

**South St. Paul**  
*Public Schools*



# **South St. Paul Public Schools**

## **Employee Handbook**

**2024-2025**



### **Our Mission:**

**Ignite a passion in every learner to inquire, continuously improve and engage in positively changing our world**

*This handbook is subject to change without notice as laws, policies and procedures change.*



# Table of Contents

Our Mission .....	2
<b>DISTRICT INFORMATION.....</b>	<b>3</b>
Board of Education .....	3
School Board Policies.....	3
District Administrator Leadership Team .....	4
Building Schedules 2024-2025: .....	4
Inter District Phone Listing .....	5
District Buildings/Programs .....	6
Community Education Programs .....	7
District Map.....	8
<b>COMMUNICATION .....</b>	<b>9</b>
Confidentiality .....	9
Website .....	9
Publications .....	9
<b>HUMAN RESOURCES .....</b>	<b>10</b>
Employee Groups and Work Agreements .....	10
Background Checks – Employment .....	10
Background Checks - Volunteer .....	10
Motor Vehicle Screening .....	10
Calendars.....	11
Holidays.....	11
Name Changes.....	11
Address or Phone Number Changes.....	11
Photo Identification Badge .....	11
Employee Attendance Expectations .....	11
Access to Personnel File.....	11
Nursing Mother Workplace Protections .....	13
Job Postings.....	13
Transfers.....	13
Extra-Curricular and Co-Curricular .....	13
Targeted Services, Summer Programming .....	13
Continuing Education Relicensure Committee .....	13
Teacher Lane Changes .....	13
Emergency Closing of Schools .....	13
Earned Sick and Safe Time Employee Notice.....	14
Leave of Absence .....	15
Family and Medical Leave Act of 1993 .....	15
Jury Duty Leave of Absence .....	15
Military Leave of Absence.....	16
School Conference and Activities Leave .....	16
Resignation from Employment .....	16

<b>JOB PERFORMANCE</b> .....	<b>17</b>
<b>District Expectations</b> .....	<b>17</b>
<b>Job Responsibilities</b> .....	<b>17</b>
<b>Corrective Action</b> .....	<b>17</b>
<b>Your Supervisor</b> .....	<b>17</b>
<b>Teamwork</b> .....	<b>17</b>
<b>Performance Evaluation and Review</b> .....	<b>17</b>
<b>BENEFITS</b> .....	<b>19</b>
<b>Benefits Plan Year</b> .....	<b>19</b>
<b>Health Insurance</b> .....	<b>19</b>
<b>Dental Insurance</b> .....	<b>19</b>
<b>Life Insurance</b> .....	<b>19</b>
<b>Long-Term Disability Insurance</b> .....	<b>19</b>
<b>Flexible Spending Plan</b> .....	<b>20</b>
<b>403(b) Plan/Tax Sheltered Annuity (TSA) Plan</b> .....	<b>20</b>
<b>Employee Assistance Program (EAP)</b> .....	<b>20</b>
<b>Accessibility Notice</b> .....	<b>21</b>
<b>Notice of HIPAA Privacy Rights</b> .....	<b>21</b>
<b>Continuation of Benefits: COBRA Rights</b> .....	<b>21</b>
<b>Form 1095-C or 1095-B (Employer Provided Health Insurance Offer &amp; Coverage)</b> .....	<b>21</b>
<b>PAYROLL INFORMATION</b> .....	<b>22</b>
<b>W-4 Form – Employee’s Withholding Certificate</b> .....	<b>22</b>
<b>Exempt and Nonexempt Employees</b> .....	<b>22</b>
<b>Direct Deposit</b> .....	<b>22</b>
<b>Viewing Paycheck Information</b> .....	<b>22</b>
<b>W2 (Wage &amp; Tax Statement)</b> .....	<b>23</b>
<b>Wage Theft Law</b> .....	<b>23</b>
<b>Wage Disclosure Protection</b> .....	<b>23</b>
<b>Teachers Retirement Association (TRA)/Public Employees Retirement Association (PERA)</b> .....	<b>23</b>
<b>EMPLOYEE SAFETY</b> .....	<b>24</b>
<b>Work Environment</b> .....	<b>24</b>
<b>Standard Response Protocol</b> .....	<b>24</b>
<b>Workers’ Compensation/Reporting Accidents</b> .....	<b>24</b>
<b>SCHOOL DISTRICT POLICIES</b> .....	<b>26</b>

**About this Handbook**

Employees Covered: This Handbook is provided as a reference document for the South St. Paul School District’s (hereinafter referred to as “District”) employees.

Disclaimer: The contents of this Handbook are presented for information purposes only. The plans, policies and procedures described are not intended to promise or guarantee specific terms or conditions of employment. The District reserves the right to modify, revoke, suspend, terminate, or change any or all such plans, policies, or procedures, in whole or in part, at any time with or without notice. The language which appears in this Handbook is not intended to create, nor is it to be construed to constitute, a contract between the District and any one or all of its employees. Nor, should this Handbook be interpreted to promise continued employment. Notwithstanding any provisions of this Handbook, employment may be terminated at any time, with or without cause, except as explicitly provided for in any other pertinent section of this Handbook, individual contract, or relevant collective bargaining agreement.

In case of a direct conflict between this Handbook, rules, regulations or policies of the Board and any specific provisions of an individual contract or collective bargaining agreement, the individual contract or collective bargaining agreement shall control.

This Employee Handbook is intended to provide employees with summary information regarding policies, procedures, ethics, expectations and standards of the District. It is not, however, intended to replace a reading of the actual Board Policies or Administrative Regulations, copies of which are available to all personnel on the District website at [www.sspps.org](http://www.sspps.org). It is important that each employee is aware of the policies and procedures related to his/her position. The rights and obligations of all employees are governed by all applicable laws and regulations, including, but not limited by the following: Federal laws and regulations, Minnesota State Statutes, Rules, Administrative Code and the policies of the South St. Paul School Board.

Nothing contained in this Handbook shall be construed to limit, impair or affect the right of any employee to the expression or communication of a view, grievance, complaint or opinion on any matter related to the conditions or compensation of public employment or their betterment, so long as the same is not designed to and does not interfere with the full, faithful and proper performance of the duties of employment or circumvent the rights of the employee.

## General Information

---



Dear Colleagues,

We are pleased to provide this handbook to all new and current employees, and hope that it will become a useful reference. This handbook is intended to provide clear guidelines on day-to-day issues that arise in a school setting.

We ask you to take some time to review the contents of this document carefully, and to talk with your supervisor or the Human Resources Department about any areas in which you have questions. We also ask you to take the contents of this handbook seriously. Be assured that we take it seriously as well, as we view it as an effort to define shared understandings about professional standards, expectations, and conduct.

Thank you for your commitment to the students and families of our school community. We look forward to working with you throughout the coming year.

Sincerely,

A handwritten signature in blue ink that reads "Joel Milteer".

Joel Milteer  
Director of Human Resources

***Our Mission is to:***

***Ignite a passion in every learner to inquire, continuously improve and engage in positively changing our world.***

**Our Vision (what we intend to create)**

**We will...**

- **Prepare** each and every student for their next step
- **Provide** high quality, individualized programs, services and personalized learning for all ages and stages of a learner’s life
- **Build** capacity in our learners
- **Partner** with our families and community to develop shared ownership of student outcomes and family learning needs
- **Ensure** students and families have reliable and regular access to technology for accelerated learning

**Our Core Values (what drives our words and actions)**

**Respect:** *Recognizing and celebrating the goodness in oneself and others, seeing our differences as strengths and showing care and appreciation for people, property and the entire SSP community.*

**Pride:** A welcoming, inclusive and supportive Packer community that honors and celebrates its rich history while collectively inspiring new traditions.

**Collaboration:** Building community together through trust, hard work, innovation, and a shared commitment To building the South St. Paul that our community aspires to be.

**Integrity:** Being thoughtful, honest, transparent in our words, and actions, and accountable for our decisions.

**Resilience:** The courage to adapt, change and persevere when presented with challenges and opportunities

**Equity:** A safe and supportive environment that provides opportunities for all to be seen, heard, and valued.

**Our Strategic Direction (how we will get there)**

- **Develop** systemic student support services in each school and classroom
- **Promote** ownership of learning by students and staff through an engaging environment and professional development
- **Secure, sustain and allocate** resources to meet student needs
- **Strengthen** family connections and engagement
- **Partner** with community and businesses to leverage local resources

## District Information

---

### Board of Education

The South St. Paul Public School District is governed by a seven-member Board of Education. The role of the Board is to represent the children of the District through the creation of policies and programs that support excellent teaching, a positive and inclusive school environment, and high student achievement.

### School Board Members

Anne Claflin

Tim Felton

Wendy Felton

Nikki Laliberte

John Raasch

Monica Weber

Kim Humann

- *Committees*  
There are four standing committees of the board: Finance, Facilities and Long-Range Planning; Policy; Public Relations; and Superintendent/Executive. The committees meet on an occasional basis. Notice of committee meetings is made a minimum of 24 hours prior to the meeting on the District website. A chart describing each committee and the current board representatives is available on the District website.
- *Work Session Meetings*  
*Work Session meetings of the School Board are scheduled at 5:00 PM on the second and fourth Mondays of each month. The Work Session meeting on the second Monday of each month is held at the District Office at 104 5<sup>th</sup> Avenue South, and the Work Session meeting on the fourth Monday of each month is held at South St. Paul City Hall at 125 Third Avenue North. The meeting agenda and background information are posted by the Friday prior to each meeting on the District website.*
- *Regular Business Meetings*  
Regular Business meetings of the School Board are scheduled at 6:00 PM on the fourth Monday of each month. Regular Business meetings are held at South St. Paul City Hall at 125 Third Avenue North. The meeting agenda and background information are posted by the Friday prior to each meeting on the District website.

### School Board Policies

It is the responsibility of each employee to read and become familiar with School Board Policies of the District. These policies and procedures may be found on the District website. Some policies and procedures are mentioned specifically in this handbook; however, all policies and procedures are expected to be reviewed on a regular basis by all employees.

## District Administrator Leadership Team

The District Administrator Leadership Team works for and with faculty, staff and the Board of Education to keep the focus of the District on student learning. Towards this end, they act in collaboration to review and enhance the operation of the schools, analyze and create policies, troubleshoot issues and areas of concern, and resolve problems.

The following is a list of leadership positions within the District:

### District Administrators

Dr. Brian Zambreno	Superintendent of Schools
Amy Winter	Executive Director of Educational Services
Mark Fenton	Director of Buildings & Grounds
Brady Hoffman	Director of Finance
Joel Milteer	Director of Human Resources
Tina Moses	Director of Technology
Dorie Pavel	Director of Nutrition Services
Jeanne Zehnder	Director of Community Education
Candace Burckhardt	Director of Student Services

### Building Principals

Leah Bourg	Middle School
Terry Bretoi	Kaposia Education Center
Theresa Starkman	Lincoln Center
Chuck Ochocki	High School

### Assistant Principals

Jennifer Sexauer	Lincoln Center
Jody Hansen	Kaposia Education Center
Brady Krueger	High School
Angie Ryter	High School
Robin Schwab	Community Learning Center
Andrew Barter	Middle School

## Building Schedules 2024-2025:

### District Office

Office Hours: 7:00 AM – 4:00 PM

### Family Education Center

(Early Learning)

Office Hours: 8:00 AM – 3:30 PM

### Kaposia Education Center (PreK – Grade 5)

Doors open for students: 8:50 AM  
 Student instruction begins: 9:00 AM  
 Student instruction ends: 3:35 PM

### Lincoln Center

(PreK – Grade 5)

Doors open for students: 8:10 AM  
 Student instruction begins: 8:20 AM  
 Student instruction ends: 2:55 PM

### Middle School/High School (Grades 6-12)

Doors open for students: 7:30 AM  
 Student instruction begins: 7:50 AM  
 Student instruction ends: 2:25 MS  
 2:30 HS

### Community Learning Center

(Grades 9-12)

Doors open for students: 7:00 AM  
 Student instruction begins: 7:45 AM  
 Student instruction ends: 2:20 PM

Anderson, Conrad	SEC	IB Coordinator	9454	Molohon, Andrew	SEC	Cultural Liaison	9490
Attendance	SEC		9415	Molohon, Andrew	LC	Cultural Liaison	3663
Attendance	KEC		9422	Moses, Tina	SEC	Technology Director	5560
Attendance	LC		9498	Murphy, Connor	DO	Digital Learning Splst	3699
Barter, Andrew	MS	Assistant Principal	9405	Nihart, Kris	SEC	Activities Asst	9462
Becraft, Ben	DO	Finance Specialist	9471	Ochocki, Chuck	HS	Principal	9402
Bourg, Leah	MS	Principal	3659	Pavel, Dorie	DO	Nutrition Svcs Director	9456
Brandecker, Lisa	DO	Mgr Adm Svcs/Comm	9465	Peterson, Lori	SEC	Tech Coordinator	1168
Bretoi, Terry	KEC	Principal	6306	Pottinger, Kerry	KEC	Office Assistant	1103
Burckhardt, Candace	DO	Student Svcs Dir	9466	Quinn, Nancey	EC	CLC Assistant	3428
Campbell, Louise	FEC	Preschool/ECFE Asst	9418	Ries, Julie	SEC	Student Records	9475
Castellanos, Tere	FEC	Cultural Liaison	3644	Roe, Carolyn	LC	Principal's Asst	7408
Cavalier, Melissa	SEC	Police Liaison	9463	Robinson, Kara	KEC	Principal's Asst	6301
Childs, Danette	DO	Comm Specialist	9412	Rogers, Kayla	KEC	School Nurse	9424
Custodial Office	SEC		9438	Ryan, Erika	DO	B&G/Transportation Asst	9474
Custodial Office	KEC		6242	Ryter, Angie	HS	Assistant Principal	9435
Custodial Office	LC		9482	Kristen Sammartano Weeks	FEC	Early Lrng Supp Coor	3642
Danielson, Jennifer	DO	Student Svcs AD	9440	Schmidt, Maggie	DO	Nutrition Svcs AD	3675
Davis, Martha	FD	Ed Foundation Asst	9440	Schmidt, Megan	DO	HR Manager	9496
Early Childhood Scrng	FEC		7232	Schwab, Robin	CLC	Assistant Principal	3686
Fenton, Mark	DO	Bldgs & Grounds Dir	9431	Sexauer, Jennifer	LC	Assistant Principal	7407
Food Service	SEC		9444	Service Building	SB		9450
Food Service	KEC		6241	Shannon, Jody	DO	Ed Svcs/Tech Asst	9469
Food Service	LC		5576	Shepard, Jamie	DO	Student Info Specialist	9470
Gamez, Lesly	DO	Educational Svc AD	5563	Skwira, Beth	FD	Ed Foundation Director	9486
Ganje, Kayla	LC	Office Assistant	7406	Sundstrom, Scott	DO	Instruct & Achieve Coord.	5595
Granados, Delia	SEC	Cultural Liaison	3665	Swenson, Shannon	DO	Finance Manager	9492
Hansen, Jody	KEC	Asst Principal	6307	Tech Help Desk			9459
Hart, Jenna	DO	Student Svcs Asst	9481	Trettel, Amy	CS	Community Ed Assistant	3631
Her, Blia	DO	Human Resources	9409	Wiederich, Christine	SEC	Academic Supp Specialist	9406
Hoffman, Brady	DO	Finance Director	9428	Winter, Amy	DO	Exec Dir Educational Svc	9416
Holsen, Eric	SEC	Theatre Director	9430	Wright, Bob	SEC	Print Shop	5588
Jacobs-Buse, Linda	CS	Comm Ed Programs	3632	Zambreno, Brian	DO	Superintendent	9465
Krueger, Brady	SEC	Asst Princ/Act Dir	9417	Zehnder, Jeanne	CS	Community Ed Director	3634
Litfin, Amy	LC	ECSE Coordinator	9497				
Macioch, Joleen	SEC	Principal's Asst	9410		DO	DO Front Desk	9429
Marty, Theresa	LC	Principal	9461		SEC	Office Assistant	1103
Medina-Cuenca, Daisy	KEC	Cultural Liaison	3667		LC	School Nurse	7409
Milteer, Joel	DO	HR Director	9473		SEC	School Nurse	9449

## District Buildings/Programs

---



Kaposia Education Center (PreK-5)  
1225 First Avenue South  
Office: (651) 451-9260  
School Hours: 9:00 AM - 3:35 PM



Lincoln Center (PreK-5)  
357 Ninth Avenue North  
Office: (651) 457-9426  
School Hours: 8:20 AM - 2:55 PM



South St. Paul Secondary Building (Middle School 6-8; High School 9-12)  
700 Second Street North  
Office: (651) 457-9408  
School Hours: 7:50 AM – 2:25 PM (6-8)  
School Hours: 7:50 AM – 2:30 PM (9-12)

The Community Learning Center is a non-traditional school serving middle school and high school students.



South St. Paul Education Center  
710 19<sup>th</sup> Avenue North  
Office: (651) 450-9966  
School Hours: 7:45 AM - 2:20 PM

## Community Education Programs

---

### Community Preschool

South St. Paul offers excellent preschool programs for children ages three to five at the following locations:

Kaposia Education Center  
1225 First Avenue South  
Office: (651) 451-9260

Lincoln Center  
357 - Ninth Avenue North  
Office: (651) 457-9426

### Early Childhood Family Education (ECFE)

South St. Paul provides ECFE opportunities to our families and our youngest learners.

Family Education Center  
104 Fifth Avenue South  
Office: (651) 457-9418

### Kids' Choice School-Age Care

South St. Paul Schools' Community Education Department offers School-Age Care before and after school, non-school days and during the summer months to youth in K – Grade 5 at Kaposia Education Center and Lincoln Center.

Kids' Choice Main Office  
100 Seventh Avenue North  
Office: (651) 306-3631

### Adult Basic Education

South Suburban Adult Basic Education (SSABE) provides adults in Northern Dakota County with educational opportunities to acquire and improve literacy skills in order to become self-sufficient, proud employees, family members, and citizens. Day and evening classes are provided at various locations in South St. Paul, West St. Paul and Inver Grove Heights throughout the year.

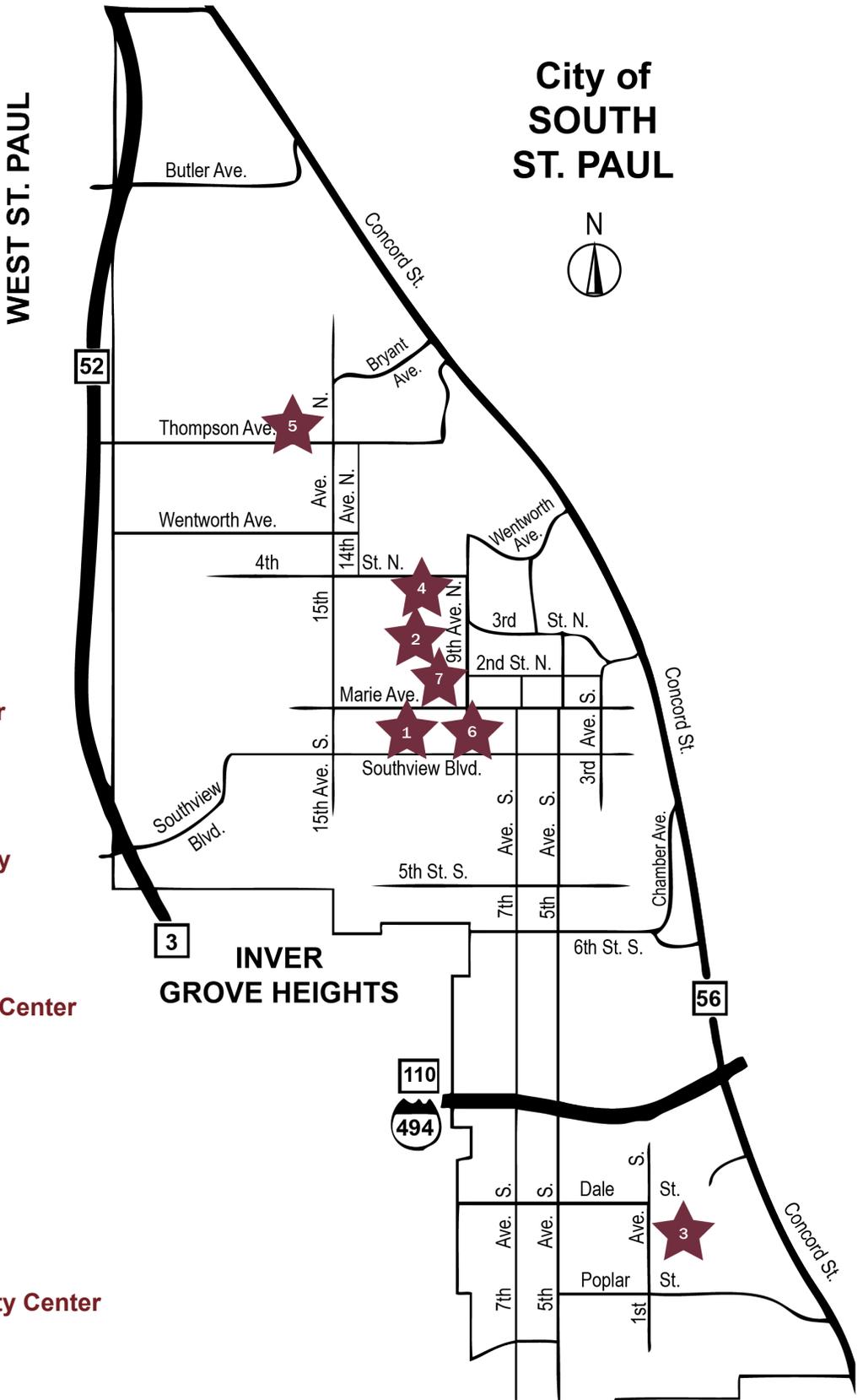
SSABE Main Office  
100 Seventh Avenue North  
Office: (651) 306-3632



# South St. Paul Public Schools

Minnesota's First K-12 IB World Schools District

- 1 District Office**  
104 Fifth Avenue South  
South St. Paul, MN 55075  
(651) 457-9400
- 2 South St. Paul Secondary**  
700 Second Street North  
South St. Paul, MN 55075  
(651) 451-9408
- 3 Kaposia Education Center**  
1225 First Avenue South  
South St. Paul, MN 55075  
(651) 451-9260
- 4 Lincoln Center Elementary**  
357 Ninth Avenue North  
South St. Paul, MN 55075  
(651) 457-9426
- 5 South St. Paul Education Center**  
710 19th Avenue North  
South Saint Paul, MN 55075  
(651) 450-9966
- 6 Family Education Center**  
102 Fifth Avenue South  
South St. Paul, MN 55075  
(651) 457-9418
- 7 Central Square Community Center**  
100 Seventh Avenue North  
South St. Paul, MN 55075  
(651) 306-3632



## Communication

---

### Email Accounts

District email is the primary way we communicate important information to employees. Most employees of the District will be assigned an email address at the time of hire. Employees are expected to check their email at appropriate times during each workday to obtain important information from their supervisor or other District employees.

Employees must be aware that because we are a public entity, email messages constitute “data” under the Minnesota Government Data Practices Act. This means that they must be retained by the District, pursuant to the District’s data retention schedule. It also means that messages that relate to students and/or their parents are considered student data, to which parents must be provided access, upon their request. Messages must always remain professional and objective, and be free of disparaging and/or subjective comments about parents, students or staff.

Do not assume that email is private or confidential. All email sent or received through District email is potentially subject to “open records” laws, and may have to be divulged if requested by a citizen. If you need to communicate sensitive information, do not use email. Lastly, do not use District email for personal purposes, or your personal email for district purposes.

### Confidentiality

Most information obtained as the result of employment with the School District is classified as confidential or private under the Minnesota Government Data Practices Act. The same is true of data which relates to current or former students. Respect for the privacy of our students requires that you discuss any student issues only with those staff members and parents who need to know the information. In addition to student information, confidentiality is expected in other areas, including staff information or school district business information.

The District will comply with requests for public information as they are received according to state law and school district policy. Requests should be directed to the Communications Department.

Refer to Board Policy:

#406 - Public and Private Personnel Data

#515 - Protection and Privacy of Pupil Records

### Website

The District website [www.sspps.org](http://www.sspps.org) provides a great amount of information including the staff directory, links to each school site, school calendars, updates and other staff resources.

### Publications

- *District e-News* – District news and updates are sent bi-weekly via email to South St. Paul families, including stories highlighting student and staff achievements, School Board information, and other events/activities.
- *Inside SSPPS* – District news, updates and other important information is sent bi-weekly via email to all staff.
- *SixTimes* – A quarterly printed publication mailed to all District residences. Digital copies are also available on the District website.

## Human Resources

---

### Employee Groups and Work Agreements

All School District job classifications have been assigned to particular employee groups. The District's teachers, educational support professionals, maintenance, office professionals and principals are union groups with collective bargaining agreements.

Our labor unions and management negotiate collective bargaining agreements, which govern salary, benefits, work hours and terms and conditions of employment. It is important that you review and understand your contract agreement. Collective bargaining agreements are posted on the District website.

All employees within our independent employee groups (Directors, Assistant Directors/Coordinators, Nutrition Services, District Support, Technology, Custodians and Student Support) are employed at the will and discretion of the district. As such, there shall not be individual continuing contract status, in fact or implied. At-will employees may be employed, promoted, demoted, or terminated at the will of the District so long as requirements for cause, procedures, and the rights of the individual as mandated under law have not been violated. Independent employees receive an employment agreement outlining terms and conditions of employment.

### Background Checks – Employment

All individuals who receive an offer of employment for a School District position are required to complete a background check. Employment with the District is contingent upon a successful background check.

Additional background checking and fingerprint submission through the Department of Human Services are required for all employees who work in childcare settings. This requirement applies to all employees or substitutes who work in our Kids' Choice school-age care program or Packer Pad summer program.

### Background Checks - Volunteer

All volunteers in our School District are required to successfully complete a background check on an annual basis. Office personnel at each of our buildings manage the volunteer process in partnership with Human Resources.

### Motor Vehicle Screening

Positions that require driving a vehicle as part of its main job duties must have a valid, current driver's license and a safe driving record. The initial hiring into a position is contingent upon successfully passing a motor vehicle screening. Thereafter, motor vehicle screening occurs annually. Employees in these positions are required to notify the Director of Human Resources of any motor vehicle violations within five (5) business days of the occurrence. Failure to maintain these requirements or to notify the Director of any infractions that affect your driving record may result in disciplinary action up to and including termination of employment.

## **Calendars**

School year calendars are typically approved by the School Board annually in early spring for the following year. Work calendars for the following school year are developed and communicated to employees once available.

The number of duty days for continuing contract and probationary teachers are outlined in the Teachers' Collective Bargaining Agreement. Probationary teachers have additional duty days added to their contract to allow for new teacher orientation and mentoring time the first year, and additional support and learning for probationary years two and three teachers.

## **Holidays**

District holidays are included in the calendar and approved by the School Board. Eligibility for paid holidays is based on collective bargaining agreements or employment agreements.

## **Name Changes**

If your name changes, you must provide a copy of your new Social Security card to Human Resources. Name changes will not be made in the District payroll, finance, human resources or technology systems until that process has been completed. It is important that accurate, up-to-date information is kept on file for you in the District, so please report changes promptly.

## **Address or Phone Number Changes**

Please notify Human Resources of any changes to your address or phone number. The phone number that we have on file is the number we will use to contact you with important school information and notifications.

## **Photo Identification Badge**

Most employees will be issued a photo identification badge at the time of hire. Employee identification badges are an important part of providing a secure environment for our students and employees, and all employee badges must be of the same type. Badges should be worn at all times and should be visible while on District property. If a badge is misplaced, lost, stolen or damaged, the employee is required to notify Human Resources at [human.resources@sspps.org](mailto:human.resources@sspps.org) immediately to ensure that the photo identification card is deactivated, and to make a request for a new photo identification badge. Should your employment with the District end, you are required to return your photo identification badge to your supervisor.

## **Employee Attendance Expectations**

Each employee is responsible for being at work and ready to begin working at the scheduled time, or receive prior supervisor approval to be absent. South St. Paul Schools relies on all employees to productively contribute to its operations. Supervisors depend on all employees to maintain work schedules. Absenteeism and tardiness places an unfair burden on other employees and supervisors. Thus, prompt, regular, and reliable attendance is expected of all South St. Paul employees.

If you are unable to perform your duties and responsibilities because of personal illness, injury, or other reasons, you must notify your supervisor as soon as possible prior to the start of the day. Supervisors may implement more specific guidelines. In addition, South St. Paul Schools utilizes Skyward, a web-based reporting system to manage time off. All time off requests must be entered in Skyward within 24 hours of absence (except in emergency situations).

South St. Paul Schools utilizes Frontline Education's Absence Management System to schedule substitutes for teachers, most educational support professionals and select other positions when an absence occurs. All time off requests must first be entered in Skyward, and if a substitute is required, the "sub required" box must be checked. You will then be redirected to the Absence Management System to log in and request a substitute. We collaborate with Teachers On Call (TOC) to fill our teacher and assistant substitute needs.

Compliance with the above reporting procedures is essential to facilitate continuity of instruction at South St. Paul Schools, and to maintain a safe, orderly environment. Failure to comply with the above reporting procedures may lead to disciplinary action.

Supervisors have the final authority and discretion when approving or denying absences. Most positions in the School District accrue leave time (sick leave, personal leave, or vacation) to be used for an employee's absence. Be sure to check your collective bargaining agreement or employment agreement for leave information and limitations. Unless an employee has leave accumulated or unpaid leave is available pursuant to law or the applicable collective bargaining agreement or work agreement, South St. Paul Schools does not provide leave. Available and applicable paid leave must be used prior to requesting unpaid leave.

A supervisor may require an employee to furnish a medical certificate from a qualified physician as evidence of illness, indicating such absence was due to illness, in order to qualify for sick leave pay for absences greater than three (3) consecutive days. If a medical certificate is required and the employee is covered by a collective bargaining agreement, the applicable provision in the collective bargaining agreement will be followed.

South St. Paul Schools may monitor attendance and absence patterns. Misuse of leave time is considered theft of time. Theft of time and/or improper modification of time worked records may result in disciplinary action up to and including termination. Unexcused absences and tardies will be treated as a performance concern, and may result in disciplinary action up to and including termination. Absence is defined as failing to report to work for a scheduled shift or workday without having secured pre-approved leave. Tardiness is defined as failing to report to work at the scheduled start time of an employee's shift or workday, including failing to report back to work on time after a scheduled lunch or break period, without having preapproval to report late from a supervisor. Tardiness may also include any instances where an employee has punched in at the start of their scheduled shift or workday, but who is not prepared to actually begin working at that time.

### **Access to Personnel File**

The District will provide employees with access to their personnel record upon written request. A current employee is entitled to review their personnel record once every six months, and may dispute the contents.

## **Nursing Mother Workplace Protections**

Per the Minnesota Women's Economic Security Act, the District will provide a reasonable, unpaid break time each workday to any employee who needs to express milk for her child.

The space provided to express milk must: be in close proximity to the work area; be a room other than a bathroom or toilet stall; be shielded from view; be free from intrusion from coworkers and the public; and include access to an electrical outlet.

Please work with your building supervisor to identify the designated space.

## **Job Postings**

All open positions are advertised on the district Website under the Employment Opportunities section. If you are interested in being considered for one of the jobs posted, you are asked to apply for the job electronically through the District website under Employment. All qualified applicants are considered for job openings as they occur.

## **Transfers**

Employees interested in transferring to an open and posted position should express their interest through the internal application process on the District website under Employment.

## **Extra-Curricular and Co-Curricular**

All coaching or advisor positions for extra-curricular activities are posted on the District website under Employment. Interested current employees are encouraged to apply for positions via the internal application process. Employees who are appointed to a coaching or advisor position must work with their supervisor and Athletics/Activities Director to ensure student contact time is not impacted.

## **Targeted Services, Summer Programming**

Posting for before or after school programs or summer programming are included on the District website under Employment. Current employees are encouraged to submit their interest via the internal application process.

## **Continuing Education Relicensure Committee**

Clock hours for license renewals for teachers are submitted to the District Continuing Education Relicensure Committee for approval. Administrative clock hours are submitted to the Director of Human Resources for approval. All certified staff are required to submit a copy of their renewed license to Human Resources prior to expiration.

## **Teacher Lane Changes**

Lane changes are processed twice per year. Completed lane change requests, including official transcripts, must be submitted to Human Resources by September 1 and will be effective at the start of the school year. Completed requests received by January 15 will be effective February 1. All course work for lane changes is required to be pre-approved. Lane change instructions and forms are located on the district website under Human Resources Forms and Information.

## **Emergency Closing of Schools**

If school district facilities are closed due to hazardous weather or other emergency conditions, employee responsibilities and reporting procedures are outlined in School Board Policy #307.

## Earned sick and safe time employee notice

Employees in Minnesota who work at least 80 hours during the school year, are entitled to earned sick and safe time, a form of paid leave. Employees will accrue at least one hour of earned sick and safe time for every 30 hours they work, up to at least 48 hours in a year. The amount of earned sick and safe time earned in a school year may be frontloaded at the beginning of the school year or earned throughout the school year, and will vary by bargaining or work group. Employees must check their collective bargaining or independent working agreement for more information about how earned sick and safe time or sick leave is earned. A year for purposes of the employee's earned sick and safe time accrual is July 1 through June 30 each school year.

At the end of each pay period, the District must provide employees with the number of earned sick and safe time hours used by the employee during the pay period and available for future use. Earned sick and safe time must be paid at the same base rate employees earn from employment. Employees are not required to seek or find a replacement for their shift to use earned sick and safe time. They may use earned sick and safe time for all or part of a shift, depending on their need.

Earned sick and safe time can be used for:

- an employee's mental or physical illness, treatment or preventive care;
- the mental or physical illness, treatment or preventive care of an employee's family member;
- absence due to domestic abuse, sexual assault or stalking of an employee or their family member;
- closure of an employee's workplace due to weather or public emergency or closure of their family member's school or care facility due to weather or public emergency; and
- when determined by a health authority or health care professional that an employee or their family member is at risk of infecting others with a communicable disease.
- making funeral arrangements, attending a funeral service or memorial or addressing financial or legal matters that arise after the death of a family member.

## Notifying the District, documentation

The District requires employees to provide up to five (5) days of advance notice when possible (for example, when an employee has a medical appointment scheduled in advance) before using sick and safe time. The District also requires employees to provide certain documentation regarding the reason for their use of earned sick and safe time if they use it for more than three consecutive scheduled workdays.

If an employee plans to use earned sick and safe time for an appointment, preventive care or another permissible reason they know of in advance, the employee must inform their immediate supervisor by email as far in advance as possible, but at least five (5) days in advance. In situations where an employee cannot provide advance notice, the employee should contact their immediate supervisor by email and by phone as soon as they know they will be unable to work.

## Retaliation, right to file complaint

It is against the law for the District to retaliate, or to take negative action, against an employee for using or requesting earned sick and safe time or otherwise exercising their earned sick and safe time rights under the law. If an employee believes they have been retaliated against or improperly denied earned sick and safe time, they can file a complaint with the Minnesota Department of Labor and Industry. They can also file a civil action in court for earned sick and safe time violations.

## For more information

Contact the Minnesota Department of Labor and Industry's Labor Standards Division at 651-284-5075 or [esst.dli@state.mn.us](mailto:esst.dli@state.mn.us) or visit the department's earned sick and safe time webpage at [sickleave.mn.gov](http://sickleave.mn.gov) for additional information and/or to have this information provided in a different language.

## Leave of Absence

A Leave of Absence Form must be completed and submitted to Human Resources for all absences of five consecutive days or more. In most cases, additional documentation (i.e. doctor's note) should accompany the Leave of Absence Form. Depending on the reason for the leave of absence, Family & Medical Leave Act (FMLA) paperwork may be required from your physician.

## Family and Medical Leave Act of 1993

The Family and Medical Leave Act (FMLA) of 1993 requires the District to provide up to 12 work weeks of unpaid, job-protected leave to eligible employees for certain family or medical reasons. Employees are eligible if they have worked for the District for at least one year, and have worked a minimum of 1,250 hours during the twelve months prior to the leave. For more information, employees may reference Board Policy #410 or contact Human Resources.

## Jury Duty Leave of Absence

Employees who receive a summons for jury duty are to notify their administrator or immediate supervisor as soon as possible after receipt of the summons. Should employees serve as jurors, they will be allowed time off with full pay. If an employee is "on call" for jury duty, they must report to work until required to report for jury duty.

*Note:* Employees who serve in casual or temporary positions are generally not required to abide by this section. However, employees should check with the Human Resources department if they receive a notice for jury duty in order to obtain the appropriate information for their employment status.

If employees on jury duty are excused from jury duty at any time throughout their scheduled workday, they are expected to return to their normal work location and continue serving in their normal assignment. This leave applies only when the employee's normal work schedule conflicts with jury duty time. If an employee is "on-call" for jury duty, they must report to work until required to report for jury duty.

If an employee is summoned for jury duty, the employee will not lose regular salary or benefits. To properly account for duty time, the employee must:

Submit the following to Human Resources within 48 hours of receipt of the summons for jury duty:

- Completed leave request form. The leave request form can be found on the [sspps.org](http://sspps.org) website under Human Resources/Payroll.
- The summons the employee received requiring the employee to report for jury duty.

Submit the following to Human Resources within thirty (30) days of the last jury duty day served:

- The original receipts for expenses incurred while serving as a juror (e.g., parking),
- The stub from the expense/mileage check received for serving on the jury,
- A check from the employee representing the difference between the stipend the employee received for jury duty and the total amount of the receipts (including mileage) the employee is submitting.

If the necessary items are not received within thirty (30) days from the time the employee served on the jury, the Payroll department will be advised to account for the time absent as time without pay and to modify employee compensation accordingly.

## **Military Leave of Absence**

Employees taking part in a variety of military duties are eligible for benefits under the Uniformed Services Employment and Reemployment Rights Act (USERRA). Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service, and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Employees requesting leave for military duty should notify their supervisor and contact the Human Resources department to request leave as soon as they are aware of the need for leave. Employees are required to submit necessary documentation to support the leave request.

## **School Conference and Activities Leave**

The District must grant an employee leave up to a total of 16 hours during any 12-month period to attend school conferences or school-related activities related to the employee's child, provided the conferences or school-related activities cannot be scheduled during non-work hours. If the leave cannot be scheduled during non work hours and the need for leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt the operations of the district.

The employee may substitute accrued paid vacation, paid time off or personal leave when requesting time off with human resources.

## **Resignation from Employment**

The School District requires notice if you are resigning from employment, and we request as much advance notice as possible in order to allow time to advertise and hire your replacement. This notice should be in writing, utilizing the School District's Resignation/Retirement form found on the District's website with your signature and effective date of the resignation. You may also include a personal letter if you wish. Failure to give notice may jeopardize a future reference.

At the time of resignation or retirement, and prior to leaving the District, you will need to return all District property to your supervisor. Keys, key fobs, identification badges, technology devices and all other District property are to be given to your supervisor, who will ensure that all property is returned to the department where it originated.

## **Job Performance**

---

### **District Expectations**

The District expects its employees to produce quality work, maintain confidentiality, work efficiently, demonstrate regular and reliable attendance, and exhibit a professional and courteous attitude toward other employees, parents, and students. It is also expected that employees will comply with all applicable Board policies, work rules, administrative regulations, job descriptions, terms of this handbook, and legal obligations. Violation of any policies, regulations or guidelines may result in disciplinary action, including termination of employment.

### **Job Responsibilities**

Your position has specific responsibilities that you are expected to perform. It is important that the responsibilities of each job are fully understood. Please speak with your supervisor if you have any questions about the duties you are expected to perform in your job. In addition, most jobs will require employees to be flexible and willing to take on new assignments as a result of their responsibilities changing over time. Therefore, it is very important that you clearly understand what your supervisor expects of you, and that you keep abreast of changes in your job. Check with your supervisor if you have questions regarding your job description duties.

### **Corrective Action**

Corrective action may be taken by supervisors to address the behavior or performance of employees whose conduct disrupts the activities and goals of the School District. Corrective action may also be taken to address work rule violations and other prohibited acts. This process may include oral warnings, written warnings, suspension, demotion or termination.

### **Your Supervisor**

We encourage open communication throughout the District. Your supervisor should be the first person you talk to regarding most questions or concerns you may have. Your supervisor can explain operations, protocols, and procedures, and can refer you to written materials or other resources for additional information.

### **Teamwork**

Providing a quality education for students and a quality work experience for you involves teamwork between you and every other employee in the District. Teamwork is demonstrated by showing respect, cooperation, and leadership at all times. Serving as an effective member of your team is key to accomplishing the District's mission.

### **Performance Evaluation and Review**

Evaluation of administrators, non-teaching professional personnel, non-certified and other personnel job performance is a continual process that focuses on improvement, and is based on assigned job-related criteria and duties. Employees will be informed of the criteria upon which the appraisal shall be based, and evaluators will be appropriately trained in the use of the relevant appraisal instrument.

An initial performance evaluation should be completed during the probationary period. The probationary period varies by contract/agreement. Please check your contract/agreement to determine the length of the probationary period. The probationary period for teachers is based on MN Statutes 122A.40.

All employees (except teachers) may participate in an annual evaluation process, completed on District-approved forms, with their supervisor. Memoranda, correspondence, and reports may be used to document employee performance. Performance reviews may be completed more frequently if necessary.

Evaluation of probationary and continuing contract teachers is described in the Teacher Development and Evaluation (TDE) Plan and adheres to MN Statutes 122A.40 and 122A.41.

## Benefits

---

South St. Paul Schools provides numerous benefits to eligible employees, including health, dental, life and long-term disability insurance, and medical and daycare flexible spending accounts. Eligibility for these benefit plans, and the District's contribution are determined based on your specific collective bargaining agreement or work agreement. Employee insurance cost sheets are available on the District website.

### Benefits Plan Year

Insurance plans follow a January 1 through December 31 plan year. Payroll deductions for benefit plans are calculated based on the period of coverage. You may elect individual coverage or add family members to your selected insurance plans. The cost of coverage in excess of the District's contribution is paid by payroll deduction. Payroll deductions for an employee's share of health and dental premiums are made on a pre-tax basis. The elected coverage must remain in effect for the entire plan year, unless the employee experiences a qualifying life event and reports that change to Human Resources. A change in election is only possible *within 30 days* of a qualifying life event that is consistent with the requested insurance change.

### Health Insurance

The District currently offers its eligible employees health insurance through HealthPartners. Coverage is available beginning the first of the month following the date of hire, but shall be effective only upon enrollment. The opportunity for enrollment is within the first 30 days of initial employment, or within 30 days of a change in employment status due to a qualifying life event. A summary of benefits for the District's medical insurance plans is available on the District website.

Frequent Fitness - Our current health insurance plan includes a frequent fitness program. Details about participation requirements and tax implications are posted on the Human Resources page on the District website.

### Dental Insurance

The District currently offers its eligible employees dental insurance through HealthPartners. Coverage is available beginning the first of the month following date of hire, but shall be effective only upon enrollment. The opportunity for enrollment is within the first 30 days of initial employment, or within 30 days of a change in employment status due to a qualifying life event. A summary of benefits for the District's dental insurance plan is available on the District website.

### Life Insurance

The District currently offers group life insurance to eligible employees through The Standard. Employee-paid supplemental plans are also available. Eligibility and plan amounts are based on your specific employee group. Life insurance summaries by employee classification are located on the District website.

### Long-Term Disability Insurance

The District currently offers long-term disability insurance to eligible employees through The Standard. Under the plan, a disabled employee would receive 66 2/3% of their regular salary (up to a predetermined maximum) after a 90-day waiting period. A long-term disability summary is available on the District website.

## Flexible Spending Plan

This plan permits eligible employees to set aside money from before-tax income which can be used later to pay for certain health care and dependent care expenses. Taxable income is reduced through this plan option, thereby saving tax dollars and increasing take-home pay.

Eligible expenses include:

- Medical expenses (not paid by insurance)
- Dental expenses (not paid by insurance)
- Allowed over-the-counter items
- Daycare expenses

In order to utilize the plan, employees must estimate the amount of qualified expenses that all eligible dependents will incur during the plan year. Pay is then reduced by that amount, creating a pool of tax-free dollars from which qualified expenses can be paid. Additional information about the Flexible Spending Plan is available on the district website under Employee Benefits.

Open enrollment for the plan will be held annually in late October/early November for the plan year beginning January 1.

## 403(b) Plan/Tax Sheltered Annuity (TSA) Plan

A 403(b) plan allows an employee to make pre-tax contributions via paycheck deductions into an account. You do not pay income tax on allowable contributions until you begin making withdrawals from the plan, which usually occurs after you retire. Earnings and gains on amounts in your 403(b) account are not taxed until you withdraw them. Penalties for early withdrawal do occur if funds are withdrawn prior to the time allowed by the IRS.

All eligible employees have the opportunity to enroll in the South St. Paul Public Schools 403(b) Plan. Matching contributions are available for some employees based on position and years of service. Information about the District-approved vendors and the enrollment form (TSA Salary Reduction Agreement) is available on our District website. Matching contribution details are located in the applicable collective bargaining agreement or work agreement.

## Employee Assistance Program (EAP)

The District currently provides employees with access to an employee assistance program through The Standard, our long-term disability insurance carrier. This benefit is available to all eligible employees. The EAP provides confidential counseling and referral services to help resolve personal problems that may be affecting your life at work or at home. The EAP can be reached 24 hours a day, 7 days per week by calling 1-888-293-6948.

Counselors are available 24 hours a day, 7 days per week, and can help with a variety of needs employees may have. Additional information about the Employee Assistance Program is available on the district website under Employee Benefits.

## **Accessibility Notice**

In accordance with the ADA Amendments Act (ADAAA), South St. Paul Schools will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of their job unless doing so causes undue hardship to the School District. Contact the Human Resources department with any questions or requests for accommodation.

## **Notice of HIPAA Privacy Rights**

This notice describes how medical information about you may be used and disclosed, and how you can get access to this information. Please review it carefully.

The Health Insurance Portability & Accountability Act of 1996 (HIPAA) is a federal program that requires that all medical records and other individually identifiable health information used or disclosed by South St. Paul Schools in any form, whether electronically, on paper, or verbally, are kept properly confidential. This Act gives you significant new rights to understand and control how your health information is used. HIPAA provides penalties for covered entities that misuse personal health information.

## **Continuation of Benefits: COBRA Rights**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides employees and their dependents with the right to continue group insurance benefits provided under the employer's group health plan for a limited period of time under certain circumstances such as voluntary or involuntary employment loss. Qualified individuals are required to pay the entire premium for any coverage continued.

## **Form 1095-C or 1095-B (Employer Provided Health Insurance Offer & Coverage)**

Form 1095 is an Internal Revenue Service (IRS) tax form, which reports information about an employee's health insurance offer and coverage. Form 1095 is mailed to applicable employees at the address on file in the Human Resources Department no later than the deadline established by the IRS.

Employees have the option to access their 1095 form in Skyward Employee Access, rather than waiting to receive it by mail. This is an effective and economical method to receive your form. With this method, employees can access the 1095 from any media device connected to the internet from home, work or while traveling – similar to accessing your paychecks. The option to choose this method will be communicated to employees via a message in Skyward.

If you choose to have your 1095 form mailed to you, ensure your address on file with the Human Resources Department is accurate.

## Payroll Information

---

Employees are paid on the 15<sup>th</sup> and 30<sup>th</sup> of each month. If the 15<sup>th</sup> or 30<sup>th</sup> occurs on a Saturday, Sunday or a bank holiday, the payday will be the preceding workday.

Refer to the current payroll schedule to determine the date that completed timesheets are due to the Finance Department. Building and department leaders will have their own due dates for employees to submit timesheets; make sure to find out when they are due to your supervisor. The payroll schedule is available on the District website under Human Resources/Payroll.

Minnesota Statute 518.611, Subdivision 8, requires employees to notify the School District of any child support obligations to be withheld from paychecks.

**All payroll forms are located on the District website: Departments, Human Resources/Payroll, Employee Resources & Forms, Payroll Forms/Info**

### W-4 Form – Employee’s Withholding Certificate

New employees are required to complete both a Federal and State W-4 form to choose withholdings. To change withholdings or marital status, employees must complete both a Federal and State W-4 form and submit to Payroll. W-4 forms are located on the district website under Human Resources/Payroll.

### Exempt and Nonexempt Employees

Each employee is designated as either exempt or non-exempt from federal and state wage and hour laws. Non-exempt or hourly employees are entitled to overtime pay under specific provisions of federal and state wage and hour laws. Non-exempt employees are entitled to time and one-half their “regular” rate of pay for each hour worked over a 40-hour period in a workweek period.

### Direct Deposit

Direct deposit of all paychecks is mandatory for all employees. Direct deposit is a simple way to have your paycheck directly deposited into your checking and/or saving account(s). Funds are deposited into your designated account(s) on payday. It is a very convenient, secure, and reliable way to be paid. All paycheck information is available by logging into Skyward/Employee Access. Any changes to your direct deposit account(s) must be submitted to Payroll via the direct deposit form. **The Finance Department will verify any changes before implementing.**

### Viewing Paycheck Information

Employees are encouraged to review their paycheck information each payday through Skyward/Employee Access. You can access Skyward at work, home or on your phone. To log into Skyward from the District website, click on Staff Login at the top of the web page, enter your District User ID Name, click on the Skyward icon. Login ID and password information is sent to employees by the Technology Department. Login or password questions should be directed to the Technology Help Desk at [techhelp@sspps.org](mailto:techhelp@sspps.org) or 651-457-9459. Additional instructions on how to view your paycheck are located on the District website under Human Resources/Payroll, Employee Forms and Resources.

## W2 (Wage & Tax Statement)

W2 Wage & Tax Statements are mailed to the address on file in the Human Resources Department no later than the deadline of January 31, as established by the Internal Revenue Service (IRS).

Employees have the option to access their W2 in Skyward Employee Access instead of waiting to receive it by mail. This is an effective and economical method to receive your W2. With this method, employees can access the W2 from any media device connected to the internet from home, work or while traveling – similar to accessing your paycheck. The option to choose this method will be communicated to employees via a message in Skyward.

If you choose to have your W2 mailed to you, ensure your address on file with the Human Resources Department is accurate.

## Wage Theft Law

As of July 1, 2019, all employers must provide each employee with a written notice at the start of their employment and keep a signed copy of the notice on file. The notice must contain required information about the employee's employment status and terms of employment. The notice must also include a statement, in multiple languages, that informs employees they may request the notice be provided to them in another language.

## Wage Disclosure Protection

Under the Minnesota Wage Disclosure Protection Law (Minn. Stat. §181.172), employees have the right to tell any person the amount of their own wages. While the [Minnesota Government Data Practices Act](#) (Minn. Stat. §13.43), specifically lists an employee's actual gross salary and salary range as public personnel data, Minnesota law also requires wage disclosure protection rights and remedies to be included in employer personnel handbooks. To that end, and in accordance with Minn. Stat. §181.172, employers may not:

- Require nondisclosure by an employee of their wages as a condition of employment.
- Require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee's wages.
- Take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily.
- Retaliate against an employee for asserting rights or remedies under Minn. Stat. §181.172. subd. 3.

An employee's remedies under the Wage Disclosure Protection Law are to bring a civil action against the employer and/or file a complaint with the [Minnesota Department of Labor and Industry](#) at 651-284-5070 or 800-342-5354.

## Teachers Retirement Association (TRA)/Public Employees Retirement Association (PERA)

When you begin your employment with South St. Paul Public Schools as a full-time, part-time, temporary or substitute employee, you will likely begin contributing to your future retirement as a member of either the Teachers Retirement Association (TRA) or the Public Employees Retirement Association (PERA). Membership is based on TRA and PERA requirements. Each pay period, your contribution to TRA or PERA is deducted from your paycheck. The District, as your employer, also contributes to TRA or PERA on your behalf. Both employee and employer contributions are mandated by Minnesota law.

For more information about your retirement account, please contact:

**Teachers Retirement Association**  
651-296-2409 or [www.minnesotatra.org](http://www.minnesotatra.org)

**Public Employees Retirement Association**  
651-296-7460 or [www.mnpera.org](http://www.mnpera.org)

# Employee Safety

## Work Environment

Safety is important for all of us. Help prevent injury to yourself and others by observing general safety rules, removing hazards in your workspace, and immediately reporting unsafe conditions to your supervisor. The District is committed to developing and maintaining safe working environments. If you are involved in, or witness an accident while at work, report it to your supervisor immediately and complete a First Report of Injury form within 24 hours.

It is very important for all employees to follow safety guidelines to avoid injuries on the job. The following is a list of safety suggestions:

- Know the locations of exits, fire extinguishers and alarms in your work area.
- Seek information or training from the appropriate person if you are required to operate any equipment or handle any type of chemical.
- Do not attempt to lift or carry an object that is too heavy for you to handle. Seek help from another employee.
- Know the location of First Aid materials.
- Report any safety hazards to your supervisor.
- Be aware of your surroundings.

**Standard Response Protocol:** District and school leaders continue to partner with local law enforcement and other agencies to plan, prepare, and implement a safe and supportive learning environment. South St. Paul Schools has partnered with the “I Love You Guys” Foundation to train over 50 our staff and police partners on school safety and the Foundation’s Standard Response Protocol. All students and staff will be trained annually on this protocol.

# IN AN EMERGENCY TAKE ACTION

---



**HOLD! In your room or area. Clear the halls.**

<p><b>STUDENTS</b></p> <ul style="list-style-type: none"> <li>• Clear the hallways and remain in room or area until the “All Clear” is announced</li> <li>• Do business as usual</li> </ul>	<p><b>ADULTS</b></p> <ul style="list-style-type: none"> <li>• Close and lock the door</li> <li>• Account for students and adults</li> <li>• Do business as usual</li> </ul>
---	---

---



**SECURE! Get inside. Lock outside doors.**

<p><b>STUDENTS</b></p> <ul style="list-style-type: none"> <li>• Return to inside of building</li> <li>• Do business as usual</li> </ul>	<p><b>ADULTS</b></p> <ul style="list-style-type: none"> <li>• Bring everyone indoors</li> <li>• Lock outside doors</li> <li>• Increase situational awareness</li> </ul>	<ul style="list-style-type: none"> <li>• Account for students and adults</li> <li>• Do business as usual</li> </ul>
---	---	---

---



**LOCKDOWN! Locks, lights, out of sight.**

<p><b>STUDENTS</b></p> <ul style="list-style-type: none"> <li>• Move out of sight</li> <li>• Maintain silence</li> <li>• Do not open the door</li> </ul>	<p><b>ADULTS</b></p> <ul style="list-style-type: none"> <li>• Recover students from hallways if possible</li> <li>• Lock the classroom door</li> <li>• Turn out the lights</li> </ul>	<ul style="list-style-type: none"> <li>• Move out of sight</li> <li>• Maintain silence</li> <li>• Do not open the door</li> <li>• Prepare to evade or defend</li> </ul>
--	---	---

---



**EVACUATE!**

<p><b>STUDENTS</b></p> <ul style="list-style-type: none"> <li>• Leave stuff behind if required to</li> <li>• If possible, bring your phone</li> <li>• Follow instructions</li> </ul>	<p><b>ADULTS</b></p> <ul style="list-style-type: none"> <li>• Lead students to evacuation location</li> <li>• Account for students and adults</li> <li>• Notify if missing, extra, or injured students or adults</li> </ul>
--	---

---



**SHELTER! Hazard and safety strategy.**

<p><b>STUDENTS</b></p> <p>Use appropriate safety strategy for the hazard</p> <table border="0"> <tr> <td style="vertical-align: top;"> <p><b>Hazard</b></p> <p>Tornado Hazard Earthquake</p> </td> <td style="vertical-align: top;"> <p><b>Safety Strategy</b></p> <p>Evacuate to shelter area Seal the room Drop, cover, and hold</p> </td> </tr> </table>	<p><b>Hazard</b></p> <p>Tornado Hazard Earthquake</p>	<p><b>Safety Strategy</b></p> <p>Evacuate to shelter area Seal the room Drop, cover, and hold</p>	<p><b>ADULTS</b></p> <ul style="list-style-type: none"> <li>• Lead safety strategy</li> <li>• Account for students and adults</li> <li>• Notify if missing, extra, or injured students or adults</li> </ul>
<p><b>Hazard</b></p> <p>Tornado Hazard Earthquake</p>	<p><b>Safety Strategy</b></p> <p>Evacuate to shelter area Seal the room Drop, cover, and hold</p>		



## **Workers' Compensation/Reporting Accidents**

Workers' Compensation benefits, which are specified by law, are provided to protect employees in the event of a work-related injury or illness resulting in medical care and/or loss of time from work.

To avoid possible delays in processing workers' compensation claims, it is very important to report all work-related injuries immediately to your supervisor and/or School Nurse.

Work-related injuries must be reported within 24 hours of the incident to our workers' compensation insurance company (SFM) by calling the Work Injury Hotline at (855) 675-3501. During regular business hours (7:00 AM to 4:00 PM; Monday-Friday), employees have the option to speak with a representative to submit an injury report (if no medical attention is necessary), or speak with a nurse to submit a report. Outside of regular business hours, a nurse will answer all calls.

If medical treatment is necessary, employees must provide a workability report to the Human Resources Department (651-457-9485 Fax).

## School District Policies

---

All School District policies are accessible on the District website under Our District/School Board/District Policies. Remember, District policies and procedures may change at any time.

The following policies are included in their entirety in this handbook:

[Policy 413 – Harassment and Violence](#)

[Policy 414 – Mandated Reporting of Child Neglect or Physical or Sexual Abuse](#)

[Policy 415 – Mandated Reporting of Maltreatment of Vulnerable Adults](#)

[Policy 474 – Staff Information Technology Acceptable Use](#)

[Policy 514 – Bullying Prohibition](#)

### **Policy 307: Emergency Closing of Schools**

Information concerning school closings and emergencies will be announced on local radio and news channels. An instant alert message will also be sent by phone to all affected District staff. The instant alert system uses the employee's phone number from the Skyward system. Please reference Policy #307 Emergency Closing of Schools for additional information regarding reporting to work requirements.

### **Policy 401: Equal Employment Opportunity**

The South St. Paul School District prohibits discrimination in any form on the basis of race, creed, religion, gender, color, national origin, family care status, disability, status with regard to public assistance, sexual orientation, age, veteran status or marital status. This policy includes, but is not limited to the following: employment, promotion, demotion, transfer, layoff, recall, corrective actions, termination, compensation, and training. Employees who engage in discrimination will be subject to disciplinary action, up to and including termination.

### **Policy 407: Employee Right to Know Act**

The District is committed to providing a healthy and safe work environment for all employees. Regard for safety of our students and employees is of utmost concern.

The Employee Right to Know Act requires the South St. Paul School District, as your employer, to evaluate workplaces for the presence of hazardous substances and harmful physical agents, and to provide training for those employees who may be exposed to these substances. Written information regarding harmful substances is available in each District building. If you are concerned about a hazard in your work area or would like information on training, please contact the Director of Buildings & Grounds at 651-457-9431.

**Policy 413: Harassment and Violence**

The School District recognizes each employee's right to individual respect and dignity, and is committed to establishing and maintaining a professional, respectful learning and working environment for all.

It is the policy of the School District to encourage and maintain a learning environment which is free from religious, racial, or sexual harassment and violence. The School District prohibits any form of religious, racial, or sexual harassment and violence. It shall be a violation of this policy for any employee to harass or inflict, or threaten to inflict, violence upon a pupil, teacher, administrator, or other school personnel.

The School District will act to investigate all complaints, either formal or informal, verbal or written, of religious, racial, or sexual harassment or violence, and to discipline or take appropriate action against any pupil, teacher, administrator or other school personnel who is found to have violated this policy. The District prohibits retaliation against individuals who participate in the complaint process. A reporting form is included with the policy.

Reports should be made to the building principal, the principal's designee, or the building supervisor. You should contact the building administrator, department leader or supervisor to report offensive behavior. In addition, you may contact the designated School District Human Rights Officers (Director of Human Resources; High School Principal).

*Policy is included in its entirety in this handbook, and is also on the SSPPS website under School District Policies.*

**Policy 414 & 415: Mandated Reporting of Child Neglect/Abuse**

All children deserve to grow up in a healthy, safe environment. The State of Minnesota requires that school personnel who know or have reason to believe a child is being neglected, or physically or sexually abused, must report the information to the proper authorities. School personnel are also mandated to report women who are pregnant and who are known or believed to be using a controlled substance. The law provides legal immunity for all reports of suspected abuse made in good faith. Failure to report is a misdemeanor.

*Policy is included in its entirety in this handbook, and is also on the SSPPS website under School District Policies.*

**Policy 418: Drug and Alcohol Free Workplace**

The South St. Paul School District is committed to providing a work and school environment that is free from the effects of drug and alcohol use and abuse by its employees. Therefore, any use of drugs and alcohol within the school/workday, on school grounds, or during school-sponsored trips or activities, is prohibited. The unlawful manufacture, distribution, dispensing, or possession is also prohibited. Any employee violating this prohibition will be subject to disciplinary action up to and including termination of employment.

**Policy 419: Tobacco-Free Environment**

The South St. Paul School District is committed to providing a healthy, safe, and productive environment for staff, students, and citizens. Therefore, the District shall promote non-tobacco use among its staff and students. Smoking and use of tobacco products is prohibited in school buildings and on School District property at all times.

**Policy 423: Employee Student Relationships**

The School District is committed to an educational environment in which all students are treated with respect and dignity. Every District employee is to provide students with appropriate guidance, understanding and direction, while maintaining a standard of professionalism, and acting within accepted standards of conduct.

**Policy 474: Staff Information Technology Acceptable Use**

The District provides its employees with access to District Information Technology, which includes, but is not limited to District computers, devices, phones, printers and other accessories, networks, Internet access, electronic communications, and third-party systems the District licenses and makes available. Staff access and use of District Information Technology is governed by Board Policy 474: Staff Information Technology Acceptable Use Policy and its related procedures, which apply to use both on and off District premises. Staff are responsible for reading and understanding this policy and are required to sign a Staff Information Technology Acceptable Use Agreement at the start of their employment, and periodically thereafter as Information Technology changes require.

*Policy is included in its entirety in this handbook, and is also on the SSPPS website under School District Policies.*

**Policy 501: Weapons**

All District personnel shall be prohibited from carrying, bringing, using or possessing any dangerous weapons on District property, in any District vehicle, or at any District-sponsored activity regardless of location, except as provided by law and/or with specific authorization from the Superintendent or designee. Dangerous weapons shall be defined in accordance with MN Statute 609.66.

**Policy 507: Corporal Punishment**

Staff must avoid physically touching a student, unless a student is causing harm to themselves or others, or if your duties include physically assisting a student.

**Policy 514: Bullying Prohibition**

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 definition of bullying includes cyber bullying.

Any employee, volunteer, and/or independent contractor 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, shall inform the building principal immediately.

School District personnel who fail to inform the building principal of the conduct that may constitute bullying, or who fail to make reasonable efforts to address and resolve the bullying in a timely manner, may be subject to disciplinary action.

*Policy is included in its entirety in this handbook, and is also on the SSPPS website under School District Policies.*

**Policy 522: Title IX Sex Non-discrimination Policy, Grievance Procedure & Process**

Title IX is a federal civil rights law passed as part of the Education Amendments of 1972. Title IX prohibits discrimination based on sex by entities that receive federal funding. The School District does not discriminate on the basis of sex in its education programs, activities or employment.

Inquiries into the application of Title IX may be referred to the District’s Title IX Coordinator, to the Assistant Secretary for Civil Rights of the United States Department of Education, or both. South St Paul School District Title IX Coordinator and contact information is:

Title IX Coordinator:  
Director of Human Resources  
104 5<sup>th</sup> Avenue South, South St. Paul, MN 55075  
(651) 457-9473  
bkrueger@sspps.org

Alternate Title IX Coordinator:  
Brady Krueger, Athletic & Activities Director/Assistant Principal  
700 North Second Street, South St. Paul, MN 55075  
(651)- 457-9435  
lbourg@sspps.org

Please reference Policy #522 Title IX Sex Non-discrimination Policy, Grievance Procedure & Process for further information, or on the School District website under “About SSPPS/Safe School Commitment/Title IX”.



Adopted: September 8, 1997

MSBA/MASA Model Policy 413

Orig. 1995

Revised: 4/26/04; 8/28/06; 11/23/09; 11/25/13  
11/23/15; 12/10/18; 6/10/19; 5/26/20; 6/14/21  
6/27/22; 6/26/23

Rev. 2021

## 413 HARASSMENT AND VIOLENCE

### I. PURPOSE

The purpose of this policy is to maintain a learning and working environment 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 (Protected Class).

### II. GENERAL STATEMENT OF POLICY

- A. It is the policy of the school district to maintain a learning and working environment free from harassment and violence on the basis of Protected Class. The school district prohibits any form of harassment or violence on the basis of Protected Class.
- B. A violation of this policy occurs when any student, teacher, administrator or other school district personnel harasses a student, teacher, administrator or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a Protected Class. (For purposes of this policy, school district personnel include 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 for any student, teacher, administrator or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's Protected Class.
- 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 Protected Class, and may discipline or take appropriate action against any student, teacher, administrator or other school district personnel found to have violated this policy.
- E. Because there are multiple, overlapping laws governing the school district's response to allegations of sexual harassment, all allegations of sexual harassment are subject to policy 522.

### 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’ Protected Class, 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. “Disability” means, with respect to an individual who:
    - a) has a physical, sensory, or mental impairment that materially limits one or more major life activities of such individual;
    - b) has a record of such an impairment; or
    - c) is regarded as having such an impairment.
  2. “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 or discrimination 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.

3. “Marital status” means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment or discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
  4. “National origin” means the place of birth of an individual or of any of the individual’s lineal ancestors.
  5. “Sex” includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
  6. “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.
  7. “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.
- F. Sexual Harassment; Definition
1. Sexual harassment includes unwelcomed 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 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 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 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 promises of preferential treatment with regard to an individual's employment or educational status; or
- e) unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression

**G. Sexual Violence; Definition**

- 1. Sexual violence is a physical act of aggression or force or the threat thereof that involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minnesota Statutes section 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;
  - 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.

**H. Violence; Definition**

- 1. 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 an individual's or group's Protected Class.

**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 a person's Protected Class by a student, teacher, administrator or other school district personnel, or any person with knowledge or belief of conduct that may constitute harassment or violence prohibited by this

policy toward a student, teacher, administrator or other school district personnel or group of 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 that 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.

- 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.
- D. In Each School Building. The building principal, the principal’s designee, or 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 receive 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 school district’s 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 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 fails 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 officer 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 officer. 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 officer. Failure to forward any harassment or violence report or complaint as provided herein will result in disciplinary action against the building report taker.

- G. In the District. The school board hereby designates the Director of Human Resources as the school district human rights officer(s) 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.
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- 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, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- 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.
- 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 officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, 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.
- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a

determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

## **VI. SCHOOL DISTRICT ACTION**

- A. Upon completion of an 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 applicable school district policies and regulations.
- B. 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 targets or victims and alleged perpetrators of harassment or violence, 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**

- A. The school district will discipline or take appropriate action against any 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, 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**

- A. 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 or another state or federal agency, 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 Minnesota Statutes Chapter 260E 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 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 initial employment with the school district.
- C. A summary of 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, resourcefulness, and/or sexual abuse prevention.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

**Legal References:**

Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention 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.Ch. 260E (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 (Section 504 of the Rehabilitation Act of 1973)  
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. § 1201 *et seq.* (Americans with Disabilities Act)

**Cross References:**

MSBA/MASA Model Policy 102 (Equal Educational Opportunity)  
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)  
MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)  
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination, Grievance Procedures and Process)  
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 526 (Hazing Prohibition)  
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)





## HARASSMENT AND VIOLENCE REPORT FORM

### General Statement of Policy Prohibiting Harassment and Violence

Special School District No. 6 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, status with regard to public assistance, sexual orientation, including gender identity and expression, 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, including gender identity and expression, 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, including gender identity and expression \ 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, 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)



Adopted: September 8, 1997

MSBA/MASA Model Policy 414

Orig. 1995

Revised: 6/14/04; 10/27/08; 11/23/09; 5/12/14  
6/26/17; 1/13/20, 4/22/24

Rev. 2022

## **414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE**

### **I. PURPOSE**

The purpose of this policy is to make clear the statutory requirements of school personnel to report suspected child neglect or physical or sexual abuse.

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

- A. It is the policy of the school district to fully comply with Minnesota Statutes chapter 260E requiring school personnel to report suspected child neglect or physical or sexual abuse.
- B. A violation of this policy occurs when any school personnel fail to immediately report instances of child neglect, or physical or sexual abuse when the school personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.

### **III. DEFINITIONS OF MALTREATMENT**

- A. “Accidental” means a sudden, not reasonably foreseeable, and unexpected occurrence or event that:
  - 1. is not likely to occur and could not have been prevented by exercise of due care; and
  - 2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of the event.
- B. “Child” means one under age 18 and, for purposes of Minnesota Statutes chapter 260C (Juvenile Safety and Placement) and Minnesota Statutes chapter 260D (Child Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minnesota Statutes chapter 260C.451 (Foster Care Benefits Past Age 18).
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. “Mandated reporter” means any school personnel who knows or has reason to believe a child is being maltreated, or has been maltreated within the preceding three years.



- E. "Mental injury" means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child's ability to function within a normal range of performance and behavior with due regard to the child's culture.
- F. "Neglect" means:
1. failure by a person responsible for a child's care to supply a child with necessary food, clothing, shelter, health care, medical, or other care required for the child's physical or mental health when reasonably able to do so;
  2. failure to protect a child from conditions or actions that seriously endanger the child's physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
  3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors as the child's age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for the child's own basic needs or safety or the basic needs or safety of another child in the child's care;
  4. failure to ensure that a child is educated in accordance with state law, which does not include a parent's refusal to provide the child with sympathomimetic medications;
  5. prenatal exposure to a controlled substance, as defined in state law, used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child's birth, medical effects or developmental delays during the child's first year of life that medically indicate prenatal exposure to a controlled substance, or the presence of a fetal alcohol spectrum disorder;
  6. medical neglect as defined by Minnesota Statutes section 260C.007, subdivision. 6, clause (5);
  7. chronic and severe use of alcohol or a controlled substance by a person responsible for the care of the child that adversely affects the child's basic needs and safety; or
  8. emotional harm from a pattern of behavior that contributes to impaired emotional functioning of the child, which may be demonstrated by a substantial and observable effect in the child's behavior, emotional response, or cognition that is not within the normal range for the child's age and stage of development, with due regard to the child's culture.

Neglect does not occur solely because the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or



prayer for treatment or care of disease or remedial care of the child in lieu of medical care.

- G. “Non Maltreatment mistake” occurs: (1) at the time of the incident, the individual was performing duties identified in the center’s child care program plan required under Minnesota Rules part 9503.0045; (2) the individual has not been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years; (3) the individual has not been determined to have committed a similar non maltreatment mistake under this paragraph for at least four years; (4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and (5) except for the period when the incident occurred, the facility and the individual providing services were both in compliance with all licensing requirements relevant to the incident. This definition only applies to child care centers licensed under Minnesota Rules chapter 9503.
- H. “Person responsible for the child’s care” means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employee or agent, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.
- I. “Physical abuse” means any physical injury, mental injury (under subdivision 13), or threatened injury, inflicted by a person responsible for the child’s care on a child other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child’s history of injuries, or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minnesota Statutes section 125A.0942 or 245.825.

Abuse does not include reasonable and moderate physical discipline of a child administered by a parent or legal guardian, that does not result in an injury. Abuse does not include the use of reasonable force by a teacher, principal, or school employee as allowed by Minnesota Statutes section 121A.582.

Actions that are not reasonable and moderate include, but are not limited to, any of the following: (1) throwing, kicking, burning, biting, or cutting a child; (2) striking a child with a closed fist; (3) shaking a child under age three; (4) striking or other actions that result in any nonaccidental injury to a child under 18 months of age; (5) unreasonable interference with a child’s breathing; (6) threatening a child with a weapon, as defined in Minnesota Statutes section 609.02, Subd. 6; (7) striking a child under age one on the face or head; (8) striking a child who is at least age one but under age four on the face or head, which results in an injury; (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances that were not prescribed for the child by a practitioner, in order to control or punish the child, or other substances that substantially affect the child’s behavior, motor coordination, or judgment, or that result in sickness or internal injury, or that subject the child to medical procedures that would be



unnecessary if the child were not exposed to the substances; (10) unreasonable physical confinement or restraint not permitted under Minn. Stat. § 609.379 including, but not limited to, tying, caging, or chaining; or (11) in a school facility or school zone, an act by a person responsible for the child's care that is a violation under Minnesota Statutes section 121A.58.

- J. "Report" means any communication received by the local welfare agency, police, department, county sheriff, or agency responsible for child protection pursuant to this section that describes maltreatment of a child and contains sufficient content to identify the child and any person believed to be responsible for the maltreatment, if known.
- K. "School personnel" means professional employee or professional's delegate of the school district who provides health, educational, social, psychological, law enforcement or child care services.
- L. "Sexual abuse" means the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child (as defined in Minnesota Statutes section 609.341, subdivision 15), or by a person in a current or recent position of authority (as defined in Minnesota Statutes section 609.341, subdivision 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration, sexual contact, solicitation of children to engage in sexual conduct, and communication of sexually explicit materials to children. Sexual abuse also includes any act involving a minor that constitutes a violation of Minnesota statutes prohibiting prostitution, or use of a minor in a sexual performance. Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation that requires registration under Minnesota Statutes section 243.166, subdivision Subd. 1b(a) or (b)
- M. "Threatened injury" means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child's care who has (1) subjected the child to, or failed to protect a child from, an overt act or condition that constitutes egregious harm; (2) been found to be palpably unfit; (3) committed an act that resulted in an involuntary termination of parental rights; (4) or committed an act that resulted in the involuntary transfer of permanent legal and physical custody of a child to a relative.

#### **IV. REPORTING PROCEDURES**

- A. A mandated reporter shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department. The reporter will include his or her name and address in the report.
- B. An oral report shall be made immediately by telephone or otherwise. The oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the



---

appropriate police department, the county sheriff, local welfare agency, or agency responsible for assessing or investigating the report. Any report shall be of sufficient content to identify the child, any person believed to be responsible for the maltreatment of the child if the person is known, the nature and extent of the maltreatment and the name and address of the reporter.

- C. Regardless of whether a report is made, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.
- D. A mandated reporter who knows or has reason to know of the deprivation of custodial or parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.
- F. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.
- G. An employer of a mandated reporter shall not retaliate against the person for reporting in good faith maltreatment against a child with respect to who a report is made, because of the report
- H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, plus costs and reasonable attorney fees. Knowingly or recklessly making a false report also may result in discipline.

## V. INVESTIGATION

- A. The responsibility for assessing or investigating reports of suspected maltreatment rests with the appropriate state, county, or local agency or agencies. The agency responsible for assessing or investigating reports of maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged offender, and any other person with knowledge of the maltreatment for the purpose of gathering facts, assessing safety and risk to the child, and formulating a plan. The investigating agency may interview the child at school. The interview may take place outside the presence of the alleged offender or parent, legal guardian, or school official. The investigating agency, not the school, is responsible for either notifying or



withholding notification of the interview to the parent, guardian, or person responsible for the child's care. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded.

- B. When the investigating agency determines that an interview should take place on school property, written notification of intent to interview the child on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property.
- C. Except where the alleged offender is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable, and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school employees when an interview is conducted on school premises.
- D. Where the alleged offender is believed to be a school official or employee, the school district shall conduct its own investigation independent of MDE and, if involved, the local welfare or law enforcement agency.
- E. Upon request by MDE, the school district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13, and the Family Educational Rights and Privacy Act, 20 United States Code section 1232g.

## **VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE**

- A. When a local welfare or local law enforcement agency determines that a potentially abused or abused child should be interviewed on school property, written notification of the agency's intent to interview on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct the interview. The notification shall be private data. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notice or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation has been concluded.



- B. All records regarding a report of maltreatment, including any notification of intent to interview which was received by the school as described above in Paragraph A., shall be destroyed by the school only when ordered by the agency conducting the investigation or by a court of competent jurisdiction.

**VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE**

Under certain circumstances, alleged physical or sexual abuse may also be sexual harassment or violence under Minnesota law. If so, the duties relating to the reporting and investigation of such harassment or violence may be applicable.

**VIII. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall appear in school personnel handbooks.
- B. The school district will develop a method of discussing this policy with school personnel.
- C. This policy shall be reviewed at least annually for compliance with state law.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 121A.58 (Corporal Punishment)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)  
Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders)  
Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)  
Minn. Stat. § 260C.007, Subd. 6, Clause (5) (Child in Need of Protection)  
Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)  
Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment)  
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)  
Minn. Stat. § 609.02, Subd.6 (Definitions – Dangerous Weapon)  
Minn. Stat. § 609.341, Subd. 10 (Definitions – Position of Authority)  
Minn. Stat. § 609.341, Subd. 15 (Definitions – Significant Relationship)  
Minn. Stat. § 609.379 (Reasonable Force)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

**Cross References:** MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)





# Confidential Student Maltreatment Reporting Form

Date submitted: \_\_\_\_\_ SMP File # \_\_\_\_\_ (MDE staff use only)

## REPORTER (Reporter is confidential under Minnesota Statutes, section 260E.)

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_ Mandated Reporter: Yes No

## SCHOOL INFORMATION (Current Enrollment Location of Alleged Victim)

ISD#: \_\_\_\_\_ School District: \_\_\_\_\_ School/ Program Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Principal/Director: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Transportation Company Contact: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

## ALLEGED VICTIM

Name: \_\_\_\_\_ Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Male Female DOB: \_\_\_\_\_ Grade: \_\_\_\_\_ Race/Ethnicity: \_\_\_\_\_

Receives Special Education Services: Yes No Primary Disability Category: \_\_\_\_\_

Alleged Victim is over the age of 18: Yes No (If over 18, please provide the following contact information)

Alleged Victim Phone: \_\_\_\_\_ Alleged Victim Email: \_\_\_\_\_

Alleged Victim has a legal guardian: Yes No

Parent/Guardian 1: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Parent/Guardian 2: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Minnesota Department of Education  
Student Maltreatment Program  
1500 Highway 36 West, Roseville, MN 55113-4266  
Reporting Line: 651-582-8546  
Fax: 651-797-1601  
Email: [mde.student-maltreatment@state.mn.us](mailto:mde.student-maltreatment@state.mn.us)

**ALLEGED OFFENDER**

Name: \_\_\_\_\_ Position: \_\_\_\_\_ DOB: \_\_\_\_\_ Male Female

Home Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_

Race/Ethnicity: \_\_\_\_\_ Phone: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_

Licensed: Yes No

If licensed, name of licensing board(s): \_\_\_\_\_ License/Folder # \_\_\_\_\_

**INCIDENT**

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Setting (i.e. Bus, Classroom): \_\_\_\_\_

Location and Address (if different than enrolled school): \_\_\_\_\_

Witness \_\_\_\_\_ Phone: \_\_\_\_\_

Witness \_\_\_\_\_ Phone: \_\_\_\_\_

Police Notified: Yes No Police Department: \_\_\_\_\_

Police Contact: \_\_\_\_\_ Phone: \_\_\_\_\_ Case #: \_\_\_\_\_

**Alleged Maltreatment:** Physical Abuse Sexual Abuse Neglect Unknown

Injury: Yes No

**Description of Incident and Injury:** (please attach additional documentation, if needed)



Adopted: June 14, 2004

MSBA/MASA Model Policy 415

Orig. 1995

Revised: 9/13/10; 6/26/17; 1/13/20, 4/22/24

Rev. 2022

## 415 MANDATED REPORTING OF MALTREATMENT OF VULNERABLE ADULTS

### I. PURPOSE

The purpose of this policy is to make clear the statutory requirements of school personnel to report suspected maltreatment of vulnerable adults.

### II. GENERAL STATEMENT OF POLICY

It is the policy of the school district to comply fully with Minnesota Statutes section 626.557 requiring school personnel to report suspected maltreatment of vulnerable adults.

A violation of this policy occurs when any school personnel fails to report suspected maltreatment of vulnerable adults when the school personnel has reason to believe that a vulnerable adult is being or has been maltreated, or has knowledge that a vulnerable adult has sustained a physical injury which is not reasonably explained.

### III. DEFINITIONS

#### A. "Abuse" means:

1. An act against a vulnerable adult that constitutes a violation of, an attempt to violate, or aiding and abetting a violation of: (1) assault in the first through fifth degrees as defined in Minnesota Statutes sections 609.221 to 609.224; (2) the use of drugs to injure or facilitate crime as defined in Minnesota Statutes section 609.235; (3) the solicitation, inducement, and promotion of prostitution as defined in Minnesota Statutes section 609.322; and (4) criminal sexual conduct in the first through fifth degrees as defined in Minnesota Statutes sections 609.342 to 609.3451. A violation includes any action that meets the elements of the crime, regardless of whether there is a criminal proceeding or conviction.
2. Conduct which is not an accident or therapeutic conduct as defined in Minnesota Statutes section 626.5572 which produces or could reasonably be expected to produce physical pain or injury or emotional distress including, but not limited to, the following: (1) hitting, slapping, kicking, pinching, biting, or corporal punishment of a vulnerable adult; (2) use of repeated or malicious oral, written, or gestured language toward a vulnerable adult or the treatment of a vulnerable adult which would be considered by a reasonable person to be disparaging, derogatory, humiliating, harassing, or threatening; (3) use of any aversive or deprivation procedure, unreasonable confinement, or involuntary seclusion including the forced separation of the vulnerable adult from other persons against the will of the vulnerable adult or the legal representative of vulnerable adult; and (4) use of any aversive or deprivation



---

procedures for persons with developmental disabilities or related conditions not authorized under Minnesota Statutes section 245.825.

3. Any sexual contact or penetration as defined in Minnesota Statutes sections 609.34, between a facility staff person or a person providing services in the facility and a resident, patient, or client of that facility.
4. The act of forcing, compelling, coercing, or enticing a vulnerable adult against the vulnerable adult's will to perform services for the advantage of another.

Abuse does not include actions specifically excluded by Minnesota Statutes section 626.5572, Subd. 2.

- B. "Caregiver" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.
- C. "Common entry point" means the entity responsible for receiving reports of alleged or suspected maltreatment of a vulnerable adult and designated by the Commissioner of the Minnesota Department of Human Services as the MN Adult Abuse Reporting Center (MAARC).
- D. "Financial Exploitation" means a breach of a fiduciary duty by an actor's unauthorized expenditure of funds entrusted to the actor for the benefit of the vulnerable adult or by an actor's failure to provide food, clothing, shelter, health care, therapeutic conduct or supervision, the failure of which results or is likely to result in detriment to the vulnerable adult. Financial exploitation also includes: the willful use, withholding or disposal of funds or property of a vulnerable adult; the obtaining of services for wrongful profit or advantage which results in detriment to the vulnerable adult; the acquisition of a vulnerable adult's funds or property through undue influence, harassment, duress, deception or fraud; and the use of force, coercion, or enticement to cause a vulnerable adult to perform services against the vulnerable adult's will for the profit or advantage of another.
- E. "Immediately" means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.
- F. "Mandated reporter" means any school personnel who have reason to believe a vulnerable adult is being maltreated.
- G. "Maltreatment" means the neglect, abuse, or financial exploitation of a vulnerable adult.
- H. "Neglect" means the failure or omission by a caregiver to supply a vulnerable adult with care or services, including but not limited to, food, clothing, shelter, health care, or supervision which is:  
(1) reasonable and necessary to obtain or maintain the vulnerable adult's physical or mental health or safety, considering the physical and mental capacity or dysfunction of the vulnerable adult; and (2) which is not the result of an accident or therapeutic conduct.



- I. Neglect also means the absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable adult which a reasonable person would deem essential to obtain or maintain the vulnerable adult's health, safety, or comfort considering the physical or mental capacity or dysfunction of the vulnerable adult. Neglect does not include actions specifically excluded by Minnesota Statutes section 626.5572, Subd. 17.
- J. "School personnel" means professional employees or their delegates of the school district engaged in providing health, educational, social, psychological, law enforcement or other caretaking services of vulnerable adults.
- K. "Vulnerable adult" means any person 18 years of age or older who (1) is a resident or inpatient of a facility; (2) receives services required to be licensed under Minnesota Statutes chapter 245A, except as excluded under Minnesota Statutes chapter 626.5572, Subd. 21(a)(2); (3) receives services from a licensed home care provider or person or organization that offers, provides, or arranges for personal care assistance services under the medical assistance program; or (4) regardless of residence or whether any type of service is received, possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction that impairs the individual's ability to provide adequately for the individual's own care without assistance or supervision and, because of the dysfunction or infirmity and need for care or services, has an impaired ability to protect the individual's self from maltreatment.

#### IV. REPORTING PROCEDURES

- A. A mandated reporter as defined herein shall immediately report the suspected maltreatment to the common entry point responsible for receiving reports.
- B. Whenever a mandated reporter, as defined herein, knows or has reason to believe that an individual made an error in the provision of therapeutic conduct to a vulnerable adult, which results in injury, or harm, which reasonably requires the care of a physician, such information shall be reported immediately to the designated county agency. The mandated reporter also may report a belief that the error did not constitute neglect and why the error does not constitute neglect.
- C. The report shall, to the extent possible identify the vulnerable adult, the caregiver, the nature and extent of the suspected maltreatment, any evidence of previous maltreatment, the name and address of the reporter, the time, date, and location of the incident and any other information that the reporter believes might be helpful in investigating the suspected abuse or neglect. A mandated reporter may disclose *not public data*, as defined under Minnesota Statutes section 13.02, to the extent necessary to comply with the above reporting requirements.
- D. A person mandated to report suspected maltreatment of a vulnerable adult who negligently or intentionally fails to report is liable for damages caused by the failure. A negligent or intentional failure to report may result in discipline. A mandatory reporter who intentionally fails to make a



report, who knowingly provides false or misleading information in reporting or who intentionally fails to provide all the material circumstances surrounding the reported incident may be guilty of a misdemeanor.

- E. Retaliation against a person who makes a good faith report under Minnesota law and this policy, or against a vulnerable adult who is named in a report is prohibited.
- F. Any person who intentionally makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury. The intentional making of a false report may result in discipline.

## V. INVESTIGATION

- A. The responsibility for investigating reports of suspected maltreatment of a vulnerable adult rests with the entity designated by the county for receiving reports.

## VI. DISSEMINATION OF POLICY AND TRAINING

- A. This policy should appear in school personnel handbooks as appropriate.
- B. The school district will develop a method of discussing this policy with employees where appropriate.
- C. This policy shall be reviewed at least annually for compliance with state law.

**Legal References:** Minn. Stat. § 13.02 (Government Data Practices; Definitions)  
Minn. Stat. Ch. 245A (Human Services Licensing)  
Minn. Stat. § 245.825 (Aversive and Deprivation Procedures; Licensed Facilities and Services)  
Minn. Stat. §§ 609.221-609.224 (Assault)  
Minn. Stat. § 609.232 (Crimes Against the Person)  
Minn. Stat. § 609.235 (Use of Drugs to Injure or Facilitate Crime)  
Minn. Stat. § 609.322 (Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking)  
Minn. Stat. § 609.341 (Definitions)  
Minn. Stat. §§ 609.342-609.3451 (Criminal Sexual Conduct)  
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)  
Minn. Stat. § 626.5572 (Definitions)  
In re Kleven, 736 N.W.2d 707 (Minn. App. 2007)

**Cross References:** MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons)

MSBA/MASA Model Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)

MSBA/MASA Model Policy 406 (Public and Private Personnel Data)

MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

*Adopted: October 23, 2000*

*Revised: 6/28/04; 3/12/07; 10/27/08; 1/11/10; 8/24/15; 7/25/16; 8/13/18  
6/10/19; 5/26/20; 6/14/21; 6/27/22; 6/26/23*

## **474 STAFF INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY**

### **I. PURPOSE**

The purpose of this policy is to set forth policies and guidelines for staff access to district and school information technology, known in this document as “District Information Technology,” including but not limited to district computers, devices, printers and other accessories, networks, internet access, electronic communications, and third-party systems the district licenses and makes available to employees and students. For the purposes of this policy, “staff” includes all employees, volunteers, contractors and other outside agencies working on the district’s behalf who are granted access to District Information Technology.

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

In making decisions regarding student and staff access to District Information Technology, the school district considers its own stated educational mission, goals and objectives. Electronic information research skills are fundamental to preparation of citizens and future employees. Access to the school district computer system and to the internet enables the school community to explore thousands of libraries, databases, bulletin boards and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of District Information Technology throughout the curriculum and will provide guidance and instruction to students in their use.

### **III. PURPOSE LIMITED TO EDUCATION**

The school district provides staff with access to District Information Technology. District Information Technology has a limited educational purpose, which includes its use for classroom activities, educational research, professional or career development, and the general operation of the district and its schools. Staff are expected to use District Information Technology to further educational and professional goals consistent with the school district’s mission, strategic plan and policies. Uses which might be acceptable on a user's private, personal account on another system may not be acceptable on this limited-purpose network.

#### **IV. USE OF DISTRICT TECHNOLOGY RESOURCES IS A PRIVILEGE**

The use of District Information Technology and its access to the internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of District Information Technology or the internet may result in one or more of the following consequences: suspension, cancellation or restriction of use or access privileges, payments for damages and repairs, discipline under other appropriate school district policies, including termination of employment or civil or criminal liability under other applicable laws.

#### **V. ACCEPTABLE USE EXPECTATIONS**

- A. The following Acceptable Use Expectations apply to all staff using District Information Technology:
1. Staff will not use District Information Technology to access, review, create, upload, download, store, print, post, distribute or otherwise publish any content that:
    - a) is pornographic;
    - b) promotes domestic violence;
    - c) promotes crimes against children;
    - d) promotes illegal drugs;
    - e) threatens physical harm to another person;
    - f) incites violence at school;
    - g) creates, or could reasonably be predicted to create, a material and substantial disruption to school operations;
    - h) creates, or could reasonably be predicted to create, an environment that is not conducive to learning;
    - i) significantly interferes with the learning of students;
    - j) ridicules, maligns, disparages, unlawfully discriminates, harasses, or otherwise expresses bias based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, familial status, disability, sexual orientation, or age; or
    - k) jeopardizes the security or safety of students or staff at school.
  2. Staff will not use District Information Technology to engage in any illegal act or violate any local, state or federal statute or law.

3. Staff will not use District Information Technology to vandalize, damage or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software or system performance by spreading computer viruses or by any other means, will not tamper with, modify or change the school district system software, hardware or wiring or take any action to violate the school district system's security, and will not use District Information Technology in such a way as to disrupt the use of the system by other users.
4. Staff will not use District Information Technology to gain unauthorized access to information resources or to access another person's materials, information or files without direct permission of that person.
5. Staff will not use the District Information Technology to post private information about another person or to post personal contact information about themselves or other persons including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, and will not repost a message that was sent to the user privately without permission of the person who sent the message.
  - a) This paragraph does not prohibit the posting of staff contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
  - b) Staff creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, staff may not post personal contact information or other personally identifiable information about students unless:
    - (1) Such information is classified by the school district as directory information, and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or

- (2) Such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

In addition, prior to posting any personal contact or personally identifiable information on a school-related webpage, staff shall obtain written approval of the content of the postings from the building administrator.

- c) These prohibitions specifically prohibit staff from using the District Information Technology to post personal information about staff members or students on social media networks.
6. Staff will protect and secure District Information Technology and the confidential information it stores and makes available by:
    - a) Keeping their user account information, including usernames and passwords, private;
    - b) Not attempting to gain unauthorized access to District Information Technology or use District Information Technology to gain unauthorized access to any other system;
    - c) Not using another person's account, or use computer accounts, access codes or network identification other than those assigned to them by the district;
    - d) Not allowing anyone other than themselves to use their login credentials to access District Information Technology;
    - e) Always locking or logging off district computers and devices connected to district resources before leaving them unattended, including the use of personal devices offsite that access District Information Technology;
    - f) Not attempting to encrypt messages and records on District Information Technology with tools other than those provided or approved by the district.
  7. Staff will observe and comply with copyright laws, license agreements, and other intellectual property rights.
  8. Staff will not use District Information Technology, including their district email address, for personal purposes, including personal shopping, personal social networking, personal subscriptions and other activities not related to their job duties or the district mission, vision and strategic plan.

9. Staff will not use District Information Technology for the conduct of a business, for unauthorized commercial purposes or for financial gain unrelated to the mission of the school district. Staff will not use the school district system to offer or provide goods or services or for product advertisement.
  10. Staff will not use District Information Technology to engage in bullying or cyberbullying as defined in Policy (514 Bullying Prohibition). This prohibition includes using any technology or other electronic communication off district premises to the extent that student learning or the school environment is substantially and materially disrupted.
- B. Staff engaging in unacceptable uses of District Information Technology when off district premises may also be in violation of this and other school district policies. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability.
  - C. If Staff using District Information Technology inadvertently access unacceptable materials or an unacceptable internet site, they will immediately disclose the inadvertent access to their direct supervisor and/or building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from a building or district administrator.

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

Use of District Information Technology and use of the internet shall be consistent with school district policies and the mission of the school district.

## **VII. LIMITED EXPECTATION OF PRIVACY**

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

- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. School district employees should be aware that data and other materials in files maintained on District Information Technology may be subject to review, disclosure or discovery under Minnesota Statutes, Chapter 13 (the Minnesota Government Data Practices Act) and may be subject to Freedom of Information Act requests.
- E. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the District Information Technology.

#### **VIII. INFORMATION TECHNOLOGY ACCEPTABLE USE AGREEMENT**

- A. The proper use of District Information Technology systems and the educational value to be gained from proper use, is the joint responsibility of students, parents and employees of the school district.
- B. The Staff Information Technology Acceptable Use Agreement must be signed by staff at the start of employment, and periodically thereafter as Information Technology changes require.

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

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

#### **X. USER NOTIFICATION**

- A. All users shall be notified of the school district policies relating to internet use.
- B. This notification shall include the following:

1. Notification that internet use is subject to compliance with school district policies.
2. Disclaimers limiting the school district's liability relative to:
  - a) Information stored on school district removable media, hard drives or servers;
  - b) Information retrieved through school district computers, networks or online resources;
  - c) Personal property used to access school district computers, networks or online resources; and
  - d) Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
3. A description of the privacy rights and limitations of school sponsored/managed internet accounts.
4. Notification that the collection, creation, reception, maintenance and dissemination of data via the Internet, including electronic communications, is governed by Policy 406 (Public and Private Personnel Data, and Policy) and Policy 515 (Protection and Privacy of Pupil Records).
5. Notification that, even though the school district may use technical means to limit student and staff internet access, these limits do not provide a foolproof means for enforcing the provisions of this Acceptable Use policy.
6. Notification that staff are personally responsible for unauthorized financial obligations incurred over the Internet or other electronic means.
7. Notification that should the user violate the school district's Acceptable Use Policy, the employee's access privileges may be revoked, and appropriate disciplinary and/or legal action may be taken.
8. Notification that all provisions of the Acceptable Use Policy are subordinate to local, state and federal laws.

## **XI. IMPLEMENTATION AND POLICY REVIEW**

- A. The school district administration will develop appropriate guidelines and procedures necessary to implement this policy.
- B. This policy will be reviewed annually, and the administration will recommend changes as necessary.

## **XII. INTERNET CONTENT FILTERING**

- A. With respect to any of its computers with internet access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter internet access to any visual depictions that are:
  - 1. Obscene;
  - 2. Pornographic; or
  - 3. Harmful to minors.
  
- B. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:
  - 1. When taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, excretion; or
  - 2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
  - 3. When taken as a whole, lacks serious literary, artistic, political, or scientific value to minors.
  
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
  
- D. When used by an adult, an administrator, supervisor or other person authorized by the Superintendent may disable the technology protection measure to enable access for bona fide research or other lawful purposes.

## **XIII. STAFF PERSONAL EQUIPMENT USE**

- A. All staff are provided access to dedicated or shared computing devices as needed for the performance of their duties.
  
- B. Staff may connect personal devices to the district’s guest network.
  
- C. The district may restrict connection bandwidth of some or all personal devices or otherwise block access in order to prioritize the district’s learning and other operations, and to protect District Information Technology.

- D. Staff are responsible for ensuring that any connected personal device has been updated with all applicable security updates for its operating system and software, and has appropriate virus and malware protection installed and activated.
- E. Use of personal devices brought onto school property must adhere to the policies and guidelines of this policy.
- F. Staff are prohibited from using personal computing devices as wireless hotspots to circumvent the district wireless network and content filters.
- G. District Technology staff cannot provide direct assistance with the configuration, installation or use of personal computing devices.

#### **XIV. STAFF SOCIAL MEDIA USE**

- A. **Social Media** is defined as the variety of online resources that allow people to communicate, share information, photos, videos and audio, and exchange text and other multimedia files with others through an online or cellular network platform. Examples of social media include, but are not limited to, websites, blogs, wikis, social networks, online forums, virtual worlds, and such social networks as Facebook, Twitter, LinkedIn, Flickr, YouTube, Snapchat, and Instagram.
- B. **Personal Social Media Use** is defined as the use of social media to communicate with friends and family, advance one's employment or career beyond the scope of one's district duties, engage in business activities, or publicly express personal opinions.
- C. **Professional Social Media Use** is defined as use of social media that is directly related to job duties and is performed with a supervisor's permission. Examples include but are not limited to use that is integrated into classroom instruction, tied directly to professional learning, or needed to communicate with partner agencies or job-related networks.
- D. **Establishment and Regulation of Social Media Sites.** The district may establish social media sites and accounts for the district and its schools and may monitor and regulate the content of information on its sites and accounts. The district's Facebook, Twitter and Instagram accounts are examples of a district social media site. The Superintendent or their designee, must approve the establishment of all district social media sites and school media sites.

E. **General Guidelines**

1. **Speaking on Behalf of the District.** The Superintendent or their designee is the authorized spokesperson for the district. Without prior written authorization from the Superintendent, employees may not use social media during the duty day or outside the duty day to state or imply:
  - a) that they are speaking for, or on behalf of, the district;
  - b) that they are authorized to speak for, or on behalf of, the district; or
  - c) that their views represent the views of the district.
  
2. **Branding of Personal Social Media Accounts with District Logos, Names or Trademarks.**
  - a) Staff will not brand their personal accounts in such a way that they may be mistaken as officially representing the district or its schools. Staff are additionally encouraged to include disclaimers on their personal social media profiles to eliminate any confusion and clarify that they are speaking as private individuals, and not as district employees, and that their views do not necessarily reflect the views of the district.
  
3. **Non-Protected Speech**
  - a) As a general matter, public employees have a First Amendment right to use personal social media to express their views on matters of public interest. However, this right is not absolute. When public employees make statements pursuant to their official job duties, they are not speaking as private citizens for First Amendment purposes and, therefore, their speech is not constitutionally protected. When employees are speaking pursuant to their official job duties, they must follow their supervisor's directives and the district approved curriculum. Employees may be disciplined for speech that is not protected under the Constitution or a federal or state law.
  
4. **Prohibition of Speech that Interferes with Efficient.**

- a) Even when speech touches on a matter of public concern and is not pursuant to an employee's job duties, an employee's free speech rights must be balanced against the district's right to maintain efficient operations and an environment that is conducive to working and learning. When balancing these rights, the courts have held that a public employee's speech is not protected if it would create disharmony in the workplace, impede the employee's ability to perform his or her job duties, significantly impair the working relationship with other employees who work closely with the speaker, or significantly harm the employer's image. Accordingly, employees may be disciplined for speech that creates disharmony in the workplace, impedes the employee's ability to perform his or her job duties, significantly impairs the working relationship with other employees who work closely with the speaker, or significantly harms the district's image.

5. **Maintaining Appropriate Boundaries.**

- a) All employees must maintain professional boundaries with students. Employees may not engage in communications with students that give the impression of peer-to-peer communications, unless the employee and student are related. Additionally, employees may not have extensive social involvement or develop personal or private relationships with individual students through social media, unless they are closely related.

F. **Social Media Use During the Duty Day**

1. Staff may engage in Professional Social Media Use during work hours.
2. Staff are encouraged to create separate professional social media accounts using their district email addresses for work purposes only. Personal accounts may not be used when using social media with students.
3. Personal Social Media Use using District Information Technology is prohibited during work hours.
4. Incidental Personal Social Media Use on personal devices is allowed during work hours to the extent that it does not interfere with job duties or responsibilities as determined by supervisors.

***Legal References:***

15 U.S.C. § 6501 *et seq.* (Children's Online Privacy Protection Act)  
17 U.S.C. § 101 *et seq.* (Copyrights)  
47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))  
47 C.F.R. § 54.520 (FCC rules implementing CIPA)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. § 125B.15 (Internet Access for Students)

Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)  
*Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)  
*United States v. Amer. Library Assoc.*, 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 (2003)  
*Doninger v. Niehoff*, 527 F.3d 41 (2<sup>nd</sup> Cir. 2008)  
*R.S. v. Minnewaska Area Sch. Dist. No. 2149*, No. 12-588, 2012 WL 3870868 (D. Minn. 2012)  
*Tatro v. Univ. of Minnesota*, 800 N.W.2d 811 (Minn. App. 2011), aff'd on other grounds 816 N.W.2d 509 (Minn. 2012)  
*S.J.W. v. Lee's Summit R-7 Sch. Dist.*, 696 F.3d 771 (8<sup>th</sup> Cir. 2012)  
*Kowalski v. Berkeley County Sch.*, 652 F.3d 565 (4<sup>th</sup> Cir. 2011)  
*Layshock v. Hermitage Sch. Dist.*, 650 F.3d 205 (3<sup>rd</sup> Cir. 2011)  
*Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist.*, 853 F.Supp.2d 888 (W.D. Mo. 2012)  
*M.T. v. Cent. York Sch. Dist.*, 937 A.2d 538 (Pa. Commw. Ct. 2007)

***Cross References:***

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)  
MSBA/MASA Model Policy 603 (Curriculum Development)  
MSBA/MASA Model Policy 604 (Instructional Curriculum)  
MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)  
MSBA/MASA Model Policy 806 (Crisis Management Policy)  
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)



Adopted: April 26, 2004

MSBA/MASA Model Policy 514  
Orig. 2022

Revised: 6/11/05; 8/14/06; 10/27/08; 11/28/11  
9/9/13; 7/28/14; 8/24/15; 7/25/16; 6/26/17  
6/10/19; 5/26/20; 6/14/21; 6/27/22; 6/26/23

## 514 BULLYING PROHIBITION POLICY

### I. PURPOSE

- A. 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 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 cyber bullying 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 #506. 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 student discipline policy #506 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**

- A. 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 Minnesota Statute, section 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 cyber bullying.
- 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 protection and privacy of pupil records policy (See MSBA/MASA Model Policy 515) in the student handbook.

## 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 (See MSBA/MASA Model Policy 506) 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

- A. 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 Minnesota Statutes section 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 (Definitions)  
Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 121A.03 (Model Policy)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. § 121A.0311 (Notice of the 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:***

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)  
MSBA/MASA Model Policy 423 (Employee-Student Relationships)  
MSBA/MASA Model Policy 501 (School Weapons Policy)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 507 (Corporal Punishment)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination)  
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 526 (Hazing Prohibition)  
MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)  
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)  
MSBA/MASA Model Policy 711 (Video Recording on School Buses)  
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)





## SOUTH ST. PAUL PUBLIC SCHOOLS

104 – 5th Avenue South  
South St. Paul, MN 55075

### Bullying/Harassment Report Form

District policy 514 states that a safe and civil environment is necessary 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 students' ability to learn and teachers' 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. The purpose of this form is to document alleged incidents and 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.

**Complainant Name:** \_\_\_\_\_

\_\_\_\_\_

**Home Address:** \_\_\_\_\_ **Home Phone:** \_\_\_\_\_

**Date of Alleged Incident(s):** \_\_\_\_\_

**Type of Bullying/Harassing:**  Physical  Verbal  Relational

**Name of person(s) you believe was bullying toward you or another person:** \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**When and Where did the incident(s) occur?** \_\_\_\_\_

\_\_\_\_\_

**List the names and contact information of any witnesses that were present:** \_\_\_\_\_

\_\_\_\_\_

**List the names of any trusted adult that you reported this incident to (i.e. teacher, principal, police liaison, office staff, parent/guardian, etc.):** \_\_\_\_\_

\_\_\_\_\_

This complaint is filed based on my honest belief that \_\_\_\_\_ has bullied/harassed me or another person. 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:** \_\_\_\_\_