

 <p>River Bend Education District</p>	<p>RIVER BEND EDUCATION DISTRICT</p> <p>1315 S Broadway St New Ulm, MN 56073 Phone (507)-359-8780 Fax (507)-359-1161</p>
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Notice of Non-Discrimination

River Bend Education District (“River Bend”) does not discriminate on the basis of race, color, religion, creed, culture, gender, gender identity or expression, sexual orientation, age, national origin, ancestry, disability, pregnancy, marital status, family structure, economic status, veteran status, public assistance status, political affiliation/belief, or genetic information in its employment, educational programs, activities, and/or admissions.

In addition, no person shall, on any of these bases, be excluded from participation in, be denied benefits of, or be subjected to discrimination in educational programming, activities, admissions, or employment (recruitment, consideration, or selection), whether full-time or part-time, under any educational program or activity operated by the district. The district shall make reasonable accommodations for qualified individuals with disabilities upon request.

Anti-Harassment / Anti-Retaliation Statement

River Bend does not tolerate sexual harassment or discrimination and is committed to maintaining a safe and inclusive education and work environment for everyone. Any individual who believes they have been subjected to sexual harassment or discrimination is strongly encouraged to make a report, which will be promptly and thoroughly investigated in a manner that is not deliberately indifferent. Retaliation against complainants, alleged or confirmed, or individuals participating in a sexual harassment or discrimination investigation is strictly prohibited. Students or staff members found to have engaged in sexual harassment/discrimination or retaliation will be promptly disciplined. Such discipline may include, if the circumstances warrant, suspension, expulsion, and/or termination. Students, parents, and staff are encouraged to work collaboratively to prevent sexual harassment and discrimination.

Title IX Definition & Procedures

What is Title IX?

Title IX of the Education Amendments of 1972 promises equal access to education for all students and protects them against discrimination and harassment based on sex.

Title IX was enacted to ensure: *“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”*

- Title IX of the Education Amendments of 1972 and its implementing regulation at 34 C.F.R. Part 106

Sexual harassment and discrimination are illegal and oppose our mission and vision. River Bend is committed to promoting and protecting the welfare of every staff member and student and strictly prohibits any form of sexual harassment or discrimination.

The Rule states that **sexual harassment** is conduct based on sex that occurs in one or more of the following situations:

- 1) An employee conditions provision of aid, benefit, or service on an individual's participation in unwelcome sexual conduct (quid pro quo harassment);
- 2) Unwelcome conduct that a reasonable person would perceive as so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity; or
- 3) Sexual assault, dating violence, domestic violence, or stalking as defined under Federal law.

Filing a Complaint

The Title IX Rule states: **“At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the school with which the formal complaint is filed.”**

Anyone can commit Title IX violations. Furthermore, Title IX protects staff members and students of all ages, races, sexes, genders, gender expressions, sexual orientations, religions, and disabilities. **Under the final rule, any person may report sexual discrimination, including sexual harassment. A report may be made at any time.**

The Rule defines a district's "actual knowledge" of sexual harassment as *notice of sexual harassment or allegations of sexual harassment that any employee possesses*.

In the past, notice to a K-12 teacher of student-to-student sexual harassment was considered equivalent to the district's awareness of the concerns. The final rule expands the scope to any district employee's knowledge.

If you have any questions or believe you have been a victim of sexual harassment or discrimination, please contact the Title IX Coordinator.

River Bend Title IX Coordinator

Ben Westphal – Dean of Students, T.O.S.A.

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1315 S Broadway St

New Ulm, MN 56073

(507)-359-8709

How River Bend Will Respond to a Complaint

The final rule distinguishes the requirements upon a school district when it has notice of sexual harassment and the district's procedure for responding to a formal sexual harassment complaint.

- **River Bend must respond promptly to actual knowledge of sexual harassment or discrimination in an education program or activity. A thorough investigation will be conducted in a manner that is not deliberately indifferent.**
- River Bend must treat complainants and respondents equitably by promptly offering supportive measures to a complainant and by following a grievance process before imposing discipline or sanctions upon a respondent.
- Emergency removal of a respondent may be taken to protect others from an immediate threat of physical health or safety.

Title IX Training Requirements

20 USC. §§1681-1688 (Title IX of the Education Amendments of 1972) and 34 C.F.R. Part 106, implementing regulations (collectively “Title IX”) require recipients to publish all materials used to train Title IX Coordinators, Investigators, Decision-Makers, and any person who facilitates an informal resolution process. This training must be made publicly available for inspection.

- [Career Learning Title IX Training](#)
- [Career Learning Title IX Training Materials](#)

Related School Board Policies

- [River Bend Policy 102 - Equal Educational Opportunity Policy](#)
- [River Bend Policy 103 - Complaints Policy \(Staff, Students, Parents, & Others\)](#)
- [River Bend Policy 401 - Equal Employment Opportunity Policy](#)
- [River Bend Policy 402 - Disability Non-Discrimination Policy](#)
- [River Bend Policy 413 - Harassment & Violence Policy](#)
- [River Bend Policy 514 - Bullying Prohibition Policy](#)
- [River Bend Policy 521 - Student Disability Non-Discrimination Policy](#)
- [River Bend Policy 522 - Title IX Sex Non-Discrimination Policy, Grievance Procedure and Process](#)
- [River Bend Policy 525 - Staff/Student Violence Prevention Policy](#)
- [River Bend Policy 526 - Hazing Prohibition Policy](#)

Resources

- [Advocates for Youth – Know Your Title IX Rights](#)
- [Equal Rights Advocates – What to Do If Your Title IX Rights Are Violated](#)
- [AAUW – Equity in Education – Title IX Rights & Resources](#)