



**FOREST LAKE AREA SCHOOLS**

6100 N 210th St • Forest Lake MN 55025

(651) 982-8100 • [www.flaschools.org](http://www.flaschools.org)

*Superintendent.....Dr. Linda M. Madsen*  
*Administration & Human Resources ..... Donna M. Friedmann*  
*Business Services.....Lawrence A. Martini*  
*Community Education.....Cory J. McKinnon*  
*Special Education.....Kelly J. Lessman*  
*Teaching & Learning.....Diane E. Giorgi*

October 7, 2016

TO: Eduardo Bautista  
Adam Biedny  
Jim Caldwell  
Sara de Sobrino  
Carol Geiger  
Julie Greiman  
Kelly Lessman  
Heidi Link  
Kathy McMorrow  
Jill Olson  
Lily Pope  
Gail Theisen  
Kathryn Ungerecht

FROM: Donna M. Friedmann   
Director of Administration & Human Resources

SUBJ: POLICY COMMITTEE MEETING

The next meeting of the Policy Committee will be held promptly @ 7:00 pm on Thursday, October 13, 2016, 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 13, 2016 – 7:00 p.m. – District Office Boardroom*

**AGENDA**

1. Wellness Policy 546 – Annual Review – Kathy Hoff has 2 changes
  2. Student Sex Nondiscrimination Policy 421 – Annual Review - MSBA has revisions
  3. Probationary Period for Employees Out of Bargaining Units
- 
4. Consideration of Other Policies to be Scheduled for Review
  5. Other Matters
  6. Annual/Requested Policy Reviews
    - Technology Acceptable Use and Safety Policy 540 (November 2016)
    - School Board Member Reimbursement Guidelines Policy 103A (December 2016)
    - Out-of-State Travel by School Board Members Policy 103B (December 2016)
    - Bullying Prohibition Policy 541 (January 2017)
    - Crisis Management Policy 538 (February 2017)
    - Harassment and Violence Policy 425 (February 2017)
    - Discipline Policy 515 (March 2017)
    - Student Transportation Safety Policy 531 (April 2017)
    - Family & Medical Leave Policy 428 (September 2017)
    - Mandated Reporting of Maltreatment of Vulnerable Adults Policy 414 (September 2017)
    - Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 522 (September 2017)
    - Wellness Policy 546 (October 2017)
    - Student Sex Nondiscrimination Policy 421 (October 2017)
  7. Future Policy Review
    - Naming of School Buildings or Portions Thereof Such as Naming a Gymnasium
    - Random Drug Testing
  8. Policies at School Board for Action:
    - Special Education Records and Records Retention Policy 505A – Pending MN Historical Society Review
    - Family & Medical Leave Policy 428
    - Mandated Reporting of Maltreatment of Vulnerable Adults Policy 414
    - Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 522

**I. PURPOSE**

The purpose of this policy is to develop healthy learners by assuring an environment that promotes and protects students' health, well-being, and ability to learn by supporting healthy eating and physical activity.

**II. GENERAL STATEMENT OF POLICY**

- A. The Forest Lake Area School District recognizes that parents and guardians have a primary and fundamental role in promoting and protecting their children's health and well-being. The District and the schools will support parents' and guardians' efforts to provide a healthy diet and daily physical activity for their children.
- B. The Forest Lake Area School District recognizes that nutrition education and physical education are essential components of the educational process and that good health fosters student attendance and education.
- C. The school environment will promote and protect students' health, well-being and ability to learn by providing opportunities for healthy eating and physical activity.
- D. The school district will involve students, parents, teachers, food service staff, community partners and industry experts in implementing, monitoring and reviewing our district Wellness Policy and Guidelines as opportunities arise.
- E. All students will have opportunities, support and encouragement to be physically active on a regular basis.
- F. All students will have access to a variety of affordable, nutritious and appealing foods that meet their health and nutrition needs.
- G. The religious, ethnic and cultural diversity and food allergies of the student body will be reasonably respected in meal planning, nutrition education and physical activity. School sites will provide clean, safe and pleasant settings with adequate time for students to eat.
- H. All schools in the district will fully participate in the national school meal program to the maximum extent possible.
- I. The school district will provide healthy and safe school meal programs that comply with all federal, state and local statutes and regulations.

### III. ACCOUNTABILITY

The Superintendent shall execute administrative procedures that ensure the implementation of and compliance with the district Wellness Policy and Guidelines. An annual report shall be made to the School Board to ensure district-wide compliance with the policy and guidelines.

### IV. COMMUNICATIONS

The school district will develop and implement a communications plan which includes staff and student training and communication to families to ensure understanding of the rationale for the wellness policy and needs and actions of the wellness policy.

### GUIDELINES - WELLNESS POLICY IMPLEMENTATION

#### A. FOODS AND BEVERAGES IN SCHOOLS

##### 1. School Meals

- a. The Food Service Supervisor will be responsible for the school district's food service program, whose duties shall include creating procedures that follow nutrition guidelines for the selection of foods and beverages choices that are consistent with current USDA Dietary Guidelines for Americans.
- b. Meals served through the National School Lunch and Breakfast Program will meet current USDA nutrition requirements:
  - Offer a variety of fruits and vegetables, with an emphasis on including a variety from the blue/purple, green, white, yellow/orange, and red fruit and vegetable groups on the monthly menu.
  - Serve only low fat (1%) and fat free milk (except when whole or 2% is recommended for students with special nutritional needs; offer lactose reduced milk when requested by a parent/guardian).
  - More than half of the served grains are whole grain (whole grain rich). All grains served are whole grain rich.
  - Strive to replace higher fat main entrée items with lower fat items as appropriate.
  - Menu items will not contain trans fats except for those that are naturally occurring.
  - Reduce sodium levels in school breakfast and lunch meals to meet USDA regulations.
  - Be served in portion sizes that meet National School Lunch and Breakfast Program requirements.

2. Food Safety and Personnel

- a. All foods sold or served to students by Forest Lake Food Service will be prepared in health inspected facilities under the guidance of food safety certified staff.
- b. The school district will provide students access to hand washing or hand sanitizing facilities and will encourage students to use them before they eat meals or snacks.
- c. Food service personnel shall adhere to all federal, state and local food safety and security guidelines.

The school district will provide orientation training and continuing professional development for all food service personnel.

3. Scheduling of Meals

- a. School sites will provide sufficient time for all students to eat in the school cafeteria and will schedule meal periods at appropriate times during the school day. Schools will move toward:

The school district will provide students with sufficient time to eat and will schedule meal periods at appropriate times during the school day. Times to eat may be approximately 10 minutes for breakfast and 20 minutes for lunch, but the available times may be different.

Arranging for accommodations for students who need more time to finish their lunch.

- Offering safe, clean and pleasant dining areas which have enough space for seating all students scheduled for that meal period; and  
Not scheduling meetings or activities during mealtimes unless students may eat during these activities.

The school district and individual school sites will, to the extent possible, utilize methods to serve school breakfast that encourages participation.

4. Food and Behavior

The school district will discourage the use of foods or beverages, especially those that are of minimal nutritional value, as rewards for individual academic performance or good behavior and will not withhold food or beverages (including food served through school meals) as a consequence of behavior.

5. Fundraising

- a. Fundraising efforts will be supportive of healthy eating by emphasizing the sale of non-food items. Where food items are sold for fundraising, the school district will encourage the selection for sale of food items with sound nutritional value.
- b. A district wellness committee will disseminate a list of healthy fundraising options to schools and student organizations and will serve as a resource.
- c. The district will make external organizations (e.g. parent-teacher organizations, booster clubs, etc.) using school property aware of the policy regarding fundraising with food and beverage items and will encourage them to adopt the same policy. A district wellness committee will supply a list of healthier food choices and other choices for fundraising and will offer to help source certain items as is feasible.
- d. All food and beverage items sold as part of fundraising activities during the school day must meet the nutrition standards established by the United States Department of Agriculture.

6. Celebrations

Classroom celebrations will encourage healthy choices and positive contributions to health and encouragement of physical activity. The School Health Council will disseminate a list of healthy party ideas to parents and teachers and will serve as a resource.

7. Snacks

- a. Snacks served during the school day or in after-school care or enrichment programs should make a positive contribution to children's diets and health.

- b. Schools will assess if and when to allow snacks based on the timing of school meals, children's nutritional needs, children's ages, and other considerations.
- c. A District wellness committee will disseminate a list of healthy snack items to teachers, after-school program personnel and parents.

8. Beverages

The school district will assure that all drinking fountains are sanitary and in working order and that students will have access to drinking fountains during the school day.

B. NUTRITION EDUCATION

Schools will provide nutrition education as a part of a holistic, sequential, age appropriate, comprehensive program designed to provide students and their families with the knowledge and skills necessary to promote and protect their health for a lifetime. Development and adoption of Nutrition Education curricula will follow district policies and the accompanying regulations regarding new curricula. Nutrition Education at Forest Lake Area Schools will:

- 1. Identify and deliver a sequential, interdisciplinary health education program that will be included as part of a K-12 comprehensive curriculum delivered by a licensed elementary teacher (K-6) or Health Educator (7-12);
- 2. Be offered as a consistent program that is integrated throughout the school career of all students;
- 3. Include opportunities to utilize the school cafeteria and staff as resources to develop appropriate real life experiences such as taste tests;
- 4. Be culturally relevant and teach students about cross-cultural nutrition;
- 5. Link with school meal programs, other school foods and nutrition-related community services;
- 6. Provide and promote nutrition education to families and the broader community in cooperation with such agencies as WIC, Community Health Clinics, ECFE, Adult Education and other community organizations;
- 7. Be reviewed district-wide through the curriculum review cycle;

8. Promote a healthy lifestyle and wellness programs using district communication resources;
9. Provide staff in-service opportunities on nutrition education and general wellness topics as appropriate.

C. Physical Activity

1. Students and staff should be encouraged to participate in daily physical education and/or activities during and after school hours and fully embrace regular physical activity as a personal behavior. Toward that end, health education will reinforce the knowledge and self-management skills needed to maintain a healthy lifestyle and reduce sedentary activities such as watching television.
2. All elementary school students will have daily supervised recess, before lunch when schedules allow, and outdoors, during which schools will encourage moderate to vigorous physical activity verbally and through provision of space and equipment.

3. Integrating Physical Activity in the Classroom Setting

For students to receive the recommended amount of physical activity throughout the day, and for students to fully embrace regular physical activity as a personal behavior, students need opportunities for physical activity beyond physical education class. Toward that end:

- a. Classroom health education will reinforce the knowledge and self-management skills needed to maintain a healthy lifestyle and reduce sedentary activities such as television, computer or video screen time.
  - b. Opportunities for physical activity will be incorporated into other subject lessons (such as science, math and social studies) where appropriate.
  - c. Classroom teachers will provide short physical activity breaks between lessons or classes, as appropriate.
4. Out-of-School Time Physical Activity Opportunities
    - a. The school district will provide every student with opportunities to voluntarily participate in extra-curricular physical activities that meet his or her needs, interests and abilities.
    - b. The school district will offer physical activity programs that feature a broad range of competitive and cooperative activities.



- c. The high school will offer interscholastic athletic programs that shall adhere to the rules and regulations of the Minnesota State High School League.
  - d. The school district will work with recreation agencies and other community organizations to coordinate and enhance opportunities available to students and staff for physical activity during their out-of-school time.
  - e. Out-of-school time childcare and programs will provide and encourage – verbally and through the provision of space, equipment and activities – daily periods of moderate to vigorous physical activity for all participants.
  - f. Subject to the Facility Use Policy, school facilities will be available to students, staff and community members before and after the school day, on weekends and during school vacations for physical activity and nutrition programs through Community Education where appropriate.
5. Physical Activity and Punishment
- The school district will discourage the practice of withholding opportunities for physical activity, including, but not limited to recess, as a consequence for misbehavior.

#### D. Staff Wellness

School staff members serve as role models for students and are the key to successful implementation of student wellness programs. Therefore, the district and schools should offer staff wellness programs as well as general wellness resources and opportunities. This may include workshops and presentations on health promotion, stress management, education and resources that will enhance morale, encourage healthy lifestyles, prevent injury, reduce chronic diseases, and foster exceptional role modeling.

#### E. Communication with Families and the Community

- 1. The school district recognizes that parents and guardians have a primary and fundamental role in promoting and protecting their children's health and well-being.
- 2. The school district will support parents' efforts to provide a healthy diet and daily physical activity for their children.
- 3. The school district encourages parents to pack healthy lunches and snacks and refrain from including beverages and foods without nutritional value.
- 4. The school district will provide information to families, community-based organizations and the general public about ways to promote healthy lifestyles.
- 5. The school district will provide school breakfast and lunch menus and nutritional information to parents and students. Such information may be

available on menus, a website, on cafeteria menu boards, placards, or other point-of-purchase materials.

6. The school district will provide information about physical education and other school-based physical activity opportunities and will support parents' efforts to provide their children with opportunities to be physically active out of school. Such supports may include sharing information about physical activity and physical education through a website, newsletter, other take-home materials or special events.

#### F. Implementation and Monitoring

1. The Superintendent shall execute administrative procedures that ensure the implementation of and compliance with the wellness policy. These procedures shall include adoption of the current guidelines, the designation of district-level and site-based staff responsible for policy implementation and an implementation work plan.
2. Members of a district wellness committee will work with designated administrative staff to plan, implement, and improve the school district's nutrition and physical activity environment.
3. School food service staff at the school level will ensure compliance within the school's food service areas and will report to the Food Service Supervisor as appropriate.
4. The Food Service Supervisor will provide an annual report to the Superintendent setting forth the nutrition guidelines and procedures for selection of all foods made available in school food service operations.
5. An annual report will be made to the School Board to ensure district-wide compliance with the policy.
6. In the implementation of this policy a student's Individual Education Program, Behavior Intervention Plan or 504 Individual Accommodation Plan or Health Plan will take precedent over the measures listed above.
7. A district-wide assessment will be implemented to assess the nutrition and physical activity needs of students. Assessments will be repeated every three years to help review policy compliance, assess programs, and determine areas in need of improvement.
8. An implementation work plan will be created with timeline and evaluation indicators.
9. The school district will develop and implement a communications plan which includes staff training to ensure understanding of the rationale for the wellness policy and the implementation plan.
10. This policy will be reviewed on an annual basis.

**Legal References:** Minn. Stat. § 121A.215 (Local School District Wellness Policy)  
42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)  
42 U.S.C. § 1758b (Local School Wellness Policy)  
42 U.S.C. § 1771 *et seq.* (Child Nutrition Act of 1966)  
7 U.S.C. § 5341 (Establishment of Dietary Guidelines)  
7 C.F.R. § 210.10 (School Lunch Program Regulations)  
7 C.F.R. § 220.8 (School Breakfast Program Regulations)

**Local Resources:** Minnesota Department of Education, [www.education.state.mn.us](http://www.education.state.mn.us)  
Minnesota Department of Health, [www.health.state.mn.us](http://www.health.state.mn.us)  
County Health Departments  
Action for Healthy Kids Minnesota, [www.actionforhealthykids.org](http://www.actionforhealthykids.org)  
United States Department of Agriculture, [www.fns.usda.gov](http://www.fns.usda.gov)

APPROVED: 06/01/06  
REVISED: 06/12/08  
05/07/09  
08/02/12  
12/05/13  
12/04/14  
12/03/15



Kim Kolberg &lt;kkolberg@flaschools.org&gt;

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**Re: Wellness Policy**

1 message

**Kathy Hoff** <khoff@flaschools.org>

Wed, Sep 7, 2016 at 9:43 AM

To: Kim Kolberg &lt;kkolberg@flaschools.org&gt;

Hi Kim, yes, Thanks Kathy

On Wed, Sep 7, 2016 at 9:32 AM, Kim Kolberg &lt;kkolberg@flaschools.org&gt; wrote:

Kathy,

Two changes, correct?

- All grains served are whole grain rich.
- All foods sold or served to students by Forest Lake Food Service will be prepared....

Thank you,  
Kim Kolberg (651/982-8124)  
Forest Lake Area Schools  
Adm Asst to the Director of Admin & HR  
kkolberg@flaschools.org

On Tue, Sep 6, 2016 at 8:47 AM, Kathy Hoff &lt;khoff@flaschools.org&gt; wrote:

Hi Kim, I did find a few changes in the policy, I am attaching for you. I tried something new with high lighting and adding a sticky note! Please let me know if this did not work for you, Thanks Kathy

--  
Kathy Hoff  
Food Service Supervisor  
Forest Lake School District  
(651) 982-8395  
khoff@flaschools.org

--  
Kathy Hoff  
Food Service Supervisor  
Forest Lake School District  
(651) 982-8395  
khoff@flaschools.org

See the Note on  
Page 5.

Adopted: \_\_\_\_\_

Revised: \_\_\_\_\_

MSBA/MASA Model Policy 533  
Orig. 2005  
Rev. 2010

## 533 WELLNESS

*[Note: All school districts that receive funding from the federal school lunch program are required by the Child Nutrition and WIC Reauthorization Act of 2004 ("the Act") to have a Wellness Policy that includes nutrition guidelines, goals for nutrition education, and physical activity to promote student wellness. The Act requires the involvement of parents, students, representatives of the school food authority, the school board, school administrators, and the public in the development of the wellness policy. The Act also requires a plan for measuring implementation of the policy and the designation of at least one person charged with operational responsibility for ensuring the school district is in compliance with the policy. The Act provides for technical assistance and information from the Secretary of Agriculture to aid state and local educational agencies and school food authorities in establishing healthy school nutrition environments, reducing childhood obesity, and preventing diet-related chronic diseases.]*

### I. PURPOSE

The purpose of this policy is to assure a school environment that promotes and protects students' health, well-being, and ability to learn by supporting healthy eating and physical activity.

### II. GENERAL STATEMENT OF POLICY

- A. The school board recognizes that nutrition education and physical education are essential components of the educational process and that good health fosters student attendance and education.
- B. The school environment should promote and protect students' health, well-being, and ability to learn by encouraging healthy eating and physical activity.
- C. The school district encourages the involvement of students, parents, teachers, food service staff, and other interested persons in implementing, monitoring, and reviewing school district nutrition and physical activity policies.
- D. Children need access to healthy foods and opportunities to be physically active in order to grow, learn, and thrive.
- E. All students in grades K-12 will have opportunities, support, and encouragement to be physically active on a regular basis.

- F. Qualified food service personnel will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; try to accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.

### III. GUIDELINES

#### A. Foods and Beverages

***[Note: The Act requires that school districts have nutrition guidelines, selected by the school district, for all foods available on the school campus during the school day with the objective of promoting student health and reducing student obesity.]***

1. All foods and beverages made available on campus (including concessions and a la carte cafeteria items) will be consistent with the current USDA Dietary Guidelines for Americans.
2. Food service personnel will take every measure to ensure that student access to foods and beverages meet or exceed all federal, state, and local laws and guidelines.
3. Food service personnel shall adhere to all federal, state, and local food safety and security guidelines.
4. The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals.

***[Note: The Act requires that the school district's wellness policy provide an assurance that guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to the Child Nutrition Act (42 U.S.C. 1771 et seq.) and sections 9(f)(1) and 17(a) of the National School Lunch Act (42 U.S.C. 1758(f)(1), 1766(a), as those regulations apply to schools.)]***

5. The school district will provide students access to hand washing or hand sanitizing before they eat meals or snacks.
6. The school district will make every effort to provide students with sufficient time to eat after sitting down for school meals and will schedule meal periods at appropriate times during the school day.
7. The school district will discourage tutoring, club, or organizational meetings or activities during mealtimes, unless students may eat during such activities.

B. School Food Service Program/Personnel

1. The school district will provide healthy and safe school meal programs that strictly comply with all federal, state, and local statutes and regulations.
2. The school district shall designate an appropriate person to be responsible for the school district's food service program, whose duties shall include the creation of nutrition guidelines and procedures for the selection of foods and beverages made available on campus to ensure food and beverage choices are consistent with current USDA Dietary Guidelines for Americans.
3. As part of the school district's responsibility to operate a food service program, the school district will provide continuing professional development for all food service personnel in schools.

C. Nutrition Education and Promotion

***[Note: The Act requires that wellness policies include goals for nutrition education, physical activity, and other school-based activities that are designed to promote student wellness in a manner that the school district determines is appropriate.]***

1. The school district will encourage and support healthy eating by students and engage in nutrition promotion that is:
  - a. offered as part of a comprehensive program designed to provide students with the knowledge and skills necessary to promote and protect their health;
  - b. part of health education classes as well as classroom instruction in subjects such as math, science, language arts, social sciences, and elective subjects, where appropriate; and
  - c. enjoyable, developmentally appropriate, culturally relevant, and includes participatory activities, such as contests, promotions, taste testing, and field trips.
2. The school district will encourage all students to make age appropriate, healthy selections of foods and beverages, including those sold individually outside the reimbursable school meal programs, such as through a la carte [snack] lines, vending machines, fundraising events, concession stands, and student stores.

3. Schools will not use foods or beverages as rewards for academic performance or good behavior (unless this practice is allowed by a student's individual education plan or behavior intervention plan) and will not withhold food or beverages as punishment.

D. Physical Activity

1. Students need opportunities for physical activity and to fully embrace regular physical activity as a personal behavior. Toward that end, health education will reinforce the knowledge and self-management skills needed to maintain a healthy lifestyle and reduce sedentary activities such as watching television;
2. Opportunities for physical activity will be incorporated into other subject lessons, where appropriate; and
3. Classroom teachers will provide short physical activity breaks between lessons or classes, as appropriate.

E. Communications with Parents

1. The school district recognizes that parents and guardians have a primary and fundamental role in promoting and protecting their children's health and well-being.
2. The school district will support parents' efforts to provide a healthy diet and daily physical activity for their children.
3. The school district encourages parents to pack healthy lunches and snacks and refrain from including beverages and foods without nutritional value.
4. The school district will provide information about physical education and other school-based physical activity opportunities and will support parents' efforts to provide their children with opportunities to be physically active outside of school.

#### IV. IMPLEMENTATION AND MONITORING

*[Note: The Act requires that the wellness policy establish a plan for measuring implementation of the policy, including designation of at least one or more persons within the school district or at each school, as appropriate, charged with operational responsibility for ensuring that the school meets the requirements of the wellness policy.]*

- A. After approval by the school board, the wellness policy will be implemented throughout the school district.



- B. School food service staff, at the school or district level, will ensure compliance within the school's food service areas and will report to the food service program administrator, the building principal, or the superintendent's designee, as appropriate.
- C. The school district's food service program administrator will provide an annual report to the superintendent setting forth the nutrition guidelines and procedures for selection of all foods made available on campus.
- D. The superintendent or designee will ensure compliance with the wellness policy and will provide an annual report of the school district's compliance with the policy to the school board.
- E. The school district will post this wellness policy on its website, to the extent it maintains a website.

*[Note: The Food and Nutrition Service of the U.S. Department of Agriculture has proposed new rules regarding the implementation of local school wellness policies. The comment period for the proposed rules officially ended in June 2014; however, final rules have not yet been issued. New requirements, particularly regarding record keeping related to the school wellness policy may be required soon. MSBA will update this policy when final rules have been issued.]*

**Legal References:** Minn. Stat. § 121A.215 (Local School District Wellness Policy)  
42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)  
42 U.S.C. § 1758b (Local School Wellness Policy)  
42 U.S.C. § 1771 *et seq.* (Child Nutrition Act of 1966)  
7 U.S.C. § 5341 (Establishment of Dietary Guidelines)  
7 C.F.R. § 210.10 (School Lunch Program Regulations)  
7 C.F.R. § 220.8 (School Breakfast Program Regulations)

**Local Resources:** Minnesota Department of Education, [www.education.state.mn.us](http://www.education.state.mn.us)  
Minnesota Department of Health, [www.health.state.mn.us](http://www.health.state.mn.us)  
County Health Departments  
Action for Healthy Kids Minnesota, [www.actionforhealthykids.org](http://www.actionforhealthykids.org)  
United States Department of Agriculture, [www.fns.usda.gov](http://www.fns.usda.gov)

**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 e~~ Every school district employee shall be responsible for ~~to complying~~ with this policy.
- C. The school board hereby designates Donna M. Friedmann, the Director of Administration and Human Resources, 6100 North 210<sup>th</sup> Street, Forest Lake, Minnesota 55025, 651/982-8123, dfriedmann@flaschools.org 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 Donna Friedmann, the Director of Administration and Human Resources (651/982-8123 or [dfriedmann@flaschools.org](mailto:dfriedmann@flaschools.org)), and Kelly Lessman, the Director of Special Education (651/982-8129 or [klessmann@flaschools.org](mailto:klessmann@flaschools.org)), 6100 North 210<sup>th</sup> 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 names of the Title IX coordinator and human rights officer(s), including office ~~mailing~~ addresses and telephone numbers and work e-mail addresses.
- 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  
REVIEWED: 12/6/12  
REVIEWED: 12/5/13  
REVISED (form): 12/4/14  
REVIEWED: 12/3/15

### 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)

Please submit this form to your building Principal.

Received by: \_\_\_\_\_

\_\_\_\_\_  
(Date)