



FOREST LAKE AREA SCHOOLS

6100 N 210th St • Forest Lake MN 55025

(651) 982-8100 • www.flaschools.org

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December 13, 2017

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

SUBJ: POLICY COMMITTEE MEETING

The next meeting of the Policy Committee will be held promptly @ 7:00 pm on Thursday, December 21, 2017, 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
December 21, 2017 – 7:00 p.m. – District Office Boardroom

AGENDA

1. Bullying Prohibition Policy 541 – No updates from MSBA
 2. Crisis Management Policy 538 – No updates from MSBA
 3. Sample Website Accessibility Policy
 4. Employee Right to Know – Exposure to Hazardous Substances Policy 411 – Updates from MSBA
-
5. Consideration of Other Policies to be Scheduled for Review
 6. Other Matters
 7. Annual/Requested Policy Reviews
 - Harassment and Violence Policy 425 (February 2018)
 - Discipline Policy 515 (March 2018)
 - Student Transportation Safety Policy 531 (April 2018)
 - Wellness Policy 546 (May 2018)
 - Family & Medical Leave Policy 428 (September 2018)
 - Mandated Reporting of Maltreatment of Vulnerable Adults Policy 414 (September 2018)
 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 522 (September 2018)
 - Student Sex Nondiscrimination Policy 421 (October 2018)
 - Technology Acceptable Use and Safety Policy 540 (October 2018)
 - School Board Member Reimbursement Guidelines Policy 103A (November 2018)
 - Out-of-State Travel by School Board Members Policy 103B (November 2018)
 - Bullying Prohibition Policy 541 (December 2018)
 - Crisis Management Policy 538 (December 2018)
 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 Sex Nondiscrimination Policy 421 - Approved
 - Technology Acceptable Use and Safety Policy 540 - Approved
 - Attendance at Professional Meetings Policy 404 – Approved
 - Travel Expense Reimbursement Policy 302 - Approved
 - Staff Facilities Policy 405 - Approved
 - Student Attendance Policy 519 – Approved
 - Public and Private Personnel Data Policy 406 – 1st Reading
 - School Board Member Reimbursement Guidelines Policy 103A – 1st Reading
 - Out-of-State Travel by School Board Members Policy 103B – 1st Reading
 - Age of Initial Entrance Into School Policy 501 – 1st Reading
 - Graduation Requirements Policy 613 – 1st Reading
 - Credit for Learning Policy 620 – 1st Reading
 - Discontinue Policy 615 – Basic Standards Testing, Accommodations, Modifications, and Alternative Assessments for IEP, Section 504 Accommodation & LEP Students – 1st Reading

I. PURPOSE

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with a student's ability to learn and/or a teacher's ability to educate students in a safe environment. The school district cannot monitor the activities of students at all times and eliminate all incidents of bullying between students, particularly when students are not under the direct supervision of school personnel. However, to the extent such conduct affects the educational environment of the school district and the rights and welfare of its students and is within the control of the school district in its normal operations, the school district intends to prevent bullying and to take action to investigate, respond to, and to remediate and discipline for those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the school district in its goal of preventing and responding to acts of bullying, intimidation, violence, reprisal, retaliation, and other similar disruptive and detrimental behavior.

II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on school district property, at school functions or activities, or on school transportation. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.
- C. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.

- E. False accusations or reports of bullying against another student are prohibited.
- F. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures, including the school district's Discipline Policy 515. The school district may take into account the following factors:
 - 1. The developmental ages and maturity levels of the parties involved;
 - 2. The levels of harm, surrounding circumstances, and nature of the behavior;
 - 3. Past incidences or past or continuing patterns of behavior;
 - 4. The relationship between the parties involved; and
 - 5. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. The school district shall employ research-based developmentally appropriate best practices that include preventative and remedial measures and effective discipline for deterring violations of this policy, apply throughout the school district, and foster student, parent, and community participation.

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

Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school district property and events.

- G. The school district will act to investigate all complaints of bullying reported to the school district and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

III. DEFINITIONS

For purposes of this policy, the definitions included in this section apply.

- A. "Bullying" means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:

1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
2. materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term, "bullying," specifically includes cyberbullying as defined in this policy.

- B. "Cyberbullying" means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. "Intimidating, threatening, abusive, or harming conduct" means, but is not limited to, conduct that does the following:
1. Causes physical harm to a student or a student's property or causes a student to be in reasonable fear of harm to person or property;
 2. Under Minnesota common law, violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or
 3. Is directed at any student or students, including those based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.
- E. "On school premises, on school district property, at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure

from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.

- F. "Prohibited conduct" means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.
- G. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.
- H. "Student" means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- 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 in the school district office, but oral reports shall be considered complaints as well.
- C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or 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.

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 the primary contact on policy and procedural matters. The building report taker or a third party designated by the school district shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.

- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.
- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.
- G. 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 obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. SCHOOL DISTRICT ACTION

- A. Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

- D. Upon completion of an investigation that determines that bullying or other prohibited conduct 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 conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the school district's Discipline Policy 515 and other applicable school district policies; and applicable regulations.
- E. 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 students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the school district shall, when determined appropriate by the child's individualized education program (IEP) team 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 bullying or other prohibited conduct.

VI. RETALIATION OR REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying or prohibited conduct, who provides information about bullying or prohibited conduct, who testifies, assists, or participates in an investigation of alleged bullying or prohibited conduct, or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct. 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 prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

VII. TRAINING AND EDUCATION

- A. The school district shall discuss this policy with school personnel and volunteers and provide appropriate training to school district personnel regarding this policy. The school district shall establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.
- B. The school district shall require ongoing professional development, consistent with Minn. Stat. § 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:
 - 1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
 - 2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
 - 3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
 - 4. The incidence and nature of cyberbullying; and
 - 5. Internet safety and cyberbullying.
- C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.
- D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.
- E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing

conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

The administration must establish strategies for creating a positive school climate and use evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct.

The administration is encouraged, to the extent practicable, to take such actions as it may deem appropriate to accomplish the following:

1. Engage all students in creating a safe and supportive school environment;
2. Partner with parents and other community members to develop and implement prevention and intervention programs;
3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
5. Teach students to advocate for themselves and others;
6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
7. Foster student collaborations that, in turn, foster a safe and supportive school climate.

F. The school district may implement violence prevention and character development education programs to prevent or 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.

G. The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its Use of Student Records Policy 505.

VIII. NOTICE

- A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. This policy or a summary thereof must be conspicuously posted in the administrative offices of the school district and the office of each school.
- C. This policy must be given to each school employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student Discipline Policy 515 distributed to parents at the beginning of each school year.
- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.
- F. The school district shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

IX. POLICY REVIEW

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minn. Stat. § 121A.031 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definition of Public School)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.03 (Sexual, Religious and Racial Harassment and Violence)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0311 (Notice of Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. Ch. 124E (Charter School)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

Cross References: Harassment and Violence Policy 425
Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 522
Mandated Reporting of Maltreatment of Vulnerable Adults Policy 414
Employee-Student Relationships Policy 409
Student Weapons Policy 532
Student Discipline Policy 515
Use of Student Records Policy 505
Student Disability Nondiscrimination Policy 536
Student Sex Nondiscrimination Policy 421
Technology Acceptable Use and Safety Policy 540
Hazing Prohibition Policy 431
Student Transportation Safety Policy 531

Adopted: 07/07/03
Revised: 03/08/07
Revised: 02/07/08
Revised: 03/05/09
Revised: 02/04/10
Revised: 03/03/11
Revised: 02/06/13
No Changes: 02/06/14
Revised: 03/05/15
No Changes: 03/03/16
Revised: 03/02/17

I. PURPOSE

The purpose of this Crisis Management Policy is to recognize the district's responsibility to provide a safe and secure environment for students, staff, parents, volunteers, community members and visitors and to ensure the district's preparedness in coordinating protective actions prior to, during, and after any type of emergency or potential crisis situation in the school district. Please note that, pursuant to this Policy, the Superintendent is directed to assure that a Forest Lake Area Schools Crisis Management Plan will be developed and maintained that includes tailored crisis management plans for each school building in the school district. The Crisis Management Plan, including those sections tailored for each school building, will be structured so that sections or procedures may be added or deleted based on district and/or building needs.

II. GENERAL INFORMATION**The Policy and Plans.**

The school district's Crisis Management Policy has been created and is maintained in consultation with law enforcement agencies, fire departments and emergency medical services providers serving the counties and communities located in the school district and other appropriate individuals and groups likely to be involved in assisting with a school emergency. It is designed so that, each building administrator can tailor a crisis management plan to meet that building's specific situation and needs.

This Policy and the Crisis Management Plan will be maintained and updated as necessary and approved annually by the School Board.

Legal References: Minn. Stat. Ch. 12 (Emergency Management)
Minn. Stat. § 121A.035 (Crisis Management Policy)
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
Minn. Stat. § 299F.30 (Fire Drill in School)
Minn. Stat. § 609.605, Subd. 4 (Trespasses on School Property)
Minn. Rules Ch. 7511 (Fire Safety)
20 U.S.C. § 1681, *et seq.* (Title IX)
20 U.S.C. § 6301, *et seq.* (No Child Left Behind)
20 U.S.C. § 7912 (Unsafe School Choice Option)
42 U.S.C. § 5121 *et seq.* (Disaster Relief and Emergency Assistance)

Cross References: Employee Right to Know – Exposure to Hazardous Substances Policy 411
Harassment and Violence Policy 425
School Weapons Policy 532
Student Discipline Policy 515
Use of Peace Officers and Crisis Teams to Remove Students with IEPs
from School Grounds Policy 544
School Visitors Policy 704

ADOPTED: 06/05/00

REVISED: 05/05/05

REVISED: 12/07/06

REVISED: 02/07/08

REVISED: 03/25/10

REVIEWED (NO CHANGES): 03/31/11

REVIEWED (NO CHANGES): 03/29/12

REVIEWED (NO CHANGES): 06/27/13

REVIEWED (NO CHANGES): 03/06/14

REVIEWED (NO CHANGES): 03/26/15

REVIEWED (NO CHANGES): 04/07/16

REVIEWED (NO CHANGES): 04/06/17

Proposed Notice for Website Regarding Inaccessible Content:

[SCHOOL NAME] is committed to maintaining a learning and working environment free from discrimination and harassment in all employment and educational programs, activities, and facilities. If you cannot fully access the information on any web page of this site, please let us know the accessibility issue you are having by contacting _____ at _____ or by e-mail at _____. We will try to provide the information to you in an alternate format and/or make the necessary improvements to make the information accessible. If you would like to file a formal grievance under Section 504 of the Rehabilitation Act or Title II of the Americans with Disabilities Act, you may contact our Section 504/Title II coordinator, _____, at _____, by phone at _____, or by e-mail at _____.

Adopted: _____

Revised: _____

[SCHOOL NAME] POLICY No. XXX
WEBSITE ACCESSIBILITY

I. PURPOSE

[SCHOOL NAME] must operate in compliance with federal and state laws including Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (ADA) regarding being accessible to persons with disabilities.

II. POLICY STATEMENT

[SCHOOL NAME] is committed to ensuring accessibility of its website for students, parents, and members of the community with disabilities. All pages on the [SCHOOL NAME]'s website will conform to the W3C WAI's Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents of these guidelines.

The [SUPERINTENDENT] is directed to establish procedures whereby students, parents, and members of the public may present a complaint regarding a violation of the Americans with Disabilities Act (ADA), Section 504 and Title II related to the accessibility of any official [SCHOOL NAME] web presence which is developed by, maintained by, or offered through [SCHOOL NAME] or third party vendors and open sources.

Legal References: Minn. Stat. Ch. 124E (Charter Schools)
29 U.S.C. §794 (Section 504 of the Rehabilitation Act of 1973)
42 U.S.C. §12101 *et seq.* (Americans with Disabilities Act)
42 U.S.C. §2000, Civil Rights Act of 1964, Title VI and VII

XXX-RA

REGULATION

Website Accessibility

With regard to [SCHOOL NAME]'s website and any official [SCHOOL NAME] web presence which is developed by, maintained by, or offered through third party vendors and open sources, [SCHOOL NAME] is committed to compliance with the provisions of Title II of the Americans with Disabilities Act (ADA) and Section 504 so that students, parents, and members of the public with disabilities are able to independently acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as those without disabilities, with substantially equivalent ease of use; and that they are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any [SCHOOL NAME] programs, services, and activities delivered online.

All existing web content produced by [SCHOOL NAME], and new, updated and existing web content provided by third-party developers, will conform to Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents, by June 1, 2019. This Regulation applies to all new, updated, and existing web pages, as well as all web content produced or updated by [SCHOOL NAME] or provided by third-party developers.

[SCHOOL NAME] has designated [DESIGNATED POSITION] as being responsible for reviewing and evaluating new material that is published by [SCHOOL NAME] staff and uploaded to the website for accessibility on a periodic basis. The [DESIGNATED PERSON] will be responsible for reviewing all areas of [SCHOOL NAME]'s website and evaluating its accessibility based on a periodic basis, and at least once per quarter. Any department with non-conforming webpages will be asked to correct the problem in a timely manner.

XXX-RB

REGULATION

Website Accessibility Concerns, Complaints and Grievances

A student, parent, or member of the public who wishes to submit a complaint or grievance regarding a violation of Title II of the Americans with Disabilities Act (ADA) or Section 504 related to the accessibility of any official [SCHOOL NAME] web presence that is developed by, maintained by, or offered through [SCHOOL NAME], third party vendors and/or open sources may complain either directly to the [DESIGNATE POSITION] or another person designated by the Superintendent. The initial complaint or grievance should be made using Exhibit XXX-E, however, a verbal complaint or grievance may be made.

Whether or not a formal complaint or grievance is made, once [SCHOOL NAME] has been notified of inaccessible content, effective communication shall be provided as soon as possible to the reporting party to provide access to the information. The Complainant should not have to wait for the investigation of the complaint to be concluded before receiving the information that he/she was unsuccessful in accessing.

Complaints should be submitted in writing, via email, or by completing Exhibit XXX-E. To file a complaint or grievance regarding the inaccessibility of the [SCHOOL NAME] public website content, the Complainant should submit a description of the problem, including:

- Name
- Address
- Date of the Complaint
- Description of the problem encountered
- Web address or location of the problem page
- Solution desired
- Contact information in case more details are needed (email and phone number)

The complaint or grievance will be investigated by the [DESIGNATED POSITION] or another person designated by the Superintendent. The student, parent, or member of the public shall be

contacted no later than ten (10) school days following the date the website accessibility compliance coordinator receives the information for an initial response. The procedures to be followed are:

- An investigation of the complaint shall be completed within fifteen (15) school days. Extension of the time line may only be approved by the Superintendent.
- The investigator shall prepare a written report of the findings and conclusions within five (5) school days of the completion of the investigation.
- The investigator shall contact the Complainant upon conclusion of the investigation to discuss the findings and conclusions and actions to be taken as a result of the investigation.
- A record of each complaint and grievance made pursuant to Governing Board Policy XXX shall be maintained at [SCHOOL NAME]'s office. The record shall include a copy of the complaint or grievance filed, report of findings from the investigation, and the disposition of the matter.

XXX-E

EXHIBIT

Website Accessibility Complaint and Grievance Form

Date of Complaint/Grievance: _____

Complainant Name: _____

Address: _____

Email: _____

Phone: _____

Website address (or location) of accessibility problem: _____

Description of the problem encountered: _____

Solution desired: _____

Thank you for bringing this matter to the [SCHOOL NAME]'s attention. You may be contacted if more information is needed to process your complaint/grievance. The investigation process is typically completed within fifteen (15) working days from the date it was received.

Signature: _____

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

[Note: School districts are not required by statute to have a policy addressing these issues. However, the provisions of this policy accurately reflect the requirements of Minn. Stat. § 182.653.]

I. PURPOSE

The purpose of this policy is to provide school district employees a place of employment and conditions of employment free from recognized hazards that are likely to cause death or serious injury or harm. (Minn. Stat. § 182.653, Subd. 2)

II. GENERAL STATEMENT OF POLICY

~~It is the~~ The policy of this school district is to provide information and training to employees who may be “routinely exposed” to a hazardous substance, harmful physical agent, ~~or~~ infectious agent, or blood borne pathogen.

III. DEFINITIONS

- A. “Commissioner” means the Commissioner of Labor and Industry.
- B. “Routinely exposed” means that there is a reasonable potential for exposure during the normal course of assigned work or when an employee is assigned to work in an area where a hazardous substance has been spilled.
- C. “Hazardous substance” means a chemical or substance, or mixture of chemicals and substances, which:
 - 1. is regulated by the Federal Occupational Safety and Health Administration under the Code of Federal Regulations, ~~title 29, part 1910, subpart Z;~~ or
 - 2. is either toxic or highly toxic; an irritant; corrosive; a strong oxidizer; a strong sensitizer; combustible; either flammable or extremely flammable; dangerously reactive; pyrophoric; pressure-generating; compressed gas; carcinogen; teratogen; mutagen; reproductive toxic agent; or that otherwise, according to generally accepted documented medical or scientific evidence, may cause substantial acute or chronic personal injury or illness during or as a direct result of any customary or reasonably foreseeable accidental or intentional exposure to the chemical or substance; or
 - 3. is determined by the commissioner as a part of the standard for the chemical or substance or mixture of chemicals and substances to present a significant risk to worker health and safety or imminent danger of death or

serious physical harm to an employee as a result of foreseeable use, handling, accidental spill, exposure, or contamination.

- D. "Harmful physical agent" means a physical agent determined by the commissioner as a part of the standard for that agent to present a significant risk to worker health or safety or imminent danger of death or serious physical harm to an employee. This definition includes, but is not limited to, radiation, whether ionizing or nonionizing.
- E. "Infectious agent" means a communicable bacterium, rickettsia, parasites, virus, or fungus determined by the commissioner by rule, with approval of the commissioner of health, which, according to documented medical or scientific evidence, causes substantial acute or chronic illness or permanent disability as a foreseeable and direct result of any routine exposure to the infectious agent. Infectious agent does not include an agent in or on the body of a patient before diagnosis.
- F. "Blood borne pathogens" means ~~a~~ pathogenic microorganisms that ~~are~~ is present in human blood and can cause disease in humans. ~~These pathogens~~ This definition includes, but ~~are~~ is not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

IV. TARGET JOB CATEGORIES

~~Training~~ Annual training will be provided to all full- and part-time employees who are "routinely exposed" to a hazardous substance, harmful physical agent, ~~or~~ infectious ~~substance~~ agent, or blood borne pathogen as set forth above.

V. TRAINING SCHEDULE

Training will be provided to employees before beginning a job assignment as follows:

- A. Any newly-hired employee assigned to a work area where he or she is determined to be "routinely exposed" under the guidelines above.
- B. Any employee reassigned to a work area where he or she is determined to be "routinely exposed" under the above guidelines.

~~(Minn. Stat. § 182.673)~~

Legal References: Minn. Stat. Ch. 182 (Occupational Safety and Health)
Minn. Rules Ch. 5205 (Safety and Health Standards)
Minn. Rules Ch. 5206 (Employee Right to Know Standards)
29 C.F.R. § 1910.1050, App. B (Substance Technical Guidelines)

Cross References: Policy 426 (Students and Employees with Communicable or Infectious Diseases)

MSBA/MASA Model Policy 807 (Health and Safety Policy)

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