

South St. Paul
Public Schools



South St. Paul Public Schools Employee Handbook

July 2023



Minnesota's First K-12 IB World Schools District

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.

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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. 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

South St. Paul
Public Schools



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

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 to exemplify the IB Learner Profile
- **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)

Compassion: Be kind, fair and just toward all people because of who we are

Equity: Provide equal access to opportunities in academics, student services and activities

Excellence: Strive for the/our best in all we do with high expectations for all

Integrity: Do the right thing even when no one is watching, and keep our promises

Resilience: Be able to bounce back from challenges and disappointments with confidence and hope

Respect: Honor our similarities and differences in our assumptions, inquiries, words, and actions

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

International Baccalaureate (IB)

We are Minnesota's first K-12 IB World School District, serving an internationally focused programming through the International Baccalaureate (IB) organization. Our elementary schools are authorized IB Primary Years Program (PYP) World Schools. South St. Paul Secondary is an authorized IB World School featuring the IB Middle Years Program (MYP) for Grades 6-10, and the IB Diploma Program (DP) for Grades 11 and 12.

What is an International Baccalaureate (IB) Education?

The aim of all IB programs is to develop internationally minded people who, recognizing their common humanity and shared guardianship of the planet, help to create a better and more peaceful world.

An IB education centers on learners

- An IB education is concerned with the *whole* person, encouraging students to become active, compassionate, lifelong learners by striving to be:
 - Inquirers, knowledgeable, thinkers, communicators, principled, open-minded, caring, risk-takers, balanced and reflective, collectively known as the **IB Learner Profile**.

An IB education develops effective approaches to teaching and learning

- An IB education empowers young people for a lifetime of learning, independently and in collaboration with others by using the following approaches:
 - **Inquiry:** students working together to construct meaning and make sense of the world, exploring curriculum that is engaging, relevant, challenging, and significant.
 - **Action:** students are encouraged to act at home, in classrooms, schools, communities and the broader world. Action may involve service learning, advocacy and educating self and others.
 - **Reflection:** students are given opportunities to reflect on their own thinking and effort, which leads to deeper understanding of what is being learned.

An IB education works within global contexts

- An IB education aims to develop internationally minded people by encouraging:
 - **Multilingualism and intercultural understanding:** involves communicating in a variety of ways and to recognize and reflect on one's own perspective, as well as the perspectives of others in order to explore human commonality, diversity and interconnection.
 - **Global engagement:** involves a commitment to address humanity's greatest challenges, at the local and global level.

An IB education explores significant content

- An IB education aims to provide students opportunities to explore curriculum that is:
 - **Broad and balanced:** offering students access to a broad range of content that spans academic subjects.
 - **Conceptual:** focuses on timeless, abstract, universal, and transferable ideas that reach beyond temporal, national, cultural and subject-area boundaries.
 - **Connected:** giving students authentic opportunities to make connections between many different subjects.

Sunset of PYP and MYP

As part of the Pathway to Packer Promise, students and families will experience IB programming in 2023-24 while the District simultaneously works through steps to explore a new academic program model and sunset PYP/MYP for 2024-25. SSP High School will continue to offer the IB Diploma Programme for interested students in grades 11-12.

This is a one page summary of the document What is an IB Education? Published by International Baccalaureate Organization. Read the full text at <http://www.ibo.org/globalassets/digital-toolkit/brochures/what-is-an-ib-education-en.pdf>

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.

Board of Education Members

Anne Claflin

Tim Felton

Wendy Felton

Kim Humann

Nikki Laliberte

John Raasch

Monica Weber

- *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.

- *Regular Meetings*

Committee-of-the-Whole meetings of the Board of Education are scheduled at 5:00 PM and Regular Board meetings are scheduled at 6:00 PM on the second and fourth Mondays of each month. Committee-of-the-Whole meetings and Regular Board 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.

Board of Education 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
Candace Burckhardt	Director of Student 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

Building Principals

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

Assistant Principals

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

Building Schedules 2023-2024:

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

Inter District Phone Listing

Anderson, Conrad	SEC	IB Coordinator	9454	Milteer, Joel	DO	HR Director	9473
Attendance	SEC		9415	Moses, Tina	DO	Technology Director	5560
Attendance	KEC		9422	Moua, Sher	DO	Student Info Specialist	9470
Attendance	LC		9498	Murphy, Connor	DO	Digital Learning Specialist	3699
Barter, Andrew	MS	Assistant Principal	9405	Nihart, Kris	SEC	Activities Asst	9462
Birnstengel, Beth	SEC	Student Records	9475	Ochocki, Chuck	HS	Principal	9402
Boelter, Lisa	KEC	Principal's Asst	6301	Pavel, Dorie	DO	Nutrition Svcs Director	9456
Bourg, Leah	MS	Principal	3659	Peterson, Lori	SEC	Tech Coordinator	1168
Brandecker, Lisa	DO	Mgr Adm Svcs/Comm	9465	Quinn, Nancey	EC	CLC Assistant	3428
Bretoi, Terry	KEC	Principal	6306	Roe, Carolyn	LC	Principal's Asst	7408
Burkhardt, Candace	DO	Student Svcs Dir	9466	Rogers, Kayla	KEC	School Nurse	9424
Campbell, Louise	FEC	Preschool/ECFE Asst	9418	Ryan, Erika	DO	Enrollment/Transportation	9474
Castellanos, Tere	FEC	Cultural Liaison	3644	Ryter, Angie	HS	Assistant Principal	9435
Cavalier, Melissa	SEC	Police Liaison	9463	Kristen Sammartano Weeks	FEC	Early Lrng Supp Coor	3642
Childs, Danette	DO	Comm Specialist	9412	Schmidt, Maggie	DO	Nutrition Svcs AD	3675
Custodial Office	SEC		9438	Schwab, Robin	CLC	Assistant Principal	3686
Custodial Office	KEC		6242	Service Building	SB		9450
Custodial Office	LC		9482	Shannon, Jody	DO	Ed Svcs/Tech Asst	9469
Davis, Martha	FD	Ed Foundation	9440	Shepard, Jamie	SEC	Academic Supp Specialist	9406
Early Childhood Scrng	FEC		7232	Skaar, Delaney	DO	Student Services Asst	9496
Edlefsen, Deanne	LC	Assistant Principal	7407	Skwira, Beth	FD	Ed Foundation Director	9486
Fenton, Mark	DO	Bldgs & Grounds Dir	9431	Starkman, Theresa	LC	Principal	9461
Food Service	SEC		9444	Swenson, Shannon	DO	Finance Manager	9492
Food Service	KEC		6241	Tech Help Desk			9459
Food Service	LC		5576	Trettel, Amy	CS	Community Ed Assistant	3631
Gamez, Lesly	DO	Educational Svc AD	5563	Welsh, Lynne	DO	Finance Specialist	9471
Ganje, Kayla	LC	Office Assistant	7406	Willcox, Brandon	DO	K-12 Instructional Coor	5595
Granados, Delia	SEC	Cultural Liaison	3665	Winter, Amy	DO	Exec Dir Educational Svc	9416
Hansen, Jody	KEC	Asst Principal	6307	Wright, Bob	SEC	Print Shop	5588
Hart, Jenna	SEC	Student Svcs Asst	3689	Xiong, Khong	LC	Cultural Liaison	3663
Hoffman, Brady	DO	Finance Director	9428	Xiong, Khong	SEC	Cultural Liaison	9490
Holsen, Eric	SEC	Theatre Director	9430	Zambreno, Brian	DO	Superintendent	9465
Jacobs-Buse, Linda	CS	Comm Ed Programs	3632	Zehnder, Jeanne	CS	Community Ed Director	3634
King, Linda	DO	Human Resources	9409				
Krueger, Brady	SEC	Asst Princ/Act Dir	9417				
Krueger, Shawnee	LC	School Nurse	7409		DO	Benefits	3505
Litfin, Amy	LC	ECSE Coordinator	9497		SEC	Office Assistant	1103
Macioch, Joleen	SEC	Principal's Asst	9410		KEC	Office Assistant	6300
Medina-Cuenca, Daisy	KEC	Cultural Liaison	3667		SEC	School Nurse	9449

District Buildings/Programs

Our elementary schools are authorized International Baccalaureate Primary Years Program (PYP) IB World Schools. Students and families will experience IB programming in 2023-24 while the District simultaneously works through steps to explore a new academic program model and sunset PYP/MYP for 2024-25.



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

The Secondary Building is an authorized International Baccalaureate Middle Years Program (MYP) and Diploma Program (DP) World School. Students and families will experience IB programming in 2023-24 while the District simultaneously works through steps to explore a new academic program model and sunset PYP/MYP for 2024-25.



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 19th 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.

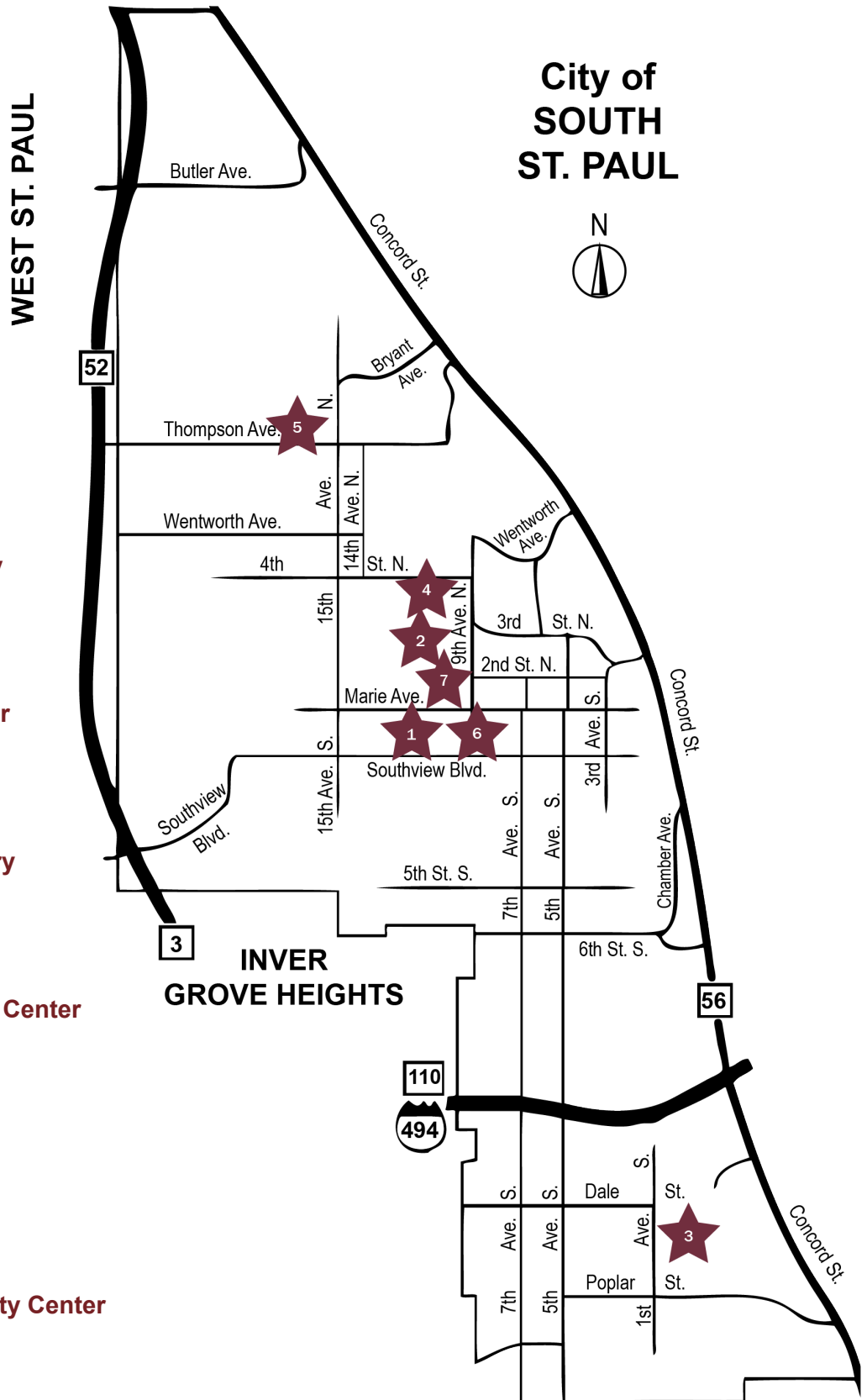
SSABE Main Office
100 Seventh Avenue North
Office: (651) 306-3632



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 the 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 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 workers, 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, Cleaners, 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. Employees may be eligible for paid holidays, based on criteria in collective bargaining agreements or work agreements.

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. Badges should be worn at all times and should be visible while on District property. 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. 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 sick 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.

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

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.

Resignation from Employment

The 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 District's Resignation/Retirement form found on the District website with your signature and effective date of 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 must return all District property. 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 District. Corrective action may also be taken to address work rule violations and other prohibitive 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 probationary period.

All employees (except teachers) will 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.

Probationary Period

Probationary periods for positions included in collective bargaining agreements are outlined in their respective contract. The probationary period for at-will employees is six consecutive months.

The probationary period for teachers is based on MN Statutes 122A.40.

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 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.

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.

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.

Counselors are available 24 hours a day, 7 days per week, and can help with:

- *Childcare and elder care*
- *Alcohol and drug abuse*
- *Life improvement*
- *Difficulties in relationships*
- *Stress and anxiety with work or family*
- *Depression*
- *Goal setting*
- *Emotional well-being*
- *Financial and legal concerns*
- *Grief and loss*
- *Identity theft and fraud resolution*
- *Online will preparation*

Additional information is located on our District website under Human Resources/Employee Benefits.

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 15th and 30th of each month. If the 15th or 30th 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

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 Non-Exempt 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, click on the Staff tab on the District website; under Quick Links, click on Skyward. 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 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.

HOME > DEPARTMENTS > HUMAN RESOURCES/PAYROLL > EMPLOYEE RESOURCES AND FORMS

EMPLOYEE RESOURCES AND FORMS

+ LEAVE OF ABSENCE
+ EMPLOYEE RESOURCES COVID-19
+ SKYWARD EMPLOYEE ACCESS INSTRUCTIONS
+ WORKER'S COMPENSATION
+ HUMAN RESOURCES FORMS AND INFORMATION
+ PAYROLL FORMS/INFO
+ COLLECTIVE BARGAINING AGREEMENTS
- IMPORTANT LINKS

[SKYWARD](#)

Employee access to view paycheck information

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.

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

Public Employees Retirement Association

651-296-7460 or 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.

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 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 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:

Joel Milter, 104 Fifth Avenue South, South St. Paul, MN 55075
(651) 457-9473
jmilteer@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
bkrueger@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*

Rev. 2021

413 HARASSMENT AND VIOLENCE

I. PURPOSE

The purpose of this policy is to maintain 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 includes school board members, school employees, agents, volunteers, contractors or persons subject to the supervision and control of the district.)
- C. A violation of this policy 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 or violence based on a person's Protected Class and to discipline or take appropriate action against any student, teacher, administrator or other school district personnel who is 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 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 which may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

- 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: 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*

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 (2nd 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 (8th Cir. 2012)
Kowalski v. Berkeley County Sch., 652 F.3d 565 (4th Cir. 2011)
Layshock v. Hermitage Sch. Dist., 650 F.3d 205 (3rd 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)



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MSBA/MASA Model Policy 514
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6/10/19; 5/26/20; 6/14/21; 6/27/22

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 Minn. Stat. § 121A.031 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

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

Cross References:

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)