

ROCORI School District

Employee Handbook

July 2024



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Welcome from District and Purpose of Handbook

The ROCORI School District ("the District") is pleased that you have chosen to share your time and talent with the District's students, families and other employees. This handbook is designed to be a handy reference guide to the District's policies and practices to help you carry out the District's mission.

This handbook is a general statement of expectations, directions and instructions to employees based on District policies to be modified and applied by the District at its discretion. Employees are expected to comply with the policies, procedures and guidelines set forth and/or referenced in the handbook, as well as any revisions. The District reserves the right to make changes to this handbook and all policies and procedures at any time, with or without notice, and to interpret the policies and procedures at its discretion. The online version of this handbook can be found at <https://www.rocori.k12.mn.us/information/staff-information> and shall be considered to be the most current version and shall supersede any other versions of this handbook should there be a discrepancy in terms of content.

Mission of the ROCORI School District

The mission of the ROCORI School District is to *Make a difference today to create a better tomorrow.*

Annual Review of Handbook

Each year, District employees are expected to review the handbook and policies referenced herein. An employee who does not understand any policy, procedure or guideline contained in or referenced in the handbook, should consult with the employee's supervisor, principal, or the District Office for clarification. This Employee Handbook is intended to provide employees with summary information regarding policies, procedures, ethics, expectations, and standards of the District. It is important that each employee is aware of the policies and procedures related to his/her position.

Paper copies of this handbook and all policies are available upon request to the District Office.

Contract Disclaimer

No provision in this handbook or any policy referenced herein is intended to create a contract between the District and any employee or to limit the rights of the District and its employees to terminate the employment relationship. Where applicable, the terms of a Collective Bargaining Agreement or other contract will take precedence over information provided in this handbook. In addition, to the extent any provision in this handbook conflicts with a School Board Policy, the School Board Policy shall prevail.

School Board Policies

It is the responsibility of all employees to be aware of and adhere to the policies that govern their employment with the District. All School Board Policies can be found on the District website at www.rocori.k12.mn.us, by selecting "Information" on the top menu bar and then selecting "School Board" under "Information". Once on the page, click "District Policy Manual" for the policies. The electronic link to all School Board Policies is: <https://www.rocori.k12.mn.us/information/school-board/information/school-board/school-board-policy>.

Some key School Board Policies are summarized and hyperlinked below for ease of reference; however, all of the School Board Policies should be read in their entirety. Questions about any policy should be directed to the employee's supervisor, principal, or District Office.

Policies Related to Employees

Summary of Equal Employment Opportunity Policy #401

The District recognizes the need for people of all backgrounds, experiences, and situations to have equal opportunity for employment and performance within the District.

The District will not discriminate against or harass any employee or applicant for employment because of race, color, creed, religion, national origin, gender, disability, age, marital status, sexual identity and orientation or status with regard to public assistance, as defined by Minnesota statutes and federal law, and will ensure that all employment practices are free of discrimination.

Discrimination includes but is not limited to advertising, selection, layoff, disciplinary action, termination, rates of pay, or other forms of compensation, and selection for training, including apprenticeship.

If any employee or applicant believes they have experienced discrimination in violation of this policy, they should contact the Superintendent.

Please review this policy in full by clicking

<https://resources.finalseite.net/images/v1695842301/rocorik12mnus/fq1luijivyhkg5aadzro/401EqualEmploymentOpportunity.pdf> or visiting the District's website.

Summary of Section 504 Nondiscrimination Policy #521

In order to satisfy its obligations under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, the District is responsible for identifying and evaluating learners who need special services or programs in order to receive a free appropriate education.

No discrimination against any person with a disability shall knowingly be permitted in any of the District's practices and programs.

A person with a disability is one who has a physical or mental impairment that substantially limits one or more major life activities, including learning, has a record of such impairment, or is regarded as having such impairment.

If you have any questions or concerns with respect to this policy, contact the Superintendent, who is the District's Section 504 Coordinator.

Please review this policy in full by clicking

https://www.rocori.k12.mn.us/uploaded/personal/3448/521_NONDISCRIMINATION_FINAL.pdf or visiting the District's website.

Summary of Family and Medical Leave Act (FMLA) Policy #410

The District has adopted this policy to provide for family and medical leave to District employees in accordance with the Family and Medical Leave Act and parenting leave under state law.

Eligible employees are entitled to 12 work weeks of unpaid family or medical leave during a rolling 12-month period measured backward from the date the employee's leave is to commence for one of the following reasons:

Birth of the employee's child and to care for such child;

Placement of an adopted or foster child with the employee;

To care for the employee's spouse, son, daughter, or parent with a serious health condition;

The employee's serious health condition makes the employee unable to perform the functions of the employee's job; and/or

Any qualifying exigency arising from the employee's spouse, son, daughter, or parent being on covered active duty, or notified of an impending call or order to covered active duty in the Armed Forces.

The District may request or require the employee to substitute accrued paid leave for any part of the 12 week period.

The District also provides up to 26 weeks of job-protected leave per rolling 12 month period to care for the employee's spouse, child, parent, or next of kin who is a covered service member.

Where practicable, requests for leave shall be made to the District with 30 days' written notice.

The District may require documentation to support the request for leave as discussed in further detail in the policy.

Please review this policy in full by clicking

https://www.rocori.k12.mn.us/uploaded/personal/3448/410_FAMILY_LEAVE_FINAL.pdf or visiting the District's website.

Summary of Harassment and Violence Policy #413

The policy of the District is to maintain a learning and working environment free from harassment 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.

A violation of this policy occurs when any student, teacher, administrator, or other school personnel harasses or inflicts or threatens to inflict violence on a student, teacher, administrators, or other school personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.

"Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability when the conduct has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment; has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or

otherwise adversely affects an individual's employment or academic opportunities.

Any person who believes he or she has been the target or victim of harassment or violence defined by this policy, toward a student, teacher, administrator, or other District personnel should report the alleged acts immediately to the building report taker (the building principal, assistant principal, the principal's designee, or building supervisor).

Moreover, District employees shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence and to make reasonable efforts to address and resolve the harassment or violence and inform the building report taker immediately. District employees who fail to inform building report taker of a report of harassment may be subject to disciplinary action.

The School Board has designated the Senior High Activities Director Joel Baumgarten and the Superintendent as the District Human Rights Officers. In the event a complaint involves a District Human Rights Officer, the complaint shall be filed with the School Board Chair.

The District prohibits retaliation against a victim, good faith reporter, or witness of violence or harassment.

Please review this policy in full by clicking

https://www.rocori.k12.mn.us/uploaded/personal/3448/413_HARASSMENT_FINAL_2.pdf

or visiting the District's website.

Summary of Violence Prevention Policy #525

The District is committed to promoting healthy human relationships and learning environments that are physically and psychologically safe for all members of the school community. Students should be protected from physical or emotional harm during school activities and on school grounds, buses, or field trips while under District supervision.

District employees shall comply with the District Weapons Policy #9-9 and the District Hazing Prevention Policy #9-17, and shall be knowledgeable about violence prevention policies and report any violation to school administration immediately.

District employees shall not engage in emotionally abusive acts including malicious shouting, ridicule, and/or threats or other forms of corporal punishment.

Please review this policy in full by clicking

<https://resources.finalseite.net/images/v1692213245/rocorik12mnus/i38em24khw2nl6cub7n8/525ViolencePreventionPolicy.pdf> or visiting the District's website.

Summary of Drug-Free Workplace/Drug-Free School Policy #418

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

A violation of this policy occurs when any student, teacher, administrator, other school district personnel, or member of the public uses or possesses alcohol, toxic substances, controlled substances, medical cannabis, or any related paraphernalia in any school location. The District will act to enforce this policy and to discipline or take appropriate action against any person who violates this policy.

Employees who have a prescription for medical treatment with a controlled substance (except medical cannabis) are required to inform their supervisor and may be required to provide a copy of the prescription before being permitted to possess such controlled substance and associated necessary paraphernalia such as an inhaler or syringe.

Please review this policy in full by clicking

<https://resources.finalseite.net/images/v1694639145/rocorik12mnus/cojttruc03ixlcqgmhdk/418Drug-FreeWorkplace.pdf>

or as attached as an appendix to this handbook.

Summary of Right to Know—Exposure to Hazardous Substances Policy #407

The purpose of this policy is to provide District employees a place of employment and conditions of employment free from recognized hazards that are likely to cause death or serious injury or harm.

The District will ensure information and training are provided annually to employees who may be routinely exposed to a hazardous substance, harmful physical agent, infectious agent, or blood borne pathogen.

The training is available on-line on the District Web page, under Staff – Information – SFM-Work Comp Experts. You will be assigned a log in and password by the Business Office after you have been hired. If you do not have one or do not remember your password, please call 685-4901.

Please review this policy in full by clicking

<https://resources.finalseite.net/images/v1695842352/rocorik12mnus/fwspjwda6xdtr4fbfebp/407RighttoKnow.pdf> or

visiting the District’s website.

Policies Related to Students

It is important for employees to be aware of policies that apply to students as well as employees, and the responsibility such policies place on employees of the District, such as the School Board Policies summarized below:

Summary of Equal Educational Opportunity Policy #522

The policy of the District is to provide equal educational opportunity for all students. The District does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation including gender expression, or age.

See the following related policies for further detail:

Harassment Prevention Policy #413

Violence Prevention Policy #525

Nondiscrimination Policy #521

Please review this policy in full by clicking

<https://resources.finalseite.net/images/v1690995543/rocorik12mnus/eaewbls2en6zgv0vb0o/522TitleXHarass.pdf> or

visiting the District’s website.

Summary of Internet Acceptable Use and Safety Policy #524

The use of the District’s computer system, devices, and Internet is a privilege, not a right. The District provides students and employees with access to the District computer system and devices which include Internet access for the limited educational purposes of classroom activities, educational research, and professional or career development activities. As such, users are expected use Internet access through the District’s system to further goals consistent with the District’s mission. The District expects that faculty will blend the thoughtful use of the District computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

Each employee must sign an Internet Use Agreement and file it at the school office.

Users of the District’s computer system, devices, and Internet should expect only limited privacy while using those resources.

The following is a non-exhaustive list of uses of the District computer system and Internet resources that are considered unacceptable:

Pornographic, obscene or sexually explicit material; abusive, profane, lewd, vulgar, rude, inflammatory, threatening, or sexually explicit language; materials that use language or images that are inappropriate in the education setting or

disruptive to the educational process; information or materials that could cause damage or danger of disruption to the educational process; materials that use language or images that advocate violence or discrimination;
Using the system to knowingly or recklessly post, transmit, or distribute false or defamatory information;
Engaging in any illegal acts or any vandalism or property damage;
Bypassing the system or web filter to gain unauthorized access to resources or files of another person or entity's files;
Posting private information about another person or personal contact information about themselves or other persons;
Conducting business or unauthorized commercial purposes;
Engaging in bullying;

If an employee inadvertently accesses unacceptable materials or an unacceptable Internet site, the employee shall immediately disclose the access to their immediate supervisor.

Please review this policy in full by clicking

https://www.rocori.k12.mn.us/uploaded/personal/3448/524_INTERNET_FINAL.pdf

or visiting the District's website.

Summary of Weapons Policy #501

No student or nonstudent, including adults and visitors, shall possess, use, or distribute a weapon when in a school location, which includes any school building or grounds, location of school activities or trips, bus stops, school buses or school vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the District, except as provided in this policy. The District will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

Weapons include all objects, devices, or instruments designed as weapons or which through their use are capable of threatening or producing bodily harm or which may be used to inflict self-injury. Objects, devices, or instruments having the appearance of a weapon and articles designed for other purposes will also be treated as weapons under this policy. The policy defines several narrow exceptions to the prohibition against weapons.

An employee who violates this policy is subject to disciplinary action including nonrenewal, suspension, or discharge.

Law enforcement may also be notified as appropriate.

Please review this policy in full by clicking

https://www.rocori.k12.mn.us/uploaded/personal/3448/501_WEAPONS_POLICY_FINAL.pdf

or visiting the District's website.

Summary of Bullying Prevention Policy #514

Bullying is expressly prohibited on school premises, on District property, at school functions or activities, or on school transportation. This policy also applies to acts of cyberbullying.

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

An actual or perceived power imbalance 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

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.

"Cyberbullying" means bullying using technology or other electronic communication, which occurs on school premises, on school property, at school functions or activities, on school transportation, 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.

Any person with knowledge or belief of conduct that may constitute bullying or cyberbullying, including a District employee, must make reasonable efforts to address and resolve the bullying or prohibited conduct and must report the alleged acts immediately (within 24 hours) to the building principal, principal's designee, or the building supervisor.

District personnel who fail to inform the building report taker immediately 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.

No employee of the District shall permit, condone, or tolerate bullying. Consequences for an employee who permits, condones, or tolerates bullying or engages in an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge.

Please review this policy in full by clicking

<https://resources.finalseite.net/images/v1695904481/rocorik12mnus/pphdtrq3eiq5rdcfxfop/514BullyPrevention.pdf> or as attached as an appendix to this handbook.

Summary of Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy #414

The District must fully comply with Minnesota Statutes Section 260E.06, which requires District personnel to report suspected child neglect or physical or sexual abuse. A violation of this policy occurs when any mandatory reporter fails to immediately report instances of child neglect or physical or sexual abuse.

A mandatory reporter is any District personnel who knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years. Mandatory reporters shall make a report of neglect or physical or sexual abuse within 24 hours to the local welfare agency, police department, county sheriff, tribal social services, or tribal police department, and will include the reporter's name and address in the report. A written report must be made within 72 hours, and must identify the child, any person believed to be responsible for the abuse or neglect of the child, the nature and extent of the abuse or neglect and the name and address of the reporter.

The Stearns County Social Service Agency may be reached at 320-656-6000 (ask for Service Entry). The Cold Spring Police Department may be reached at 320-685-8666. The Stearns County Sheriff's Department dispatch center may be reached at 320-251-4240. Depending upon the student's place of residence, a referral may be made to another city's police department, or county's social service agency or sheriff's department.

The Minnesota Department of Education (MDE) is responsible for assessing or investigating allegations of child maltreatment in schools. After making a report to the Social Service Agency or law enforcement agency of an allegation of child maltreatment in school, the reporter must also provide a report to the MDE within 24 hours. A form for reporting to MDE is available on the MDE website.

Please review this policy in full by clicking

<https://resources.finalseite.net/images/v1692212946/rocorik12mnus/h9rz2qsrcjqrpnv68vou/414MandReportChildNeglectpdf.pdf> or as attached as an appendix to this handbook.

Respectful Workplace

In addition to maintaining a work environment free of discrimination, harassment and violence, it is the practice of the District to maintain a work environment where employees treat each other and students, parents and visitors with respect. Employees have the responsibility to conduct themselves in a manner befitting the important work of an educational institution, and in accordance with the District's mission to provide an instructional environment that is caring and supportive. Employees also have the responsibility to conduct themselves in an ethical manner.

Respectful conduct includes, for example, treating others with courtesy and in a professional manner, valuing their perspective and appreciating their contributions. Disrespectful conduct includes, for example, aggressive, intimidating, demeaning, degrading, disruptive or malicious remarks or behavior.

An employee who believes that he or she has been treated in a disrespectful manner, or who witnesses disrespectful or unethical conduct, should contact his or her supervisor, principal, or the Superintendent.

Communications

Communication Expectations and Responsibilities

- All employees are required to know and use the district email system.
- Upon arrival at schools, or when work duties allow, all employees should check their email, mailbox, and voicemail if applicable.

Conflict Resolution

The District encourages employees to discuss any issues they may have with a co-worker directly with that individual. If you are unable to resolve the problem or issue, please contact your supervisor and arrange a meeting to discuss your concerns. It is counterproductive for employees to create or repeat rumors or gossip.

Criminal Background Checks - Employees

In order for an individual to be eligible for employment or to provide athletic coaching services or other extracurricular academic coaching services to the District, the individual must complete an employee background check. These are available on our district website, under our Employment tab using Trusted Employees. The new employee will submit their payment directly to the background check site. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the District that an individual's criminal history does not preclude the individual from employment with, or provision of services to, the District.

Criminal Background Checks - Volunteers

The District requires volunteers and chaperones to submit to a criminal history background check. The opportunity to volunteer or chaperone shall be conditioned upon a determination by the District that an individual's criminal history does not preclude the individual from volunteering with, or provision of services to, the District. The individual must complete a volunteer background check. These are available on our district website, under our "Information" tab, titled "Volunteer Opportunities." The new volunteer will submit their payment directly to the background check site.

Volunteers/chaperones must check in with the Administrative Assistant at the school site to ensure a current background check is on file prior to scheduling their volunteer hours.

Employee Use of Technology/Social Media

The District recognizes the value of inquiry, investigation, and innovation using new technology tools to enhance the learning experience, and the various technologies that make communication by school personnel with students and parents instantaneous and efficient. The District also recognizes its obligation to teach and ensure responsible and safe use of these technologies.

The District takes no position on employees' decision to participate in the use of social media networks for personal use using personal time. However, use of these media for personal use during District time or using District equipment or resources is prohibited. The District also discourages employees from interacting with students using personal email addresses, personal phone numbers, and personal social media networks or accounts. In addition, employees must avoid posting any information or engaging in communication that violates School District policies, rules and regulations, as well as any state or federal law, including but not limited to, the Minnesota Government Data Practices Act and the Family Educational Rights and Privacy Act. Furthermore, employees must not engage in communications that have an actual or potential negative impact on the School District's educational or work environment.

The line between professional and personal relationships may be blurred within a social media context. When employees choose to join or engage with District students, families or fellow employees in a social media context that exists outside those approved by the District, they are advised to maintain their professionalism as District employees and for maintaining appropriate employee-student relationships at all times, and have responsibility for addressing inappropriate behavior or activity on these networks, including requirements for mandated reporting under the Minnesota Maltreatment of Minors Act.

The District provides certain social media tools for communicating about school classrooms, activities, and functions. The list of school sanctioned tools may be obtained from the IT Department. District employees who wish to establish a new social media tool for use in the classroom or for a school activity or function must obtain the Superintendent's written approval for it to become a sanctioned tool. The first step toward obtaining such approval is to contact the IT Department. As with other school provided technology, there is no expectation of privacy with respect to what employees post or share via school sanctioned social media tools.

Employees who are responsible for an official school or District online social media site must be mindful that any non-original content may be subject to copyright protection and that any links to other websites may be viewed as an endorsement of the linked content. Any statements or postings made on an official school or District website must be objective and factual and are subject to review and revision by the District administration.

Whether engaging in personal or school-sanctioned social media, employees should remember they are role models to students in this community. Employees should refrain from using language that is obscene, profane or vulgar and should not engage in communication or conduct that is harassing, threatening, bullying, libelous, or defamatory or that encourages any illegal activity or the inappropriate use of alcohol, illegal drugs, sexual behavior, or sexual harassment, or bullying. Employees may not disclose information on any social media network that is confidential or proprietary to the District, its students, or employees or that is protected by data privacy laws, including but not limited to images of students.

An employee who is responsible for a social media network posting or site's content that fails to comply with the rules and guidelines set forth in this policy may be subject to discipline, up to and including termination. The District is free to view and monitor an employee's social media activity at any time without consent or previous approval.

Nothing in this policy is intended nor does it restrict any District employee's rights under Section 7 of the National Labor Relations Act.

After Hours Building Use

Employees should refrain from working in buildings at night, on summer breaks or on school breaks when buildings are vacant. Working alone or in isolation may be unsafe and requires special arrangements to minimize potential risks of injury. By protecting our employees, we are also protecting their friends, families, fellow workers, management, the public, and the environment from the serious effects that result from incidents-

We are a public entity and as such, personal use of the facilities and equipment is not permitted. Anyone using the facilities and equipment for personal use will have their access to the buildings terminated other than authorized school hours.

Employees who wish to utilize the school building(s)/facilities for purposes such as tutoring, music lessons, exercise classes or other non-work related use need to work through the Community Education Department.

Personnel Files

Upon written request, an employee may review his/her personnel record. If you would like to review your file, please contact the Director of Human resources in the District Office to schedule that time.

Change of Personal Data

Employees are expected to notify the District Office whenever they experience a change in name, address, number of dependents, telephone number, emergency contact person, or marital status, so District records and files can be updated. An employee may also need to complete another federal employee withholding allowance certificate (W-4), as well as various health insurance forms. For most benefits, employees only have 30 calendar days from the date of the event resulting in a change to make adjustments to such benefit.

Professional Appearance

All District employees are expected to report to work dressed in a manner that reflects positively on the image of the District and consistent with the high standards and professionalism we set for ourselves as a District.

Employees are expected to present a well-groomed, professional appearance and to practice good personal hygiene. Remember, to students, parents and the public, District employees represent the District. Inappropriate dress may vary

depending on the job and job settings, which includes safety concerns. If, in the judgment of an administrator or supervisor, an employee is not properly dressed, the administrator or supervisor has a responsibility to direct the employee to leave District premises until he or she is properly dressed.

Absences

All District employees must enter an absence request for any regular scheduled duty days/shifts. Employees are required to enter absences into Frontline Absence Management, the automated absence reporting/sub calling system, which can be accessed either by phone or internet. Absences can be entered up to 6:45 a.m. on the day of the absence. Employees will need to contact their building secretary or supervisor if they forget to enter the absence or miss the cut-off time. All absences must be reported/entered for tracking purposes.

The procedure is as follows:

- Employee enters absence request prior to the occurrence.
- Supervisor electronically approves/denies the request.
- Absence occurs, if approved.

For unexpected absences, employees must notify their supervisor or designee to report their absence before work starts. Family members may report the absence in extreme cases. If the employee fails to call in, the employee may be placed on unauthorized leave without pay and subject to other corrective action.

If the absence is due to an accident or injury, a medical note will be required prior to returning to work. If the absence is due to an illness, a medical note may be required. If any absence is longer than three days, a medical note will be required. Any change to the original length of leave will require an updated note from the doctor.

If the leave is due to a medical procedure, a note from the doctor is preferred before the leave occurs and then another note from the doctor is required prior to the employees' return.

Personal Leave days should be requested two days ahead of the leave if it is a nonemergency. Refer to your specific agreement for language on the number of days requests may be made in advance.

District employees are required to take responsibility for reporting their own absence by following the proper procedure. Recurring failure to follow the absence procedure will be considered a deficiency.

Dependability

All employees are expected to maintain satisfactory attendance and report to work on time every day. Absences and tardiness create an unfair burden to co-workers and should be avoided. Absences, late arrivals and early departures must be kept to a minimum. Excessive absences or late arrivals may result in disciplinary action by the District. All leaves, whether paid or unpaid, must be scheduled in accordance with District procedures and with current applicable collective bargaining agreements.

Recording Hours Worked and Overtime

Non-exempt, hourly employees are required to use the electronic time keeping system through Skyward (True Time) to record all hours worked. The payroll week is Sunday through Saturday. Time cards are to be submitted electronically each week at the end of the week. Time cards will then be approved by your supervisor. Overtime at the rate of one and one-half (1-1/2) times the base rate will be paid to nonexempt employees for all hours physically worked over 40 hours in a standard work week of Sunday through Saturday inclusive of holidays.

Any time that is worked over and above your normal scheduled hours must be preapproved by your supervisor, documented by an additional hours form, and submitted to your supervisor for signature. These forms must be received by the District Office within 48 business hours after the end of that pay period for proper processing.

CPR training that is performed during staff development are hours worked and will be compensated accordingly. Any additional trainings not completed during this allotted time, will not be compensated unless prior approved.

Paychecks

The District issues paychecks through direct deposit or paper check on a semi-monthly basis. Employees enrolled in direct deposit are solely responsible for updating and changing bank account information as needed.

Employees are responsible for reviewing their payroll check information for proper deductions, benefits and wages. An employee who believes there is a mistake with respect to his or her paycheck, or who believes an improper deduction was made from their salary, should contact the Payroll Department. Paychecks are available through Skyward Employee Access.

Retroactive pay due to timing of negotiated settlements will be issued to employees actively employed on the date of the School Board approved the union ratified agreement and to employees who have retired from the School District during the affected agreement dates. Retroactive pay will not be paid to inactive employees.

Employee Self Service

ROCORI Public Schools' payroll is directly deposited into an employee's checking or savings account. All payroll information can be viewed and printed, if necessary, from the district Employee Self Service site.

The online viewing of this information can be assessed through the Internet at <https://skyfamily.rocori.k12.mn.us:444/scripts/wsisa.dll/WService=wsFin/seplog01.w>

Through this secure website, you will be able to view and print the following information:

- Current and historical payroll information, by paycheck date
- Year-to-date pay summary
- Payroll deduction and benefit information
- Leave history (summary and detail of leave earned and used)
- W-4 tax withholding information showing marital status, exemptions and extra tax, if applicable

Steps to obtain this information:

- Enter the ESS site
- Click on My Payroll

It will open the full menu options. Select your option

- Click Pay Stub to review your paycheck information.
- Click TimeOff to view your vacation/personal/sick time.
- Click W-2 to print your W2s.
- You may print your stub by clicking Print Entire Pay Stub.

Wages

Under the Minnesota Wage Disclosure Protection law, you have the right to tell any person the amount of your own wages. The District does not retaliate against employees who disclose their own wages. Remedies are available under the Wage Disclosure Protection law to bring a civil action against your employer and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5070 or 1-800-342-5354.

Lactation Breaks

The District will accommodate employees who desire to express breast milk during working hours by providing a reasonable amount of break time, according to Minnesota Statute 181.939.

Upon request, the District will provide employees with a private room, other than a bathroom, that is shielded from view and free from intrusion and includes access to an electrical outlet in which to express milk in privacy. Please contact your building administrator to request such a room.

Jury Duty

Employees who receive a summons for jury duty are to notify their principal or immediate supervisor as soon as possible after receipt of the summons. Should employees be selected as jurors, they will be allowed time off which should be entered into the automated absence system. If employees serving on jury duty are excused during the workday and schedule permits, they should return to their respective building to complete their normal assignment. Employees agree to return the pay for jury service to the District, but not including travel or expense allocation.

School Conference/Activity Leave of Absence

Eligible employees may take leave up to a total of sixteen (16) hours during any twelve (12) month period to attend pre-school or school conferences, observations or activities related to the employee's child, if such conferences, observations or activities cannot be scheduled during non-work hours. Employees are eligible for such school conference activity leave if they have worked for ROCORI School District for an average of twenty (20) hours or more per week. The District pays for the first hour of each leave. Time taken beyond one hour will be unpaid or paid personal or vacation time will be applied according to Minn. Statute 181.939.

Earned Sick and Safe Time (ESST)

Effective January 1, 2024, Sick and Safe Time is paid leave that an employee earns one (1) hour of sick and safe time for every thirty (30) hours worked, and can earn a maximum of forty-eight (48) hours per year. Employees have to work a minimum of eighty (80) hours per year to qualify. Employees can use their ESST time according to Minn. Statute 181.9447.

Military Leave of Absence

The District will grant an unpaid military leave of absence to eligible employees for training or service in the National Guard, Reserves or any other branch of the United States Armed Services. Employees are required to notify their supervisor as soon as they are aware of the need for military leave, including a copy of the orders directing the military duty, unless the employee is prevented from doing so by military necessity.

Employees on military leave must timely apply for and report back to work and provide proper documentation in accordance with all applicable state and federal laws in order to be eligible for reemployment. Employees who qualify for reemployment with the District will be treated as though they were continuously employed for the purpose of determining seniority for employment and benefit accrual status (where determined by seniority and/or union contract if applicable) according to Minn. Statute 192.261.

Bereavement-Emergency Leave

Leave time is available in the event of a death in the employee's family. Please refer to your Master Agreement or Terms and Conditions of Employment for more details.

Voting

Voting polls are open from 7:00 a.m. to 8:00 p.m. on Election Day. Time off on election day, with pay, shall be allowed to the extent required by law to vote in a general election, election of a member of Congress, a presidential primary or state primary election. Please notify your building secretary of the time when you will be gone.

Benefits

The District offers the following benefits to employees: Health Insurance, Dental Insurance, Health Savings Account, Post Retirement Health Account, Sick Leave, Personal Days, Vacation Days, 403(b), life insurance, and long-term disability. Not all benefits apply to all employees. Refer to your Master Agreement or Terms and Conditions of Employment for more details.

Employee Assistance Program (EAP)

Employees and their family members have access 24 hours a day, 365 days a year, to confidential phone consultation with counselors in the areas of personal and family issues, legal concerns, financial issues and community resources. Help is available for employees and their family members to get the information, support and/or skills needed to address issues and concerns. The service is available through National Insurance Services, the District's long-term disability carrier, and available two ways:

By Phone: 866-451-5465

Online: www.niseap.com – Search for ROCORI to access services

Additional information relating to the Employee Assistance Program can be found by clicking <https://www.rocori.k12.mn.us/information/staff-information>.

Purchasing

Purchases must be pre-approved by the employee's supervisor or building administrator. Available budgets and requisition forms can be obtained from the building secretary. Purchases have several levels of approval, as such it is recommended to request items at least 3 weeks in advance to ensure adequate time for processing. Upon receipt of items, the employee should forward the packing slip or any relevant paperwork to the building secretary to approve payment. If no packing slip is included, the employee should notify their building secretary by email that all items were received. The employee should also note if any items were not received in good condition, or if there are items on back order.

Expense Reimbursement from District Funds

Requests for reimbursement must be pre-approved by the employee's Supervisor or Building Administrator, must be itemized using the District's check request form and signed by the designated administrator, and be accompanied by proper documentation of the expense (except with respect to mileage reimbursement request). Such expenses to be reimbursed may include transportation, meals, lodging, registration fees, required materials, parking fees or other reasonable and necessary school District business-related expenses.

Acceptable forms of documentation evidencing a reimbursable expense include:

An itemized receipt with company name, date and dollar amount paid. Credit card slips showing total dollar amount and signature will not be accepted.

A copy of the front and back of the canceled check or copy of the check before it is sent plus a copy of the bank statement showing that the check has cleared employee's bank.

Certificate of completion plus registration material showing cost of workshop.

When ordering online, a printed copy of the order from the vendor confirming the placement of the order and showing the payment transaction will be accepted. The District cannot accept an order confirmation or screen printed copy of your order that does not show payment.

When attending a conference where overnight travel is required or meals are not provided, the cost of meals will be reimbursed up to the amounts below. An itemized original receipt is required; tips will be reimbursed up to 10%. Under no circumstances will alcoholic beverages be reimbursed and these should be excluded from the itemized receipt.

The maximum reimbursement per meal is:

Breakfast	\$10.00
Lunch	\$15.00
Dinner	\$20.00

Automobile travel shall be reimbursed at the current mileage rate set by the IRS. When multiple employees are attending a training and a District vehicle is not available, carpooling is encouraged and mileage will be reimbursed at a ratio of 1 vehicle for every 3 attendees. Commercial transportation shall reflect economy fares and shall be reimbursed only for the actual cost of the trip. Hotel reimbursement shall not include incidental charges such as phone calls. For questions about reimbursement, please contact the District Office.

The standard mileage between buildings is:

<u>Route</u>	<u>Mileage</u>	<u>Route</u>	<u>Mileage</u>
RI to CSE/RHS/RMS	6	RI to JCE	10
JCE to CSE/RHS/RMS	6	RI or JCE to DEF	5
DEF to CSE/RHS/RMS	1		

Emergency School Closings

Area School Districts work with one another on weather-related emergencies. In a renewed effort to gather as accurate weather information as is available, the districts rely on the expertise of St. Cloud State University meteorologists for weather forecasts. Professors at the University localize forecasts and advise the districts on closing decisions.

If inclement weather is in the forecast, school closing or late start information is available on the following radio and television stations: WJON (1240 AM), WCCO (830 AM), KNSI (1450 AM), WJJO (98.1 FM), KCLD (104.7 FM), KARE/Channel 11, KMSP/Channel 9, WCCO/Channel 4 and KMSP/Channel 5.

In addition to radio and television outlets, weather alerts are announced on the District website, Facebook page, Twitter, the St. Cloud Times website at www.sctimes.com and the Skylert System. Any updates to the Skylert System should be made with the District Office.

Emergency Plan

All educational institutions are vulnerable to threats, hazards and disasters which have the potential to become emergencies or disasters. It is critical for the District to plan for, respond to and recover from these potential incidents. The purpose of the All-Hazards plan is to provide an overview of the District's approach to emergency operations. It provides information for staff or volunteers to respond to an issue that may arise while in one of our buildings. The information is contained in some form in each classroom, in school offices, and other prominent areas in the buildings. Each employee should familiarize themselves with the location and contents of this plan.

Security Badges/Fob

Security badges must be worn at all times when an employee is in any part of a school building. All visitors are required to sign in through the main office using our visitor management system. Any employee who sees anyone in a school building who is wearing neither a security badge nor a visitor's pass shall direct that person to the main office. If the person does not proceed to the main office, the staff member shall alert the main office immediately. If the person presents an imminent threat, the staff member should take immediate action to implement the building's emergency procedures.

Employees who misplace or lose their security badge or fob must notify their Supervisor **immediately**. The lost fob will be deactivated and a new one issued at a cost of \$20 to the employee. If the lost fob is found, it can be turned in to the Business Office for a refund of the \$20. Keys and FOBs are only to be used by the employee they are assigned to.

Safety & Workplace Injuries

The safety of employees is a vital concern to the District, and therefore the District has adopted policies and implemented systems and infrastructure to provide safe working conditions and equipment. In addition, employees are expected to observe safety rules to protect their own safety and the safety of others at the District. Any employee who comes upon an unsafe condition, must immediately notify the head custodian or building principal as soon as possible.

We have developed and implemented an exposure control plan for blood borne pathogens to reduce the potential for workplace exposure. In this plan we have identified Nurses, Health Techs, Custodians, Cleaners, Special Education staff, Coaches, Trainers and Industrial Tech staff as potentially exposed staff based on their job duties. The hepatitis B vaccination is available to these individuals. For further information, please see the District Safety Officer, Brent Neisinger.

Prompt reporting of work related injuries is very important for protecting and preserving your access to worker's compensation insurance coverage. A "First Report of Injury" needs to be completed by calling the Work Injury Hotline at 1-844-847-8708 within 24 hours.

When someone is injured at work:

- If it is an emergency, **CALL 911**
- The employee AND supervisor should call the Nurse Hotline (844) 847-8708 together. (If no supervisor is available, the employee can call alone.) Do this as soon as possible. The registered nurse who answers will ask what happened and recommend what to do next, whether it's self-care, urgent care or even the emergency room. The nurse will report the injury to the workers comp insurance company.

More information on Work Compensation – 24/7 Care Line can be located at <https://www.rocori.k12.mn.us/information/staff-information>.

Resignation or Retirement from Employment

Notice of Resignation or Retirement: the school district requires notice if you are resigning or retiring from employment. The district requests as much advanced notice as possible in order to have some time to post the vacancy and hire your replacement. This notice should be in writing with your signature and an effective date of the resignation. Failure to give notice may jeopardize a future reference.

Any employees resigning or retiring from the school district, should reach out to the Payroll Benefits Manager at 320-685-4903 to review the payroll-benefits packages for their position.

Employee Checkout Process

All employees leaving the employment of the District must go through their building secretary for their check out process which may include returning any issued keys, key fobs, security badges, parking passes, or electronics. Each employee should also contact the Payroll Department to go over payroll and benefit information.

ROCORI District Office-Who to Contact

AESOP Edits	Sam Wallace	wallaces@rocori.k12.mn.us
Applitrack Questions	Holly Gazett	gazetth@rocori.k12.mn.us
Background Checks (Employee) Background Checks (Volunteer)	Available on ROCORI Website	Available on ROCORI Website
Benefits-Payroll	Shelly Acheson	achesons@rocori.k12.mn.us
Board Requisitions	Holly Gazett	gazetth@rocori.k12.mn.us
Transportation Questions	Voigts Transportation	320-253-0510
Door-FOB system	Amy Dierkes	dierkesa@rocori.k12.mn.us
Curriculum and Assessment	Amy Notch	notcha@rocori.k12.mn.us
Direct Deposit-Employee Access	Shelly Acheson	achesons@rocori.k12.mn.us
Expense Reimbursement	Mary Rothstein	rothsteinm@rocori.k12.mn.us
Enrollment-MARSS	Amy Dierkes	dierkesa@rocori.k12.mn.us
Extracurricular Driving	Sam Wallace	wallaces@rocori.k12.mn.us
FMLA leave requests	Holly Gazett	gazetth@rocori.k12.mn.us
Free Reduced Applications	Chris Barker	barkerc@rocori.k12.mn.us
ID Badges	Dee Torborg	torborgd@rocori.k12.mn.us
Job Descriptions	Holly Gazett	gazetth@rocori.k12.mn.us
Lane Changes-Pre-approvals	Holly Gazett	gazetth@rocori.k12.mn.us
Lunch Account Balances	Chris Barker	barkerc@rocori.k12.mn.us
Name, Address, other family changes for employees	Shelly Acheson	achesons@rocori.k12.mn.us
Notice of Assignments	Holly Gazett	gazetth@rocori.k12.mn.us
Personnel File Questions	Holly Gazett	gazetth@rocori.k12.mn.us
Retirement-403B	Shelly Acheson	achesons@rocori.k12.mn.us
School Credit Card-Purchasing	Mary Rothstein	rothsteinm@rocori.k12.mn.us
Seniority Lists	Holly Gazett	gazetth@rocori.k12.mn.us
SFM – Employee Training	Brent Neisinger Holly Gazett	neisingerb@rocori.k12.mn.us gazetth@rocori.k12.mn.us
SPED Questions/Transportation	Heidi Stenger	stengerh@rocori.k12.mn.us
Staff Development Requests	Amy Dierkes	dierkesa@rocori.k12.mn.us
True Time Questions-Issues	Sam Wallace	wallaces@rocori.k12.mn.us
W-9 Requests	Mary Rothstein	rothsteinm@rocori.k12.mn.us
Website Updates	Brian Michalski	michalskib@rocori.k12.mn.us
Workers Compensation-staff injuries on school grounds	ALARIS	1-844-847-8708

Frequently Asked Questions

Who do I contact to change the number of allowances on my W-4, my 403(b) contribution or my direct deposit information?

Please contact the Payroll Department at 320-685-4903; or access the forms on the ROCORI Staff Teams Files, under “HR FORMS” and submit to Payroll.

Who should I contact for information on a reimbursement payment for covered work expenses?

Please contact the Business Office at 320-685-4905.

I got married and need to add my spouse to my insurance; what do I need to do?

Please contact the Payroll Department at 320-685-4903. You only have 30 calendar days to make changes to your benefits under this qualifying event.

I need to know how many credits I have towards my next lane change or inquire about courses that I have already submitted; who should I contact?

Please contact the Director of Human Resources at 320-685-4904 and make arrangements to review your personnel file.

Who will I contact for a copy of my pay stubs or to obtain an employment verification form?

Please contact the Payroll Department at 320-685-4903. Pay check history can also be accessed through Skyward. Sign in to “Skyward Employee Access” under the Staff selection.

I am having trouble with my work computer or email; who do I contact?

Please go to the ROCORI web page and select “Information and Links” under the Staff selection. Click “Help Desk Ticket” to submit an issue.

Something is broken in my work area or classroom, who do I contact?

Please contact the Head Custodian in your building.

I forgot my pin number for the AESOP System; who can help me?

Please contact the Payroll Department at 320-685-4903.

I've lost my security badge and/or fob; who should I contact?

Please contact your Supervisor immediately.

I have a parent who wants to volunteer in my classroom or within my building; what is the procedure?

Please have them check in with the Administrative Assistant at your building to ensure they have a current background check on file.

Appendix A

413 HARASSMENT AND VIOLENCE

Adopted: May, 2014

Revised: June 2024

Reviewed: August 7, 2024

I. PURPOSE

The School District is committed to an environment in which all individuals are treated with respect and dignity. The purpose of this policy is to maintain a learning and working environment free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability (Protected Class). The school district will not tolerate such behavior.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is 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 person's Protected Class, as defined by this policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's Protected Class.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's Protected Class, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel found to have violated this policy.

III. DEFINITIONS

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

2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
 3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
1. "Disability" means, with respect to an individual who
 - a. 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 having legal status or custody with:
 - a. the minor's parent or parents or the minor's legal guardian or guardians; or
 - b. the designee of the parent or parents or guardian or guardians with the written permission of the parent or parents or guardian or guardians. Familial status also means residing with and caring for one or more individuals who lack the ability to meet essential requirements for physical health, safety, or self-care because the individual or individuals are unable to receive and evaluate information or make or communicate decisions. 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 to whom someone is, or is perceived of as being, emotionally, physically, or sexually attracted to based on sex or gender identity. A person may be attracted to men, women, both, neither, or to people who are genderqueer, androgynous, or have other gender identities.
 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 unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:

a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or

b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or

c. that conduct or communication has the purpose or effect of substantially 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 threats concerning an individual's employment or educational status;

e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or

f. unwelcome behavior or words directed at an individual because of 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

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 Protected Class by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct that may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights 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 may result in disciplinary action against the building report taker.

- G. In the District. The school board hereby designates Senior High Activities Director and the Superintendent 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 School Board Chair.
- 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, upon 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

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

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. 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. § 12101 *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)

414 Mandated Reporting of Child Neglect or Physical or Sexual Abuse

ROCORI Public Schools First Adoption: 11-26-2018

ROCORI Public Schools Last Revision: 08-14-2023

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

A. The policy of the school district is to fully comply with Minnesota Statutes chapter 260E requiring school personnel to report suspected child neglect or physical or sexual abuse.

B. A violation of this policy occurs when any school personnel fails to immediately report instances of child neglect or physical or sexual abuse when the school personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.

III. DEFINITIONS

A. "Accidental" means a sudden, not reasonably foreseeable, and unexpected occurrence or event that:

1. is not likely to occur and could not have been prevented by exercise of due care; and
2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of event.

B. "Child" means one under age 18 and, for purposes of Minnesota Statutes chapter 260C (Juvenile Safety and Placement) and Minnesota Statutes chapter 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minnesota Statutes chapter 260C.451 (Foster Care Benefits Past Age 18).

C. "Immediately" means as soon as possible but in no event longer than 24 hours.

D. "Mandated reporter" means any school personnel who knows or has reason to believe a child is being maltreated, or has been maltreated within the preceding three years.

E. "Mental injury" means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child's ability to function within a normal range of performance and behavior with due regard to the child's culture.

F. "Neglect" means the commission or omission of any of the acts specified below, other than by accidental means:

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

G. "Nonmaltreatment mistake" occurs when: (1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minnesota Rules Part 9503.0045; (2) the individual has not been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years; (3) the individual has not been determined to have committed a similar nonmaltreatment mistake under this paragraph for at least four years; (4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and (5) except for the period when the incident occurred, the facility and the individual providing services were both in compliance with all licensing requirements relevant to the incident. This definition only applies to child care centers licensed under Minnesota Rules Chapter. 9503.

H. "Person responsible for the child's care" means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employee or agent, or other lawful custodian of a child having either full-

time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.

I. “Physical abuse” means any physical injury, mental injury (under subdivision 13), or threatened injury (under subdivision 13), inflicted by a person responsible for the child’s care on a child other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child’s history of injuries or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minnesota Statutes chapter 125A.0942 or § 245.825.

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

Actions that are not reasonable and moderate include, but are not limited to, any of the following: (1) throwing, kicking, burning, biting, or cutting a child; (2) striking a child with a closed fist; (3) shaking a child under age three; (4) striking or other actions that result in any nonaccidental injury to a child under 18 months of age; (5) unreasonable interference with a child’s breathing; (6) threatening a child with a weapon, as defined in Minnesota Statutes chapter 609.02, Subd. 6; (7) striking a child under age one on the face or head; (8) striking a child who is at least age one but under age four on the face or head, which results in an injury; (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances that were not prescribed for the child by a practitioner, in order to control or punish the child, or giving the child other substances that substantially affect the child’s behavior, motor coordination, or judgment or that result in sickness or internal injury, or that subject the child to medical procedures that would be unnecessary if the child were not exposed to the substances; (10) unreasonable physical confinement or restraint not permitted under Minnesota Statutes chapter 609.379 including, but not limited to, tying, caging, or chaining; or (11) in a school facility or school zone, an act by a person responsible for the child’s care that is a violation under Minnesota Statutes chapter 121A.58.

J. “Report” means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to this section that describes maltreatment of a child and contains sufficient content to identify the child and any person believed to be responsible for the maltreatment, if known.

K. “School personnel” means professional employee or professional’s delegate of the school district who provides health, educational, social, psychological, law enforcement, or child care services.

L. “Sexual abuse” means the subjection of a child by a person responsible for the child’s care, by a person who has a significant relationship to the child (as defined in Minnesota Statutes chapter 609.341, Subd. 15), or by a person in a current or recent position of authority (as defined in Minnesota Statutes chapter 609.341, Subd. 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration, sexual contact, solicitation of children to engage in sexual conduct, and communication of sexually explicit materials to children. Sexual abuse also includes any act involving a minor that constitutes a violation of Minnesota statutes prohibiting prostitution or use of a minor in a sexual performance. Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation that requires registration under Minnesota Statutes chapter 243.166, Subd. 1b(a) or (b) (Registration of Predatory Offenders).

M. “Threatened injury” means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child’s care who has (1) subjected the child to, or failed to protect a child from, an overt act or condition that constitutes egregious harm; (2) been found to be palpably unfit; (3) committed an act that resulted in an

involuntary termination of parental rights; (4) , or committed an act that resulted in the involuntary transfer of permanent legal and physical custody of a child to a relative.

IV. REPORTING PROCEDURES

- A. A mandated reporter shall immediately report the information, to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services, or tribal police department. The reporter will include his or her name and address in the report.
- B. An oral report shall be made immediately; by telephone or otherwise, the oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assessing or investigating the report. Any report shall be of sufficient content to identify the child, any person believed to be responsible for the maltreatment of the child if the person is known, the nature and extent of the maltreatment and the name and address of the reporter.
- C. Regardless of whether a report is made, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.
- D. A mandated reporter who knows or has reason to know of the deprivation of custodial or parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.
- F. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.
- G. An employer of a mandated reporter shall not retaliate against the person for reporting in good faith maltreatment against a child with respect to whom a report is made, because of the report.
- H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, plus costs and reasonable attorney fees, knowingly or recklessly making a false report also may result in discipline.

V. INVESTIGATION

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

contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded.

B. When the investigating agency determines that an interview should take place on school property, written notification of intent to interview the child on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property.

C. Except where the alleged offender is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school employees when an interview is conducted on school premises.

D. Where the alleged offender is believed to be a school official or employee, the school district shall conduct its own investigation independent of MDE and, if involved, the local welfare or law enforcement agency.

E. Upon request by MDE, the school district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE

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

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

VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE

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

VIII. DISSEMINATION OF POLICY AND TRAINING

A. This policy shall appear in school personnel handbooks.

B. The school district will develop a method of discussing this policy with school personnel.

C. This policy shall be reviewed at least annually for compliance with state law.

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

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

ROCORI School Board Approval Record: 08-14-2023

514 BULLYING PREVENTION POLICY

ROCORI Public Schools First Adoption: August, 2014

ROCORI Public Schools Last Revision: 09-25-2023

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

A. An act of bullying, by an individual or a group of students, is expressly prohibited:

1. on the school premises, at the school functions or activities, on the school transportation;
2. by the use of electronic technology and communications on the school premises, during the school functions or activities, on the school transportation, or on the school computers, networks, forums, and mailing lists; or

3. by use of electronic technology and communications off the school premises to the extent such use substantially and materially disrupts student learning or the school environment.

B. A school-aged child who voluntarily participates in a public school activity, such as a cocurricular or extracurricular activity, is subject to the policy provisions applicable to the public school students participating in the activity.

C. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources. This policy also applies to sexual exploitation.

D. Malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, and sexual orientation and gender identity as defined in Minnesota Statutes, chapter 363A is prohibited. This prohibition applies to students, independent contractors, teachers, administrators, and other school personnel.

Malicious and sadistic conduct and sexual exploitation by a school district or school staff member, independent contractor, or enrolled student against a staff member, independent contractor, or student that occurs as described in Article II.A above is prohibited.

E. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.

F. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.

G. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.

H. False accusations or reports of bullying against another student are prohibited.

I. 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 (See Policy 506).

The school district may take in to account the following factors:

- The developmental ages and maturity levels of the parties involved;
- The levels of harm, surrounding circumstances, and nature of the behavior;
- Past incidences or past or continuing patterns of behavior;
- The relationship between the parties involved; and
- 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.

J. 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:

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

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, malicious and sadistic conduct, and sexual exploitation.

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. "Malicious and sadistic conduct" means creating a hostile learning environment by acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty.

F. "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.

G. "Prohibited conduct" means bullying, malicious and sadistic conduct, sexual exploitation, cyberbullying or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about prohibited conduct.

H. "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.

I. "Student" means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

A. Any person who believes they have 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. The ROCORI District also maintains a "ROCORI Schools Tip Line" (320-685-4965) which allows reporting of inappropriate behaviors.

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 employees 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 in to 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 (See 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

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 District employees and provide appropriate training regarding this policy. The training cycle for District employees shall occur during a period not to exceed every three school years. Newly employed District employees 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 Statutes section 122A.60, to build the skills of all District employees who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:

1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
4. The incidence and nature of cyberbullying; and
5. Internet safety and cyberbullying.

C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.

D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.

E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

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

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

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

F. The school district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.

G. The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See Policy 515) in the student handbook.

VIII. NOTICE

A. The school district will provide annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.

B. This policy must be conspicuously posted throughout each school building, in the administrative offices of the school district, and in the office of each school.

C. This policy must be distributed to each school district building or school employee and independent contractor at the time of hiring or contracting.

D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See Discipline 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 websites.

F. Each school must develop a process for discussing this policy with students, parents of students, independent contractors, and school employees.

G. The school district shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

IX. POLICY REVIEW

To the extent practicable, the School Board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minnesota Statutes sections 121A.031 and 121A.0312 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations to the extent practicable.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definitions)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.03 (Model Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0312 (Malicious and Sadistic Conduct)
Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. § Ch 124E(Charter Schools)
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 Policy)
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)

ROCORI School Board Approval Record: September 25, 2023

ROCORI School District

ACKNOWLEDGEMENT AND RECEIPT OF EMPLOYEE HANDBOOK

I, _____, acknowledge receipt of the ROCORI School District Employee Handbook, including the following attached policies: 413, 414, 514.

I understand it is my responsibility to read and become familiar with the information contained in this handbook and any revisions made to it. I understand if I have any questions I should contact my supervisor, or the District Office for an explanation.

I also understand the purpose of the Employee Handbook is to provide me with general information regarding the District's guidelines and procedures. The Employee Handbook may be changed or deleted in whole or in part at any time by the District.

This Employee Handbook is not an employment contract and does not alter the At-Will employment relationship, nor does it alter any bargaining agreement, or terms and conditions of employment.

Date Received: _____

Employee Signature: _____

Date Signed: _____