



FOREST LAKE AREA SCHOOLS

6100 N 210th St • Forest Lake MN 55025

(651) 982-8100 • www.flaschools.org

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

March 13, 2015

TO: Shannon Betancourt
Carol Geiger
Julie Greiman
Dan Kieger
Kelly Lessman
Heidi Link
Kathy McMorrow
Jill Olson
Ron Reed
Emily Scherer
Kathryn Ungerecht

FROM: Donna M. Friedmann *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, March 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

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

AGENDA

- | |
|--|
| <ol style="list-style-type: none">1. Teacher Facilities Policy 405 – per Donna M. Friedmann2. Staff Meetings Policy 410 – per Donna M. Friedmann3. Administering Medication Policy 528 – return to Policy Committee per Donna M. Friedmann4. Harassment and Violence Policy 425 – Annual Review |
|--|
5. Consideration of Other Policies to be Scheduled for Review
 6. Other Matters
 7. Annual/Requested Policy Reviews
 - Family & Medical Leave Policy 428 (September 2015)
 - Mandated Reporting of Maltreatment of Vulnerable Adults Policy 414 (September 2015)
 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 522 (September 2015)
 - Wellness Policy 546 (September 2015)
 - Student Sex Nondiscrimination Policy 421 (October 2015)
 - Technology Acceptable Use and Safety Policy 540 (November 2015)
 - 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)
 - Crisis Management Policy 538 (February 2016)
 - Discipline Policy 515 (February 2016)
 - Harassment and Violence Policy 425 (March 2016)
 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:
 - Special Education Records and Records Retention Policy 505A – Pending MN Historical Society Review
 - Student Transportation Safety Policy 531 – Approved on 3/5/15
 - Bullying Prohibition Policy 541 – Approved on 3/5/15
 - Crisis Management Policy 538 – 1st Reading on 3/5/15
 - Discipline Policy 515 – 1st Reading on 3/5/15

TEACHER FACILITIES

405

It is the policy of the School Board that adequate facilities in each building be available for teachers contingent on availability of space in individual buildings. Such facilities to include the following:

1. Classroom space for the storage of instructional materials and supplies.
2. A teacher work area -- preferably separated from the faculty lounge -- equipped with supplies and equipment to be used in the preparation of instruction materials.
3. A teacher's lounge -- out of bounds to all students, except when authorized by the principal.
4. A serviceable desk and chair for each teacher.
5. Faculty rest rooms separate for each sex.
6. A dining area, separate from the students where possible.
7. Adequate chalk boards and bulletin boards in each classroom.
8. A telephone so located that a teacher can have privacy while talking to parents.
9. Sections of parking lots shall be reserved for teacher parking.

STAFF MEETINGS

410

1. It is the policy of the School Board that staff meetings be held frequently during the school year. A minimum of one staff meeting per month will be held in each building on a designated day.
2. The principal will be responsible for calling all meetings and will prepare and hand out an agenda at least two days prior to the meeting. Faculty Councils and Instructional Improvement Committees are encouraged to suggest items to be discussed at staff meetings.
3. When meetings are scheduled other than on the designated day, three days notice shall be given. Occasionally, emergency meetings must be held and the three day notice shall then be waived.
4. All staff meetings will be held either before the regular school day or immediately after the regular school day. Except in emergency situations, staff meetings should not last longer than one hour.
5. All certified personnel are expected to attend all staff meetings called by the principal except if excused by the principal.
6. All staff members who have been excused from attending are responsible for obtaining information on all items discussed at the meeting.
7. It is the policy of the School Board that all meetings of teacher professional organizations be cleared with the building principal for availability of appropriate facilities.

Adopted: _____

MSBA/MASA Model Policy 516

Orig. 1995

Revised: _____

Rev. 2013

516528 STUDENT MEDICATION

[Note: The necessary provisions for complying with Minn. Stat. §§ 121A.22, Administration of Drugs and Medicine, 121A.221, Possession and Use of Asthma Inhalers by Asthmatic Students, and 121A.222, Possession and Use of Nonprescription Pain Relievers by Secondary Students are included in this policy. The statutes do not regulate administration of drugs and medicine for students age 18 and over or other nonprescription medications. Please note that §121A.22 does not require school districts to apply the administration of medication rule to drugs or medicine used off school grounds, drugs or medicines used in connection with athletics or extra-curricular activities, and drugs and medicines that are used in connection with activities that occur before or after the regular school day.]

I. PURPOSE

The purpose of this policy is to set forth the provisions that must be followed when administering nonemergency and emergency prescription medication to students at school.

II. GENERAL STATEMENT OF POLICY

The school district acknowledges that some students may require prescribed drugs or medication during the school day. The school district's licensed school nurse, ~~trained health clerk~~ health office assistant, principal, or teacher will administer prescribed medications in accordance with law and school district procedures.

III. REQUIREMENTS

- A. The administration of prescription medication or drugs at school requires a completed signed request from the student's parent. An oral request must be reduced to writing within two school days, provided that the school district may rely on an oral request until a written request is received.
- B. An "~~Administrating Prescription Medications~~" "Authorization for Administration of Medication at School" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs.
- C. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law, and must be administered in a manner consistent with the instructions on the label.
- D. The school nurse may request to receive further information about the

prescription, if needed, prior to administration of the substance.

- E. Prescription medications are not to be carried by the student, but will be left with the appropriate school district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Part ~~J.5.~~ 3 below), and medications administered as noted in a written agreement between the school district and the parent ~~or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan).~~
- F. The school must be notified immediately by the parent or student 18 years old or older and own guardian in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new pharmacy instructions shall be required immediately as well.
- G. ~~For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.~~
- H G. The school nurse, or other designated person, shall be responsible for the filing of the ~~Administering Prescription Medications~~ "Authorization for Administration of Medication at School" form in the health records section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.
- I. ~~Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a school nurse, a licensed school nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the school district under Minn. Stat. § 121A.21). The school district administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.~~

J H. Specific Exceptions:

1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine;
2. ~~Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy;~~
- 3 2. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;
4. ~~Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;~~

5 3. Drugs or medicines that are prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler if:

- a. the school district has received a written authorization from the pupil's parent permitting the student to self-administer the medication;
- b. the inhaler is properly labeled for that student; ~~and~~
- c. the parent has not requested school personnel to administer the medication to the student; and
- d. physician's orders

The parent must submit written authorization for the student to self-administer the medication each school year. ~~In a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.~~

If the school district employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers;

6 4. Medications:

- a. that are used off school grounds including on field trips;
- b. that are used in connection with athletics or extracurricular activities; or
- c. that are used in connection with activities that occur before or after the regular school day

are not governed by this policy.

[Note: The provisions of paragraph 6 are optional and the school board may choose to include or exclude any of the provisions specified.]

7 5. Nonprescription Medication. A secondary student may ~~possess and~~ use nonprescription pain relief held in a school health office in a manner

consistent with the labeling, if the school district has received written authorization from the student's parent ~~or guardian, each school year permitting the student to self-administer the medication.~~ The parent ~~or guardian must submit written authorization for the student to self-administer the medication each school year.~~ The school district may revoke a student's privilege to ~~possess and~~ use nonprescription pain relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the ~~possession or~~ use of any drug or product containing ephedrine or pseudoephedrine ~~as its sole active ingredient or as one of its active ingredients.~~ ~~Except as stated in this paragraph, only prescription medications are governed by this policy.~~

[Note: School districts should consult with licensed medical and nursing personnel to address whether nonprescription medications will be allowed at elementary schools and whether and under what conditions school personnel will participate in storing or administering nonprescription medications.]

8 6. At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed epinephrine auto-injectors that enables the student to:

- a. possess epinephrine auto-injectors; or
- b. if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine auto-injectors in close proximity to the student at all times during the instructional day.

The plan must designate the school staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering epinephrine auto-injectors when required, consistent with state law. This health plan may be included in a student's § 504 plan.

~~K. "Parent" for students 18 years old or older is the student.~~

~~L. Districts and schools may obtain and possess epinephrine auto injectors to be maintained and administered by school personnel to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine auto injector. The administration of an epinephrine auto injector in accordance with this section is not the practice of medicine.~~

~~A district or school may enter into arrangements with manufacturers of epinephrine auto injectors to obtain epinephrine auto injectors at fair market, free, or reduced prices. A third party, other than a manufacturer or supplier, may pay~~

~~for a school's supply of epinephrine auto-injectors.~~

- I. The principal or school nurse shall maintain a list of pupils needing medication during school hours, including type of medication, when given and dosage. This list shall be kept current.
- J. Under no circumstances are school personnel to provide aspirin or other patent medicine or nostrum to students.

Legal References: Minn. Stat. § 13.32 (Student Health Data)
Minn. Stat. § 121A.21 (Hiring of Health Personnel)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)
Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)
Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine Auto-Injectors; Model Policy)
Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine Auto-Injectors)
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

Cross References: ~~MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)~~ Policy 435

ADMINISTERING MEDICATION

Neither the diagnosis nor the treatment of illnesses is within the responsibility of the School District. However, medication will be dispensed to students in school under the following conditions:

1. The administration of medication to pupils shall be done only ^{under the} ~~in exceptional~~ ~~circumstances wherein the child's health may be jeopardized~~ without it. ~~direction of a medical doctor's order.~~
2. Pupils requiring ^{prescribed} medications in school shall be identified by their parents and ~~a~~ physician to the school nurse, teachers and other school personnel. Students observed by school personnel self-administering unauthorized medications shall be reported to their parents.
3. After identification, the school nurse, or properly appointed representative for the School District, shall make contact with the home to identify the type, dosage and purpose of said medication.
4. Written statements shall be required of:
 - a. The family physician, who shall indicate the necessity of said medication being given to the child during school hours.
 - b. The parents, who shall request and authorize the designated school personnel to give said medication in the dosage so prescribed by the physician and thereby releasing school personnel from liability should reactions result from the medication.
5. The physician shall be requested by the parents to prescribe duplicate bottles of said medication if it is necessary that it be given during school hours. One bottle will be kept at home and the other at school under the care of school authorities. Both bottles shall contain the name and telephone number of the pharmacy, the pupil's identification, name of the physician and dosage of the drug to be given. Taking the dosage shall be supervised by the school nurse or other designated school personnel at a time conforming with the physician's indicated dosage schedule.
6. The principal or school nurse shall maintain a list of pupils needing medication during school hours, including type of medication, when given and dosage. This list shall be kept current.
7. Under no circumstances are school personnel to provide aspirin or other patent medicine or nostrum to students.
8. ~~Students who are subject to a condition which may require occasional emergency medication, as in a case of sensitivity to bee stings, for example,~~

Discipline →

(C) →

Keep (A)

Keep (M)

may receive such medication by complying with the provisions of this policy regarding written authorization and the placement of medication with the school authorities.

ADOPTED: 11/19/79
REVISED: 10/04/07

ATTACHMENT TO POLICY 528 – ADMINISTERING MEDICATION



Authorization for Administration of Medication at School

Name of Student: _____ Birthdate: _____

School: _____ School Year: _____ Grade: _____

Medical Condition	Medication	Strength mg/ml	Dose # Tablets	Time(s) Frequency	Route	Start Date	Stop Date

(All authorizations expire one year from date unless otherwise specified.)

Print or Type Name of Physician / Licensed Prescriber

Signature of Physician / Licensed Prescriber

Clinic Address

Fax Number

Phone Number

Date

Parent / Guardian Authorization

- I request that the above medication(s) be given during school hours as ordered by this student's physician/licensed prescriber. I also request that the medication(s) be given on field trips, as prescribed.
- I release school personnel from liability in the event adverse reactions result from taking medication(s).
- I will notify the school of any change in the medication(s), (ex: dosage change, medication is discontinued, etc.).
- I give permission for the school nurse or designee to communicate with the student's teachers about the student's health condition(s) and the action of the medication(s).
- I give permission for the medication(s) to be given by designated personnel as delegated by the school nurse.
- I give permission for the school nurse or designee to consult (in oral or written format) with the above named student's physician/licensed prescriber regarding any questions that arise with regard to the listed medication(s) or medical condition(s) being treated by the medication(s), as well as ongoing data on medication effects provided to physician/licensed prescriber and parent/guardian via monitoring form.

My son/daughter may self-administer his/her inhaler/Epipen®, if appropriate as assessed by the School Nurse.

Parent/Guardian Signature

Relationship to Student

Home Phone

Day Phone

Date

NOTE: Medication is to be supplied in the original/prescription bottle.

* Signatures must be completed in order to administer medication. If medication policy is not followed, school health services will not be able to administer medication, which may adversely affect educational outcomes or this student's safety.

District Fax Numbers

ALC (651) 982-3172; Century (651) 982-3017; Columbus (651) 982-8957; Forest Lake (651) 982-3299; Forest View (651) 982-8260; Lino Lakes (651) 982-8891; Linwood (651) 982-1955; Montessori (651) 982-8386; Scandia (651) 982-3349; Senior High (651) 982-8594; Southwest (651) 982-8798; Wyoming (651) 982-8067; St. Peter's Elementary (651) 982-2230



STILLWATER
AREA SCHOOLS

MEDICATION POLICY

Diagnosis and treatment of illness and the prescribing of drugs and medications are never the responsibility of a school and should not be practiced by any school personnel. It is the expectation of the District that all student medications be administered by a parent at home. However, the District acknowledges that some students may require prescribed medication during the school day. If medication is necessary during school hours, it will be administered in compliance with appropriate law and School District administrative procedures.

For the Licensed School Nurse or designated person(s) to administer a prescription medication to a student at school, District Health Form M-2 should be completed and signed by parent/guardian and health care provider and submitted to the health service staff with the medication.

If a parent/guardian and health care provider feel it is in the best interest of the student to self-administer medication, School District Health Form M-4 should be completed and submitted to the Licensed School Nurse.

Forms M-2 and Form M-4 require the student's name, school, name of medication, purpose of medication, time(s) to be administered, dosage, estimated date of termination, and both the parent/guardian(s) and health care provider(s) signatures.

The following procedure will be followed for medications to be taken at school:

1. The medication must be supplied in the original prescription bottle or container and be properly labeled by a pharmacist or health care provider.
2. The medication will only be administered or self-administered in a manner consistent with the physician's or health care professional's order and consistent with generally accepted medical practices. The school nurse may request to receive further information about the prescription, if needed, prior to administration or self-administration of the medication.
3. The school nurse or designee, will:
 - a. Inform appropriate school personnel of the medication.
 - b. Administer the medication per health care provider's orders.
 - c. Keep a record of the administration of medication.
 - d. Keep medication in a locked cabinet. Prescription medications shall be left with the appropriate school district personnel, except as specified on the self administration medication form M-4.
4. The parents of the student will assume responsibility for immediately informing the school nurse of any change in the student's health or change in medication and for immediately providing a new medical authorization or container labeled with new pharmacy or health care provider's instructions.

Nonprescription medication, such as tylenol, ibuprofen, or cold remedies, will not be administered to students under any circumstances by school personnel apart from this process. Students observed by school personnel self administering unauthorized medications will be reported to their parents.

This medication policy will apply to all students regardless of age.

[Note: State law (Minn. Stat. § 121A.03) requires that school districts adopt a sexual, religious, and racial harassment and violence policy that conforms with the Minnesota Human Rights Act, Minn. Stat. Ch. 363A (MHRA). This policy complies with that statutory requirement and addresses the other classifications protected by the MHRA and/or federal law. While the recommendation is that school districts incorporate the other protected classifications, in addition to sex, religion, and race, into this policy, they are not specifically required to do so by Minn. Stat. § 121A.03. The Minnesota Department of Education (MDE) is required to maintain and make available a model sexual, religious, and racial harassment policy in accordance with Minn. Stat. § 121A.03. MDE’s policy differs from that of MSBA and imposes greater requirements upon school districts than required by law. For that reason, MSBA recommends the adoption of its model policy by school districts. Each school board must submit a copy of the policy the board has adopted to the Commissioner of MDE.]

I. PURPOSE

The purpose of this policy is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.

II. GENERAL STATEMENT OF POLICY

- A. The policy of Independent School District No. 831 (the "School District") is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability. The School District prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.
- B. A violation of this policy occurs when any ~~pupil~~ student, teacher, administrator, or other school district personnel ~~of the School District~~ harasses a ~~pupil~~ student, teacher, administrator, or other school district personnel or group of ~~pupils~~ students, teachers, administrators, or other school district personnel through conduct or communication based on a person’s race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability, as defined by this policy. (For purposes of this

policy, school district personnel includes school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the District.)

- C. A violation of this policy occurs when any ~~pupil~~ student, teacher, administrator, or other school district personnel ~~of the School District~~ inflicts, threatens to inflict, or attempts to inflict violence upon any ~~pupil~~ student, teacher, administrator, or other school district personnel or group of ~~pupils~~ students, teachers, administrators, or other school district personnel based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.
- D. The School District will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability, and to discipline or take appropriate action against any ~~pupil~~ student, teacher, administrator, or other school district personnel who is found to have violated this policy.

III. DEFINITIONS

- A. "Assault" is:
 - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
 - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
 - 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability when the conduct:
 - 1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;

2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
 3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
1. "Age" means the person is over the age of 25 years. (NOT IN MSBA)
 2. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
 - a. has a physical, sensory, or mental impairment which materially limits one or more major life activities;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
 3. "Familial status" means the condition of one or more minors being domiciled with:
 - a. their parent or parents or the minor's legal guardian; or
 - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
 4. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
 5. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.

6. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
7. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.
8. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.

E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.

E.F. Sexual Harassment; Definition

1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
 - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
 - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
 - c. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
2. Sexual harassment may include, but is not limited to:

- a. unwelcome verbal harassment or abuse;
- b. unwelcome pressure for sexual activity;
- c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of ~~pupil~~ student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
- d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
- e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
- f. unwelcome behavior or words directed at an individual because of gender.

F G. Sexual Violence: Definition

1. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. § 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
2. Sexual violence may include, but is not limited to:
 - a. touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
 - b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
 - c. coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act on another; or

- d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

G H. Violence; Definition:

Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability by a pupil student, teacher, administrator, or other school district personnel ~~of the School District~~, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a pupil student, teacher, administrator, or other school district personnel or group of pupils students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate School District official designated by this policy. A person may report conduct which may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses. (REMAINDER OF PARAGRAPH MOVED TO BECOME B. & C.)
- B. The School District encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the School District office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a School District Human Rights Officer or to the Superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- B D.** In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult School District personnel who receives a report of harassment or violence

prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the School District human rights officer by the reporting party or complainant. ~~School District personnel who fail to inform the building report taker of a report of harassment or violence in a timely manner may be subject to disciplinary action.~~ The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- € F. Upon receipt of a report, the building report taker must notify the School District Human Rights Officers immediately, without screening or investigating the report. The building report taker 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 building report taker to the Human Rights Officers. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the Human Rights Officers. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- ∅ G. In the District. The School Board hereby designates the Director of Administration and Human Resources and the Director of Special Education as the School District Human Rights Officers to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a Human Rights Officer, the complaint shall be filed directly with the Superintendent.
- E H. The School District shall conspicuously post the name of the Human Rights Officers, including mailing addresses and telephone numbers.

- F I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades or work assignments, or educational or work environment.
- G J. Use of formal reporting forms is not mandatory.
- H K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. (REMAINDER OF PARAGRAPH REMOVED TO BECOME L.)
- L. The School District will respect the privacy of the complainant(s), 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 comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

Consequences for employees who permit, condone, or tolerate violence or harassment or engage in an act of reprisal or intentional false reporting of violence or harassment may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of violence or harassment may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.

V. INVESTIGATION

- A. By authority of the School District, the Human Rights Officers, ~~upon~~ within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall ~~immediately~~ 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 the surrounding circumstances.
- D. In addition, the School District may take immediate steps, at its discretion, to protect the target or victim, the complainant, ~~pupils and students~~, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- E E. The investigation will be completed as soon as practicable. The School District Human Rights Officers 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.

VI. SCHOOL DISTRICT ACTION

- A. Upon completion of the investigation that determines a violation of this policy has occurred, 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. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. 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 and regulations.
- 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.~~ The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

VII. RETALIATION OR REPRISAL

The School District will discipline or take appropriate action against any ~~pupil~~ student, teacher, administrator, or other school district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, or any person who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the

individual(s) who engaged in the harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

VIII. 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.

IX. HARASSMENT OR VIOLENCE AS ABUSE

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minn. Stat. § 626.556 may be applicable,
- B. Nothing in this policy will prohibit the School District from taking immediate action to protect victims of alleged harassment, violence, or abuse.

X. DISSEMINATION OF POLICY AND TRAINING

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to ~~pupils~~ students and staff members.
- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of ~~entering into the person's employment contract~~ initial employment with the School District.
- C. A summary of this policy shall appear in the student handbook. This policy in its entirety shall appear in the employee handbook. (MSBA HAS: THIS POLICY SHALL APPEAR IN THE STUDENT HANDBOOK.)
- D. The School District will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.

- F. This policy shall be reviewed at least annually for compliance with state and federal laws.

Legal References: Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious and Racial Harassment and Violence Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

Cross References: Policy 535 (Equal Educational Opportunity)
Policy 412 (Equal Employment Opportunity)
Policy 432 (Disability Nondiscrimination Policy)
Policy 406 (Public and Private Personnel Data)
Policy 522 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
Policy 414 (Mandated Reporting of Maltreatment of Vulnerable Adults)
Policy 515 (Student Discipline)
Policy 505 (Use of Student Records)
Policy 432 (Disability Nondiscrimination Policy)
Policy 421 (Student Sex Nondiscrimination)
Policy 540 (Technology Acceptable Use and Safety Policy)
Policy 419 (Prohibiting Discrimination)

Adopted: 02/06/95
Revised: 11/04/03
Revised: 07/07/05
Revised: 03/08/07
Revised: 05/01/08
Revised: 04/02/09
Revised: 06/03/10
Revised: 06/02/11
Revised: 05/31/12
No Changes: 05/02/13
No Changes: 05/29/14

INDEPENDENT SCHOOL DISTRICT #831

6100 North 210th Street
Forest Lake, Minnesota

Our
Current
Form

OR

MSBA
Form?

HARASSMENT AND VIOLENCE REPORTING FORM

GENERAL STATEMENT OF POLICY: Independent School District #831 maintains a firm policy prohibiting all forms of protected classification discrimination. Sexual, racial and religious harassment and violence is a form of discrimination which violates the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, et. seq., and the Minnesota Human Rights Act, §363.01, et. seq. Harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability by any pupil, teacher, administrator, or other school personnel, which create an intimidating, hostile, or offensive environment will not be tolerated under any circumstances. It is the policy of Independent School District #831 to maintain a learning and working environment that is free from harassment and violence, and prohibits any form of discrimination.

Please file this form with your building principal if appropriate; otherwise, file with a District Human Rights Officer: Director of Administration & Human Resources or Director of Special Education (Ref. Sec. IV A & B herein).

Complainant: _____

Victim: _____

Home address: _____

Work address: _____

Home phone: _____ Work phone: _____

Date and estimated time of alleged incident(s): _____

Name of person accused of harassment or violence: _____

Circle as appropriate: Sexual Racial Religious Violence Other

List any witnesses that were present _____

Where did the incident(s) occur? _____

Describe the incident(s) as clearly as possible (attach additional pages if necessary):

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: _____
(Employee Signature)

Date

(Employee printed name)

INDEPENDENT SCHOOL DISTRICT NO. _____
HARASSMENT AND VIOLENCE REPORT FORM

General Statement of Policy Prohibiting Harassment and Violence

Independent School District No. ___ maintains a firm policy prohibiting all forms of discrimination. Harassment or violence against students or employees or groups of students or employees on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability is strictly prohibited. All persons are to be treated with respect and dignity. Harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability by any pupil, teacher, administrator, or other school personnel, which create an intimidating, hostile, or offensive environment will not be tolerated under any circumstances.

Complainant _____
Home Address _____
Work Address _____
Home Phone _____ Work Phone _____

Date of Alleged Incident(s) _____

Basis of Alleged Harassment/Violence - circle as appropriate: race \ color \ creed \ religion \ national origin \ sex \ age \ marital status \ familial status \ status with regard to public assistance \ sexual orientation \ disability

Name of person you believe harassed or was violent toward you or another person or group.

If the alleged harassment or violence was toward another person or group, identify that person or group.

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 harassed or has been violent to me or to another person or group. 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)