



**MINNESOTA VALLEY
EDUCATION DISTRICT
#6027**

EMPLOYEE HANDBOOK

**801 DAVIS STREET
ST. PETER, MN 56082**

**507-934-5420 (OFFICE)
507-934-5893 (FAX)**

www.mnved.org

MINNESOTA VALLEY EDUCATION DISTRICT #6027

801 Davis Street
St. Peter, MN 56082
Phone: 507-934-5420
Fax: 507-934-5893

EXECUTIVE DIRECTOR OF SPECIAL EDUCATION

Sara Kral
507-934-5420 ext. 8254

ASSISTANT DIRECTOR OF SPECIAL EDUCATION

Allison Bahlmann
507-934-5420 ext. 8236

SUPERVISING SUPERINTENDENT

Dr. Jeff Olson
507-934-5703 ext. 1005

BUSINESS MANAGER/PAYROLL/ACCOUNTS PAYABLE SPECIALIST School Management Service (SMS)

ADMINISTRATIVE ASSISTANTS

Jaren Skarpohl
507-934-5420 ext. 8225

Amy Leonard
507-934-5420 ext. 8235

MINNESOTA VALLEY EDUCATION DISTRICT

Member School District Information

MINNESOTA VALLEY EDUCATION DISTRICT #6027

801 Davis Street
St. Peter, MN 56082
507-934-5420
Fax: 507-934-5893

Business Manager:	Dion Caron
Director of Special Education:	Sara Kral
Assistant Director/MVED Principal:	Allison Bahlmann

ST. CLAIR ISD #75

121 Main Street
St. Clair, MN 56080
507-245-3501
Fax: 507-245-3517

Business Manager:	Kelly Zabel
Superintendent:	Tim Collins
Elementary Principal:	Nadine Holland
High School Principal:	Troy Guentzal

CLEVELAND ISD #391

400 Sixth Street
Cleveland, MN 56017
507-931-5953
Fax: 507-931-9088

Business Manager:	Michelle Widmer
Superintendent:	Dustin Bosshart
K-12 School Principal:	Scott Lusk

SAINT PETER PUBLIC SCHOOLS ISD #508

District Office

100 Lincoln Drive
St. Peter, MN 56082
507-934-5703
Fax 507-934-2805

Business Manager: Megan Gracia
Superintendent: Dr. Jeff Olson

Saint Peter Middle School

100 Lincoln Drive
St. Peter, MN 56082
507-934-4210
Fax 507-934-4783

Principal: Jon Graff

South Elementary

1405 S 7th Street
St. Peter, MN 56082
507-934-2754
Fax 507-934-4830

Principal: Jana Sykora

Rockbend Area Learning Center

801 Davis Street
St. Peter, MN 56082
507-934-5420
Fax 507-934-5893

Administrator: Annette Engeldinger

Saint Peter High School

2121 Broadway
St. Peter, MN 56082
507-934-4212

Principal: Annette Engeldinger

North Intermediate

815 N 9th Street
St. Peter, MN 56082
507-934-3260
Fax 507-934-1865

Principal: Darin Doherty

Oshwa Learning Center

2001 Sheppard Drive
St. Peter, MN 56082
507-934-9820
Fax 507-934-981

Administrator: Jana Sykora

LAKE CRYSTAL WELLCOME MEMORIAL AREA SCHOOLS ISD #2071

PO Box 160
Lake Crystal, MN 56055
507-726-2323
Fax 507-726-2334

Business Manager: Braden Wesley
Superintendent: Brett Benson

LCWM High School

PO Box 160
Lake Crystal, MN 56055
507-726-2110
Fax 507-726-2283

Principal: Mike Thofson

LCWM Elementary

PO Box 810
Lake Crystal, MN 56055
507-726-2320
Fax 507-726-2003

Principal: Dan Beert

NICOLLET ISD #507

One Pine Street
Nicollet, MN 56074
HS 507-232-3448
Early Childhood 507-232-3415
DO & Elem. 507-232-3411
Fax 507-232-3536

Business Manager: Jim Freihammer
Superintendent: Robin Courier
K-12 Principal: Robin Courier

MAPLE RIVER ISD #2135

PO Box 515 (District Office)
101 6th Ave NE
Mapleton, MN 56065
507-524-3918
Fax: 507-524-4882

Business Manager: Sherry Langworthy
Superintendent: Dan Anderson

Maple River Middle School/High School

801 Central Ave South
Mapleton, MN 56065
507-524-3918 ext. 3
Fax 507-524-4919

Principal: Ted Simon

Maple River Elementary

801 Central Ave South
Mapleton, MN 56065
507-524-3918 ext. 3
Fax 507-524-4919

Principal: Jon Lewis

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STAFF ABSENCES

SUBSTITUTE CALLING FOR TEACHERS

If you are sick and unable to work when scheduled and in need of a substitute, you must enter your absence into the Absence Management System (previously known as AESOP) before 7:00 a.m. to allow the system to request a substitute.

- Please enter all absences into the Absence Management System as soon as possible, including absences related to illness, appointments, and professional development.
- If you want to request a specific person as your sub, please contact them to make sure they are available and then enter their name into the Absence Management System.
- Staff who need to request to be absent for less than ½ day should contact the front office for assistance.

SUBSTITUTE CALLING FOR PARAEDUCATORS

If you are sick and unable to work when scheduled and in need of a substitute, you must enter your absence into the Absence Management System (previously known as AESOP) before 7:00 a.m. to allow the system to request a substitute.

- Please enter all absences into the Absence Management System as soon as possible, including absences related to illness, appointments, and professional development.
- Paras should also notify their supervising teacher via phone or email.
- Paras who need to request to be absent for less than ½ day should contact the front office for assistance.
 - Paras are able to take off time in 1.5 hour increments. Therefore paras can take off 1.5 hours, 3 hours, 4.5 hours, or full days (MVED rounds up, so for example, if you request 1.75 hours it will be rounded to 3 hours).
- **Paras are not able to request their own sub so please do not enter substitute names into the Absence Management System.**

STAFF WHO DO NOT REQUIRE A SUBSTITUTE

If you will be absent but do not need a sub, you must enter your absence in the Absence Management System (previously known as AESOP) by 7:00 a.m.

It is a requirement to also notify your work site when you are absent if you do not work in the MVED building.

SCHEDULES / CALENDARS

The MVED calendar is the basis for school year work schedules, except in the following scenarios:

- If you work at more than one school district, you will follow the MVED calendar.
- If you work 100% at one school district, you will follow that school district's calendar.

OFFICE HOURS

MVED office hours are 7:30 a.m. to 4:00 p.m., Monday through Friday, as per the MVED Calendar.

- Summer hours, if different, will be posted accordingly.

SCHOOL CLOSINGS

When weather threatens to close school, listen to one of the following radio stations for school closing or late starts:

KEEZ FM 99.1	KRBI FM 105.5	KRBI AM 1310
KTOW AM 1420	WCCO AM 830	KGAC FM 90.5

- MVED follows Saint Peter Public Schools closings.
- MVED implements a Flexible Learning Day schedule (e-learning) on days when school is closed due to emergency conditions.
- If you are 100% at a specific school, you follow that school's calendar so you follow that school's closing days, e-learning days, and make up days as appropriate.
- If you work in multiple schools, you follow MVED's calendar and follow MVED's school closing days, Flexible Learning Days, and make-up days, as appropriate.
- If you work in multiple schools, when the school you are scheduled at closes and MVED is open, you must fulfill your duties.

Flexible Learning Day(s)

Instructional Staff (MRS/MVS Teachers, Mental Health Practitioners, Work Experience Teacher)

On a flexible learning day, instructional staff will:

- post learning goals and activity directions and reminders to the class's appropriate pre-arranged online space by 10 AM
 - assignments in core class areas of English, math, social studies, science, and skills group.
 - high school students may also have assignments in Work Experience Seminar.
 - online spaces: such as Google Classroom, Google Docs, email, etc.
- design flexible learning day tasks that engage students to collect visual artifacts, watch and respond to teacher posted and other videos, and interact with other students regarding standards and goals that are currently being addressed in class
- design flexible learning day assignments with the expectation that students will be able to complete all assigned tasks for the day in a similar manner to the work expected if completed while at school
- monitor email and other digital communications to answer questions and provide feedback to students and parents between 10 AM and 3 PM
- complete due process paperwork
- participate in at least one professional development activity
 - participate/conduct an online PLC meeting using online video conference

tools, such as Hangouts or Zoom

- participate in online training webinars, such as Infinitec training videos and webinars

In advance, instructional staff will:

- design flexible learning day activities that include multiple options and choices for students who have internet access as well as those without internet access away from school (online and paper-based)
- design activities that address current standards and enhance appropriate coursework that would be completed while at school
- collaborate with parents and students' IEP teams to identify accommodations, modifications, and considerations for IEPs so that students are supported to access and engage in flexible learning day activities and content material
- communicate activity guidelines and expectations for flexible learning day activities to parents and students
- develop communication plans for students who do not have internet access or whose parents are not at home during the school day
- identify students who are not able to complete the work during the flexible learning day who may need flexible time to complete the work in their classroom during the next school day

Other Staff (Social Workers, Occupational Therapists, Speech Language Pathologists, Physical Therapists, DHH Teacher, School Psychologists, Coordinators, Case Facilitator, Paraeducators, DAPE Teacher)

On a flexible learning day, staff will:

- develop an action plan for the day that includes activities to support student learning:
 - complete due process paperwork (IEPs, evaluations, etc)
 - complete 3rd party billing paperwork
 - complete case management/treatment paperwork
 - student program planning
 - consultation and/or collaboration regarding student programming/plan
- participate in at least one professional development activity
 - participate/conduct an online PLC meeting using online video conference tools, such as Hangouts or Zoom
 - participate in online training webinars, such as Infinitec training videos and webinars
- reflect on accomplishments for the day and communicate via email to their respective supervisor by 3:30 PM

TIME SHEETS

Staff who submit timesheets must turn them into their administrator by the 5th of each month.

- **July 5th is the deadline for timesheets/mileage from the previous school year. If not turned in by this date, they will not be approved, as this runs into the next fiscal year.**

- Time sheets should reflect time worked during the previous month. Do not accumulate or report the hours for multiple months on one time sheet.
- **Supervisors need to sign/approve all timesheets for any extra hours requested by staff.**
- Time requested for pay above and beyond the contracted work schedule must be pre-approved by your supervisor. If not pre-approved, the timesheet may be returned to you.

Pay dates are the 15th (or the last banking day prior to the 15th if it falls on a weekend or holiday) and the last banking date of the month as per your Master Agreement.

COACHING

Any staff who would like to coach need prior approval from their supervisor. Also, a plan to make-up time missed needs to be developed prior to the approval.

CELL PHONES

A cell phone stipend is available for those employees that meet the IRS qualifications.

- Please see the Director if you have any questions.

Please avoid the use of cell phones when in the hallways at MVED.

EMAIL

If you have any questions or concerns about your email, please contact the MVED Business Office and/or submit a tech ticket.

Email is Not Private

Email messages, including attachments, sent and received on school equipment are the property of the school. We reserve the right to access, monitor, read, and/or copy email messages at any time, for any reason. You should not expect privacy for any email you send using school equipment, including messages that you consider to be personal or label with a designation such as "Personal" or "Private".

All Conduct Rules Apply to Email

All of our policies and rules of conduct apply to employee use of the email system. This means, for example, that you may not use the email system to send harassing or discriminatory messages, including messages with explicit sexual content or pornographic images or to send threatening messages.

Professional Tone and Content

We expect you to exercise discretion in using electronic communications equipment. When you send an email using the school's communications equipment, you are representing the school. Make sure that your messages are professional and appropriate in tone and content. Remember, although email may seem like a private conversation, email can be printed, saved, and forwarded to unintended recipients.

Email Security

To avoid email viruses and other threats, employees should not open email attachments from people or businesses they don't recognize, particularly if the email appears to have been forwarded multiple times or has a nonexistent or peculiar subject heading. Even if you know the sender, do not open an email attachment that has a strange name or is not referenced in the body of the email; it may have been transmitted automatically without the sender's knowledge.

If you believe your computer has been infected by a virus, worm, or other security threat to the school's system, you must inform the front office and put in a tech ticket immediately.

Employees may not share their email passwords with anyone, including co-workers or family members. Revealing passwords to the school's email system could allow an outsider to access the school's network.

USING THE INTERNET

Prohibited Uses of the Internet

Employees may not, at any time, access the Internet using school equipment or links for any of the following purposes:

- To view websites that offer pornography, gambling, or violent imagery, or are otherwise inappropriate in a school setting.
- To operate an outside business, online auction, or other sales site; solicit money for personal purposes; or otherwise act for personal financial gain or profit.
- To download or copy software, games, text, photos, or any other works in violation of copyright, trademark, or other laws.
- To stream, run, or download any non-school licensed software program without the consent of the IT department.
- To stream, run, or download, video games, mini desktop applications (widgets), or any form of multimedia from the internet without the consent of the IT department.

If you believe that your job may require you to do something that would otherwise be forbidden by this policy, ask your administrator how to proceed.

No Personal Posts Using Company Equipment

Employees may not use the school's equipment to transmit their personal opinions by, for example, posting a comment to a blog or social networking page or contributing to an online forum. Even if you don't identify yourself as a school employee, your use of school equipment could cause your opinion to be mistaken for the school's view.

Internet Use is Not Private

We reserve the right to monitor employee use of the internet at any time. You should not expect that your use of the internet – including but not limited to the sites you visit,

the amount of time you spend online, and the communications you have – will be private.

Please see [Policy 524 - Internet Acceptable Use & Safety Policy](#) for further information regarding internet use.

ACCESS KEY / ID BADGES

Upon employment with MVED, you will be issued an ID badge with your picture and name as well as a key card for those employees needing entrance to the MVED building.

- The ID badge should be worn when you are working and entering other school buildings and attending meetings outside of your immediate work area or program.
- If lost, the employee is responsible for the cost of a new badge.
- Access keys and ID badges must be returned upon resignation or termination.

ADDRESS / TELEPHONE CHANGE

If you change your address and/or telephone number during the school year, please report the change to an administrative assistant in the office.

- Be sure to report your summer address if different from your address during the school year.
- Be sure to contact the Business Office to fill out a new W-4 to show your new address.

MAINTENANCE / TECHNOLOGY SUPPORT

If you have any maintenance items or technology support needs that need to be completed at the MVED building, please contact an administrative assistant in the office.

VISITOR POLICY

Visitors at MVED are not to be in the hallways unescorted. MVED staff are expected to escort visitors while they are in the MVED building.

FLEX PLAN

A flex plan is available to all MVED staff, both full and part-time. A flex plan allows employees to use pretax income to pay for personal expenses such as unreimbursed medical expenses and child/adult dependent care. The plan is in effect July 1 – June 30 of the fiscal year. Enrollment information can be arranged through the Business Office.

INSURANCE INFORMATION

Enrollment in insurance plans, changes in insurance information, dependents, etc. and any questions about insurance coverage may be directed to the MVED Business office.

SAFETY COMMITTEE

First Aid kits shall be stocked and placed in designated areas for each program. (Nursing stations and/or each contained classroom.) The safety committee meets at least 3 times/year. If interested in joining please contact the Executive Director.

EMPLOYEE ACCIDENTS

School service-connected accidents are to be reported the day of the injury to the principal of the building you are in and to your MVED administrator. You will need to fill out the First Report of Injury. Make sure all blanks are filled in and questions answered.

- First Report of Injury forms are available on the MVED website and in the MVED office.
- Do **not** use other schools' forms.
- Mail/interoffice or send completed forms to their administrator as soon as possible on the day of the incident.
- An immediate and complete report is needed on each accident.

Procedure for Replacing Medically Necessary Items Broken by a Student

MVED will replace medically necessary items when broken by a student during the workday. Medically necessary items may include but are not limited to glasses, hearing aids, etc.

1. **Within a week of the incident**, the staff member needs to submit a written report explaining the incident to the Director that must include:
 - a. The date of the incident
 - b. What happened that caused them to break (don't include student's name)
 - c. What exactly was broken (e.g. lenses, frames, or both, part of hearing aid, etc...)
 - d. Your signature and date at the bottom
 - e. Signature of supervisor and/or witness
2. Work with the appropriate provider to replace the specific item that was broken. MVED will only reimburse the cost of the item that was broken (e.g. frames only, lenses only).
3. If applicable, the bill should be processed by the appropriate insurance company before being submitted to MVED for reimbursement.
4. For reimbursement, MVED will need to receive an itemized receipt or invoice as well as documentation from the insurance company for any costs that were covered by them (if applicable).
5. A reimbursement check will be submitted to the employee as soon as possible once all appropriate documentation has been received.

PROFESSIONAL LEAVE

Professional leave will be granted for up to three days or as stated in the master agreement.

A. MVED Approved Professional Leave: When requesting attendance at professional development activities, staff must follow the procedures for professional leave described below.

B. Approved Professional Leave Associated with Other Districts: As your employer, MVED must be informed of your absence for our record keeping. When you enter the

professional leave in the Absence Management System (previously known as AESOP), please indicate in a note to the administrator that it was approved by that district. This should be submitted in advance of the day of the leave.

PROCEDURES FOR PROFESSIONAL LEAVE

1. Complete the MVED Requisition Form online at <http://bit.ly/mvedrequest> approval from supervisor is needed **prior to registering** for the conference/ workshop.
2. The online requisition form will be submitted to your supervisor for approval. If information is missing from the form or if more information is needed, the form may be returned to you.
3. When approved, the requisition will be forwarded to the office staff to create a purchase order in the SMART ESS system.
4. Two POs will be needed if the hotel costs are not part of the conference fees. When attending a conference that will involve hotel lodging, submit separate requisition forms for the conference and the hotel. Repeat step 1 for each and use the name of the hotel on the requisition for lodging and the conference/workshop vendor on the requisition for registration fees.
 - a. Hotel rooms will only be covered by MVED for conferences/workshops that are **95+ miles** away from the MVED building. If a conference is closer than 95 miles and staff wish to stay in a hotel for convenience, it will be at the discretion of administration.
 - b. Hotel rooms will be covered by MVED for multiple day conferences.
 - c. Hotel rooms will not be covered by MVED for the night before a conference or the night after a conference.
5. Enter your time off request into the Absence Management System.
6. Purchase orders are generally processed on Mondays.
 - a. Once you receive the purchase order from the business manager **for registration fees**, register for the conference/training. If a PO is accepted as payment, please use that method. If you have to pay by credit card or check, please coordinate with the Business Office. Please **refrain** from paying for conference registration and requesting reimbursement whenever possible.
 - b. Once you receive the purchase order from the Business Office **for the hotel**, please book the hotel room requested. After booking your hotel room, forward the confirmation information to the Business Office. Most hotels will process credit card information that is pre-authorized and faxed to them. Once your confirmation information is received, the Business Office will provide the credit card information to the hotel and no reimbursement to the employee will be necessary. If you prefer to have the Business Office book your hotel, please coordinate that with them.
7. All travel should be entered on the mileage reimbursement forms found on the MVED website. Reimbursement for meals should follow the procedure outlined below.
8. All professional development expenses should follow the PO process outlined above. Employee Reimbursement requests will only be allowed in extreme cases and must be pre-approved by your supervisor.

9. Reminder: Even though a professional development request has received initial approval, once it is entered into SMART ESS, it may still be declined based on budgetary constraints.

MEAL ALLOWANCES AND/OR REIMBURSEMENTS

1. Meal reimbursements are to be filled out on the Check Request Form
2. There will be NO reimbursement if the receipt is not attached.
3. The receipt must be itemized, if not the request will be denied.
4. The reimbursement max amounts, are as follows:
 - a. Breakfast = \$12
 - b. Lunch = \$18
 - c. Dinner = \$36
6. Amounts include taxes and gratuity
7. Alcohol should NOT be on the itemized receipt that you are turning in to be reimbursed.
9. If meals are included as part of the registration for conferences, no additional reimbursement will be given for meals.
10. If breakfast is included in the hotel price, no additional reimbursement will be given.

MVED DOES NOT HAVE REIMBURSEMENTS OR ALLOWANCES FOR THE FOLLOWING:

- Automobiles
- Entertainment
- Health Club Dues
- Internet

MILEAGE CLAIMS

Mileage reimbursement is provided to all employees using their own vehicles between assigned/scheduled sites during the employee's work day.

- All claims for mileage reimbursement are due to the Director no later than the 5th of each month.
- Mileage reimbursement forms should be completed on a monthly basis. Mileage for reimbursement should reflect mileage from the previous month.
- **Do not accumulate or report mileage for multiple months on one reimbursement form.**
- The rate of reimbursement is based on IRS regulations.
- The reimbursement form must be complete. If not completed in full, the form will be returned to the employee.
- All mileage for professional development should be from your MVED workstation to the location of the conference/workshop - not using your home as a starting point.
- Claim forms are available on the MVED website.

Mileage from the MVED building to all the schools in our member districts.

SCHOOL	# OF MILES (ONE WAY)
Nicollet	14.5
Cleveland	7.8
St. Clair	23.4
LCWM – Elementary	26.7
LCWM – High School	29.6
St. Peter HS	2.4
St. Peter MS	1.9
St. Peter – North	.8
St. Peter – South	2.3
St. Peter - HS to MS	1.5
St. Peter - HS to North	1.5
St. Peter - HS to South	1.2
St. Peter – North to South	1.5
St. Peter – North to MS	.8
St. Peter – South to MS	.9
Maple River Schools – Mapleton	30

MVED-OWNED/LEASED VEHICLE

MVED does not allow anyone to take a MVED owned/leased vehicle at any time home overnight.

To reserve the MVED van contact the administrative assistant to add your reservation to the online MVED calendar (Van Checkout). When using the MVED vehicle, please make sure the gas tank is filled **before** returning it to the office if it is below half a tank. We have a charge card for Kwik Trip. If you are filling up the vehicles, the charge card can be obtained from the back office. **The charge slip must always be signed by the person charging the gas and returned to the business office.**

1. **ALL** occupants **must** wear seat belts.
2. Staff person responsible for the vehicle needs to inspect the vehicle after returning and make sure vehicles are clean for the next person using the vehicles.
3. Do not use cell phones at any time while operating a vehicle.

PROCEDURES FOR ORDERING SUPPLIES, MATERIALS, & EQUIPMENT

All requests must be pre-approved before ordering.

1. Complete the MVED Requisition Form online at <http://bit.ly/mvedrequest>.
2. The online requisition form will be submitted to your supervisor for approval. If information is missing from the form or if more information is needed, the form may be returned to you.
3. When approved, the requisition will be forwarded to the office staff to create a purchase order in the SMART ESS system.

4. Purchase orders are generally processed on Mondays. Once the purchase order has been faxed or materials have been ordered, office staff will send a copy of the purchase order to you. Once you have received ALL of the materials, OK the PO for payment, sign your name and date, and return to the office staff to allow payment of the invoice.
5. If you don't receive an item or receive the incorrect item, please contact the office staff as soon as possible to get it corrected.
6. All purchases should follow the PO process above. Employee Reimbursement requests will only be allowed in extreme cases and **must be pre-approved** by your supervisor.
7. Reminder: Even though a purchase request has received initial approval, once it is entered into SMART ESS, it may still be declined based on budgetary constraints.

MVED CONFERENCE ROOM/CURRICULUM ROOM

To reserve the conference room and/or curriculum room contact the administrative assistant to add your reservation to the online MVED calendar (MVED 6027). This calendar is shared with all licensed staff to reference before trying to reserve it. Board meetings, staff meetings, and conferences have priority.

COURSE APPROVAL/LANE CHANGES

If a teaching staff member plans to take a class for lane change, a form for pre-approval is available from the MVED office.

- Classes taken must be germane to the field or position to which the staff is assigned.
- Completed forms need to be turned in to the Director.
- Earned lane changes can be made in September and January as defined in the Master Agreement.

TEACHING LICENSES, TRA, ETC.

All staff members are responsible for the following:

- Up-to-date licenses and certificates must be on file in the business office. CEU's and licensure are the responsibility of the employee.
- TRA (teacher retirement) numbers must be on file with the business office.
- An up-to-date W-4 form must be on file with the business office.
- New staff members should complete insurance forms available from the business office as soon as possible to ensure quick coverage.

OUTSIDE BUSINESS

All business in regard to an outside business must be conducted on your own time, outside of your working hours. You may not use the email system to solicit others to patronize an outside business.

POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS (PBIS)

School-wide PBIS is a multi-tiered framework to make schools more effective places. It establishes a social culture and the behavior supports needed to improve social, emotional, behavioral, and academic outcomes for all students. Staff at MVS utilize PBIS

as a way to teach school-wide expectations, acknowledge appropriate behaviors, correct errors, and request assistance to assist students in their learning and growth.

COVID-19 RELATED INFORMATION

Areas of the employee handbook may be modified due to COVID-19 requirements and guidelines from the Minnesota Department of Health (MDH) and Minnesota Department of Education (MDE). Whenever modifications are made, they will be communicated to employees by the Director.

POLICIES & PROCEDURES

Refer to the [Minnesota Valley Education District Board Policies](#) for a list of all MVED policies. This reference can also be found on the MVED website.

Human Rights Officer and Title IX Coordinator is Melissa Wagner, 801 Davis Street St. Peter, MN 56082, 507-380-0214, mwagner@mnved.org

More information on the following policies can be found on the MVED website.

[522 - Student Sex Nondiscrimination \(Title IX\)](#)

Staff must review the policy/procedures below, at least annually. These policies are also available on the MVED website.

MVED Policy 414

414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. 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 section 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, or other care required for the child’s physical or mental health when reasonably able to do so;
 2. failure to protect a child from conditions or actions that seriously endanger the child’s physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
 3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors as the child’s age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for the child’s own basic needs or safety or the basic needs or safety of another child in 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, medical effects or developmental delays during the child's first year of life that medically indicate prenatal exposure to a controlled substance or the presence of a fetal alcohol spectrum disorder;

6. medical neglect as defined by Minnesota Statutes section 260C.007, subdivision 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.

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 section 125A.0942 or section 245.825.

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

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

- J. "Report" means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to this section that describes maltreatment of a child and contains sufficient content to identify the child and any person believed to be responsible for the maltreatment, if known.
- K. "School personnel" means professional employee or professional's delegate of the school district who provides health, educational, social, psychological, law enforcement, or child care services.
- L. "Sexual abuse" means the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child (as defined in Minnesota Statutes section 609.341, subdivision 15), or by a person in a position of authority (as defined in Minnesota Statutes section 609.341, subdivision 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration as well as sexual contact. 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 threatened sexual abuse which includes the status of a parent or household member who has committed a violation that requires registration under Minnesota Statutes section 243.166, subdivision 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 and 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 may result in discipline.

V. INVESTIGATION

- A. The responsibility for assessing or investigating reports of suspected maltreatment rests with the appropriate state, county, or local agency or agencies. The agency responsible for assessing or investigating reports of maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged offender, and any other person with knowledge of the maltreatment for the purpose of gathering facts, assessing safety and risk to the child, and formulating a plan. The investigating agency may interview the child at school. The interview may take place outside the presence of the alleged offender or parent, legal guardian, or school official. The investigating agency, not the school, is responsible for either notifying or withholding notification of the interview to the parent, guardian or person responsible for the child's care. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded.
- B. When the investigating agency determines that an interview should take place on school property, written notification of intent to interview the child on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property.
- C. Except where the alleged offender is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school employees when an interview is conducted on school premises.

- D. Where the alleged offender is believed to be a school official or employee, the school district shall conduct its own investigation independent of MDE and, if involved, the local welfare or law enforcement agency.
- E. Upon request by MDE, the school district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13, and the Family Educational Rights and Privacy Act, 20 United States code section 1232g.

VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE

- A. When a local welfare or local law enforcement agency determines that a potentially abused or abused child should be interviewed on school property, written notification of the agency's intent to interview on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct the interview. The notification shall be private data. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notice or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation has been concluded.
- B. All records regarding a report of maltreatment, including any notification of intent to interview which was received by the school as described above in Paragraph A., shall be destroyed by the school only when ordered by the agency conducting the investigation or by a court of competent jurisdiction.

VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE

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

VIII. DISSEMINATION OF POLICY AND TRAINING

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

MVED Policy 415

415 MANDATED REPORTING OF MALTREATMENT OF VULNERABLE ADULTS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. It is the policy of the school district to comply fully with Minnesota Statutes section 626.557 requiring school personnel to report suspected maltreatment of vulnerable adults.
- B. A violation of this policy occurs when any school personnel fails to report suspected maltreatment of vulnerable adults when the school personnel has reason to believe that a vulnerable adult is being or has been maltreated, or has knowledge that a vulnerable adult has sustained a physical injury which is not reasonably explained.

III. DEFINITIONS

- A. “Abuse” means:
 - 1. An act against a vulnerable adult that constitutes a violation of, an attempt to violate, or aiding and abetting a violation of: (1) assault in the first through fifth degrees as defined in Minnesota Statutes sections 609.221 to 609.224; (2) the use of drugs to injure or facilitate crime as defined in Minnesota Statutes section 609.235; (3) the solicitation, inducement, and promotion of prostitution as defined in Minnesota Statutes section 609.322; and (4) criminal sexual conduct in the first through fifth degrees as defined in Minnesota Statutes sections 609.342 to 609.3451. A violation includes any action that meets the elements of the crime, regardless of whether there is a criminal proceeding or conviction.
 - 2. Conduct which is not an accident or therapeutic conduct as defined in Minnesota Statutes section 626.5572 which produces or could reasonably be expected to produce physical pain or injury or emotional distress including, but not limited to, the following: (1) hitting, slapping, kicking, pinching, biting, or corporal punishment of a vulnerable adult; (2) use of repeated or malicious oral, written, or gestured language toward a vulnerable adult or the treatment of a vulnerable adult which would be considered by a reasonable person to be disparaging, derogatory, humiliating, harassing, or threatening; (3) use of any aversive or deprivation procedure, unreasonable confinement, or involuntary seclusion, including the forced separation of the vulnerable adult from other persons against the will of the vulnerable adult or the legal representative of the vulnerable adult; and (4) use of any aversive or deprivation procedures for persons with developmental disabilities or related conditions not authorized under Minnesota Statutes section 245.825.
 - 3. Any sexual contact or penetration as defined in Minnesota Statutes section 609.341 between a facility staff person or a person providing services in the facility and a resident, patient, or client of that facility.

4. The act of forcing, compelling, coercing, or enticing a vulnerable adult against the vulnerable adult's will to perform services for the advantage of another.

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

- B. "Caregiver" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.
- C. "Common entry point" means the entity responsible for receiving reports of alleged or suspected maltreatment of a vulnerable adult and designated by the Commissioner of the Minnesota Department of Human Services as the MN Adult Abuse Reporting Center (MAARC).
- D. "Financial Exploitation" means a breach of a fiduciary duty by an actor's unauthorized expenditure of funds entrusted to the actor for the benefit of the vulnerable adult or by an actor's failure to provide food, clothing, shelter, health care, therapeutic conduct or supervision, the failure of which results or is likely to result in detriment to the vulnerable adult. Financial exploitation also includes: the willful use, withholding or disposal of funds or property of a vulnerable adult; the obtaining of services for wrongful profit or advantage which results in detriment to the vulnerable adult; the acquisition of a vulnerable adult's funds or property through undue influence, harassment, duress, deception or fraud; and the use of force, coercion, or enticement to cause a vulnerable adult to perform services against the vulnerable adult's will for the profit or advantage of another.
- E. "Immediately" means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.
- F. "Mandated Reporter" means a professional or professional's delegate while engaged in education.
- G. "Maltreatment" means the neglect, abuse, or financial exploitation of a vulnerable adult.
- H. "Neglect" means the failure or omission by a caregiver to supply a vulnerable adult with care or services, including but not limited to, food, clothing, shelter, health care, or supervision which is: (1) reasonable and necessary to obtain or maintain the vulnerable adult's physical or mental health or safety, considering the physical and mental capacity or dysfunction of the vulnerable adult; and (2) which is not the result of an accident or therapeutic conduct.
- I. Neglect also means the absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable adult which a reasonable person would deem essential to obtain or maintain the vulnerable adult's health, safety, or comfort considering the physical or mental capacity or dysfunction of the vulnerable adult. Neglect does not include actions specifically excluded by Minnesota Statute section 626.5572, Subdivision 17.

- J. “School personnel” means professional employees or their delegates of the school district engaged in providing health, educational, social, psychological, law enforcement, or other caretaking services of vulnerable adults.
- K. “Vulnerable adult” means any person 18 years of age or older who: (1) is a resident or inpatient of a facility; (2) receives services required to be licensed under Minnesota Statute section chapter 245A, except as excluded under Minnesota Statute section 626.5572, subdivision 21 (a)(2); (3) receives services at or from a licensed home care provider or person or organization that offers, provides, or arranges for personal care assistance services under the medical assistance program; or (4) regardless of residence or whether any type of service is received, possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction that impairs the individual's ability to provide adequately for the individual's own care without assistance or supervision and, because of the dysfunction or infirmity and need for care or services, has an impaired ability to protect the individual's self from maltreatment.

IV. REPORTING PROCEDURES

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

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

V. INVESTIGATION

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

VI. DISSEMINATION OF POLICY AND TRAINING

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

MVED Policy 514

514 BULLYING PROHIBITION POLICY

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited:
 - 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 into account the following factors:
 1. The developmental ages and maturity levels of the parties involved;
 2. The levels of harm, surrounding circumstances, and nature of the behavior;
 3. Past incidences or past or continuing patterns of behavior;
 4. The relationship between the parties involved; and
 5. The context in which the alleged incidents occurred.

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

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

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

- 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:
 1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or

2. materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term, "bullying," specifically includes cyberbullying, 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, cyberbullying, malicious and sadistic conduct, sexual exploitation, 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 he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.
- C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the Director. If the complaint involves the building report taker, the complaint shall be made or filed directly with the Director or the school district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the school district shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.

- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that

might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.

- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.
- G. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. SCHOOL DISTRICT ACTION

- A. Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of

this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy (See 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 school personnel and volunteers and provide appropriate training to school district personnel regarding this policy. The school district shall establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training

materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.

- B. The school district shall require ongoing professional development, consistent with Minnesota Statutes section 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:
 - 1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
 - 2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
 - 3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
 - 4. The incidence and nature of cyberbullying; and
 - 5. Internet safety and 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 give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. This policy 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 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 Policy 506) distributed to parents at the beginning of each school year.

- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.
- F. 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.

MVED Policy 526

526 HAZING PROHIBITION

I. PURPOSE

The purpose of this policy is to maintain a safe learning environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times.

II. GENERAL STATEMENT OF POLICY

- A. No student, teacher, administrator, volunteer, contractor, or other employee of the school district shall plan, direct, encourage, aid, or engage in hazing.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate hazing.
- C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.
- E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.
- F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing 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, tolerate, or are a party to prohibited acts of hazing 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 hazing or engage in an act of reprisal or intentional false reporting of hazing may result in disciplinary action up to and including termination or discharge.

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

- G. This policy applies to hazing that occurs during and after school hours, on or off school premises or property, at school functions or activities, or on school transportation.
- H. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.
- I. The school district will act to investigate all complaints of hazing 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

- A. “Hazing” means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other school-related purpose. The term hazing includes, but is not limited to:
 - 1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on the body.
 - 2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 - 3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 - 4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.

5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.
- B. “Immediately” means as soon as possible but in no event longer than 24 hours.
- C. “On school premises or school district property, or 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 hazing at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
- D. “Remedial response” means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.
- E. “Student” means a student enrolled in a public school or a charter school.
- F. “Student organization” means a group, club, or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities, or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report hazing 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 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.

The building principal, the principal’s designee, or the building supervisor (hereinafter the “building report taker”) is the person responsible for receiving reports of hazing at the building level. Any adult school district personnel who receives a report of hazing prohibited by this policy shall inform the building report taker immediately. Any person may report hazing directly to a school district human rights officer or to the Director. If the complaint involves the

building report taker, the complaint shall be made or filed directly with the Director 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.

- C. A teacher, administrator, volunteer, contractor, and other school employees shall be particularly alert to possible situations, circumstances, or events which might include hazing. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct which may constitute hazing shall make reasonable efforts to address and resolve the hazing and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute hazing or who fail to make reasonable efforts to address and resolve the hazing in a timely manner may be subject to disciplinary action.
- D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- E. Reports of hazing 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 hazing and the record of any resulting investigation.
- F. 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.

V. SCHOOL DISTRICT ACTION

- A. Within three (3) days of the receipt of a complaint or report of hazing, the school district shall undertake or authorize an investigation by school district officials 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 hazing, the complainant, the reporter, and students or others pending completion of an investigation of alleged hazing prohibited by this policy.
- C. The alleged perpetrator of the hazing 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 hazing 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 the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; and applicable school district policies and 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 or victims of hazing and the parent(s) or guardian(s) of alleged perpetrators of hazing who have been involved in a reported and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or to respond to hazing 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) 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 hazing.

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 hazing, who provides information about hazing, who testifies, assists, or participates in an investigation of alleged hazing, or who testifies, assists, or participates in a proceeding or hearing relating to such hazing. 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.

VII. DISSEMINATION OF POLICY

- A. This policy shall appear in each school's student handbook and in each school's building and staff handbooks.
- B. The school district will develop a method of discussing this policy with students and employees.