



SAGE Academy

Policy # 522 – Student Sex Nondiscrimination (Title IX) & Unlawful Sex Discrimination Towards a Student Report Form

Students are protected from discrimination on the basis of sex pursuant to Title IX of the Education

Amendments of 1972 and the Minnesota Human Rights Act. This policy lays out SAGE Academy's commitment to providing equal educational opportunity for all students and to prohibit discrimination on the basis of sex.

I. GENERAL STATEMENT OF POLICY

SAGE Academy provides equal opportunity for all students and does not unlawfully discriminate on the basis of sex. No student shall be excluded from participation in, denied the benefits of, under any educational program or activity operated by the school or its representatives on the basis of sex.

- A. It is the responsibility of all school employees, contractors, and representatives to comply with this policy
- B. The school hereby designates the administrative director as its Title IX coordinator. The administrative director will coordinate the school's efforts to comply with and carry out the policy
- C. Any student or parent with questions on the Title IX policy may schedule an appointment with the Title IX coordinator. In the event of a conflict of interest the student or parent will contact another administrator or a school board representative

II. REPORTING GRIEVANCES AND PROCEDURES

- A. Any student who believes he or she has been the victim of unlawful sex discrimination by a teacher, administrator or other school personnel, or any person with knowledge or belief of conduct which may constitute unlawful sex discrimination toward a student should report the alleged acts immediately to an appropriate school official designated by this policy or may file a grievance. SAGE Academy encourages the reporting party to use the report form available from administration or available from the school office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting unlawful sex discrimination toward a student directly to SAGE Academy administration

- B. The administrative director is the person responsible for receiving oral or written reports or grievances of unlawful sex discrimination toward a student at the building level. Any adult school personnel who receive a report of unlawful sex discrimination toward a student shall inform the director immediately.
- C. Upon receipt of a report or grievance, the director may request, but may not insist upon a written complaint. The director will forward a written statement of the alleged facts as soon as practicable to the Board Chair. If the report was given verbally, the director shall personally reduce it to written form within 24 hours and forward it to the Board Chair. In the event that the complaint involves the director, the complaint shall be made or filed with another administrative team member or directly with a school board representative by the reporting party or complainant
- D. The school board hereby designates the administrative director as the school human rights officer to receive reports, complaints or grievances of unlawful sex discrimination toward a student.
- E. The school shall conspicuously post the name of the Title IX coordinator and human rights officer, including office mailing addresses and telephone numbers.
- F. Submission of a good faith complaint, grievance or report of unlawful sex discrimination toward a student will not affect the complainant or reporter's future employment, grades or work assignments
- G. Use of formal reporting forms is not mandatory
- H. The school will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

III. INVESTIGATION

- A. By authority of the school, the administrative director, upon receipt of a report, complaint or grievance alleging unlawful sex discrimination toward a student shall promptly undertake or authorize an investigation. The investigation may be conducted by school officials or by a third party designated by the school
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator
- C. In determining whether alleged conduct constitutes a violation of this policy, the school should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

- D. In addition, the school may take immediate steps, at its discretion, to protect the complainant, pupils, teachers, administrators or other school personnel pending completion of an investigation of alleged unlawful sex discrimination toward a student.
- E. The investigation will be completed as soon as practicable. The director shall make a written report to the Board Chair upon completion of the investigation. If the complaint involves the administrative director, the report may be filed directly with the school board chairperson. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

IV. SCHOOL ACTION

- A. Upon conclusion of the investigation and receipt of a report, the school will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. School action taken for violation of this policy will be consistent with requirements of Minnesota and federal law and school policies.
- B. The result of the school's investigation of each complaint filed under these procedures will be reported in writing to the complainant by the school in accordance with state and federal law regarding data or records privacy.

V. REPRISAL

The school will discipline or take appropriate action against any pupil, teacher, administrator or other school personnel who retaliates against any person who reports alleged unlawful sex discrimination toward a student or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such unlawful sex discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

VI. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

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

VII. DISSEMINATION OF POLICY AND EVALUATION

- A. This policy shall be made available to all students, parents/guardians of students, staff members, and school organizations.
- B. The school shall review this policy and the school's operation for compliance with state and federal laws prohibiting discrimination on a continuous basis.

Adapted from the MN Association of School Board's Policy Information