



**FOREST LAKE AREA SCHOOLS**

6100 N 210th St • Forest Lake MN 55025


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

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*Superintendent.....Dr. Linda M. Madsen*  
*Administration & Human Resources..... Donna M. Friedmann*  
*Business Services..... Lawrence A. Martini*  
*Community Education..... Julie A. Ohman*  
*Special Education..... Kelly J. Lessman*  
*Teaching & Learning..... Jennifer S. Tolzmann*

November 13, 2015

TO: Sara DeSobrinio  
Amy Dickenson  
Carol Geiger  
Julie Greiman  
Dan Kieger  
Kelly Lessman  
Heidi Link  
Kathy McMorrow  
Jill Olson  
Ron Reed  
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 at 7:00 p.m. on Thursday, November 19, 2015, 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

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*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***  
***November 19, 2015 – 7:00 p.m. – District Office Boardroom***

***AGENDA***

- |  |
|--|
| <ol style="list-style-type: none"><li>1. Drug-Free Workplace – per DMF</li><li>2. Technology Acceptable Use and Safety Policy 540 – Annual Review – 1 Change from Tim Brockman</li></ol> |
|--|
3. Consideration of Other Policies to be Scheduled for Review
  4. Other Matters
  5. Annual/Requested Policy Reviews
    - School Board Member Reimbursement Guidelines Policy 103A (December 2015)
    - Out-of-State Travel by School Board Members Policy 103B (December 2015)
    - Anti-Bullying Policy 541 (January 2016)
    - Student Transportation Safety Policy 531 (January 2016) – John Gray is reviewing
    - Crisis Management Policy 538 (February 2016)
    - Discipline Policy 515 (February 2016)
    - Harassment and Violence Policy 425 (March 2016)
    - Family & Medical Leave Policy 428 (September 2016)
    - Mandated Reporting of Maltreatment of Vulnerable Adults Policy 414 (September 2016)
    - Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 522 (September 2016)
    - Wellness Policy 546 (October 2016)
    - Student Sex Nondiscrimination Policy 421 (October 2016)
    - Technology Acceptable Use and Safety Policy 540 (November 2016)
  6. Future Policy Review
    - Naming of School Buildings or Portions Thereof Such as Naming a Gymnasium
    - Random Drug Testing
  7. Policies at School Board for Action:
    - Special Education Records and Records Retention Policy 505A – Pending MN Historical Society Review
    - Field Trips and Extended Travel Policy 606 – Approved on 11/5/15
    - Family & Medical Leave Policy 428 – Approved on 11/5/15
    - Mandated Reporting of Maltreatment of Vulnerable Adults Policy 414 – Approved on 11/5/15
    - Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 522 – Approved on 11/5/15
    - Workload Limits for Certain Special Education Teachers Policy 410 – 1<sup>st</sup> reading on 11/5/15
    - Wellness Policy 546 – 1<sup>st</sup> reading on 11/5/15
    - Student Sex Nondiscrimination Policy 421 – 1<sup>st</sup> reading on 11/5/15
    - Approval of And Appointment to Extra Curricular Positions Policy 420 – 1<sup>st</sup> reading on 11/5/15

*[Note: School districts are required by statute to have a policy addressing these issues.]*

**I. PURPOSE**

The purpose of this policy is to maintain a safe and healthful environment for employees and students by prohibiting the use of alcohol, toxic substances and controlled substances without a physician's prescription.

**II. GENERAL STATEMENT OF POLICY**

- A. Use of controlled substances, toxic substances, and alcohol before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.
- B. ~~It shall be a~~ A violation of this policy ~~for~~ occurs when any student, teacher, administrator, other school district personnel, or member of the public ~~to~~ uses alcohol, toxic substances, or controlled substances in any school location.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

**III. DEFINITIONS**

- A. "Alcohol" includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. § 812, including analogues and look-alike drugs.
- C. "Toxic substances" includes glue, cement, aerosol paint, or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.
- D. "Use" includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.
- E. "Possess" means to have on one's person, in one's effects, or in an area subject to one's control.

- F. "School location" includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.

#### IV. EXCEPTIONS

- A. ~~It shall not be a~~ A violation of this policy ~~for~~ does not occur when a person ~~to~~ brings onto a school location, for such person's own use, a controlled substance which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. ~~It shall not be a~~ A violation of this policy ~~for~~ does not occur when a person ~~to~~ possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minn. Stat. § 624.701, Subd. 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).

#### V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance must comply with Policy 528 – Administering Medication.

*[Note: School districts are required by Minn. Stat. § 121A.22 to develop procedures for the administration of drugs and medicine. If the school district does not have a student medication policy such as MSBA/MASA Model Policy 516, this paragraph A<sub>2</sub> can be modified to provide: "Students who have a prescription from a physician for medical treatment with a controlled substance must provide a copy of the prescription and the medication to the school nurse, principal, or other designated staff member. The school district's licensed school nurse, trained health clerk, principal, or teacher will administer the prescribed medication in accordance with school district procedures."]*

- B. Employees who have a prescription from a physician for medical treatment with a controlled substance are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.
- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.

*[Note: The Drug-Free Workplace Act requires that school district employees be notified by a published statement of the prohibition of the use of controlled substances and actions that will be taken against employees for violations of such prohibition. 41 U.S.C. §§ ~~701 and 702~~ 8103; 34 C.F.R. Part ~~85~~ 84. An acknowledgment will document satisfaction by the school district of this federal requirement.]*

- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances in a school location except with the express permission of the superintendent.
- F. Possession of alcohol on school grounds pursuant to the exceptions of Minn. Stat. § 624.701, Subd. 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

## **VI. ENFORCEMENT**

### **A. Students.**

- 1. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.
- 2. The student may be referred to a drug or alcohol assistance or rehabilitation program and/or to law enforcement officials when appropriate.

### **B. Employees.**

- 1. As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any of the places listed above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction. Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
- 2. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, termination, or discharge as deemed appropriate by the school board.

3. In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school district. Any employee who fails to satisfactorily participate in and complete such a program is subject to nonrenewal, suspension, or termination as deemed appropriate by the school board.
4. Sanctions against employees, including nonrenewal, suspension, termination, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.

C. The Public.

A member of the public who violates this policy shall be informed of the policy and asked to leave. If necessary, law enforcement officials will be notified and asked to provide an escort.

ADOPTED: 01/05/06

***Legal References:*** Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)  
Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)  
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)  
Minn. Stat. § 609.684 (Sale of Toxic Substances to Children; Abuse of Toxic Substances)  
Minn. Stat. § 624.701 (Liquor in Certain Buildings or Grounds)  
~~41 U.S.C. §§ 701-707 (Drug-Free Workplace Act)~~  
20 U.S.C. § 7101-7165 (Safe and Drug-Free Schools and Communities Act)  
21 U.S.C. § 812 (Schedules of Controlled Substances)  
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)  
21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)  
34 C.F.R. Part ~~85~~ 84 (Government-wide Requirements for Drug-Free Workplace)

***Cross References:*** ~~MSBA/MASA Model Policy 403 (Discipline, Suspension and Dismissal of School District Employees)~~  
~~MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)~~  
~~MSBA/MASA Model Policy 417 (Chemical Use/Abuse)~~  
~~MSBA/MASA Model Policy 506 (Student Discipline)~~  
~~MSBA/MASA Model Policy 516 (Student Medication)~~  
Administering Medication Policy 528  
Employee Alcohol & Other Drug Use Policy 422  
Transportation Employee Drug & Alcohol Policy 430  
Discipline Policy 515



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*Administration & Human Resources..... Ronald A. Spies*  
*Business Affairs..... Lawrence A. Martini*  
*Community Education..... Dan E. Poepard*  
*Special Education..... Beth A. Sullivan*  
*Teaching & Learning..... Linda M. Madsen*

— ACKNOWLEDGMENT —

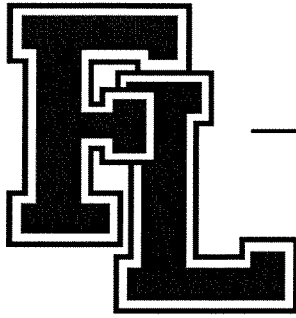
**DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL POLICY 435 - ATTACHMENT**

I have received a copy of the Drug-Free Workplace/Drug-Free School Policy of Independent School District No. 831, Forest Lake, Minnesota.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Employee/Applicant

\_\_\_\_\_  
Typed or Printed Name



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— ACKNOWLEDGMENT —

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*Forest Lake Area Schools • Independent School District 831 • Equal Opportunity Employer*





Add to  
November  
Agenda

Kim Kolberg <kkolberg@flaschools.org>

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**Re: Policy**

1 message

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**Kim Kolberg** <kkolberg@flaschools.org>  
To: Donna Friedmann <dfriedmann@flaschools.org>

Fri, Oct 9, 2015 at 10:39 AM

MSBA's model policy hasn't been revised since 2012.

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

On Fri, Oct 9, 2015 at 10:10 AM, Donna Friedmann <dfriedmann@flaschools.org> wrote:

Please check MSBA model for changes to the drug free workplace policy related to medical marijuana.  
Let's do that one next month, please.

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

MSBA/MASA Model Policy 418

Orig. 1995

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

Rev. 2012

## **418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL**

*[Note: School districts are required by statute to have a policy addressing these issues.]*

### **I. PURPOSE**

The purpose of this policy is to maintain a safe and healthful environment for employees and students by prohibiting the use of alcohol, toxic substances and controlled substances without a physician's prescription.

### **II. GENERAL STATEMENT OF POLICY**

- A. Use of controlled substances, toxic substances, and alcohol before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.
- B. A violation of this policy occurs when any student, teacher, administrator, other school district personnel, or member of the public uses alcohol, toxic substances, or controlled substances in any school location.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

### **III. DEFINITIONS**

- A. "Alcohol" includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. § 812, including analogues and look-alike drugs.
- C. "Toxic substances" includes glue, cement, aerosol paint, or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.
- D. "Use" includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.
- E. "Possess" means to have on one's person, in one's effects, or in an area subject to

one's control.

- F. "School location" includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.

#### IV. EXCEPTIONS

- A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minn. Stat. § 624.701, Subd. 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).

#### V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance must comply with the school district's student medication policy.

*[Note: School districts are required by Minn. Stat. § 121A.22 to develop procedures for the administration of drugs and medicine. If the school district does not have a student medication policy such as MSBA/MASA Model Policy 516, this Paragraph A. can be modified to provide: "Students who have a prescription from a physician for medical treatment with a controlled substance must provide a copy of the prescription and the medication to the school nurse, principal, or other designated staff member. The school district's licensed school nurse, trained health clerk, principal, or teacher will administer the prescribed medication in accordance with school district procedures."]*

- B. Employees who have a prescription from a physician for medical treatment with a controlled substance are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.
- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he

or she has received the policy.

*[Note: The Drug-Free Workplace Act requires that school district employees be notified by a published statement of the prohibition of the use of controlled substances and actions that will be taken against employees for violations of such prohibition. 41 U.S.C. § 8103; 34 C.F.R. Part 84. An acknowledgment will document satisfaction by the school district of this federal requirement.]*

- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances in a school location except with the express permission of the superintendent.
- F. Possession of alcohol on school grounds pursuant to the exceptions of Minn. Stat. § 624.701, Subd. 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

## VI. ENFORCEMENT

### A. Students

- 1. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.
- 2. The student may be referred to a drug or alcohol assistance or rehabilitation program and/or to law enforcement officials when appropriate.

### B. Employees

- 1. As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any of the places listed above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction. Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
- 2. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, termination, or discharge as deemed appropriate by the school board.

3. In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school district. Any employee who fails to satisfactorily participate in and complete such a program is subject to nonrenewal, suspension, or termination as deemed appropriate by the school board.
4. Sanctions against employees, including nonrenewal, suspension, termination, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.

C. The Public

A member of the public who violates this policy shall be informed of the policy and asked to leave. If necessary, law enforcement officials will be notified and asked to provide an escort.

**Legal References:** Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)  
Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)  
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)  
Minn. Stat. § 609.684 (Sale of Toxic Substances to Children; Abuse of Toxic Substances)  
Minn. Stat. § 624.701 (Liquor in Certain Buildings or Grounds)  
20 U.S.C. § 7101-7165 (Safe and Drug-Free Schools and Communities Act)  
21 U.S.C. § 812 (Schedules of Controlled Substances)  
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)  
21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)  
34 C.F.R. Part 84 (Government-wide Requirements for Drug-Free Workplace)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)  
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 516 (Student Medication)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

— ACKNOWLEDGMENT —

**DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL POLICY**

I have received a copy of the Drug-Free Workplace/Drug-Free School Policy of Independent School District No. \_\_\_\_\_, \_\_\_\_\_, Minnesota.

Dated: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Employee/Applicant*

\_\_\_\_\_  
*Typed or Printed Name*

**I. PURPOSE**

The purpose of this policy is to set forth policies and guidelines for access to the school district computer systems and acceptable and safe use of the Internet, including electronic communications.

**II. GENERAL STATEMENT OF POLICY**

In making decisions regarding student and employee access to the school district computer system and the Internet, including electronic communications, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables students and employees to explore global resources. The school district expects that faculty will blend thoughtful use of the school district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

**III. LIMITED EDUCATIONAL PURPOSE**

The school district is providing students and employees with access to the school district computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network. Acceptable uses are determined at the sole discretion of the district.

**IV. USE OF SYSTEM IS A PRIVILEGE**

While the school district's electronic systems are provided for the conduct of the school district's mission, it is understood that they may be used occasionally for personal use as well. Reasonable personal use is permitted, so long as it does not interfere with users' performance of their responsibilities and complies with applicable laws and policies. The personal use of both audio and video streaming media as well as the downloading of excessively large files for personal use interferes with the school district's use of the Internet and delivery of electronic mail and is therefore not acceptable personal use of the Internet.

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous

violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion or termination of employment; or civil or criminal liability under other applicable laws.

## **V. UNACCEPTABLE USES**

A. The following uses of the school district system and Internet resources or accounts are considered unacceptable:

1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit or distribute:
  - a. pornographic, obscene or sexually explicit material or other visual depictions that are harmful to minors;
  - b. language or images that are inappropriate in the education setting or disruptive to the educational process;
  - c. information or materials that could cause damage or danger of disruption to the educational process;
  - d. language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination, except as allowed in Policy 602 Controversial Issues.
2. Users shall not use district e-mail as part of a political campaign to support or oppose a political issue or the nomination or election of a candidate for public office except as otherwise agreed upon in school district employment agreements.
3. Users will not use the school district system to knowingly or recklessly post, transmit or distribute false or defamatory information about a person or organization, or to harass or bully another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
4. Users will not use the school district system to engage in any illegal act or violate any local, state or federal statute or law.
5. Users will not use the school district system to vandalize, damage or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software or system performance by spreading computer viruses or by any other means, will not tamper with, modify or change the school district system software,



hardware or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.

6. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information or files without the implied or direct consent of that person. Consent is implied for all users whose materials, information or files must be accessed by personnel performing authorized system maintenance on behalf of the district.
  7. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person's account, or use computer accounts, access codes or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.
  8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another owner's property without the owner's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
  9. Users will not use the school district system for conducting business, for unauthorized commercial purposes or for financial gain unrelated to the mission of the school district.
- B. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

## **VI. FILTER**

- A. With respect to any of its computers with Internet access, school district personnel will monitor the online activities of minors and employ technology protection measures during any use of such computers by minors and adults. The

technology protection measures utilized will block or filter Internet access to any visual depictions that are:

1. Obscene;
  2. Child pornography; or
  3. Harmful to minors.
- B. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:
1. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
  2. depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
  3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- C. An administrator, supervisor or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes. It is prohibited for students or employees to attempt to bypass the district filter without permission.

## **VII. CONSISTENCY WITH OTHER SCHOOL POLICIES**

Use of the school district computer system and use of the Internet shall be consistent with school district policies and the mission of the school district.

## **VIII. LIMITED EXPECTATION OF PRIVACY**

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.

- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents have the right to investigate or review the contents of files generated by their student.
- E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school district employees should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure or discovery under Minnesota Statutes, Chapter 13 (the Minnesota Government Data Practices Act).
- F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

#### **IX. INTERNET USE AGREEMENT**

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents and employees of the school district.
- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.

#### **X. LIMITATION ON SCHOOL DISTRICT LIABILITY**

Use of the school district system is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage or unavailability of data stored on school district media, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The school district is not responsible for loss or damage to personal devices or media attached to district equipment. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.

#### **XI. USER NOTIFICATION**

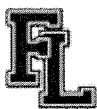
- A. All users shall be notified of the school district policies relating to Internet use.

- B. This notification shall include the following:
1. Notification that Internet use is subject to compliance with school district policies.
  2. Disclaimers limiting the school district's liability relative to:
    - a. Information stored on school district media.
    - b. Information retrieved through school district computers, networks or online resources.
    - c. Personal property used to access school district computers, networks or online resources.
    - d. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
  3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
  4. Notification that, even though the school district may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
  5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student or staff member through the Internet is the sole responsibility of the student and/or the student's parents/guardians or the staff member incurring the obligation.
  6. Notification that the collection, creation, reception, maintenance and dissemination of data via the Internet, including electronic communications, is governed by Policy 406, Public and Private Personnel Data, and Policy 505, Use of Student Records.
  7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
  8. Notification that all provisions of the acceptable use policy are subordinate to local, state and federal laws.

## **XII. IMPLEMENTATION; POLICY REVIEW**

- A. The school district may develop appropriate user notification forms, guidelines and procedures necessary to implement this policy.
- B. The school district shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school district technology policies and procedures are available for review by all parents, guardians, staff and members of the community.
- D. Because of the rapid changes in the development of technology, the school board shall conduct a periodic review of this policy.

ADOPTED: May 6, 2002  
June 7, 2004  
October 5, 2006  
November 1, 2007 (No Changes)  
January 7, 2010  
March 3, 2011  
January 5, 2012 (No Changes)  
January 3, 2013  
December 5, 2013 (No Changes)  
January 8, 2015 (No Changes)



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

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**Re: Policy 540**

1 message

**Diane Giorgi** <dgiorgi@flaschools.org>

Fri, Nov 6, 2015 at 10:36 AM

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

Cc: Tim Brockman &lt;tbrockman@flaschools.org&gt;, Donna Friedmann &lt;dfriedmann@flaschools.org&gt;

Hi Kim,

I had this on my To Do list but hadn't had a chance to look at it before now. I like the suggested change. Everything else looks good as is.

Thanks for checking!

Diane

Diane Giorgi, Teaching & Learning Coordinator  
Forest Lake Area Schools  
651-982-8310  
dgiorgi@flaschools.org

On Fri, Nov 6, 2015 at 9:18 AM, Kim Kolberg &lt;kkolberg@flaschools.org&gt; wrote:

Sounds great, Tim! I will make the adjustment for Policy Committee to review at their next meeting.

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

On Fri, Nov 6, 2015 at 9:12 AM, Tim Brockman &lt;tbrockman@flaschools.org&gt; wrote:

Hi Kim,

I think bypass does sound better. How about this?:

It is prohibited for students or employees to attempt to bypass the district filter without permission.

Timothy A. Brockman  
Supervisor of Information Systems  
Forest Lake Area Schools  
651-982-8147

On Fri, Nov 6, 2015 at 8:01 AM, Kim Kolberg &lt;kkolberg@flaschools.org&gt; wrote:

Does this sound OK? Is "bypass" better than "to get around"?

An administrator, supervisor or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes. It is prohibited for students or employees to get around the district filter without permission.

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

On Fri, Nov 6, 2015 at 7:38 AM, Tim Brockman <tbrockman@flschools.org> wrote:  
There is a change that could be made. With regards to section VI. Filter, wording should be added to the effect that no one will try to get around the district filter without permission. (We have students employing technology means to bypass our filter. It should explicitly state that this is not allowed)

Timothy A. Brockman  
Supervisor of Information Systems  
Forest Lake Area Schools  
651-982-8147