



FOREST LAKE AREA SCHOOLS

6100 N 210th St • Forest Lake MN 55025

(651) 982-8100 • www.flaschools.org

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October 5, 2012

TO: John Beckstrom
Jim Caldwell
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Karen Morehead
Jeanette Spanjers
Garret Swanson
Gail Theisen
Erin Turner
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FROM: Donna M. Friedmann *DMF*
Director of Administration & Human Resources

SUBJ: POLICY COMMITTEE MEETING

The next meeting of the Policy Committee will be held promptly at 7:00 p.m. on Thursday, October 11, 2012, in the boardroom at the district office. The agenda for this meeting is enclosed. Please contact me at (651) 982-8123 if you are unable to attend this meeting.

DMF/kk

Inspire the learner; ignite the potential!

Forest Lake Area Schools Independent School District 831 Equal Opportunity Employer

INDEPENDENT SCHOOL DISTRICT NO. 831
Forest Lake, Minnesota 55025

Policy Committee Meeting
October 11, 2012 – 7:00 p.m. – District Office Boardroom

AGENDA

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| <ol style="list-style-type: none">1. Student Sex Nondiscrimination Policy 421 (annual review)2. Use of Wireless Communication Devices Policy 5473. Field Trips-Competitive Co-Curricular Activity Trips – Other Trips Policy 6064. Activities Requiring Long Distance Travel Policy 607 |
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5. Consideration of Other Policies to be Scheduled for Review
 6. Other Matters
 7. Annual Policy Reviews
 - Student Transportation Safety Policy 531 (November 2012)
 - Technology Acceptable Use and Safety Policy 540 (November 2012)
 - School Board Member Reimbursement Guidelines Policy 103A (December 2012)
 - Out-of-State Travel by School Board Members Policy 103B (December 2012)
 - Anti-Bullying Policy 541 (January 2013)
 - Wellness Policy 546 (January 2013)
 - Crisis Management Policy 538 (February 2013)
 - Discipline Policy 515 (March/April 2013)
 - Harassment and Violence Policy 425 (April 2013)
 - Family & Medical Leave Policy 428 (September 2013)
 - Mandated Reporting of Maltreatment of Vulnerable Adults Policy 414 (September 2013)
 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 522 (September 2013)
 - Student Sex Nondiscrimination Policy 421 (October 2013)
 8. Future Policy Review
 - Naming of School Buildings or Portions Thereof Such as Naming a Gymnasium
 - Random Drug Testing
 9. Policies at School Board for Action – 1st Reading on 10/4/12:
 - Purchase of Supplies, Equipment or Services Policy 303 (Mandatory Changes Required)
 - Family & Medical Leave Policy 428 (Annual Review)
 - Mandated Reporting of Maltreatment of Vulnerable Adults Policy 414 (Annual Review)
 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 522 (Annual Review)
 - Community Use of School Facilities Policy 701

STUDENT SEX NONDISCRIMINATION

421

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The school district provides equal educational opportunity for all students, and does not unlawfully discriminate on the basis of sex. No student will be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any educational program or activity operated by the school district on the basis of sex.
- B. It is the responsibility of every school district employee to comply with this policy.
- C. The school board hereby designates the Director of Administration and Human Resources, 6100 North 210th Street, Forest Lake, Minnesota 55025, 651/982-8123, as its Title IX coordinator. This employee coordinates the school district's efforts to comply with and carry out its responsibilities under Title IX.
- D. Any student, parent or guardian having questions regarding the application of Title IX and its regulations and/or this policy should discuss them with the Title IX coordinator. Questions relating solely to Title IX and its regulations may be referred to the Assistant Secretary for Civil Rights of the United States Department of Education. In the absence of a specific designee, an inquiry or complaint should be referred to the Superintendent or the school district Human Rights Officer.

III. REPORTING GRIEVANCE PROCEDURES

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

- B. In Each School Building. The building Principal 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 district personnel who receives a report of unlawful sex discrimination toward a student shall inform the building Principal immediately.
- C. Upon receipt of a report or grievance, the Principal must notify the school district Human Rights Officer immediately, without screening or investigating the report. The Principal may request, but may not insist upon a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the Principal to the Human Rights Officer. If the report was given verbally, the Principal shall personally reduce it to written form within 24 hours and forward it to the Human Rights Officer. Failure to forward any report or complaint of unlawful sex discrimination toward a student as provided herein will result in disciplinary action against the Principal. If the complaint involves the building Principal, the complaint shall be made or filed directly with the Superintendent or the school district Human Rights Officer by the reporting party or complainant.
- D. The School Board hereby designates the Director of Administration and Human Resources (651/982-8123) and the Director of Special Education (651/982-8129), 6100 North 210th Street, Forest Lake, Minnesota 55025 as the school district Human Rights Officer(s) to receive reports, complaints or grievances of unlawful sex discrimination toward a student. If the complaint involves a human rights officer, the complaint shall be filed directly with the Superintendent.
- E. The school district shall conspicuously post the name of the Title IX coordinator and human rights officer(s), 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 district 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 district's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

IV. INVESTIGATION

- A. By authority of the school district, the Human Rights Officer, 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 district officials or by a third party designated by the school district.

- 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 district 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 district 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 school district Human Rights Officer shall make a written report to the Superintendent upon completion of the investigation. If the complaint involves the Superintendent, the report may be filed directly with the School Board. 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.

V. SCHOOL DISTRICT ACTION

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

VI. REPRISAL

The school district 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.

VII. 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.

VIII. DISSEMINATION OF POLICY AND EVALUATION

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

ADOPTED: 6/7/76
REVISED: 3/3/80
REVISED: 5/3/99
REVISED: 2/2/06
REVISED: 1/3/08
REVIEWED: 3/3/11
REVISED: 12/1/11

Legal References:

Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
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)

Cross References:

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

INDEPENDENT SCHOOL DISTRICT NO. 831
UNLAWFUL SEX DISCRIMINATION TOWARD A STUDENT

General Statement of Policy Prohibiting Unlawful Sex Discrimination Toward a Student:

Independent School District No. 831 maintains a firm policy prohibiting all forms of unlawful sex discrimination. All students are to be treated with respect and dignity. Unlawful sex discrimination by any teacher, administrator or other school personnel will not be tolerated under any circumstances.

Complainant: _____

Home address: _____

Work address: _____

Home phone: _____ Work phone: _____

Date of alleged incident(s): _____

Name of the person you believe unlawfully discriminated toward you or a student on the basis of sex:

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

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used; any verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved; etc. (Attach additional pages if necessary):

Where and when did the incident(s) occur: _____

List any witnesses that were present: _____

This complaint is filed based on my honest belief that _____ has unlawfully discriminated against me or a student on the basis of sex. 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)

PROPOSE RENUMBERING WITHIN THE 400 SERIES

USE OF WIRELESS COMMUNICATION DEVICES

547

I. PURPOSE

- A. Faculty and staff are sometimes required to use cell phones and other wireless communication devices in the performance of their jobs. Such devices provided by employers for business purposes are capable of being used by employees for personal purposes and are considered by the Internal Revenue Service (IRS) to be "listed property" subject to IRS regulations. This policy addresses the criteria for providing a communication allowance to certain employees.
- B. Employees must follow state and federal laws when using a wireless communication device while driving.

II. DEFINITION

Listed property includes items obtained for use in business but designated by Internal Revenue Code Section 280F(d)(4) as lending themselves easily to personal use. Listed property specifically includes cellular phones, pagers, and similar handheld wireless communications equipment, as well as other property of a type specified by the IRS.

III. ELIGIBILITY AND APPROVALS

- A. Because cell phones and other wireless communication devices are defined by the IRS as listed property, the District will not directly provide such devices to employees. Instead, District employees determined to have job duties that require a cell phone or other such device, will receive supplemental taxable compensation. In order to be eligible for this compensation, an employee's job responsibilities must require them to:
 - 1. Work outside the office setting and to remain in touch with others due to the nature of the job,
 - 2. Be available for emergency contact outside of the normal work day, for instance: pupil transportation, instructional technology support, building and grounds maintenance, health and counseling services, etc.
- B. The District's Director of Business Services is responsible for identifying jobs that require use of cell phones or other wireless communication devices and for determining the level of communication allowance.

IV. EFFECT OF TERMINATION OR CHANGE IN JOB REQUIREMENTS

If an employee's duties change so that the employee no longer needs a cell phone or other wireless communication device to perform his/her job, the employee will no longer be eligible for a communication allowance. The employee's supervisor is responsible for notifying the employee and the Director of Business Services when such job change occurs.

VI. COMMUNICATION ALLOWANCE

When the job duties of an employee require the frequent use of a cell phone or other wireless communication device to conduct district business, that employee shall be eligible for a supplemental taxable communication allowance. The Director of Business Services will determine which employees are eligible for such allowance and the level of the allowance. Communication allowance levels shall be as follows:

High Level: \$150 per month
High volume service package including web and text service.

Medium Level: \$80 per month
Moderate volume service package which may include web service.

Low Level: \$50 per month
Low volume service package.

The employee must provide their phone as well as the service package. The communication allowance will be paid through the payroll process and is considered taxable income. The allowance does not constitute an increase to base pay and will not be included when calculating retirement contributions.

The employee must retain an active cell phone contract for as long as the allowance is in place, and the cell phone numbers will be listed in various district directories. Because the cell phone contract is paid personally by the employee, and the allowance provided as taxable income, the employee may use the phone for both business and personal purposes as needed.

ADOPTED: January 7, 2010

FIELD TRIPS - COMPETITIVE CO-CURRICULAR ACTIVITY TRIPS - OTHER TRIPS

FIELD TRIPS - THE EXPANDED CLASSROOM

1. Field trips outside of the school buildings and grounds may afford invaluable direct learning experiences for students. Such trips are to be encouraged when they: (1) have education values that can best be realized by direct observation of, or participation in, the community and (2) provide important group experiences for class discussion, creative expression, or cultural growth.
2. All field trips shall be approved by the building principal. In addition, all field trips outside a 100 mile radius shall be approved by the Superintendent of Schools.
3. The cost of transporting students on field trips shall be borne by the School District.
4. Field trips shall normally be considered as those trips scheduled within the student day.

COMPETITIVE CO-CURRICULAR ACTIVITY TRIPS

1. Co-curricular competition has become a very important part of the total school program. The School District recognizes its responsibility to provide all students with appropriate experiences in all areas of co-curricular competition.
2. Competitive co-curricular activity trips shall be defined as those trips involving approved intramural or interscholastic competition, as formally organized and sponsored by the School District.
3. The cost of transporting students on competitive co-curricular activities shall be borne by the School District.

OTHER TRIPS

1. The School Board recognizes that today there should be numerous extra-curricular activities available to the students of this District. Most of these activities are carried on within District facilities at no expense to the students.
2. However, there are times when these organizations, clubs, and activities request transportation for special functions, which most often provide life enjoyment and recreation.
3. Examples of such trips are: Skiing, Swimming, Roller Skating, Picnics, Pro-ball Games, Theaters, Restaurants and Pep Buses.

**FIELD TRIPS - COMPETITIVE CO-CURRICULAR ACTIVITY TRIPS -
OTHER TRIPS** - Cont'd

4. It shall be the policy of District 831 to assess students for the cost of such transportation. Prior to August 1 of each year the Director of Business Affairs shall inform the Principals of the average maintenance cost per mile and the bus drivers hourly rate to be charged for trips of this type. Principals are to pro-rate the total cost per trip and assess each student accordingly.

REVISED: 9/20/76

1. The Board recognizes that public performances by school groups or other special activities may have considerable value to the students and groups involved. Such unique activities often involve travel over long distances however, having implications beyond the scope of the ordinary curriculum.
2. It is, therefore, the policy of the Board to require specific Superintendent's approval for any student group activity requiring overnight travel if the activity is under school jurisdiction.
3. The Superintendent will report approved trips to the School Board at its next regular meeting.

REVISED: 5/3/99

Procedures Related to Policy 607 Activities Requiring Long Distance Travel

When planning an activity which requires long distance, overnight travel and falls under policy 607, complete Part A of this form and submit it to the Superintendent as soon as plans are formulated but not yet finalized. Part A should be completed and submitted prior to final confirmation with a tour company, students, parents, and any other individual or organization associated with the activity. No money should be collected or paid prior to submission and approval of Part A. The Superintendent will review the request and make a decision regarding initial approval within two weeks.

PART A

1. Name of person requesting approval of the activity_____
2. School_____
3. List the details of the activity (purpose, number of students, criteria for selecting students, location(s) and itinerary, dates, cost per student, transportation, contact people and local telephone numbers at the activity site, special needs/conditions or circumstances to consider, requirements and evaluations of students, expectations for student behavior, procedures to deal with disciplinary issues, the agency/company that is organizing the activity, planned fund-raising events, other information as necessary). Attach any information that will clarify the purpose and details of the activity.

Chaperones who are directly involved with the planning of the activity and whose class will benefit from the activity will be provided substitutes for the days absent from school during the time of the activity.

4. List the chaperones (if any are known at this time) directly involved with this activity and where they are employed in the district.

Other chaperones may be attending the activity as well. If other chaperones are district employees, they can utilize personal days, comp time, vacation time, or unpaid leave during the time of the activity. List the other chaperones participating in this activity.

5. List the other chaperones (if any are known at this time) and indicate whether or not they are school district employees. Chaperones who are not district employees will require a criminal background check.

6. Ratio of chaperones to students _____

7. Ratio of male chaperones to male students _____

8. Ratio of female chaperones to female students _____

9. Describe, in detail, the supervision schedule for students.

Signature of person submitting the request_____

Date_____

Principal's signature_____

Date_____

The Superintendent will review the request and make a decision regarding initial approval within two weeks.

Superintendent's Signature_____

Date_____

Approved_____ Not approved_____

PART B

After Part A has been returned and the activity has been approved, Part B should be completed and returned to the Superintendent for final approval at least six months before the activity. The Superintendent will review the request and make a decision regarding final approval within two weeks.

1. Name of person requesting approval of the activity _____
2. School _____
3. . List the details of the activity (purpose, number of students, criteria for selecting students, location(s) and itinerary, dates, cost per student, transportation, contact people and local telephone numbers at the activity site, special needs/conditions or circumstances to consider, requirements and evaluations of students, expectations for student behavior, procedures to deal with disciplinary issues, the agency/company that is organizing the activity, planned fund-raising events, other information as necessary). Attach any information that will clarify the purpose and details of the activity.

Chaperones who are directly involved with the planning of the activity and whose class will benefit from the activity will be provided substitutes for the days absent from school during the time of the activity.

4. List the chaperones directly involved with this activity and where they are employed in the district.

Other chaperones may be attending the activity as well. If other chaperones are district employees, they can utilize personal days, comp time, vacation time, or unpaid leave during the time of the activity. List the other chaperones participating in this activity.

5. List the other chaperones and indicate whether or not they are school district employees. Chaperones who are not district employees will require a criminal background check. If chaperones have had a criminal background check within the past year, another one is not required. Criminal background checks should be kept on file at the district office.

6. Ratio of chaperones to students_____

7. Ratio of male chaperones to male students_____

8. Ratio of female chaperones to female students_____

9. Describe, in detail, the supervision schedule for students.

Signature of person submitting the request_____

Date_____

Principal's signature_____

Date_____

The Superintendent will review the request and make a decision regarding final approval within two weeks.

Superintendent's Signature_____

Date_____

Approved_____ Not approved_____