/05/2024	P-CARD VALLEY JENNIFER	R	247.04
01	V2501992	08/05/2024	P-CARD VENTURA PEREZ RAMIRO	R	212.88
01	V2501993	08/05/2024	P-CARD YUNKER AUBREE	R	352.73
01	312281	08/07/2024	ADVANCED COMMERCIAL KITCHENS	R	399.05
01	312282	08/07/2024	AMPLIFY EDUCATION, INC.	R	25,083.87
01	312283	08/07/2024	ARVIG ENTERPRISES INC	R	1,307.90
01	312284	08/07/2024	BIX FRUIT COMPANY	R	562.16
01	312285	08/07/2024	BRAINPOP LLC	R	3,030.00
01	312286	08/07/2024	BSN SPORTS, LLC	R	12,349.70
01	312287	08/07/2024	CENGAGE LEARNING INC	R	2,070.00
01	312288	08/07/2024	CENTURYLINK	R	118.22
01	312289	08/07/2024	COMCAST BUSINESS	R	414.80
01	312290	08/07/2024	CULLIGAN SOFT WATER	R	10.95
01	312291	08/07/2024	DICKS SANITATION SERVICE, INC (DSI)	R	8,381.28
01	312292	08/07/2024	DIGITAL INSURANCE LLC	R	3,607.00
01	312293	08/07/2024	EDUCATORS BENEFIT CONSULTANTS LLC	R	512.04
01	312294	08/07/2024	FASTEST LABS OF BLOOMINGTON	R	552.00
01	312295	08/07/2024	HEARTLAND PAYMENT SYSTEMS INC	R	5,655.00
01	312296	08/07/2024	HOPE CHURCH	R	15,522.06
01	312297	08/07/2024	HOUSE OF PRINT	R	4,513.97
01	312298	08/07/2024	INGINA LLC	R	3,359.00
01	312299	08/07/2024	IXL LEARNING	R	1,300.00
01	312300	08/07/2024	KEMPS LLC	R	331.70
01	312301	08/07/2024	KENDALL HUNT PUBLISHING CO	R	13,476.00
01	312302	08/07/2024	KINECT ENERGY INC	R	547.00
01	312303	08/07/2024	KRULL MELISSA	R	3,200.00
01	312304	08/07/2024	LOFFLER COMPANIES	R	133.88
01	312305	08/07/2024	MACLEAN ENTERPRISES, LLC	R	3,442.50
01	312306	08/07/2024	MACMILLAN HOLDINGS	R	2,496.36
01	312307	08/07/2024	MAXORPLUS, LTD	R	44,804.84
01	312308	08/07/2024	MCEA	R	50.00
01	312309	08/07/2024	NEARPOD, LLC	R	4,653.75
01	312310	08/07/2024	ON SITE SANITATION	R	300.00
01	312311	08/07/2024	PAYDHEALTH	R	2,126.16
01	312312	08/07/2024	PERMA-BOUND BOOKS	R	4,483.35
01	312313	08/07/2024	PREMIUM WATERS INC	R	36.00
01	312314	08/07/2024	RIDDELL ALL AMERICAN SPORTS CORP	R	9,484.10
01	312315	08/07/2024	SAVVAS LEARNING COMPANY LLC	R	27,604.80
01	312316	08/07/2024	SNA-SCHOOL NUTRITION	R	14.00
01	312317	08/07/2024	STEM SMART LLC	R	1,430.00

01	312318	08/07/2024	STONE ARCH STUDIO LLC	R	200.00
01	312319	08/07/2024	TAFFE SARAH ANN	R	9,750.00
01	312320	08/07/2024	VERIZON WIRELESS	R	360.09
01	312321	08/07/2024	XCEL ENERGY	R	53.19
01	312322	08/09/2024	CDW GOVERNMENT INC	R	3,743.32
01	312323	08/09/2024	INTERMEDIATE DISTRICT 287	R	74,169.15
01	312324	08/09/2024	KINECT ENERGY INC	R	16,347.86
01	312325	08/09/2024	SQUIRES, WALDSPURGER & MACE, P.A.	R	5,422.49
01	312326	08/13/2024	806 TECHNOLOGIES INC	R	3,850.00
01	312327	08/13/2024	ALTMAN ADAM	R	280.00
01	312328	08/13/2024	APPRIZE TECHNOLOGIES	R	240.00
01	312329	08/13/2024	AQUA NORTH SOLUTIONS LLP	R	3,758.50
01	312330	08/13/2024	BIX FRUIT COMPANY	R	134.93
01	312331	08/13/2024	BCBS OF MINNESOTA & BLUE PLUS	R	9,384.00
01	312332	08/13/2024	BLUUM OF MINNESOTA, LLC	R	3,540.70
01	312333	08/13/2024	BRIGHTWORKS	R	6,455.90
01	312334	08/13/2024	CATALYST BUYING GROUP LLC	R	2,310.89
01	312335	08/13/2024	CDW GOVERNMENT INC	R	10,835.46
01	312336	08/13/2024	COMCAST BUSINESS	R	549.80
01	312337	08/13/2024	CONSOLIDATED COMMUNICATIONS	R	2,661.44
01	312338	08/13/2024	EVAN FRASER	R	640.00
01	312339	08/13/2024	HAND2MIND, INC.	R	184.96
01	312340	08/13/2024	HD SUPPLY FORMERLY HOME DEPOT PRO	R	113.71
01	312341	08/13/2024	HOGAN ASSESSMENT SYSTEMS INC	R	3,510.00
01	312342	08/13/2024	ICS CONSULTING, LLC - 138006	R	5,000.00
01	312343	08/13/2024	IDENTISYS INC	R	1,767.10
01	312344	08/13/2024	IMPROVE YOUR TOMORROW, INC.	R	35,000.00
01	312345	08/13/2024	JACOB SCHUMAN	R	1,542.80
01	312346	08/13/2024	KEMPS LLC	R	161.25
01	312347	08/13/2024	KOCH SCHOOL BUS SERVICE, INC.	R	1,724.40
01	312348	08/13/2024	LOFFLER	R	994.64
01	312349	08/13/2024	MADISON NATIONAL LIFE INS CO INC	R	5,450.45
01	312350	08/13/2024	MATH MEDIC	R	1,015.00
01	312351	08/13/2024	MAXORPLUS, LTD	R	50,042.02
01	312352	08/13/2024	MRI SOFTWARE LLC	R	31.00
01	312353	08/13/2024	ONEBRIDGE BENEFITS INC.	R	5,101.50
01	312354	08/13/2024	PITNEY BOWES BANK PURCHASE POWER	R	2,400.00
01	312355	08/13/2024	POWERSCHOOL GROUP LLC	R	480.00
01	312356	08/13/2024	TIFFANY BEGIN	R	288.00
01	312357	08/13/2024	TRUGREEN LIMITED PARTNERSHIP	R	8,949.00
01	312358	08/13/2024	UNITED HEALTHCARE/AARP MEDICARE RX	R	54.70
01	312359	08/13/2024	UNITED HEARTH CARE /AARP MEDICARE RX	R	54.70
01	312360	08/13/2024	UNITEDHEALTHCARE	R	590.91
01	312361	08/13/2024	VOYAGER SOPRIS LEARNING	R	24,936.80

TOTAL E-PAYS, CHECK, PCARDS					548,290.33
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Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting August 19, 2024

Subject: PERSONNEL ITEMS

(Recommended by superintendent)

That the board of education approve the following personnel items:

Management Full Time New Hire

Amy Hager – Assistant Principal – Richfield Middle School
Effective: 8/5/2024

Certified Full Time Yr 1 of 1

Michele Fluhr Fraser – Special Ed Resource – Transitions Plus Program
Effective: 8/20/24

Certified Full Time Yr 3 of 3

Ryan Houle – Kindergarten Teacher – Sheridan Hills Elementary
Effective: 8/23/2024

Certified Full Time Resignation

Jennifer Bayley – Literacy Coach – Sheridan Hills Elementary
Effective: 6/7/2024
Yrs. of Service: 3

Mary Rose – Instructional Coach – Sheridan Hills Elementary
Effective: 8/20/2024
Years of Service: 0

Classified Full Time Paraprofessional for Employment

Stacey Ruud - Special Education Paraprofessional - Richfield Middle School
Effective: 09/03/2024

Mariia Trotsiuk - Special Education Paraprofessional - Richfield Middle School
Effective: 09/03/2024

Nicole LeRoy - Special Education Paraprofessional - Richfield Middle School
Effective: 09/03/2024

Payton Mansfield - Special Education Paraprofessional - Sheridan Hills Elementary
Effective: 09/03/2024

Elizabeth Hughes - Instructional Paraprofessional - Central Education Center
Effective: 09/03/2024

Classified Full Time Paraprofessional Resignation

Rosario Aguirre Iguanero - Health Paraprofessional - Centennial Elementary

Effective: 08/23/2024

Yrs. of Service: 2

Yaqueline Sanchez Dominguez - Managerial Paraprofessional - Sheridan Hills Elementary

Effective: 06/06/2024

Yrs. of Service: 2

Classified Full Time Paraprofessional Probation Extension

D'siaha Menyweather - Special Education Paraprofessional - Richfield High School

Effective: 08/28/2024

Ashton Robinson - Special Education Paraprofessional - Richfield High School

Effective: 08/28/2024

**Correction from 08/05/2024 board minutes location*

Board of Education
Independent School District
280 Richfield, Minnesota

Regular Meeting, August 19, 2024

Subject: Miscellaneous Pay Rates for Year 2024-2025

(Recommended by superintendent)

That the board of education approve the corrected pay rate for ISD #280 Facilities Supervisor position effective July 1, 2024.

Background Information

(Prepared by Michelle Axell and Craig Holje)

The Miscellaneous Pay Rate for the Facilities Supervisor position, effective July 1, 2023, was listed inaccurately. Consequently, the approved hourly rate increase for the position was incorrect when approved by the board at the July 15, 2024 regular meeting.

Corrected Pay Rate

Activities & Athletics	Rate for 7/1/23	Rate for 7/1/24
Event Roles	Hourly Pay	Hourly Pay
Facilities Supervisor	\$20.00	\$20.60

RICHFIELD PUBLIC SCHOOLS

Miscellaneous Pay Rates 2024-2025

Miscellaneous Positions	Rate for 7/1/23	Rate for 7/1/24
School RN	Hourly Pay	Hourly Pay
Year 1	\$32.60	\$33.60
Returning Employee	\$33.00	\$34.00
Homebound Teachers	Hourly Pay	Hourly Pay
Base	As identified in Teacher Master Contract	As identified in Teacher Master Contract
Specialized Student Support	Hourly Pay	Hourly Pay
Student Engagement Specialist	\$24.35	\$25.35
Native American/Indigenous Coordinator	\$28.60	\$34.00
Safe Routes to Schools Coordinator	\$32.25	\$33.40
District Support Community/Students	Hourly Pay	Hourly Pay
Translation Engagement Coordinator	\$27.00	Not a current open position
Health Resource Center	Hourly Pay	Hourly Pay
Health Resource Coordinator	\$27.00	\$27.85

Community Education Positions	Rate for 7/1/23	Rate for 6/1/24
Community Education Roles		
Community Ed Instructor	\$20.60 – \$37.60	\$21.25 – \$38.75
Community Ed Program Assistant	\$10.80 – \$19.50	N/A
Community Ed Program Assistant - Student		\$12.00 – \$13.20
Community Ed Program Assistant - Adult		\$18.00 – \$19.50
Aquatics	Hourly Pay	Hourly Pay
Aquatic Lead	\$23.80 – \$26.50	\$24.51 – \$27.30**
Water Safety Instructor (WSI)	\$15.46 – \$18.54*	\$16.07 – \$19.28**
Lifeguard	\$15.80 – \$18.25*	\$16.26 – \$18.80**
Water Safety Assistant	\$11.67 – \$12.84*	\$12.02 – \$13.23**
Pool Manager	\$18.00	\$18.00**
	<i>*Pay Rate Effective 6/1/23</i>	<i>**Approved by the Board 4/15/24</i>

Activities & Athletics	Rate for 7/1/23	Rate for 7/1/24
Event Roles	Hourly Pay	Hourly Pay
Event Manager	\$27.00	\$27.80
Facilities Supervisor	\$20.00	\$20.60
Ticket Sales	Hourly Pay	Hourly Pay
Tickets	\$23.00	\$23.70
Clock/Announcer/Scorer	Hourly Pay	Hourly Pay
Clock/Announcer/Scorer	\$20.00	\$20.60
Track Meet	Pay Per Event	Pay Per Event
Timing System Operator	\$275	\$285
Camera Operator	\$275	\$285
Event Workers	Hourly Pay	Hourly Pay
Event Worker 1	\$11.50	\$11.85
Event Worker 2	\$18.00	\$18.55
Event Security	Hourly Pay	Hourly Pay
Security Worker	\$20.00	\$20.60
Sound, Light & Video Production	Hourly Pay	Hourly Pay
Sound & Light for Theatre	\$25.00	\$25.75
Asst. Sound & Light for Theatre	\$11.50	\$11.85
Video Production – Board/Theatre	\$26.00	\$26.80

Substitute Employees	Rate for 7/1/23	Rate for 7/1/24
School RN – Hourly Position	Hourly Pay	Hourly Pay
	\$27.00	\$27.80
Food Service		
	Step 1 of Contract for Position Subbing	Step 1 of Contract for Position Subbing
Paraprofessional		
	Step 1 of Contract for Position Subbing	Step 1 of Contract for Position Subbing
External Summer School Para		
	Step 1 of Contract for Position Subbing	Step 1 of Contract for Position Subbing
Facilities & Transportation		
	Step 1 of Contract for Position Subbing	Step 1 of Contract for Position Subbing

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, August 19, 2024

Subject: Student Disability Nondiscrimination

(Recommended by the superintendent)

A second read of Policy 505: Student Disability Nondiscrimination & Administrative Guidelines 505.1 – 505.3. This policy protects students from discrimination on the basis of disability and puts measures into place to follow Section 504 of the Rehabilitation Act of 1973.

Suggested changes have been included to adhere to District branding and style guidelines and align to changes in statute. Guideline 505.1 has been replaced with an updated version.

Attachments:

Policy 505: Student Disability Nondiscrimination - **redlined**

Administrative Guideline 505.1: Health Plan Flow Chart - **replaced**

Administrative Guideline 505.2: Grievance Report Form - **redlined**

Administrative Guideline 505.3: Section 504 Health Plan Template

MSBA Model Policy 521: Student Disability Nondiscrimination

MSBA Model Form: Student Disability Discrimination Grievance Report Form

3 RICHFIELD PUBLIC SCHOOLS
4
5 STUDENT DISABILITY NONDISCRIMINATION
6

7
8 I. PURPOSE
9

10 The purpose of this policy is to protect students with disabilities from discrimination
11 on the basis of disability and to identify and evaluate learners who, within the intent
12 of Section 504 of the Rehabilitation Act of 1973, need special services,
13 accommodations, or programs in order that such learners may receive a free
14 appropriate public education.
15

16 II. GENERAL STATEMENT OF POLICY
17

- 18 A. Richfield Public Schools provides equal educational opportunity to all qualified
19 individuals. The ~~Board-board~~ of ~~Education-education~~ is committed to identifying
20 and evaluating qualified individuals within the intent of Section 504 in the District
21 who may need services, accommodations, or programs in order that such
22 individuals may receive equal educational opportunity.
23
24 B. It is the responsibility of the school district to identify and evaluate learners who,
25 within the intent of Section 504 of the Rehabilitation Act of 1973, need special
26 services, accommodations, or programs in order that such learners may receive
27 a free appropriate public education.
28
29 C. A qualified individual may be eligible for Section 504 services, accommodations or
30 programs even though they are not eligible for special education pursuant to the
31 Individuals with Disabilities Education Act (IDEA).
32

33 III. DEFINITIONS
34

35 A. For this policy, the term "qualified individuals" means a student who:

36 A:

- 37 1. has a physical or mental impairment that substantially limits one or more
38 major life activity, including learning; or
39 2. has a record of such impairment; or
40 3. is regarded as having such impairment, ~~and; or~~
41 ~~3-4.~~ has an impairment that is episodic or in remission and would
42 materially limit a major life activity when active, and
43 ~~4-5.~~ who is of the age for which persons without disabilities are provided
44 educational services; or
45 ~~5-6.~~ who is of an age for which it is mandatory under state law to provide
46 such services to individuals with disabilities; or
47 ~~6-7.~~ who is required to receive a free appropriate public education under
48 the Individuals with Disabilities Education Act (IDEA or Special Education).
49

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50 B. For this policy, the term "Section 504" means Section 504 of the Rehabilitation Act
51 of 1973, codified at 29 United States Code 794.

52
53 **IV. Section 504 COORDINATOR**
54

- 55 A. The superintendent shall appoint a District 504 Coordinator.
- 56 B. The principal or site administrator of each school shall appoint a Building 504
57 Coordinator for their school or program.
- 58 C. The Building 504 Coordinator will be responsible for appropriate distribution of
59 materials to staff and parents, along with training staff as appropriate.

60 **IV. RESPONSIBILITIES**
61

- 62 ~~a.A.~~ The superintendent is responsible for appointing the District 504
63 Coordinator.
- 64 ~~b.B.~~ The superintendent may adopt regulations deemed necessary to
65 implement this policy.
- 66 ~~c.C.~~ The superintendent shall develop a grievance procedure that
67 complies with the requirements of Section 504.
- 68 ~~d.D.~~ The District 504 Coordinator is responsible for the general oversight
69 of identification and evaluation of qualified individuals, training on
70 compliance with Section 504 and implementation of the district's grievance
71 procedure for Section 504 services, accommodations or programming
- 72 ~~e.E.~~ The Building 504 Coordinator is responsible for compliance with
73 Section 504, this policy and District regulations within his or her school or
74 program.
- 75 ~~f.F.~~ Each teacher and staff person is responsible for the implementation of
76 accommodations and services for qualified individuals in their school or
77 program appropriate to their job description.
- 78

79
80 Persons who have questions or comments should contact the Executive Director
81 of Special Programs, ~~7001 Harriet Ave~~^{401 70th Street West}, Richfield, MN, (612-
82 798-6041). This is the ~~school d~~ District's Americans with Disabilities Act/Section
83 504 coordinator. Persons who wish to make a complaint regarding a disability
84 discrimination matter may use the accompanying Student Disability Discrimination
85 Grievance Report Form. The form should be given to the ADA/Section 504
86 coordinator at the ~~district-District office~~^{Office}.

87
88
89 **Legal References:**

- 90 Minn. Stat. § 363A.03, Subd. 12 (Definitions)
- 91 Pub. L. 110-325, 122 Stat. 3553 (ADA Amendments Act of 2008, § 7)
- 92 29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

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93 42 U.S.C. Ch. 126 (Equal Opportunity for Individuals with Disabilities)

94 34 C.F.R. Part 104 (Section 504 Implementing Regulations)

95

96 **Cross References:**

97 ~~MSBA/MASA Model Policy 402 (Disability Nondiscrimination)~~

98 Board Policy 102: Equal Educational Opportunity

99 Board Policy 403: Disability Nondiscrimination

100 Board Policy 608: Education of Students with Disabilities

101

102

103 ~~APPROVED/RATIFIED~~ BY THE BOARD OF EDUCATION: _____ June 17, 2007

104

105 REVISED BY THE BOARD OF EDUCATION: _____ June 11, 2018

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RICHFIELD PUBLIC SCHOOLS

SECTION 504 PLAN

FLOW CHART

On the RPS website under Student Support Services it states:

504 Accommodation Plans provide necessary support for a student whose disability, mental health or other impairment impacts their ability to participate in one or more major life activities. These include physical, mental or learning differences.

At Richfield Public Schools, 504 plans can be recommended by school staff or requested by parents/guardians who believe a student may benefit from accommodations to better support their school success. School staff are responsible for evaluating and determining eligibility for the development of 504 plans. In our elementary schools, social workers are responsible for the 504 process. In our secondary buildings, school counselors are responsible for the 504 process. To explore if a 504 is right for your student, please contact the appropriate staff at your child's school.

1. PARENT/GUARDIAN NOTIFICATION

- Parent(s)/guardian(s) will be given a copy of Parent/Learner Rights.
- 504 Case Manager will speak to parent(s)/guardian(s) about the 504 Plan referral and complete Parent/Guardian Notice of Evaluation form.
- 504 Case Manager will start the 504 Plan Eligibility and Evaluation Form

2. COLLECT DOCUMENTATION AND DATA

- 504 case manager will gather information from a variety of sources, such as:
 - Grades and standardized test scores
 - Attendance and behavior reports
 - School health record review (including sensory status)
 - Teacher/parent/guardian/student interview
 - Outside evaluation, medical provider documentation and/or RPS Physical and/or Mental Health Condition Documentation Form
 - Review cumulative file

3. REVIEW EVALUATION DATA TO DETERMINE ELIGIBILITY

- 504 team will determine student's 504 eligibility. Team members *may* include the student, parent(s)/guardian(s) and 504 plan case manager. Teachers and other school staff that work directly with the student may be included as part of the team.
- Evaluation Review:
 - Has the student been diagnosed with a physical and/or mental health condition by a healthcare provider? Is there an assessment report, a care plan, or Physical and/or Mental Health Condition Documentation Form?
 - Does this physical and/or mental health condition(s) substantially limit one or more of the student's major life activities (i.e. walking, seeing, hearing, speaking, breathing, learning, working, functioning, concentrating, behaving appropriately,

regulating emotions) based on the collected data? If so, what is the impact of physical and/or mental health condition(s) for the student in the school setting?

- If NO, student is not eligible for a 504 Plan
- If YES, student is eligible for a 504 plan
- Parent(s)/guardian(s) will be notified if the evaluation determined that the student is eligible for a 504 Plan and are given a copy of Parent/Learner rights.
- If the team determines that the student is not eligible for a 504 Plan, parent/guardians will be given a copy of completed Section 504 Plan Eligibility and Evaluation form along with a copy of the Parent/Learner Rights.

4. IF STUDENT IS DETERMINED TO BE ELIGIBLE FOR A 504 PLAN, ACCOMMODATIONS ARE DEVELOPED.

- Accommodations need to be directly related to the documented physical and/or mental health condition(s).
- If a student has a mental health diagnosis, 504 case managers will consult with the school social worker to ensure appropriate accommodations.
- Team develops draft of 504 accommodation plan.
- Parent(s)/guardian(s) are given an opportunity to review and discuss the draft before the accommodations are finalized.

5. DISTRIBUTION OF 504 PLANS.

- Once a 504 Plan is finalized 504 case manager will:
 - Provide a copy of the Parent Notice of Evaluation form, 504 Plan Eligibility and Evaluation form, and 504 Plan Accommodation form to parent(s)/guardian(s) along with another copy of the Parent/Learner rights.
 - Place a copy of the Parent Notice of Evaluation form, 504 Plan Eligibility and Evaluation form, and 504 Plan Accommodation form in the student's cumulative folder.
 - Inform District Synergy Administrator of the student's name and start date to flag in Synergy.
 - Upload a pdf version of the 504 accommodation page into the "504/Document" section in Synergy.
 - Inform teachers and appropriate staff (i.e. testing coordinator, athletic director, intramural director) that student has qualified for a 504 plan and direct them to locate accommodations under the "504/Documents" tab in Synergy.
- Prior to each new school term (quarter, trimester or semester), ensure all of the student's teachers and related staff (i.e. testing coordinator, athletic director, intramural director) are informed of the student's 504 Plan and direct them to locate accommodations under the "504/Documents" tab in Synergy.

6. TEACHER COMPLIANCE (ADMIN)

- Where are the accommodation plans located?
- Sub folder

7. REVIEW THE STUDENT'S 504 PLAN ANNUALLY

- Each fall the 504 case manager will ensure all of the student's new teachers and related staff are informed of the student's 504 Plan and direct them to locate accommodations under the "504/Documents" tab in Synergy.
- If a student has a mental health diagnosis, 504 case manager will consult with the school social worker to ensure appropriate accommodations.
- At least once a year, the 504 Plan will be reviewed to determine:
 - Are the accommodations working?
 - Are the accommodations still needed?
 - Are any changes recommended?
- If changes to the plan are proposed, the 504 team will determine if the new/revised accommodation(s) are directly related to the documented physical and/or mental health condition(s) that substantially limits one or more life activities.
- If changes to the plan are made, a copy of the revised 504 Plan Accommodation form will be placed in the student's cumulative folder and another copy will be given to parent(s)/guardian(s) along with a copy of the Parent/Learner Rights.
 - 504 case manager will upload revised 504 accommodations onto Synergy.
- If changes are not made to the plan, parent(s)/guardian(s) are given a copy of the existing 504 Plan Accommodation form and the Parent/Learner Rights at least one time each year.

8. RE-EVALUATION AND DISCONTINUATION OF 504 PLAN

- Team will determine how often, or if at all, to re-evaluate a student's 504 Plan eligibility based on the individual student's specific need(s) and condition(s). Some conditions may not require an updated diagnosis in order to re-evaluate and/or continue the plan.
 - Does the student continue to have a physical and/or mental health diagnosis based on updated documentation from a health care provider?
 - Does the physical and/or mental health condition(s) still substantially limit one or more major life activities (i.e. walking, seeing, hearing, speaking, breathing, learning, working, functioning, concentrating, behaving appropriately, regulating emotions)?
 - If NO, parents will be notified and 504 Case Manager will start the 504 Plan Eligibility and Evaluation Form
 - If YES, how does the medical and/or mental health condition(s) continue to impact the student in the school setting?
- Parent(s)/guardian(s) will be notified of the re-evaluation and are given a copy of Parent/Learner rights.
- Notify District Synergy Administrator of discontinuation of 504 plan with date and remove 504 flag on Synergy.

~~505-2~~
Guideline s505.2

RICHFIELD PUBLIC SCHOOLS, ISD 280

STUDENT DISABILITY DISCRIMINATION GRIEVANCE REPORT FORM

General Statement of Policy Prohibiting Disability Discrimination

Richfield Public Schools maintains a firm policy prohibiting all forms of discrimination on the basis of a disability. All persons are to be treated with respect and dignity. Discrimination on the basis of a disability will not be tolerated under any circumstances.

Complainant: _____
Home Address: _____
Work Address: _____
Home Phone: _____ Work Phone: _____

I have been discriminated against based on (choose one or more):

[my disability] / [a record of my disability] / [being regarded as having a disability]

because _____

Date of alleged incident(s): _____

Name of person you believe discriminated against you or another person:

If the alleged discrimination was toward another person, identify that person:

Describe the incident(s) as clearly as possible, including such things as: any verbal statements; what, if any, physical contact was involved; etc. (attach additional pages if necessary)

Location of the incident(s): _____

List any witnesses that were present: _____

This complaint is filed based on my honest belief that _____ has

~~521-3F~~

discriminated against me or another person based on a disability. I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.


(Complainant Signature)

(Date)

Received by: _____

(Date)

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 <p>Richfield Public Schools 7001 Harriet Ave. S. Richfield MN 55423</p>	<p>Section 504/Health Plan</p>
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INTRODUCTION: Section 504 of the Rehabilitation Act of 1973 is designed to eliminate discrimination on the basis of disability in any program or activity receiving Federal financial assistance. Students who are protected from discrimination are those who 1) have a physical or mental impairment which substantially limits one or more major life activities. 2) have a record of such impairments, or 3) are regarded as having such an impairment. Please complete the following information. (Sections I & II)

Student Information:

Last Name: _____ First Name: _____ M.I.: _____ DOB: _____
 School: _____ ID#: _____ Grade: _____
 Referred by/Relationship: _____ Date: _____

Reason for referral:

List the physical and/or mental condition(s) that significantly impact(s) a major life activity:
 Is there a medical or mental health diagnosis? If not, can one be obtained?

Has the student ever been referred, evaluated and/or received services for special education? Yes No

If yes, please indicate date and outcome of assessment:

Date: _____ Outcome: _____

Evaluation Information:


Summary of evaluation data (include medical documentation of physical and/or mental condition):

Describe the impact of the physical and/or mental condition(s) in the school setting:

Is the student performing in the range of typical peers?

Yes No Comments:

Does the student require a 504/health plan to prevent discrimination? Yes No

 <p>Richfield Public Schools 7001 Harriet Ave. S. Richfield MN 55423</p>	<p>Section 504/Health Plan</p>
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The following persons have participated in the determination of eligibility:

Participants:

Position:

NOTE:

The 504 Plan will be given to teachers, relevant school staff, and school sponsored coaches and advisors for extracurricular activities in which the student participates.

 <p>Richfield Public Schools 7001 Harriet Ave. S. Richfield MN 55423</p>	<p>Section 504/Health Plan</p>
---	--------------------------------

Last Name:

First Name:

M.I.:

DOB:

School:

ID#:

Grade:

Describe the impact of the physical and/or mental condition in the school setting:

Accommodation Plan:

Program changes required:

(Making accommodations within the mainstream setting should be the first level of consideration.)

1.

Staff responsible:

2.

Staff responsible:

3.

Staff responsible:

4.

Staff responsible:

5.

Staff responsible:

6.

Staff responsible:

Adopted: _____

MSBA/MASA Model Policy 521

Orig. 1995

Revised: _____

Rev. 2024

521 STUDENT DISABILITY NONDISCRIMINATION

[NOTE: School districts are required by statute to have a policy addressing these issues.]

I. PURPOSE

The purpose of this policy is to protect students with disabilities from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973 (Section 504), need services, accommodations, or programs in order that such learners may receive a free appropriate public education.

II. GENERAL STATEMENT OF POLICY

- A. Students with disabilities who meet the criteria of Paragraph C. below are protected from discrimination on the basis of a disability.
- B. The responsibility of the school district is to identify and evaluate learners who, within the intent of Section 504, need services, accommodations, or programs in order that such learners may receive a free appropriate public education.
- C. For this policy, a learner who is protected under Section 504 is one who:
 - 1. has a physical or mental impairment that substantially limits one or more of such person's major life activities; or
 - 2. has a record of such an impairment;
 - 3. is regarded as having such an impairment; or
 - 4. has an impairment that is episodic or in remission and would materially limit a major life activity when active.

[NOTE: The 2024 Minnesota legislature revised the definition of 'disability' in Minnesota Statutes, section 363A.03, subdivision 12]

- D. Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act.

III. COORDINATOR

Persons who have questions or comments should contact _____ (title, name, office address, and telephone number). This person is the school district's Americans with Disabilities Act/Section 504 coordinator. Persons who wish to make a complaint regarding a disability discrimination matter may use the accompanying Student Disability Discrimination Grievance Report Form. The form should be given to the ADA/Section 504 coordinator.

Legal References: Minn. Stat. § 363A.03, Subd. 12 (Definitions)

42 U.S.C. Ch. 126 (Equal Opportunity for Individuals with Disabilities)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. Part 104 (Section 504 Implementing Regulations)

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination)

INDEPENDENT SCHOOL DISTRICT NO. _____

STUDENT DISABILITY DISCRIMINATION GRIEVANCE REPORT FORM

General Statement of Policy Prohibiting Disability Discrimination

Independent School District No. _____ maintains a firm policy prohibiting all forms of discrimination on the basis of a disability. All persons are to be treated with respect and dignity. Discrimination on the basis of a disability will not be tolerated under any circumstances.

Complainant: _____

Home Address: _____

Work Address: _____

Home Phone: _____ Work Phone: _____

I have been discriminated against based on (choose one or more):

[my disability] / [a record of my disability] / [being regarded as having a disability]

because _____

Date of alleged incident(s): _____

Name of person you believe discriminated against you or another person: _____

If the alleged discrimination was toward another person, identify that person: _____

Describe the incident(s) as clearly as possible, including such things as: any verbal statements; what, if any, physical contact was involved; etc. (attach additional pages if necessary): _____

Location of the incident(s): _____

List any witnesses that were present: _____

This complaint is filed based on my honest belief that _____ has discriminated against me or another person based on a disability. I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.

(Complainant Signature) (Date)

Received by: _____
(Date)

OLD BUSINESS – FOR REVIEW

Agenda Item V.A.

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, August 19, 2024

Subject: The Pledge of Allegiance

(Recommended by the superintendent)

A second read of Policy 525: The Pledge of Allegiance. This policy relays the requirements based in statute that the Pledge be recited weekly in schools and that the students are instructed in the display of the flag.

Minor changes to adhere to District branding and style guidelines have been included.

Attachments:

Policy 525: The Pledge of Allegiance - **redlined**

MSBA Model Policy 531: The Pledge of Allegiance

1
2 **RICHFIELD PUBLIC SCHOOLS**

3
4 **THE PLEDGE OF ALLEGIANCE**

5
6 **I. PURPOSE**

7
8 The school board recognizes the need to display an appropriate United
9 States flag and to provide instruction in the proper etiquette, display, and
10 respect of the United States flag. The purpose of this policy is to provide
11 for recitation of the Pledge of Allegiance in school to help further that end.
12

13
14 **II. GENERAL STATEMENT OF POLICY**

15
16 Students in ~~this school district~~ Richfield Public Schools shall recite the
17 Pledge of Allegiance to the flag of the United States of America one or
18 more times each week. The recitation shall be conducted:

- 19
20 A. By each individual classroom teacher or the teacher's surrogate; or
21
22 B. Over a school intercom system by a person designated by the
23 school principal or other person having administrative control over
24 the school.
25

26
27 **III. EXCEPTIONS**

28
29 Anyone who does not wish to participate in reciting the pledge of
30 allegiance for any personal reasons may elect not to do so. Students and
31 school personnel must respect another person's right to make that choice.
32

33
34 **IV. INSTRUCTION**

35
36 Students will be instructed in the proper etiquette toward, correct display
37 of, and respect for the flag, and in patriotic exercises.
38

39
40 **Legal References:**

41 Minn. Stat. §121A.11, Subd. 3 (Pledge of Allegiance)

42 [Minn. Stat. §121A.11, Subd. 4 \(Instruction\)](#)

43 **~~Cross References:~~**

44
45
46 ~~ADOPTED-RATIFIED~~ BY THE BOARD OF EDUCATION: June 24, 2003

47 REVISED BY THE BOARD OF EDUCATION: September 4, 2007

48 REVIEWED AND REAFFIRMED BY THE BOARD OF EDUCATION:

49 September 15, 2008, ~~;~~ February 20, 2018
50

Formatted: Left

Adopted: _____

MSBA/MASA Model Policy 531

Orig. 2003

Revised: _____

Rev. 2003

531 THE PLEDGE OF ALLEGIANCE

[Note: Recitation of the Pledge of Allegiance by students and instruction of students as provided in this policy are required by statute. Also, the statement in Part III., below, must be included in the student handbook or a policy guide. A local school board or a charter school board of directors may waive these statutory requirements by a majority vote taken annually. If the local school board or charter school board of directors waives the requirement to recite the Pledge of Allegiance, it may adopt a district or school policy regarding the reciting of the Pledge of Allegiance.]

I. PURPOSE

The school board recognizes the need to display an appropriate United States flag and to provide instruction to students in the proper etiquette, display, and respect of the flag. The purpose of this policy is to provide for recitation of the Pledge of Allegiance and instruction in school to help further that end.

II. GENERAL STATEMENT OF POLICY

Students in this school district shall recite the Pledge of Allegiance to the flag of the United States of America one or more times each week. The recitation shall be conducted:

- A. By each individual classroom teacher or the teacher's surrogate; or
- B. Over a school intercom system by a person designated by the school principal or other person having administrative control over the school.

III. EXCEPTIONS

Anyone who does not wish to participate in reciting the Pledge of Allegiance for any personal reasons may elect not to do so. Students and school personnel must respect another person's right to make that choice.

IV. INSTRUCTION

Students will be instructed in the proper etiquette toward, correct display of, and respect for the flag, and in patriotic exercises.

Legal References: Minn. Stat. § 121A.11, Subd. 3 and Subd. 4 (United States Flag)

Cross References: None

NEW BUSINESS – FOR ACTION

Agenda Item VI.A.

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, August 19, 2024

Subject: Organizational Chart & Position Assignments

(Recommended by the superintendent)

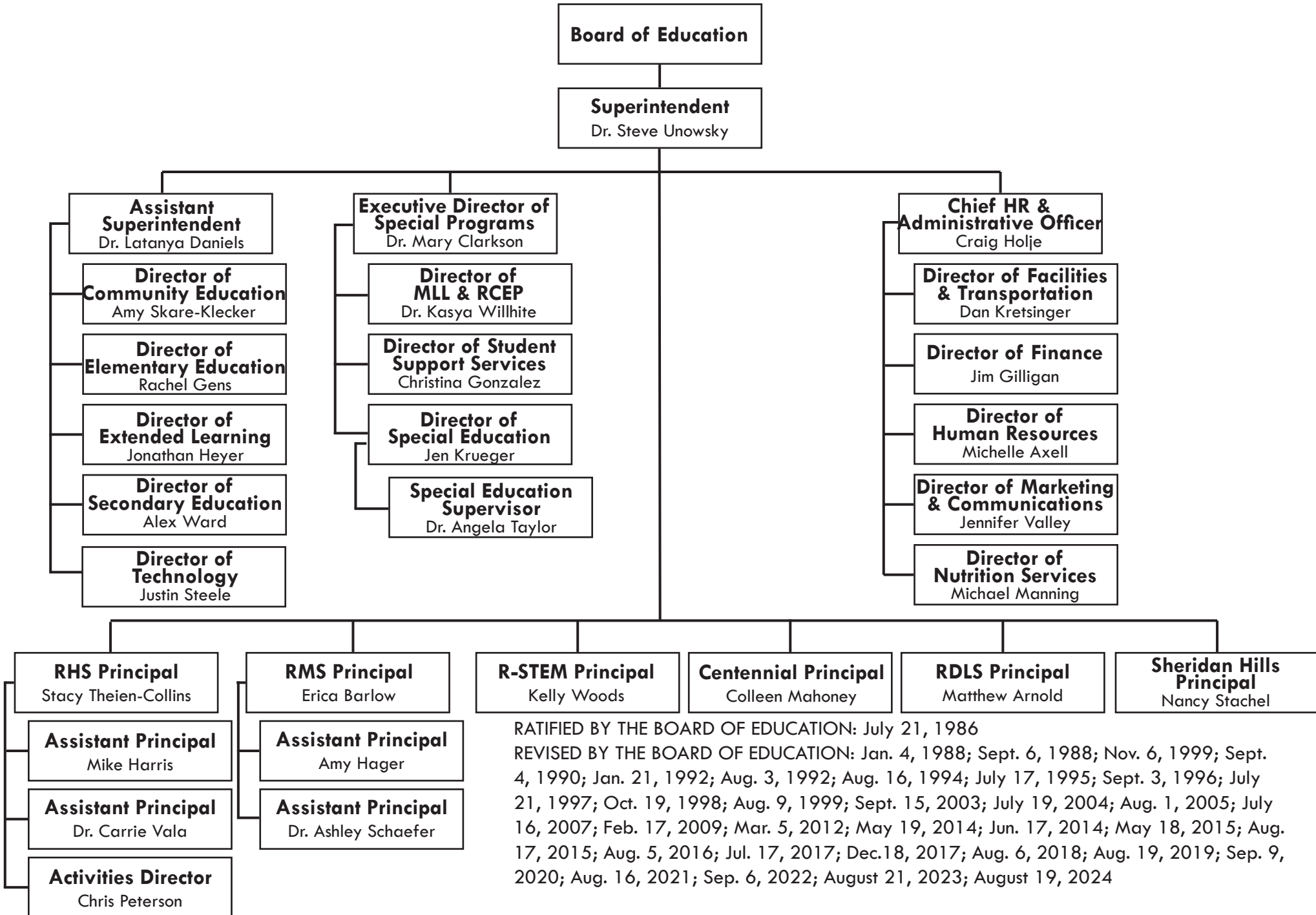
Passage upon a single read of Policy 301: Organizational Chart and Policy 302: Position Assignments.

Attachments:

Policy 301: Organizational Chart - [replaced](#)

Policy 302: Position Assignments - [redlined](#)

Organizational Chart



RATIFIED BY THE BOARD OF EDUCATION: July 21, 1986
 REVISED BY THE BOARD OF EDUCATION: Jan. 4, 1988; Sept. 6, 1988; Nov. 6, 1999; Sept. 4, 1990; Jan. 21, 1992; Aug. 3, 1992; Aug. 16, 1994; July 17, 1995; Sept. 3, 1996; July 21, 1997; Oct. 19, 1998; Aug. 9, 1999; Sept. 15, 2003; July 19, 2004; Aug. 1, 2005; July 16, 2007; Feb. 17, 2009; Mar. 5, 2012; May 19, 2014; Jun. 17, 2014; May 18, 2015; Aug. 17, 2015; Aug. 5, 2016; Jul. 17, 2017; Dec. 18, 2017; Aug. 6, 2018; Aug. 19, 2019; Sep. 9, 2020; Aug. 16, 2021; Sep. 6, 2022; August 21, 2023; August 19, 2024

RICHFIELD PUBLIC SCHOOLS

POSITION ASSIGNMENTS

BOARD OF EDUCATION

Paula Cole, Chair ~~Crystal Brakke, Clerk~~ Ken Liss, Director
Eric Carter, Vice Chair ~~Tim Pollis, Treasurer~~ Kirk Spencer,
Treasurer
Rachel Banks Kupcho, Director ~~Peter Toensing, Director~~ Tim Pollis, Clerk

DISTRICT ADMINISTRATION

Superintendent of Schools Steven Unowsky
Assistant Superintendent of Schools Latanya Daniels
Director of Community Education Amy Skare-Kleckner
Director of Elementary Education Rachel Gens
Director of Extended Learning Jonathan Heyer
Director of Secondary Education ~~Megan Stecher~~ Alex Ward
Director of Technology ~~Cory Klinge~~ Justin Steele
Chief Human Resources & Administrative Officer Craig Holje
Director of Facilities & Transportation Dan Kretsinger
Director of Finance Jim Gilligan
Director of Human Resources Michelle Axell
Director of Marketing & Communications Jennifer Valley
Director of Nutrition Services Michael Manning
Executive Director of Special Programs Mary Clarkson
Director of Multilingual Learning & RCEP Kasya Willhite
Director of Special Education ~~Alecia Mobley~~ Jen Krueger
~~Supervisor of Early Childhood & Elem. Special Ed.~~ ~~Krystal DeGraw~~
~~Supervisor of SEC & Secondary~~ Special Ed. Supervisor Angela Taylor
Director of Student Support Services Christina Gonzalez

BUILDING ADMINISTRATION

Richfield High School Principal Stacy Theien-Collins
Assistant Principal ~~Steve Flucas~~ Mike Harris
Assistant Principal Carrie Vala
Activities Director Chris Peterson
Richfield Middle School Principal Erica Barlow
Assistant Principal ~~David Freeburg~~ Amy Hager
Assistant Principal Ashley Schaefer
Centennial Elementary School Principal Colleen Mahoney

1 Richfield Dual Language School Principal

~~Marta Shamsavand~~Matthew Arnold

2
3 Richfield STEM Elementary School Principal

Kelly Woods

4
5 Sheridan Hills Elementary School Principal

Nancy Stachel

6
7
8 RATIFIED BY THE BOARD OF EDUCATION: July 21, 1986

9
10 REVISED BY THE BOARD OF EDUCATION: January 4, 1988; September 6, 1988;
11 November 6, 1989; September 4, 1990; January 21, 1992; August 3, 1992; August 16,
12 1993; August 1, 1994; July 17, 1995; September 3, 1996; July 21, 1997; October 19, 1998;
13 August 9, 1999; August 21, 2000; October 1, 2001; January 21, 2003; September 15,
14 2003; January 20, 2004; July 19, 2004; January 18, 2005; August 1, 2005; January 23,
15 2006; July 17, 2006; January 22, 2007; July 16, 2007; February 4, 2008; July 14, 2008;
16 February 2, 2009; August 17, 2009; August 16, 2010; August 15, 2011; March 5, 2012;
17 August 18, 2014; May 18, 2015; August 17, 2015; August 5, 2016; December 18, 2017;
18 August 6, 2018; August 19, 2019; September 9, 2020; August 16, 2021; September 6,
19 2022; August 21, 2023

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, August 19, 2024

Subject: Central Education Center Façade Work Change Order #1

(Recommended by the superintendent)

That the board of education approve Central Education Center Façade Work Change Order #1 for a net increase of \$28,000.

Background Information

- Add downspout splash blocks, stainless steel plates and additional 700 bricks for replacement.

The original (Contract Sum)	\$387,034.00
Net Change by previously authorized Change Orders	\$0.00
The contract sum prior to these Change Orders	\$387,034.00
The contract sum will be increased by these Change Orders in the amount of	\$28,000.00
The new contract sum including all Change Orders will be	\$415,034.00

Change Order

Western Specialty Contractors

111 Lawry Ave., NE

Minneapolis, MN 55418

612-781-7100

Date: August 15th, 2024

Owner: ISD 280 Richfield Schools

Contractor: Western Specialty Contractors

Project name: Community Education
Façade Phase 1

Change order number: #01

Original contract date: 2/15/2024

You are directed to make the following changes in this contract:

Item #	Description	Change Order Amount
#1	Add: downspout splash blocks, stainless steel plates, additional 700 bricks for replacement	\$28,000.00

The original contract sum was: \$387,034.00

Net amount of previous change orders: \$0.00

Total original contract amount plus or minus net change orders: \$387,034.00

Total amount of this change order: \$28,000.00

The new contract amount including this change order will be: \$415,034.00

The contract time will be changed by the following number of days: (0) Days

Contractor:

Western Specialty Contractors
Company name

111 Lawry Ave. NE.
Address

Minneapolis, MN 55418
City, State, Zip

8-15-24
Date


Signature

Owner:

Name

Address

City, State, Zip

Date

Signature

NEW BUSINESS – FOR REVIEW

Agenda Item VI.C.

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, August 19, 2024

Subject: Title IX

(Recommended by the superintendent)

A first read of Policy 115: Title IX. This policy affirms the District's commitment to nondiscrimination on the basis of sex and lays out the prohibition of sexual harassment, as well as the reporting and grievance process for violations.

Recent changes to federal law require a revision of this policy.

Attachments:

Policy 115: Title IX

MSBA Model Policy 522: Title IX

Model Policy 522 Title IX Sex Nondiscrimination & Addendum (drafted by Squires, Waldspurger & Mace, P.A.)

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RICHFIELD PUBLIC SCHOOLS

TITLE IX POLICY

I. GENERAL STATEMENT OF POLICY

A. The school district does not discriminate on the basis of sex in its education programs or activities, and it is required by Title IX of the Education Amendments Act of 1972 and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The school district is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

B. The school district prohibits sexual harassment that occurs within its education programs and activities. When the school district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

C. This policy applies to sexual harassment that occurs within the school district's education programs and activities and that is committed by a school district employee, student, or other members of the school community. This policy does not apply to sexual harassment that occurs off school grounds, in a private setting, and outside the scope of the school district's education programs and activities. This policy does not apply to sexual harassment that occurs outside the geographic boundaries of the United States, even if the sexual harassment occurs in the school district's education programs or activities.

D. Nothing in this policy shall prevent an individual from reporting harassment that does not fall under the category of sexual harassment as defined by Title IX. Other forms of harassment are prohibited by Policy 103 – Harassment Prohibition, which provides a separate reporting and investigation process from that which is defined in this policy.

E. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy and grievance process should discuss them with the Title IX Coordinator. The school district's Title IX Coordinator is:

**CRAIG HOLJE, CHIEF HUMAN RESOURCES &
ADMINISTRATIVE OFFICER, 612-798-6031, 7001 HARRIET AVE
S, RICHFIELD MN.**

1 The Title IX coordinator also serves as the district human rights
2 officer, and it is ultimately the responsibility of this individual to
3 determine whether any allegations of sexual harassment fall under
4 the purview of this policy or under Policy 103: Harassment
5 Prohibition and to proceed according to the correct policy. If the
6 complaint involves the human rights officer, the complaint shall be
7 filed directly with the superintendent, and the superintendent shall
8 then assume that responsibility.
9

10 Questions relating solely to Title IX and its regulations may be
11 referred to the Title IX Coordinator, the Assistant Secretary for Civil
12 Rights of the United States Department of Education, or both.
13

- 14 F. This policy applies to alleged violations of this policy occurring on
15 or after August 14, 2020.
16

17 **II. DEFINITIONS**
18

19 A. "Actual knowledge" means notice of sexual harassment or
20 allegations of sexual harassment to the school district's Title IX
21 Coordinator or to any employee of the school district. Imputation of
22 knowledge based solely on vicarious liability or constructive notice
23 is insufficient to constitute actual knowledge. This standard is not
24 met when the only official of the school district with actual
25 knowledge is the respondent.
26

27 B. "Complainant" means a person who is alleged to be the victim of
28 conduct that could constitute sexual harassment under Title IX. A
29 Title IX Coordinator who signs a formal complaint is not a
30 complainant unless the Title IX Coordinator is alleged to be the
31 victim of the conduct described in the formal complaint.
32

33 C. "Day" or "days" means, unless expressly stated otherwise, business
34 days (i.e. day(s) that the school district office is open for normal
35 operating hours, Monday - Friday, excluding State-recognized
36 holidays).
37

38 A. "Deliberately indifferent" means clearly unreasonable in light of the
39 known circumstances. The school district is deliberately indifferent
40 only if its response to sexual harassment is clearly unreasonable in
41 light of the known circumstances.
42

43 B. "Education program or activity" means locations, events, or
44 circumstances for which the school district exercises substantial
45 control over both the respondent and the context in which the
46 sexual harassment occurs and includes school district education
47 programs or activities that occur on or off of school district property.
48

49 C. "Formal complaint" means a document filed by a complainant or
50 signed by the Title IX Coordinator alleging sexual harassment

- 1 against a respondent and requesting that the school district
2 investigate the allegation of sexual harassment.
3
- 4 1. A formal complaint filed by a complainant must be a physical
5 document or an electronic submission. The formal complaint
6 must contain the complainant's physical or digital signature,
7 or otherwise indicate that the complainant is the person filing
8 the formal complaint, and must be submitted to the Title IX
9 Coordinator in person, by mail, or by email.
10
- 11 2. A formal complaint shall state that, at the time of filing the
12 formal complaint, the complainant was participating in, or
13 attempting to participate in, an education program or activity
14 of the school district with which the formal complaint is filed.
15
- 16 D. "Informal resolution" means options for resolving a formal complaint
17 that do not involve a full investigation and adjudication. Informal
18 resolution may encompass a broad range of conflict resolution
19 strategies, including mediation or restorative justice.
20
- 21 E. "Relevant questions" and "relevant evidence" are questions,
22 documents, statements, or information that are related to the
23 allegations raised in a formal complaint. Relevant evidence
24 includes evidence that is both inculpatory and exculpatory.
25 Questions and evidence about the complainant's sexual
26 predisposition or prior sexual behavior are not relevant, unless
27 such questions and evidence about the complainant's prior sexual
28 behavior are offered to prove that someone other than the
29 respondent committed the conduct alleged by the complainant, or if
30 the questions and evidence concern specific incidents of the
31 complainant's prior sexual behavior with respect to the respondent
32 and are offered to prove consent.
33
- 34 F. "Remedies" means actions designed to restore or preserve the
35 complainant's equal access to education after a respondent is
36 found responsible. Remedies may include the same individualized
37 services that constitute supportive measures, but need not be
38 non-punitive or non-disciplinary, nor must they avoid burdening the
39 respondent.
40
- 41 G. "Respondent" means an individual who has been reported to be the
42 perpetrator of conduct that could constitute sexual harassment
43 under Title IX.
44
- 45 H. "Sexual harassment" means any of three types of misconduct on
46 the basis of sex that occurs in a school district education program
47 or activity and is committed against a person in the United States:
48
- 49 1. *Quid pro quo* harassment by a school district employee
50 (conditioning the provision of an aid, benefit, or service of

- 1 the school district on an individual's participation in
2 unwelcome sexual conduct);
3
4 2. Unwelcome conduct that a reasonable person would find so
5 severe, pervasive, and objectively offensive that it denies a
6 person equal educational access; or
7
8 3. Any instance of sexual assault (as defined in the Clery Act,
9 20 U.S.C. §1092(f)(6)A(v)), dating violence, domestic
10 violence, or stalking (as defined in the Violence Against
11 Women Act, 34 U.S.C. §12291).
12
13 I. "Supportive measures" means individualized services provided to
14 the complainant or respondent without fee or charge that are
15 reasonably available, non-punitive, non-disciplinary, not
16 unreasonably burdensome to the other party, and designed to
17 ensure equal educational access, protect safety, and deter sexual
18 harassment. Supportive measures may include counseling,
19 extensions of deadlines or other course-related adjustments,
20 modifications of work or class schedules, alternative educational
21 services as defined under Minn. Stat. § 121A.41, as amended,
22 mutual restrictions on contact between the parties, changes in
23 work locations, leaves of absence, increased security and
24 monitoring of certain areas of the school district buildings or
25 property, and other similar measures.
26
27 J. "Title IX Personnel" means any person who addresses, works on,
28 or assists with the school district's response to a report of sexual
29 harassment or formal complaint, and includes persons who
30 facilitate informal resolutions. The following are considered Title IX
31 Personnel:
32
33 1. "Title IX Coordinator" means an employee of the school
34 district that coordinates the school district's efforts to comply
35 with and carry out its responsibilities under Title IX. The Title
36 IX Coordinator is responsible for acting as the primary
37 contact for the parties and ensuring that the parties are
38 provided with all notices, evidence, reports, and written
39 determinations to which they are entitled under this policy
40 and grievance process. The Title IX Coordinator is also
41 responsible for effective implementation of any supportive
42 measures or remedies. The Title IX Coordinator must be
43 free from conflicts of interest and bias when administrating
44 the grievance process.
45
46 2. "Investigator" means a person who investigates a formal
47 complaint. The investigator of a formal complaint may not be
48 the same person as the Decision-maker or the Appellate
49 Decision-maker. The Investigator may be a school district
50 employee, school district official, or a third party designated

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by the school district.

3. “Decision-maker” means a person who makes a determination regarding responsibility after the investigation has concluded. The Decision-maker cannot be the same person as the Title IX Coordinator, the Investigator, or the Appellate Decision-maker.
4. “Appellate Decision-maker” means a person who considers and decides appeals of determinations regarding responsibility and dismissals of formal complaints. The Appellate Decision-maker cannot be the same person as the Title IX Coordinator, Investigator, or Decision-maker. The Appellate Decision-maker may be a school district employee, or a third party designated by the school district.
5. The superintendent of the school district may delegate functions assigned to a specific school district employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes, to any suitably qualified individual and such delegation may be rescinded by the superintendent at any time. The school district may also, in its discretion, appoint suitably qualified persons who are not school district employees to fulfill any function under this policy, including, but not limited to, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes.

III. BASIC REQUIREMENTS FOR GRIEVANCE PROCESS

A. Equitable Treatment

1. The school district shall treat complainants and respondents equitably. However, equality or parity with respect to supportive measures provided to complainants and respondents is not required. The district must make reasonable accommodations to the grievance process as necessary for individuals with disabilities.
2. The school district will not impose any disciplinary sanctions or take any other actions against a respondent that do not constitute supportive measures until it has completed this grievance process and the respondent has been found responsible.
3. The school district will provide appropriate remedies to the complainant any time a respondent is found responsible.

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B. Objective and Unbiased Evaluation of Complaints

1. Title IX Personnel, including the Title IX Coordinator, Investigator, Decision-maker, and Appellate Decision-maker, shall be free from conflicts of interest or bias for or against complainants or respondents generally or a specific complainant or respondent. As appropriate, the Title IX Coordinator may retain legal counsel to serve as unbiased Title IX Personnel.
2. Throughout the grievance process, Title IX Personnel will objectively evaluate all relevant evidence, inculpatory and exculpatory, and shall avoid credibility determinations based solely on a person's status as a complainant, respondent, or witness.

C. Title IX Personnel will presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

D. Confidentiality

The school district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, or FERPA's regulations, and State law under Minn. Stat. § 13.32 34 C.F.R. Part 99, or as required by law, or to carry out the purposes of 34 C.F.R. Part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the school district's obligation to maintain confidentiality shall not impair or otherwise affect the complainants and respondents receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).

E. Right to an Advisor; Right to a Support Person

Complainants and respondents have the right, at their own expense, to be assisted by an advisor of their choice during all stages of any grievance proceeding, including all meetings and investigative interviews. The advisor may be, but is not required to be, an attorney. In general, an advisor is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

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F. Notice

The school district will send written notice of any investigative interviews or meetings to any party whose participation is invited or expected. The written notice will include the date, time, location, participants, and purpose of the meeting or interview, and will be provided to allow sufficient time for the party to prepare to participate.

G. Consolidation

The school district may, in its discretion, consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

H. Evidence

1. During the grievance process, the school district will not require, allow, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
2. The school district shall not access, consider, disclose, or otherwise use a party's medical, psychological, and similar treatment records unless the school district obtains the party's voluntary, written consent.

I. Burden of Proof

1. The burden of gathering evidence and the burden of proof shall remain upon the school district and not upon the parties.
2. The grievance process shall use a preponderance of the evidence standard (i.e. whether it is more likely than not that the respondent engaged in sexual harassment) for all formal complaints of sexual harassment, including when school district employees are respondents.

J. Timelines

1. Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.

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2. An appeal of a determination of responsibility or of a decision dismissing a formal complaint must be received by the school district within five (5) days of the date the determination of responsibility or dismissal was provided to the parties.
3. Any appeal of a determination of responsibility or of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received by the School District.
4. The school district will seek to conclude the grievance process, including any appeal, within 120 calendar days of the date the formal complaint was received by the School District.
5. Although the school district strives to adhere to the timelines described above, in each case, the school district may extend the time frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening school district holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.

K. Potential Remedies and Disciplinary Sanctions

1. The following is the range of possible remedies that the school district may provide a complainant and disciplinary sanctions that the school district might impose upon a respondent, following determination of responsibility: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, changes in work locations, leaves of absence, monitoring of certain areas of the school district buildings or property, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge.
2. If the Decision-maker determines a student-respondent is responsible for violating this policy, the Decision-maker will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the superintendent of the recommended remedies, such that an authorized administrator can consider the recommendation(s) and implement appropriate remedies in

1 compliance with MSBA Model Policy 506 – Student
2 Discipline. The discipline of a student-respondent must
3 comply with the applicable provisions of Minnesota Pupil
4 Fair Dismissal Act, the Individuals with Disabilities Education
5 Improvement Act (IDEA) and/or Section 504 of the
6 Rehabilitation Act of 1972, and their respective
7 implementing regulations.
8

9 **IV. REPORTING PROHIBITED CONDUCT**

- 10
11 A. Any student who believes they have been the victim of unlawful
12 sex discrimination or sexual harassment, or any person (including
13 the parent of a student) with actual knowledge of conduct which
14 may constitute unlawful sex discrimination or sexual harassment
15 toward a student should report the alleged acts as soon as possible
16 to the Title IX Coordinator.
17
18 B. Any employee of the school district who has experienced, has
19 actual knowledge of, or has witnessed unlawful sex discrimination,
20 including sexual harassment, or who otherwise becomes aware of
21 unlawful sex discrimination, including sexual harassment, must
22 promptly report the allegations to the Title IX Coordinator without
23 screening or investigating the report or allegations.
24
25 C. A report of unlawful sex discrimination or sexual harassment may
26 be made at any time, including during non-business hours, and
27 may be made in person, by mail, by telephone, or by e-mail using
28 the Title IX Coordinator's contact information. A report may also be
29 made by any other means that results in the Title IX Coordinator
30 receiving the person's verbal or written report.
31
32 D. Sexual harassment may constitute both a violation of this policy
33 and criminal law. To the extent the alleged conduct may constitute
34 a crime, the School District may report the alleged conduct to law
35 enforcement authorities. The school district encourages
36 complainants to report criminal behavior to the police immediately.
37

38 **V. INITIAL RESPONSE AND ASSESSMENT BY THE TITLE IX**
39 **COORDINATOR**

- 40
41 A. When the Title IX Coordinator receives a report, the Title IX
42 Coordinator shall promptly contact the complainant confidentially to
43 discuss the availability of supportive measures, consider the
44 complainant's wishes with respect to supportive measures, inform
45 the complainant of the availability of supportive measures with or
46 without the filing of a formal complaint, and explain to the
47 complainant the process for filing a formal complaint .
48
49 B. The school district will offer supportive measures to the
50 complainant whether or not the complainant decides to make a

1 formal complaint. The school district must maintain as confidential
2 any supportive measures provided to the complainant or
3 respondent, to the extent that maintaining such confidentiality
4 would not impair the school district's ability to provide the
5 supportive measures. The Title IX Coordinator is responsible for
6 coordinating the effective implementation of supportive measures.
7

8 C. If the complainant does not wish to file a formal complaint, the
9 allegations will not be investigated by the school district unless the
10 Title IX Coordinator determines that signing a formal complaint to
11 initiate an investigation over the complainant's wishes is not clearly
12 unreasonable in light of the known circumstances.
13

14 D. Upon receipt of a formal complaint, the school district must provide
15 written notice of the formal complaint to the known parties with
16 sufficient time to prepare a response before any initial interview.
17 This written notice must contain:
18

19 1. The allegations of sexual harassment, including sufficient
20 details known at the time, the identities of the parties
21 involved in the incident (if known), the conduct allegedly
22 constituting sexual harassment, and the date and location of
23 the alleged incident, if known;
24

25 2. A statement that the respondent is presumed not
26 responsible for the alleged conduct and that a determination
27 regarding responsibility will be made at the conclusion of the
28 grievance process;
29

30 3. A statement explaining that the parties may have an advisor
31 of their choice, who may be, but is not required to be, an
32 attorney;
33

34 4. A statement that the parties may inspect and review
35 evidence gathered pursuant to this policy;
36

37 5. A statement informing the parties of any code of conduct
38 provision that prohibits knowingly making false statements or
39 knowingly submitting false information; and
40

41 6. A copy of this policy.
42

43 **VI. STATUS OF RESPONDENT DURING PENDENCY OF FORMAL**
44 **COMPLAINT**

45
46 A. Emergency Removal of a Student
47

48 The school district may remove a student-respondent from an education
49 program or activity of the school district on an emergency basis before a
50 determination regarding responsibility is made if:

- 1 1. The school district undertakes an individualized safety and
2 risk analysis;
3
4 2. The school district determines that an immediate threat to
5 the physical health or safety of any student or other
6 individual arising from the allegations of sexual harassment
7 justifies removal of the student-respondent; and
8
9 3. The school district determines the student-respondent poses
10 such a threat, it will so notify the student-respondent and the
11 student-respondent will have an opportunity to challenge the
12 decision immediately following the removal. In determining
13 whether to impose emergency removal measures, the Title
14 IX Coordinator shall consult related school district policies,
15 including Policy 541 – Student Behavior. The school district
16 must take into consideration applicable requirements of the
17 Individuals with Disabilities Education Act and Section 504 of
18 the Rehabilitation Act of 1973, prior to removing a special
19 education student or Section 504 student on an emergency
20 basis.

21
22 B. Employee Administrative Leave

23
24 The school district may place a non-student employee on
25 administrative leave during the pendency of the grievance process
26 of a formal complaint. Such leave will typically be paid leave unless
27 circumstances justify unpaid leave in compliance with legal
28 requirements. The school district must take into consideration
29 applicable requirements of Section 504 of the Rehabilitation Act of
30 1973 and the Americans with Disabilities Act prior to removing an
31 individual with a qualifying disability.
32

33 **VII. INFORMAL RESOLUTION OF A FORMAL COMPLAINT**

- 34
35 A. At any time prior to reaching a determination of responsibility,
36 informal resolution may be offered and facilitated by the school
37 district at the school district’s discretion, but only after a formal
38 complaint has been received by the school district.
39
40 B. The school district may not require as a condition of enrollment or
41 continued enrollment, or of employment or continued employment,
42 or enjoyment of any other right, waiver of the right to a formal
43 investigation and adjudication of formal complaints of sexual
44 harassment.
45
46 C. The informal resolution process may not be used to resolve
47 allegations that a school district employee sexually harassed a
48 student.
49
50 D. The school district will not facilitate an informal resolution process

1 without both parties' agreement, and will obtain their voluntary,
2 written consent. The school district will provide to the parties a
3 written notice disclosing the allegations, the requirements of the
4 informal resolution process including the circumstances under
5 which it precludes the parties from resuming a formal complaint
6 arising from the same allegations, the parties' right to withdraw
7 from the informal resolution process, and any consequences
8 resulting from participating in the informal resolution process,
9 including the records that will be maintained or could be shared.

- 10
11 E. At any time prior to agreeing to a resolution, any party has the right
12 to withdraw from the informal resolution process and resume the
13 grievance process with respect to the formal complaint.
14

15 **VIII. DISMISSAL OF A FORMAL COMPLAINT**

- 16
17 A. Under federal law, the school district must dismiss a Title IX
18 complaint, or a portion thereof, if the conduct alleged in a formal
19 complaint or a portion thereof:

- 20
21 1. Would not meet the definition of sexual harassment, even if
22 proven;
23
24 2. Did not occur in the school district's education program or
25 activity; or
26
27 3. Did not occur against a person in the United States.
28

- 29 B. The school district may, in its discretion, dismiss a formal complaint
30 or allegations therein if:

- 31
32 1. The complainant informs the Title IX Coordinator in writing
33 that the complainant desires to withdraw the formal
34 complaint or allegations therein;
35
36 2. The respondent is no longer enrolled or employed by the
37 school district; or
38
39 3. Specific circumstances prevent the school district from
40 gathering sufficient evidence to reach a determination.
41

- 42 C. The school district shall provide written notice to both parties of a
43 dismissal. The notice must include the reasons for the dismissal.
44

- 45 D. Dismissal of a formal complaint or a portion thereof does not
46 preclude the school district from addressing the underlying conduct
47 in any manner that the school district deems appropriate.
48

49 **IX. INVESTIGATION OF A FORMAL COMPLAINT**
50

- 1 A. If a formal complaint is received by the School District, the school
2 district will assign or designate an Investigator to investigate the
3 allegations set forth in the formal complaint.
4
- 5 B. If during the course of the investigation the school district decides
6 to investigate any allegations about the complainant or respondent
7 that were not included in the written notice of a formal complaint
8 provided to the parties, the school district must provide notice of
9 the additional allegations to the known parties.
10
- 11 C. When a party's participation is invited or expected in an
12 investigative interview, the Investigator will coordinate with the Title
13 IX Coordinator to provide written notice to the party of the date,
14 time, location, participants, and purposes of the investigative
15 interview with sufficient time for the party to prepare.
16
- 17 D. During the investigation, the Investigator must provide the parties
18 with an equal opportunity to present witnesses for interviews,
19 including fact witnesses and expert witnesses, and other
20 inculpatory and exculpatory evidence.
21
- 22 E. Prior to the completion of the investigative report, the Investigator,
23 through the Title IX Coordinator, will provide the parties and their
24 advisors (if any) with an equal opportunity to inspect and review
25 any evidence directly related to the allegations. The evidence shall
26 be provided in electronic format or hard copy and shall include all
27 relevant evidence, evidence upon which the school district does not
28 intend to rely in reaching a determination regarding responsibility,
29 and any inculpatory or exculpatory evidence whether obtained from
30 a party or another source. The parties will have ten (10) days to
31 submit a written response, which the Investigator will consider prior
32 to completion of the investigative report.
33
- 34 F. The Investigator will prepare a written investigative report that fairly
35 summarizes the relevant evidence. The investigative report may
36 include credibility determinations that are not based on a person's
37 status as a complainant, respondent or witness. The school district
38 will send the parties and their advisors (if any) a copy of the report
39 in electronic format or hard copy, for their review and written
40 response at least ten (10) days prior to a determination of
41 responsibility.
42

43 **X. DETERMINATION REGARDING RESPONSIBILITY**

- 44
- 45 A. After the school district has sent the investigative report to both
46 parties and before the school district has reached a determination
47 regarding responsibility, the Decision-maker must afford each party
48 the opportunity to submit written, relevant questions that a party
49 wants asked of any party or witness.
50

- 1 B. The Decision-maker must provide the relevant questions submitted
2 by the parties to the other parties or witnesses to whom the
3 questions are offered, and then provide each party with the
4 answers, and allow for additional, limited follow-up questions from
5 each party.
6
- 7 C. The Decision-maker must explain to the party proposing the
8 questions any decision to exclude a question as not relevant.
9
- 10 D. When the exchange of questions and answers has concluded, the
11 Decision-maker must issue a written determination regarding
12 responsibility that applies the preponderance of the evidence
13 standard to the facts and circumstances of the formal complaint.
14 The written determination of responsibility must include the
15 following:
16
- 17 1. Identification of the allegations potentially constituting sexual
18 harassment;
19
- 20 2. A description of the procedural steps taken from the receipt
21 of the formal complaint through the determination, including
22 any notifications to the parties, interviews with parties and
23 witnesses, site visits, and methods used to gather other
24 evidence;
25
- 26 3. Findings of fact supporting the determination;
27
- 28 4. Conclusions regarding the application of the school district's
29 code of conduct to the facts;
30
- 31 5. A statement of, and rationale for, the result as to each
32 allegation, including a determination regarding responsibility,
33 any disciplinary sanctions the school district imposes on the
34 respondent, and whether remedies designed to restore or
35 preserve equal access to the recipient's education program
36 or activity will be provided by the school district to the
37 complainant; and
38
- 39 6. The school district's procedures and permissible bases for
40 the complainant and respondent to appeal and the date by
41 which an appeal must be made.
42
- 43 E. In determining appropriate disciplinary sanctions, the Decision-
44 maker should consider the surrounding circumstances, the nature
45 of the behavior, past incidents or past or continuing patterns of
46 behavior, the relationships between the parties involved, and the
47 context in which the alleged incident occurred.
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- 49 F. The written determination of responsibility must be provided to the
50 parties simultaneously.

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- G. The Title IX Coordinator is responsible for the effective implementation of any remedies.
- H. The determination regarding responsibility becomes final either on the date that the school district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

XI. APPEALS

- A. The school district shall offer the parties an opportunity to appeal a determination regarding responsibility or the school district's dismissal of a formal complaint or any allegations therein, on the following bases:
 - 1. A procedural irregularity that affected the outcome of the matter (e.g., a material deviation from established procedures);
 - 2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
 - 3. The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- B. If notice of an appeal is timely received by the school district, the school district will notify the parties in writing of the receipt of the appeal, assign or designate the Appellate Decision-maker, and give the parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
- C. After reviewing the parties' written statements, the Appellate Decision-maker must issue a written decision describing the result of the appeal and the rationale for the result.
- D. The written decision describing the result of the appeal must be provided simultaneously to the parties.
- E. The decision of the Appellate Decision-maker is final. No further review beyond the appeal is permitted.

XII. RETALIATION PROHIBITED

- A. Neither the school district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the

1 purpose of interfering with any right or privilege secured by Title IX,
2 its implementing regulations, or this policy, or because the
3 individual made a report or complaint, testified, assisted, or
4 participated or refused to participate in any manner in an
5 investigation, proceeding, or hearing under this policy. Intimidation,
6 threats, coercion, or discrimination, including charges against an
7 individual for code of conduct violations that do not involve sex
8 discrimination or sexual harassment, but arise out of the same
9 facts or circumstances as a report or complaint of sex
10 discrimination, or a report or formal complaint of sexual
11 harassment, for the purpose of interfering with any right or privilege
12 secured by Title IX, its implementing regulations, or this policy,
13 constitutes retaliation. Retaliation against a person for making a
14 report of sexual harassment, filing a formal complaint, or
15 participating in an investigation, constitutes a violation of this policy
16 that can result in the imposition of disciplinary
17 sanctions/consequences and/or other appropriate remedies.

18
19 B. Any person may submit a report or formal complaint alleging
20 retaliation in the manner described in this policy and it will be
21 addressed in the same manner as other complaints of sexual
22 harassment or sex discrimination.

23
24 C. Charging an individual with violation of school district policies for
25 making a materially false statement in bad faith in the course of a
26 grievance proceeding under this policy shall not constitute
27 retaliation, provided, however, that a determination regarding
28 responsibility, alone, is not sufficient to conclude that any party
29 made a materially false statement in bad faith.

30
31 **XIII. TRAINING**

32
33 A. The school district shall ensure that Title IX Personnel receive
34 appropriate training. The training shall include instruction on:

- 35
36 1. The Title IX definition of sexual harassment;
- 37
38 2. The scope of the school district's education program or
39 activity;
- 40
41 3. How to conduct an investigation and grievance process,
42 appeals, and informal resolution processes, as applicable;
- 43
44 4. How to serve impartially, including by avoiding prejudgment
45 of the facts at issue, conflicts of interest, and bias;
- 46
47 5. For Decision-makers, training on issues of relevance of
48 questions and evidence, including when questions and
49 evidence about the complainant's prior sexual behavior are
50 not relevant; and

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6. For Investigators, training on issues of relevance, including the creation of an investigative report that fairly summarizes relevant evidence.

B. The training materials will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints.

C. Materials used to train Title IX Personnel must be posted on the school district's website. If the school district does not have a website, it must make the training materials available for public inspection upon request.

XIV. DISSEMINATION OF POLICY

A. This policy shall be made available to all students, parents/guardians of students, school district employee, and employee unions.

B. The school district shall conspicuously post the name of the Title IX Coordinator, including office address, telephone number, and work e-mail address on its website and in each handbook that it makes available to parents, employees, students, unions, or applicants.

C. The school district must provide applicants for admission and employment, students, parents or legal guardians of secondary school students, employees, and all unions holding collective bargaining agreements with the school district, with the following:

1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator;

2. Notice that the school district does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX not to discriminate in such a manner;

3. A statement that the requirement not to discriminate in the education program or activity extends to admission and employment, and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the United States Department of Education, or both; and

4. Notice of the school district's grievance procedures and grievance process contained in this policy, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the school district will respond.

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XV. RECORDKEEPING

A. The school district must create, and maintain for a period of seven calendar years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the school district must document:

1. The basis for the school district's conclusion that its response to the report or formal complaint was not deliberately indifferent;
2. The measures the school district has taken that are designed to restore or preserve equal access to the school district's education program or activity; and
3. If the school district does not provide a complainant with supportive measures, then it must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. Such a record must be maintained for a period of seven years.
4. The documentation of certain bases or measures does not limit the recipient in the future from providing additional explanations or detailing additional measures taken.

B. The school district must also maintain for a period of seven calendar years records of:

1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom; and
4. All materials used to train Title IX Personnel.

Legal References:

- Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
- Minn. Stat. § 121A.40 – 121A.575 (Minnesota Pupil Fair Dismissal Act)
- Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
- 20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
- 34 C.F.R. Part 106 (Implementing Regulations of Title IX)

- 1 20 U.S.C § 1400, *et seq.* (Individuals with Disabilities Education Improvement
- 2 Act of 2004)
- 3 29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)
- 4 42 U.S.C. § 12101, *et seq.* (Americans with Disabilities Act of 1990, as
- 5 amended)
- 6 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act of 1974)
- 7 20 U.S.C. § 1092 *et seq.* (Jeanne Clery Disclosure of Campus Security and
- 8 Campus Crime Statistics Act (“Clery Act”))

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Cross References:

- Policy 102 (Equal Educational Opportunity)
- Policy 103 (Harassment Prohibition Policy)
- Policy 113 (Bullying Prohibition Policy)
- Policy 402 (Equal Employment Opportunity)
- Policy 506 (Student Sex Nondiscrimination)
- Policy 541 (Student Behavior)
- Policy 586 (Gender Inclusion)

RATIFIED BY THE BOARD OF EDUCATION: 2/1/21

Adopted: _____

MSBA/MASA Model Policy 522

Orig. 1995

Revised: _____

Rev. 2024

522 TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

[NOTE: In 2024, the U.S. Department of Education, Office of Civil Rights (OCR), released the latest version of the Final Rule amending Title IX regulations at 34 Code of Federal Regulations, part 106. These regulations have an effective date of August 1, 2024.]

I. GENERAL STATEMENT OF POLICY

- A. The school district does not discriminate on the basis of sex, including discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, in any education program or activity that it operates, including in admission and employment. The school district does not discriminate in such a manner in its implementing regulations. The school district is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.
- B. Except as provided elsewhere under Title IX or its regulations, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the school district.
- C. The school district prohibits sex-based discrimination or sexual harassment that occurs within its education programs and activities. The school district shall promptly respond in a manner that is prompt and effective.
- D. Except as provided therein, Title IX and its regulations apply to all sex discrimination occurring under a school district's education program or activity in the United States. For the purpose of this paragraph, conduct that occurs under the school district's education program or activity includes but is not limited to conduct that is subject to the school district's disciplinary authority. The school district has an obligation to address a sex-based hostile environment under its education program or activity, even when some conduct alleged to be contributing to the hostile environment occurred outside the school district's education program or activity or outside the United States.
- E. The school district has adopted, published, and implemented grievance procedures consistent with the requirements of 34 Code of Federal Regulations, section 106.45, and if applicable section 106.46, that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in the school district's education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or its regulations.
- F. The school district's obligation to comply with Title IX and its regulations is not obviated or alleviated by the Federal Educational Rights and Privacy Act (FERPA), 20 United States Code, section 1232g, or its implementing regulations, 34 Code of Federal Regulations, part 99, or any state law or local law. The obligation to comply is not obviated or alleviated by any rule or regulation of any organization, club, athletic or

other league, or association which would render any applicant or student ineligible to participate or limit the eligibility or participation of any applicant or student, on the basis of sex, in any education program or activity operated by the school district and which receives Federal financial assistance.

- G. The school district has an obligation to address a sex-based hostile environment under its education program or activity, even when some conduct alleged to be contributing to the hostile environment occurred outside the school district's education program or activity or outside the United States.
- H. Nothing in Title IX or its regulations may be read in derogation of any legal right of a parent, guardian, or other authorized legal representative to act on behalf of a complainant, respondent, or other person, subject to Paragraph F of this section, including but not limited to making a complaint through the school district's grievance procedures for complaints of sex discrimination.
- I. In the limited circumstances in which Title IX or its regulations permits different treatment or separation on the basis of sex, the school district must not carry out such different treatment or separation in a manner that discriminates on the basis of sex by subjecting a person to more than de minimis harm, except as permitted by 20 United States Code, section 1681(a)(1) through (9) and the corresponding regulations sections 106.12 through 106.15, 20 United States Code, section 1686 and its corresponding regulation section 106.32(b)(1), or section 106.41(b). Adopting a policy or engaging in a practice that prevents a person from participating in an education program or activity consistent with the person's gender identity subjects a person to more than de minimis harm on the basis of sex.
- J. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy and grievance process should discuss them with the Title IX Coordinator. The school district's Title IX Coordinator(s) is/are:

[INSERT: NAME(S) TITLE(S) PHONE NUMBER(S) OFFICE ADDRESS(ES) EMAIL ADDRESS(ES)]

Inquiries about Title IX and its regulations may be referred to the Title IX Coordinator(s), the United States Department of Education's Office for Civil Rights, or both.

- K. To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to **[INSERT: LINK TO LOCATION(S) ON WEBSITE OR OTHERWISE DESCRIBE LOCATION(S)]**
- L. The effective date of this policy is August 1, 2024, and applies to alleged violations of this policy occurring on or after August 1, 2024.

II. DEFINITIONS

- A. "Admission" means selection for part-time, full-time, special, associate, transfer, exchange or any other enrollment, membership, or matriculation in or at an education program or activity operated by the school district.
- B. "Complainant" means
 - 1. a student or employee of the school district who is alleged to have been

subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or

2. a person other than a student or employee of the school district who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX and who was participating or attempting to participate in a school district education program or activity at the time of the alleged sex discrimination.

C. "Complaint" means an oral or written request to the school district that objectively can be understood as a request for the school district to investigate and make a determination about alleged discrimination under Title IX or its regulations.

1. A person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a complaint consistent with the requirements of 34 Code of Federal Regulations, section 106.44(f)(1)(v).
2. The following individuals have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that the school district investigate and make a determination about alleged discrimination under Title IX:
 - a. a complainant;
 - b. a parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
 - c. the school district's Title IX Coordinator.

[NOTE: When a Title IX Coordinator is notified of conduct that reasonably may constitute sex discrimination under Title IX (and in the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process), the Title IX Coordinator must determine whether to initiate a complaint of sex discrimination as required under Title IX. The requirements for such a fact-specific determination are set forth in 34 Code of Federal Regulations, section 106.44(f)(1)(v).]

3. With respect to complaints of sex discrimination other than sex-based harassment, in addition to the persons listed above, the following persons have a right to make a complaint:
 - a. any school district student or employee; or
 - b. any person other than a school district student or employee who was participating or attempting to participate in a school district education program or activity at the time of the alleged sex discrimination.

D. "Confidential employee" means

1. A school district employee whose communications are privileged or confidential

under Federal or Minnesota law. The employee's confidential status, for purposes of this part, is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies; or

2. A school district employee whom the school district has designated as confidential under this part for the purpose of providing services to persons related to sex discrimination. If the employee also has a duty not associated with providing those services, the employee's confidential status is only with respect to information received about sex discrimination in connection with providing those services.
- E. "Day" or "days" means, unless expressly stated otherwise, business days (i.e. day(s) that the school district office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).
- F. "Disciplinary sanctions" means consequences imposed on a respondent following a determination under Title IX that the respondent violated the school district's prohibition on sex discrimination.
- G. "Parental status" as used in Title IX and its regulations means the status of a person who, with respect to another person who is under the age of 18 or who is 18 or older but is incapable of self-care because of a physical or mental disability, is:
1. A biological parent;
 2. An adoptive parent;
 3. A foster parent;
 4. A stepparent;
 5. A legal custodian or guardian;
 6. In loco parentis with respect to such a person; or
 7. Actively seeking legal custody, guardianship, visitation, or adoption of such a person.
- H. "Party" means a complainant or respondent.
- I. "Peer retaliation" means retaliation by a student against another student.
- J. "Pregnancy or related conditions" means:
1. Pregnancy, childbirth, termination of pregnancy, or lactation;
 2. Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
 3. Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.
- K. "Program or activity" and "program" means all of the operations of a local education

agency as defined in 20 United States Code, section 8801, a special purpose district, a system of vocational education, or other school system.

- L. "Relevant" means related to the allegations of sex discrimination under investigation as part of the grievance procedures under Title IX and 34 Code of Federal Regulations, section 106.44. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.
- M. "Remedies" means measures provided, as appropriate, to a complainant or any other person the school district identifies as having had their equal access to the school district's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the school district's education program or activity after a school district determines that sex discrimination occurred.
- N. "Respondent" means a person who is alleged to have violated the school district's prohibition on sex discrimination.
- O. "Retaliation" means intimidation, threats, coercion, or discrimination against any person by the school district, a student, or an employee or other person authorized by the school district to provide aid, benefit, or service under the school district's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.
- P. "Sex-based harassment" prohibited by Title IX and its regulations is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:
 - 1. *Quid pro quo harassment.*

An employee, agent, or other person authorized by the school district to provide an aid, benefit, or service under the school district's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
 - 2. *Hostile environment harassment.*

Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the school district's education program or activity (*i.e.*, creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 - a. The degree to which the conduct affected the complainant's ability to access the school district's education program or activity;
 - b. The type, frequency, and duration of the conduct;

- c. The parties' ages, roles within the school district's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 - d. The location of the conduct and the context in which the conduct occurred; and
 - e. Other sex-based harassment in the school district's education program or activity; or
3. *Specific offenses.*
- a. Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
 - b. Dating violence meaning violence committed by a person:
 - i. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - ii. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (a) The length of the relationship;
 - (b) The type of relationship; and
 - (c) The frequency of interaction between the persons involved in the relationship;
 - c. Domestic violence meaning felony or misdemeanor crimes committed by a person who:
 - i. is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the state of Minnesota, or a person similarly situated to a spouse of the victim;
 - ii. is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 - iii. shares a child in common with the victim; or
 - iv. commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction; or
 - d. Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - i. Fear for the person's safety or the safety of others; or
 - ii. Suffer substantial emotional distress.

- Q. "Student" means a person who has gained admission.
- R. "Student with a disability" means a student who is an individual with a disability as defined in the Rehabilitation Act of 1973, as amended, or a child with a disability as defined in the Individuals with Disabilities Education Act.
- S. "Supportive measures" means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:
 - 1. Restore or preserve that party's access to the school district's education program or activity, including measures that are designed to protect the safety of the parties or the school district's educational environment; or
 - 2. Provide support during the school district's grievance procedures or during the informal resolution process.

The school district will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person's access to the school district's education program or activity or provide support during the school district's Title IX grievance procedures or during the informal resolution process.
- T. "Title IX" means Title IX of the Education Amendments of 1972, as amended.

III. DESIGNATION OF TITLE IX COORDINATOR AND DESIGNEES

- A. The school district must designate and authorize at least one employee, referred to as a Title IX Coordinator, to coordinate its efforts to comply with its obligations under Title IX and its regulations. If a school district has more than one Title IX Coordinator, it must designate one of its Title IX Coordinators to retain ultimate oversight over the responsibilities and ensure the school district's consistent compliance with its responsibilities under Title IX and its regulations.
- B. As appropriate, the school district may delegate, or permit a Title IX Coordinator to delegate, specific duties to one or more designees.

IV. PARENTAL, FAMILY, OR MARITAL STATUS; PREGNANCY OR RELATED CONDITIONS

- A. Status Generally

The school district must not adopt or implement any policy, practice, or procedure concerning a student's current, potential, or past parental, family, or marital status that treats students differently on the basis of sex.
- B. Pregnancy or Related Conditions
 - 1. Nondiscrimination

The school district must not discriminate in its education program or activity against any student based on the student's current, potential, or past pregnancy or related conditions. The school district does not engage in prohibited discrimination when it allows a student, based on pregnancy or related conditions, to voluntarily participate in a separate portion of its

education program or activity provided the school district ensures that the separate portion is comparable to that offered to students who are not pregnant and do not have related conditions.

2. Responsibility to Provide Title IX Coordinator Contact and Other Information

The school district must ensure that when a student, or a person who has a legal right to act on behalf of the student, informs any employee of the student's pregnancy or related conditions, unless the employee reasonably believes that the Title IX Coordinator has been notified, the employee promptly provides that person with the Title IX Coordinator's contact information and informs that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the school district's education program or activity.

3. Specific Actions to Prevent Discrimination and Ensure Equal Access

The school district must take specific actions below to promptly and effectively prevent sex discrimination and ensure equal access to the school district's education program or activity once the student, or a person who has a legal right to act on behalf of the student, notifies the Title IX Coordinator of the student's pregnancy or related conditions. The Title IX Coordinator must coordinate these actions.

a. Responsibility to provide information about school district obligations.

The school district must inform the student, and if applicable, the person who notified the Title IX Coordinator of the student's pregnancy or related conditions and has a legal right to act on behalf of the student, of the school district's obligations under 34 Code of Federal Regulations, section 106.31, paragraphs (b)(1) through (5) and section 106.44(j) and provide the school district's notice of nondiscrimination under section 106.8(c)(1)

b. Reasonable modifications

i. The school district must make reasonable modifications to the school district's policies, practices, or procedures as necessary to prevent sex discrimination and ensure equal access to the school district's education program or activity. Each reasonable modification must be based on the student's individualized needs. In determining what modifications are required under this paragraph, the school district must consult with the student. A modification that a school district can demonstrate would fundamentally alter the nature of its education program or activity is not a reasonable modification.

ii. The student has discretion to accept or decline each reasonable modification offered by the school district. If a student accepts the school district's offered reasonable modification, the school district must implement it.

iii. Reasonable modifications may include, but are not limited to, breaks during class to express breast milk, breastfeed, or

attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom; intermittent absences to attend medical appointments; access to online or homebound education; changes in schedule or course sequence; extensions of time for coursework and rescheduling of tests and examinations; allowing a student to sit or stand, or carry or keep water nearby; counseling; changes in physical space or supplies (for example, access to a larger desk or a footrest); elevator access; or other changes to policies, practices, or procedures.

c. Voluntary access to separate and comparable portion of program or activity

The school district must allow the student to voluntarily access any separate and comparable portion of the school district's education program or activity under Paragraph A. above.

d. Voluntary leaves of absence

The school district must allow the student to voluntarily take a leave of absence from the school district's education program or activity to cover, at minimum, the period of time deemed medically necessary by the student's licensed healthcare provider. To the extent that a student qualifies for leave under a leave policy maintained by the school district that allows a greater period of time than the medically necessary period, the school district must permit the student to take voluntary leave under that policy instead if the student so chooses. When the student returns to the school district's education program or activity, the student must be reinstated to the academic status and, as practicable, to the extracurricular status that the student held when the voluntary leave began.

e. Lactation space

The school district must ensure that the student can access a lactation space, which must be a space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by a student for expressing breast milk or breastfeeding as needed.

f. Limitation on supporting documentation

The school district must not require supporting documentation under Paragraph B.3, subparagraphs b. through e. unless the documentation is necessary and reasonable for the school district to determine the reasonable modifications to make or whether to take additional specific actions. Examples of situations when requiring supporting documentation is not necessary and reasonable include, but are not limited to, when the student's need for a specific action under Paragraph C. subparagraphs 3 through 5 is obvious, such as when a student who is pregnant needs a bigger uniform; when the student has previously provided the school district with sufficient supporting documentation; when the reasonable modification because of pregnancy or related conditions at issue is allowing a student to carry

or keep water nearby and drink, use a bigger desk, sit or stand, or take breaks to eat, drink, or use the restroom; when the student has lactation needs; or when the specific action under Paragraph C. subparagraphs 3 through 5 is available to students for reasons other than pregnancy or related conditions without submitting supporting documentation.

4. Comparable Treatment to Other Temporary Medical Conditions

To the extent consistent with Paragraph B.3 above, the school district must treat pregnancy or related conditions in the same manner and under the same policies as any other temporary medical conditions with respect to any medical or hospital benefit, service, plan, or policy the school district administers, operates, offers, or participates in with respect to students admitted to the school district's education program or activity.

5. Certification to Participate

The school district must not require a student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person that the student is physically able to participate in the school district's class, program, or extracurricular activity unless:

- a. The certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity;
- b. The school district requires such certification of all students participating in the class, program, or extracurricular activity; and
- c. The information obtained is not used as a basis for discrimination prohibited by this part.

V. REPORTING PROHIBITED CONDUCT

A. Any student who believes they have been the victim of unlawful sex discrimination or sexual harassment, or any person (including the parent of a student) with actual knowledge of conduct which may constitute unlawful sex discrimination or sexual harassment toward a student should report the alleged acts as soon as possible to the Title IX Coordinator.

B. The school district requires all employees who are not confidential employees to notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination under Title IX or its regulations. This requirement does not apply to an employee who has personally been subject to conduct that reasonably may constitute sex discrimination under Title IX or its regulations.

C. Confidential Employee Requirements

1. The school district must notify all participants in the school district's education program or activity of how to contact its confidential employees, if any.
2. The school district must require a confidential employee to explain to any person who informs the confidential employee of conduct that reasonably may constitute sex discrimination under Title IX or its regulations:

- a. The employee's status as confidential for purposes of this part, including the circumstances in which the employee is not required to notify the Title IX Coordinator about conduct that reasonably may constitute sex discrimination;
 - b. How to contact the school district's Title IX Coordinator and how to make a complaint of sex discrimination; and
 - c. That the Title IX Coordinator may be able to offer and coordinate supportive measures, as well as initiate an informal resolution process or an investigation under the grievance procedures.
- D. Any employee of the school district who has experienced, has knowledge of, or has witnessed unlawful sex discrimination, including sexual harassment, or who otherwise becomes aware of unlawful sex discrimination, including sexual harassment, must promptly report the allegations to the Title IX Coordinator without screening or investigating the report or allegations.
- E. A report of unlawful sex discrimination or sexual harassment may be made at any time, including during nonbusiness hours, and may be made in person, by mail, by telephone, or by email using the Title IX Coordinator's contact information. A report may also be made by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.
- F. Sexual harassment may constitute both a violation of this policy and criminal law. To the extent the alleged conduct may constitute a crime, the school district may report the alleged conduct to law enforcement authorities. The school district encourages complainants to report criminal behavior to the police immediately.

VI. SCHOOL DISTRICT'S RESPONSE TO SEXUAL HARASSMENT

A. General

Upon knowledge of conduct that reasonably may constitute sex discrimination in its education program or activity, the school district must respond promptly and effectively. The school district must also comply with 34 Code of Federal Regulations, section 106.44 to address sex discrimination in its education program or activity.

B. Barriers to Reporting

The school district must require its Title IX Coordinator to:

- 1. Monitor the school district's education program or activity for barriers to reporting information about conduct that reasonably may constitute sex discrimination under Title IX or its regulations; and
- 2. Take steps reasonably calculated to address such barriers.

C. Title IX Coordinator Requirements

- 1. The Title IX Coordinator is responsible for coordinating the school district's compliance with its obligations under Title IX and its regulations. The school district must require its Title IX Coordinator, when notified of conduct that

reasonably may constitute sex discrimination under Title IX or its regulations, to take the following actions to promptly and effectively end any sex discrimination in its education program or activity, prevent its recurrence, and remedy its effects:

- a. Treat the complainant and respondent equitably;
- b. Offer and coordinate supportive measures, as appropriate, for the complainant. In addition, if the school district has initiated grievance procedures or offered an informal resolution process to the respondent, offer and coordinate supportive measures, as appropriate, for the respondent;
- c. Notify the complainant or, if the complainant is unknown, the individual who reported the conduct, of the grievance procedures and if applicable and the informal resolution process, if available and appropriate. If a complaint is made, notify the respondent of the grievance procedures and the informal resolution process, if available and appropriate;
- d. In response to a complaint, initiate the grievance procedures or the informal resolution process, if available and appropriate and requested by all parties;
- e. In the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process, determine whether to initiate a complaint of sex discrimination that complies with the grievance procedures.
 - i. To make this fact-specific determination, the Title IX Coordinator must consider, at a minimum, the following factors:
 - [a] The complainant's request not to proceed with initiation of a complaint;
 - [b] The complainant's reasonable safety concerns regarding initiation of a complaint;
 - [c] The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
 - [d] The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
 - [e] The age and relationship of the parties, including whether the respondent is an employee of the school district;
 - [f] The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have

impacted multiple individuals;

[g] The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and

[h] Whether the school district could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures.

ii. If, after considering these and other relevant factors, the Title IX Coordinator determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person, or that the conduct as alleged prevents the school district from ensuring equal access on the basis of sex to its education program or activity, the Title IX Coordinator may initiate a complaint

f. If initiating a complaint under Subparagraph e. above, notify the complainant prior to doing so and appropriately address reasonable concerns about the complainant's safety or the safety of others, including by providing supportive measures; and

g. Regardless of whether a complaint is initiated, take other appropriate prompt and effective steps, in addition to steps necessary to effectuate the remedies provided to an individual complainant, if any, to ensure that sex discrimination does not continue or recur within the school district's education program or activity.

2. The Title IX Coordinator is not required to comply with Paragraph C.1, subparagraphs a. through g. above upon being notified of conduct that may constitute sex discrimination if the Title IX Coordinator reasonably determines that the conduct as alleged could not constitute sex discrimination under Title IX or its regulations.

D. Supportive Measures

Under the *Title IX Coordinator Requirements* above, the school district must offer and coordinate supportive measures, as appropriate, as described below. For allegations of sex discrimination other than sex-based harassment or retaliation, the school district's provision of supportive measures does not require the school district, its employee, or any other person authorized to provide aid, benefit, or service on the school district's behalf to alter the alleged discriminatory conduct for the purpose of providing a supportive measure.

1. Supportive measures may vary depending on what the school district deems to be reasonably available. These measures may include but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment.

2. Supportive measures must not unreasonably burden either party and must be designed to protect the safety of the parties or the school district's educational environment, or to provide support during the school district's grievance procedures, or during the informal resolution process. The school district must not impose such measures for punitive or disciplinary reasons.
3. The school district may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures or at the conclusion of the informal resolution process, or the school district may continue them beyond that point.
4. The school district must provide a complainant or respondent with a timely opportunity to seek, from an appropriate and impartial employee, modification or reversal of the school district's decision to provide, deny, modify, or terminate supportive measures applicable to them. The impartial employee must be someone other than the employee who made the challenged decision and must have authority to modify or reverse the decision, if the impartial employee determines that the decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures. The school district must also provide a party with the opportunity to seek additional modification or termination of a supportive measure applicable to them if circumstances change materially.
5. The school district must not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the education program or activity, or when an exception in 34 Code of Federal Regulations section 106.44(j)(1) through (5) applies.
6. The school district must require the Title IX Coordinator to consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision under 34 Code of Federal Regulations, section 104.35(c), if any, to determine how to comply with the requirements of the Individuals with Disabilities Education Act, and Section 504 of the Rehabilitation Act of 1973 in the implementation of supportive measures.

E. Students with Disabilities

If a complainant or respondent is an elementary or secondary student with a disability, the school district must require the Title IX Coordinator to consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision under 34 Code of Federal Regulations, section 104.35(c), if any, to determine how to comply with the requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973 throughout the school district's implementation of grievance procedures under 34 Code of Federal Regulations, section 106.45.

F. Emergency Removal

Nothing in Title IX or its regulations precludes the school district from removing a

respondent from the school district's education program or activity on an emergency basis, provided that the school district undertakes an individualized safety and risk analysis, determines that an imminent and serious threat to the health or safety of a complainant or any students, employees, or other persons arising from the allegations of sex discrimination justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision must not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990.

G. Administrative Leave

Nothing in Title IX or its regulations precludes the school district from placing an employee respondent on administrative leave from employment responsibilities during the pendency of the school district's grievance procedures. This provision must not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act of 1990.

H. Prohibited Disclosures of Personally Identifiable Information

The school district must not disclose personally identifiable information obtained in the course of complying with this part, except in the following circumstances:

1. When the school district has obtained prior written consent from a person with the legal right to consent to the disclosure;
2. When the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue;
3. To carry out the purposes of 34 Code of Federal Regulations, section 106, including action taken to address conduct that reasonably may constitute sex discrimination under Title IX in the school district's education program or activity;
4. As required by federal law, federal regulations, or the terms and conditions of a Federal award, including a grant award or
5. To the extent such disclosures are not otherwise in conflict with Title IX or its regulations, when required by Minnesota or local law or when permitted under FERPA or its implementing regulations.

VII. GRIEVANCE PROCEDURES FOR THE PROMPT AND EQUITABLE RESOLUTION OF COMPLAINTS OF SEX DISCRIMINATION

A. General

The school district's grievance procedures for the prompt and equitable resolution of complaints of sex discrimination must be in writing and include provisions that incorporate the requirements of this section. The requirements related to a respondent apply only to sex discrimination complaints alleging that a person violated the school district's prohibition on sex discrimination. When a sex discrimination complaint alleges that a school district's policy or practice discriminates on the basis of sex, the school

district is not considered a respondent.

B. Basic Requirements for Grievance Procedures

The school district's grievance procedures must:

1. Treat complainants and respondents equitably;
2. Require that any person designated as a Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The decisionmaker may be the same person as the Title IX Coordinator or investigator;
3. Include a presumption that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the school district's grievance procedures for complaints of sex discrimination;
4. Establish reasonably prompt timeframes for the major stages of the grievance procedures, including a process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay. Major stages include, for example, evaluation (i.e., the school district's decision whether to dismiss or investigate a complaint of sex discrimination); investigation; determination; and appeal, if any;

[NOTE: The Title IX regulations require reasonably prompt timeframes for major stages of the grievance procedures, but do not specify any particular timeframes. School districts may establish their own district-specific timeframes. A sample set of provisions is offered below.]

- a. Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.
- b. An appeal of a determination of responsibility or of a decision dismissing a formal complaint must be received by the school district within five (5) days of the date the determination of responsibility or dismissal was provided to the parties.
- c. Any appeal of a determination of responsibility or of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received by the school district.
- d. The school district will seek to conclude the grievance process, including any appeal, within 120 calendar days of the date the formal complaint was received by the school district.
- e. Although the school district strives to adhere to the timelines described above, in each case, the school district may extend the time frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other

evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening school district holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.

- f. The school district has established the following process for reasonable extension of timeframes on a case-by-case basis for good cause as set forth above. The process includes notice to the parties and the reason for the delay:

[NOTE: The school district should set forth its process for determining a reasonable extension of a timeframe.]

- 5. Require the school district to take reasonable steps to protect the privacy of the parties and witnesses during the pendency of the school district's grievance procedures, provided that the steps do not restrict the ability of the parties to: obtain and present evidence, including by speaking to witnesses, subject to the prohibition against retaliation; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures;
- 6. Require an objective evaluation of all evidence that is relevant, as defined in Article II, and not otherwise impermissible—including both inculpatory and exculpatory evidence—and provide that credibility determinations must not be based on a person's status as a complainant, respondent, or witness;
- 7. Exclude the following types of evidence, and questions seeking that evidence, as impermissible (i.e., must not be accessed or considered, except by the school district to determine whether an exception in subparagraphs (a) through (c) applies; must not be disclosed; and must not otherwise be used), regardless of whether they are relevant:
 - a. Evidence that is protected under a privilege as recognized by federal or Minnesota law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
 - b. A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the school district obtains that party's or witness's voluntary, written consent for use in the school district's grievance procedures; and
 - c. Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's

consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred; and

8. If the school district adopts grievance procedures that apply to the resolution of some, but not all, complaints articulate consistent principles for how the school district will determine which procedures apply.

C. Notice of Allegations

Upon initiation of the school district's grievance procedures, the school district must provide notice of the allegations to the parties whose identities are known.

1. The notice must include:
 - a. The school district's grievance procedures, and if applicable, any informal resolution process;
 - b. Sufficient information available at the time to allow the parties to respond to the allegations. Sufficient information includes the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination under Title IX or this part, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available to the school district;
 - c. A statement that retaliation is prohibited; and
 - d. A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence; and if the school district provides a description of the evidence, the parties are entitled to an equal opportunity to access to the relevant and not otherwise impermissible evidence upon the request of any party.
2. If, in the course of an investigation, the school district decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice or that are included in a complaint that is consolidated, the school district must provide notice of the additional allegations to the parties whose identities are known.

[NOTE: If the school district provides a description of the evidence, the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.]

If, in the course of an investigation, the school district decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, the school district will notify the parties of the additional allegations.

D. Consolidation

The school district may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one complainant or more than

one respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

E. Complaint Investigation

- A. The school district must provide for adequate, reliable, and impartial investigation of complaints. To do so, the school district must:
1. Ensure that the burden is on the school district – not on the parties – to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred;
 2. Provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible;
 3. Review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance, consistent with § 106.2 and with paragraph (b)(7) of this section; and
 4. Provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible in the following manner:
 - a. The school district must provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence. If the school district provides a description of the evidence, it must further provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party;
 - b. The school district must provide a reasonable opportunity to respond to the evidence or to the accurate description of the evidence; and
 - c. The school district must take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. For purposes of this paragraph, disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

F. Questioning Parties and Witnesses to Aid in Evaluating Allegations and Assessing Credibility

The school district must provide a process that enables the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination.

G. Determination Whether Sex Discrimination Occurred

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the school district must:

1. Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred, unless the school district uses the clear and convincing evidence standard of proof in all other comparable proceedings, including proceedings relating to other discrimination complaints, in which case the school district may elect to use that standard of proof in determining whether sex discrimination occurred. Both standards of proof require the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness; if the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker must not determine that sex discrimination occurred.
2. Notify the parties in writing of the determination whether sex discrimination occurred under Title IX or its regulations including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal, if applicable;
3. If there is a determination that sex discrimination occurred, as appropriate, require the Title IX Coordinator to coordinate the provision and implementation of remedies to a complainant and other persons the school district identifies as having had equal access to the school district's education program or activity limited or denied by sex discrimination, coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions, and require the Title IX Coordinator to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the school district's education program or activity. The school district may not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the school district's grievance procedures that the respondent engaged in prohibited sex discrimination;
4. Comply with 34 Code of Federal Regulations, section 106.45, before the imposition of any disciplinary sanctions against a respondent; and
5. Not discipline a party, witness, or others participating in school district's grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the school district's determination whether sex discrimination occurred.

H. Additional Provisions

If the school district adopts additional provisions as part of its grievance procedures for handling complaints of sex discrimination, including sex-based harassment, such additional provisions must apply equally to the parties.

I. Informal Resolution

In lieu of resolving a complaint through the school district's grievance procedures, the parties may instead elect to participate in an informal resolution process under 34 Code of Federal Regulations, section 106.44(k) if provided by the school district consistent

with that paragraph.

J. Provisions Limited to Sex-Based Harassment Complaints

For complaints alleging sex-based harassment, the grievance procedures must:

1. Describe the range of supportive measures available to complainants and respondents; and
2. List, or describe the range of, the possible disciplinary sanctions that the school district may impose and remedies that the school district may provide following a determination that sex-based harassment occurred.

VIII. INFORMAL RESOLUTION OF A COMPLAINT

[NOTE: The 2024 Title IX amendments do not require a school district to offer an informal resolution process. However, a school district is free to provide such a process in some circumstances, as long as it complies with certain regulatory requirements. Requirements related to informal resolution are set forth in 34 Code of Federal Regulations, section 106.44(k).]

- A. At any time prior to determining whether sex discrimination occurred, the school district may offer to a complainant and respondent an informal resolution process, unless the complaint includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student or such a process would conflict with federal, Minnesota, or local law. A school district that provides the parties an informal resolution process must, to the extent necessary, also require its Title IX Coordinator to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the school district's education program or activity.
1. Subject to the limitations in Paragraph A. above, the school district has discretion to determine whether it is appropriate to offer an informal resolution process when it receives information about conduct that reasonably may constitute sex discrimination under Title IX or its regulations or when a complaint of sex discrimination is made, and may decline to offer informal resolution despite one or more of the parties' wishes.
 2. In addition to the limitations in Paragraph A. above, circumstances when the school district may decline to allow informal resolution include but are not limited to when the school district determines that the alleged conduct would present a future risk of harm to others.
- B. The school district must not require or pressure the parties to participate in an informal resolution process. The school district must obtain the parties' voluntary consent to the informal resolution process and must not require waiver of the right to an investigation and determination of a complaint as a condition of enrollment or continuing enrollment, or employment or continuing employment, or exercise of any other right.
- C. Before initiation of an informal resolution process, the school district must provide to the parties notice that explains:
1. The allegations;
 2. The requirements of the informal resolution process;

3. That, prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume the school district's grievance procedures;
 4. That the parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the parties from initiating or resuming grievance procedures arising from the same allegations;
 5. The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
 6. What information the school district will maintain and whether and how the school district could disclose such information for use in grievance procedures, if grievance procedures are initiated or resumed.
- D. The facilitator for the informal resolution process must not be the same person as the investigator or the decisionmaker in the school district's grievance procedures. Any person designated by the school district to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Any person facilitating informal resolution must receive training as provided under this policy.
- E. Potential terms that may be included in an informal resolution agreement include but are not limited to:
1. Restrictions on contact; and
 2. Restrictions on the respondent's participation in one or more of the school district's programs or activities or attendance at specific events, including restrictions the school district could have imposed as remedies or disciplinary sanctions had the school district determined at the conclusion of the school district's grievance procedures that sex discrimination occurred.

IX. DISMISSAL OF A COMPLAINT

- A. The school district may dismiss a complaint of sex discrimination made through its grievance procedures under this policy for any of the following reasons:
1. The school district is unable to identify the respondent after taking reasonable steps to do so;
 2. The respondent is not participating in a school district education program or activity and is not employed by the school district;
 3. The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the school district determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or,
 4. The school district determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before

dismissing the complaint, the school district will make reasonable efforts to clarify the allegations with the complainant.

- B. Upon dismissal, the school district will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the school district will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.
- C. The school district must notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint on the bases set out in 34 Code of Federal Regulations, section 106.46(i)(1). If the dismissal occurs after the respondent has been notified of the allegations, then the school district will also notify the respondent that the dismissal may be appealed on the bases set out in 34 Code of Federal Regulations, section 106.46(i)(1). If the dismissal is appealed, the school district must:
 - 1. Notify the parties of any appeal, including notice of the allegations consistent with paragraph (c) of this section if notice was not previously provided to the respondent;
 - 2. Implement appeal procedures equally for the parties;
 - 3. Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
 - 4. Ensure that the decisionmaker for the appeal has been trained as set out in this policy;
 - 5. Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
 - 6. Notify the parties of the result of the appeal and the rationale for the result.
- D. When the school district dismisses a complaint, it must, at a minimum:
 - 1. Offer supportive measures to the complainant as appropriate;
 - 2. For dismissals under Paragraph A. 3 and 4 above in which the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate under 34 Code of Federal Regulations, section 106.44(g); and
 - 3. Require its Title IX Coordinator to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the school district's education program or activity.
- E. Dismissal of a formal complaint or a portion thereof does not preclude the school district from addressing the underlying conduct in any manner that the school district deems appropriate.

[NOTE: For example, school districts are reminded of the obligation under Minnesota Statutes, section 122A.20, subdivision 2, to make a mandatory report to the Minnesota Professional Educator Licensing and Standards Board concerning any teacher who resigns during the course of an investigation of

misconduct.]

XI. APPEAL OF DETERMINATION

[NOTE: Regarding an appeal of a determination, the 2024 Title IX Final Rule states that the school district must offer the parties an appeal process that, at a minimum, is the same as it offers in all other comparable proceedings, if any, including proceedings relating to other discrimination complaints.]

This section provides sample text a school district may elect to include in its grievance procedures, but school districts are not required to use the text provided.]

- A. The school district offers the following process for appeals from a determination whether sex discrimination occurred. This appeal process will be, at a minimum, the same as the school district offers in all other comparable proceedings, including proceedings relating to other discrimination complaints.
- B. If notice of an appeal is timely received by the school district, the school district will notify the parties in writing of the receipt of the appeal, assign or designate the appellate decisionmaker, and give the parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
- C. After reviewing the parties' written statements, the appellate decisionmaker must issue a written decision describing the result of the appeal and the rationale for the result.
- D. The written decision describing the result of the appeal must be provided simultaneously to the parties.
- E. The decision of the appellate decisionmaker is final. No further review beyond the appeal is permitted.

XII. SANCTIONS AND REMEDIES

Following a determination that sex-based harassment occurred, the school district may impose disciplinary sanctions, which may include **[INSERT LIST OR DESCRIBE RANGE]**. The school district may also provide remedies, which may include **[INSERT LIST OR DESCRIBE RANGE]**.

[NOTE: The school district may choose to consult its legal counsel for district-specific sanctions and remedies. The following sample language may be considered:

- 1. The following is the range of possible remedies that the school district may provide a complainant and disciplinary sanctions that the school district might impose upon a respondent, following determination of responsibility: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, changes in work locations, leaves of absence, monitoring of certain areas of the school district buildings or property, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge.**
- 2. If the decisionmaker determines a respondent is responsible for violating this policy, the decisionmaker will recommend appropriate**

remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the superintendent of the recommended remedies, such that an authorized administrator can consider the recommendation(s) and implement appropriate remedies in compliance with MSBA Model Policy 506 – Student Discipline. The discipline of a student-respondent must comply with the applicable provisions of Minnesota Pupil Fair Dismissal Act, the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.]

XIII. RETALIATION

The school district must prohibit retaliation, including peer retaliation, in its education program or activity. When the school district has information about conduct that reasonably may constitute retaliation under Title IX or its regulations, the school district is obliged to comply with 34 Code of Federal Regulations, section 106.44. Upon receiving a complaint alleging retaliation, the school district must initiate its grievance procedures or, as appropriate, an informal resolution process.

XIV. TRAINING

[NOTE: Training requirements are set forth in 34 Code of Federal Regulations, section 106.8(d).]

A. The school district must ensure that the following persons receive training related to their duties under Title IX promptly upon hiring or change of positions that alters their duties under Title IX or its regulations, and annually thereafter. This training must not rely upon sex stereotypes.

1. *All employees* must be trained on:
 - a. The school district's obligation to address sex discrimination in its education program or activity;
 - b. The scope of conduct that constitutes sex discrimination under Title IX and its regulations, including the definition of sex-based harassment; and
 - c. All applicable notification and information requirements under 34 Code of Federal Regulations, sections 106.40(b)(2) and 106.44.
2. *Investigators, decisionmakers, and other persons who are responsible for implementing the school district's grievance procedures or have the authority to modify or terminate supportive measures.*

In addition to the training requirements for all employees described in Paragraphs 1 and 2 above, all investigators, decisionmakers, and other persons who are responsible for implementing the school district's grievance procedures or have the authority to modify or terminate supportive measures under 34 Code of Federal Regulations, section 106.44(g)(4) must be trained on the following topics to the extent related to their responsibilities:

- a. The school district's obligations under 34 Code of Federal Regulations,

section 106.44;

- b. The school district's grievance procedures under 34 Code of Federal Regulations, section 106.45, and if applicable section 106.46;
- c. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and
- d. The meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance under 34 Code of Federal Regulations, section 106.45, and if applicable section 106.46.

3. *Facilitators of informal resolution process*

In addition to the training requirements for all employees described in Paragraph 1 above, all facilitators of an informal resolution process under 34 Code of Federal Regulations, section 106.44(k) must be trained on the rules and practices associated with the school district's informal resolution process and on how to serve impartially, including by avoiding conflicts of interest and bias.

4. *Title IX Coordinator and Title IX Personnel*

In addition to the training requirements in Paragraphs 1 through 3 above, the Title IX Coordinator and Title IX Personnel must be trained on their specific responsibilities under 34 Code of Federal Regulations, section 106.8(a), section 106.40(b)(3), section 106.44(f) and (g), the school district's recordkeeping system and the requirements of 34 Code of Federal Regulations, section 106.8 (f), and any other training necessary to coordinate the school district's compliance with Title IX. "Title IX Personnel" means any person who addresses, works on, or assists with the school district's response to a report of sexual harassment or formal complaint, and includes persons who facilitate informal resolutions.

XV. DISSEMINATION OF POLICY

- A. This policy shall be made available to all students, parents/guardians of students, school district employees, and employee unions.
- B. The school district shall conspicuously post the name of the Title IX Coordinator, including office address, telephone number, and work e-mail address on its website and in each handbook that it makes available to parents, employees, students, unions, or applicants.
- C. Notice of Nondiscrimination
 - 1. The school district must provide notice of nondiscrimination to applicants for admission and employment, students, parents, guardians, or other authorized legal representatives of elementary and secondary school students, employees, and all unions holding collective bargaining agreements with the school district.
 - 2. Contents of Notice of Nondiscrimination

The notice of nondiscrimination must include the following elements:

- a. A statement that the school district does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and its regulations, including in admission and employment;
 - b. A statement that inquiries about the application of Title IX and its regulations to the school district may be referred to the school district's Title IX Coordinator, the federal Office for Civil Rights, or both;
 - c. The name or title, office address, email address, and telephone number of the Title IX Coordinator;
 - d. How to locate the school district's nondiscrimination policy and the school district's grievance procedures; and
 - e. How to report information about conduct that may constitute sex discrimination under Title IX; and how to make a complaint of sex discrimination under the regulations.
3. The school district must prominently include all elements of its notice of nondiscrimination on its website and in each handbook, catalog, announcement, bulletin, and application form that it makes available to people entitled to notice, or which are otherwise used in connection with the recruitment of students or employees.
 4. If necessary, due to the format or size of any publication, the school district may instead include in those publications the information covered in the following statement: "[**INSERT NAME OF SCHOOL DISTRICT**] prohibits sex discrimination in any education program or activity that it operates. Individuals may report concerns or questions to the Title IX Coordinator. The notice of nondiscrimination is located at [**INSERT WEBSITE ADDRESS**]."
 5. The school district must not use or distribute a publication stating that the school district treats applicants, students, or employees differently on the basis of sex, except as such treatment is permitted by Title IX or its regulations.

XVI. RECORDKEEPING

The school district must create, and maintain for a period of seven years:

- A. For each complaint of sex discrimination, records documenting the informal resolution process under 34 Code of Federal Regulations, section 106.44(k) or the grievance procedures under section 106.45, and if applicable section 106.46, and the resulting outcome.
- B. For each notification the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination under Title IX or its regulations, including notifications under 34 Code of Federal Regulations, section 106.44(c)(1) or (2), records documenting the actions the school district took to meet its obligations under section 106.44
- C. All materials used to provide training under this policy. The school district must make

these training materials available upon request for inspection by members of the public.

Legal References: Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
Minn. Stat. §§ 121A.40 – 121A.575 (Minnesota Pupil Fair Dismissal Act)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments)
34 C.F.R. Part 106 (Implementing Regulations of Title IX)
20 U.S.C § 1400, *et seq.* (Individuals with Disabilities Education Act)
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act)
42 U.S.C. § 12101, *et seq.* (Americans with Disabilities Act)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act of 1974)
20 U.S.C. § 1092 *et seq.* (Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (“Clery Act”))

Cross References: MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

Adopted: _____

Revised: _____

[NOTE – this policy and grievance procedure are drafted to meet the minimum requirements in the 2024 Title IX Final Rule]

522 – TITLE IX SEX NONDISCRIMINATION POLICY & GRIEVANCE PROCEDURE

I. GENERAL STATEMENT OF POLICY/ NOTICE OF NONDISCRIMINATION

- A. The school district does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in employment.
- B. Inquiries about Title IX may be referred to the Title IX Coordinator(s), the United States Department of Education’s Office for Civil Rights, or both. The school district’s Title IX Coordinator(s) is/are:
[INSERT: NAME(S) TITLE(S) PHONE NUMBER(S) OFFICE ADDRESS(ES) EMAIL ADDRESS(ES)]
- C. To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please contact the Title IX Coordinator identified above or refer to **[INSERT: LINK TO LOCATION(S) ON WEBSITE OR OTHERWISE DESCRIBE LOCATION(S)]**
- D. The school district’s nondiscrimination policy and grievance procedures can be located on the school district’s website as Policy 522 **[identify other locations, if any]**.
- E. The effective date of this policy is August 1, 2024, and applies to alleged violations of this policy occurring on or after August 1, 2024.

Legal References: Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
Minn. Stat. §§ 121A.40 – 121A.575 (Minnesota Pupil Fair Dismissal Act)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments)
34 C.F.R. Part 106 (Implementing Regulations of Title IX)
20 U.S.C § 1400, *et seq.* (Individuals with Disabilities Education Act)
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act)
42 U.S.C. § 12101, *et seq.* (Americans with Disabilities Act)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act of 1974)

Cross References: MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 506 (Student Discipline)

Drafted by Squires, Waldspurger & Mace, P.A., August 13, 2024

Title IX Grievance Procedure and Process

Addendum to Policy 522

I. General

The school district has adopted these grievance procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or the Title IX regulations.

II. Complaints

A. **Complaints of Sex-based Harassment.** The following people have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that the school district investigate and make a determination about alleged discrimination under Title IX:

1. A "complainant," which includes:
 - a. a student or employee of the school district who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
 - b. a person other than a student or employee of the school district who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in the school district's education program or activity;
2. A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
3. The school district's Title IX Coordinator.

B. **Complaints of Sex Discrimination other than Sex-Based Harassment.** In addition to the people identified in Paragraph 1, the following people have a right to make a complaint of sex discrimination other than sex-based harassment:

1. Any student or employee of the school district; or
2. Any person other than a student or employee who was participating or attempting to participate in the school district's education program or activity at the time of the alleged sex discrimination.

C. **Consolidation.** The school district may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one complainant or more than one respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

III. Basic Requirements of Title IX Grievance Procedures

- A. The school district will treat complainants and respondents equitably.
- B. The school district requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents

generally or an individual complainant or respondent. The decisionmaker may be the same person as the Title IX Coordinator or investigator.

- C. The school district presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the grievance procedures.
- D. The school district has established the following reasonably prompt timeframes for the major stages of the grievance procedures:
 - 1. Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.
 - 2. An appeal of a decision dismissing a complaint must be received by the school district within five (5) days of the date the notice of dismissal was provided to the parties.
 - 3. Any appeal of a dismissal will be decided within ten (10) calendar days of the day the appeal was received by the school district.
 - 4. The school district will seek to conclude the grievance process within 90 calendar days of the date the complaint was received by the school district.
- E. The school district has also established the following process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay:
 - 1. Any party or an investigator, decisionmaker, appellate decisionmaker, or informal resolution facilitator may make a request to the Title IX Coordinator to extend the timeline for good cause. If the Title IX Coordinator determines the reason for the extension constitutes good cause, the Title IX Coordinator will notify the parties of the reason for the delay.
 - 2. Good cause may include, without limitation: the complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening school district holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.
- F. The school district will take reasonable steps to protect the privacy of the parties and witnesses during the pendency of the grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses, subject to the prohibition against retaliation; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures.
- G. The school district will objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
- H. The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, unless an exception below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- a. Evidence that is protected under a privilege as recognized by federal or Minnesota law, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- b. A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the school district has that party's or witness's voluntary, written consent for use in the grievance procedures; and
- c. Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

IV. Notice of Allegations

- A. Upon initiation of the school district's grievance procedures, the school district will notify the parties of the following:
 1. The school district's Title IX grievance procedures, and if applicable, any informal resolution process;
 2. Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available to the school district;
 3. Retaliation is prohibited; and
 4. The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence. If the school district provides a description of the evidence, the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.
- B. If, in the course of an investigation, the school district decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice, the school district will provide notice of the additional allegations to the parties whose identities are known.

V. Dismissal of a Complaint

- A. The school district may dismiss a complaint of sex discrimination if:
 1. The school district is unable to identify the respondent after taking reasonable steps to do so;
 2. The respondent is not participating in a school district education program or activity and is not employed by the school district;

3. The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the school district determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
 4. The school district determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, the school district will make reasonable efforts to clarify the allegations with the complainant.
- B. Upon dismissal, the school district will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the school district will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.
- C. The school district will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then the school district will also notify the respondent that the dismissal may be appealed. Dismissals may be appealed on the following bases:
1. Procedural irregularity that would change the outcome;
 2. New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
 3. The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.
- D. If the dismissal is appealed, the school district will:
1. Notify the parties of any appeal, including notice of the allegations if notice was not previously provided to the respondent;
 2. Implement appeal procedures equally for the parties;
 3. Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
 4. Ensure that the decisionmaker for the appeal has received training required by Title IX;
 5. Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
 6. Notify the parties of the result of the appeal and the rationale for the result.
- E. When a complaint is dismissed, the school district must, at a minimum:
1. Offer supportive measures to the complainant as appropriate;
 2. If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and

3. Take other appropriate prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within the school district's education program or activity.
- F. Dismissal of a complaint or a portion thereof does not preclude the school district from addressing the underlying conduct in any manner that the school district deems appropriate.

VI. Investigation

- A. The school district will provide for adequate, reliable, and impartial investigation of complaints.
- B. The burden is on the school district – not on the parties – to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred;
- C. The school district will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible;
- D. The school district will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.
- E. The school district will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible in the following manner:
 - a. The school district will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence. If the school district provides a description of the evidence, it will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party;
 - b. The school district will provide a reasonable opportunity to respond to the evidence or to the accurate description of the evidence; and
 - c. The school district will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.
- F. Questioning Parties and Witnesses to Aid in Evaluating Allegations and Assessing Credibility

The decisionmaker may ask questions of parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination.
- G. Determination Whether Sex Discrimination Occurred

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the school district will:

1. Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. This standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex discrimination occurred.
2. Notify the parties in writing of the determination whether sex discrimination occurred under Title IX or its regulations including the rationale for such determination;
3. Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination;
4. If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:
 - a. Coordinate the provision and implementation of remedies to a complainant and other persons the school district identifies as having had equal access to the school district's education program or activity limited or denied by sex discrimination;
 - b. Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
 - c. Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the school district's education program or activity;
4. Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
5. Not discipline a party, witness, or others participating in the school district's grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the school district's determination whether sex discrimination occurred.

V. Informal Resolution

In lieu of resolving a complaint through the school district's grievance procedures, the parties may instead elect to participate in an informal resolution process offered by the school district. Informal resolution is not available to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of a student, or when such a process would conflict with Federal, Minnesota, or local law.

VI. Disciplinary Sanctions & Remedies for Complaints of Sex-Based Harassment

- A. Supportive measures may be made available to complainants and respondents, as appropriate. Available supportive measures include: reassignment of classes, transportation changes, no-contact directives, alternate passing times, escorts, extensions of deadlines or course-related requirements, counseling or support from designated adults, and other measures that are necessary and appropriate to ensure complainants and respondents are not denied equal access to the school district's education program and activity.

- B. Following a determination that sex-based harassment occurred by a student-respondent, the school district may impose discipline consistent with Policy 506. Following a determination that sex-based harassment occurred by an employee-respondent, the school district may impose discipline consistent with any applicable personnel policy, collective bargaining agreement, or Minnesota law, including suspension without pay and termination or discharge.
- C. Following a determination that sex-based harassment occurred, available remedies may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, leaves of absence, monitoring of certain areas of school district buildings or property, transfer, transportation changes, and other remedies determined appropriate by the Title IX Coordinator.

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, August 19, 2024

Subject: Donations

(Recommended by the superintendent)

That the board of education accept the following donations with gratitude.

Richfield Community Education received a donation of \$9,000.00 from Best Buy.

Richfield Dual Language School received a donation of \$2,000.00 from Best Buy.

Richfield READY Scholarship Fund received a donation of \$4,000.00 from Best Buy.

The RHS Scholarship Fund received a donation of \$42,000.00 from the Richfield Spartan Foundation.