



DISCOVERY PUBLIC SCHOOL OF FARIBAULT

126 EIGHTH STREET NW, FARIBAULT, MN 55021

PH: 507-331-5423 FX: 507-331-2618

Email: discovery@isd4081.org

Website: www.isd4081.org

DISCOVERY PUBLIC SCHOOL TITLE IX GRIEVANCE PROCESS

Any student, faculty member, or staff employee who feels he or she is the victim of harassment or other form of discrimination on the basis of race, religion, sex, national origin, sexual orientation, ancestry, age, marital status, physical or mental disability should follow the grievance procedures outlined below. Consistent with duty to provide a work and academic environment free from unlawful harassment or discrimination, the Discovery Public School reserves the right to investigate any allegation of harassment or discrimination upon receipt of sufficient evidence to sustain such claims.

Filing Process

1. Complainants will be asked to complete a form describing the alleged discrimination and/ or harassment.
2. A complaint should be filed within sixty (60) days of the most recent incident.
3. The complainant will meet with the Title IX Grievance Coordinator to discuss options (informal, mediation, formal) for proceeding.

Options

Informal: Discuss allegations and concerns with accused and attempt to resolve the situation without a formal investigation. Accused is put on 'notice'. If attempts to resolve the situation are not successful, the complainant may pursue mediation or a formal complaint.

Mediation: A process that enables the parties to work toward a mutually agreed upon solution with the help of a trained, neutral mediator. If attempts to mediate are not successful, the complainant may pursue a formal complaint.

Formal: A full investigation is conducted, complete with findings.

1. The Title IX Grievance Coordinator will notify the person being charged that a complaint has been filed against him or her. The Title IX Grievance Coordinator will offer the charged party an opportunity to confirm or rebut the charge. If appropriate, the Coordinator will conduct negotiations with both parties and try to reach a mutually agreeable resolution.

2. Under such circumstances wherein a violation of this policy has occurred, the Title IX Grievance Coordinator may issue an oral or written warning, require that the accused not commit such an abuse again, impose mandatory counseling on the individual who violated the policy, or take any other sanction which appropriately reflects the severity of the violation of the policy, or take any other sanction which appropriately reflects the severity of the violation of the policy. The respondent may appeal a sanction according to the appeals process described below.



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3. After meeting with and office representative, the complainant has ten (10) working days to notify the Title IX Grievance Coordinator of which option he or she wishes to pursue (may be extended under extenuating circumstances). A request for an extension must be submitted in writing at least one day before the deadline and must include the reason for the request.

4. The Title IX Grievance Coordinator has forty-five (45) working days from the date of filing the formal complaint to complete findings, if applicable. The office reserves the right to extend this time by a reasonable period according to the scope of an investigation or the cooperation of parties and witnesses. Complainant will be notified of this extension.

Confidentiality

Discovery Public School has a duty to ensure an educational and work environment free from prohibited harassment and discrimination. In order to administer effectively its responsibilities, the Discovery Public School has a right to gather information regarding allegations of a violation. Some information discussed may be of a sensitive nature. Therefore, the Discovery Public School will hold in the strictest of confidence any facts shared, except for limited occasions. Below are some examples of exceptions to confidentiality:

1. If we are required by law to report such information (ie: child abuse, threats of imminent physical harm, court order).
2. If other in a supervisory position must know or be made aware of certain facts in order to further an investigation or to halt a discriminatory practice.
3. Sufficient information may be given to a respondent in order for him or her to answer and/ or rebut the allegations.

These exceptions are merely illustrative and are not meant to be an exhaustive list. (Note: Those involved (the respondent, the complainant, and the witnesses) have privacy interests. Therefore, outside the scope of the investigation, all parties are cautioned not to publicize or divulge the nature of the proceedings, or the identity of those involved.)

Protection Against Retaliation

It is unlawful to retaliate against student, faculty member, or staff employee for filing a complaint or for cooperating in an investigation. Retaliation is a separate violation, distinct from the initial underlying harassment allegation. Those who violate this policy will be subject to discipline, regardless of whether or not there has been a finding for cause in the initial harassment complaint. Anyone participating in an investigation should contact the Title IX Grievance Coordinator immediately if he or she feels a victim of retaliation.



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Malicious Complaints

Individuals who knowingly and maliciously file a false complaint alleging harassment, discrimination or retaliation may be subject to discipline as a violation of his policy. Such conduct may be pursued using the Grievance Process described above.

Appeals Process

If, in the judgment of the Title IX Grievance Coordinator, a violation did not occur, the complainant will be so advised and given a verbal explanation of why the incident(s) described does not constitute discrimination on the basis of **race, color, religion, sex, national origin, sexual orientation, ancestry, age, marital status, physical or mental disability, unfavorable discharge from military, or status as a disabled veteran or veteran of the Vietnam Era.**

If the complaining party or respondent wish to appeal the Title IX Grievance Coordinator's finding or if the proposed resolution is unacceptable, he or she may file an appeal with the Board of Education of Discovery Public School. Filing a grievance with an external organization is always an option.

At any time prior to filing a complaint, or while a formal proceeding is in progress, a complainant may file their charge with the appropriate external agency(ies).

Note: The use of this procedure does not extend the applicable deadlines for filing complaints with external agency(ies).

Agencies

Minnesota Department of Education
1500 Highway 36 West
Roseville, MN 55113
651-582-8200

Department of Justice
Disability Rights Section
PO Box 66738
Washington, D.C. 20035-6738
202-307-0663

Minnesota Department of Labor & Industry
443 Lafayette Road North
St. Paul, MN 55155-4307
1-800-342-5354
TTY: 651-297-4198



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Minnesota Department of Employment & Economic Development
1st National Bank Building
332 Minnesota Street
Suite E200
St. Paul, MN 55101
1-800-657-3858
TTY/ TDD: 651-296-3900

Minnesota Department of Human Rights
190 East 5th Street
Suite 700
St. Paul, MN 55101
1-800-657-3704
TTY: 651-296-1283

Minnesota Attorney General's Office
1400 Bremer Tower
445 Minnesota Street
St. Paul, MN 55101
1-800-657-3787
TTY: 651-297-7206

Final Appeal

Final appeals shall be made to the Discovery Public School Board at 126 Eighth Street NW, Faribault, MN 55021. The school board shall decide the appeal as soon as possible, but no later than, forty five (45) days of the final submission of appeal materials. The school board's decision shall be in writing, shall include an explanation, and shall be submitted to the complainant, the respondent, and the Title IX Grievance Coordinator. This written decision on the appeal shall constitute the final administrative action.