




## Memorandum

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October 8, 2010

TO: Mr. John Beckstrom  
Ms. Sarina Hannon  
Mr. Nick Jensen  
Mr. Eric Jordahl  
Mr. Dan Kieger  
Dr. Ben Lewis  
Ms. Kathy McMorrow  
Ms. Karen Morehead  
Dr. Janet Palmer  
Mr. Robert Rapheal  
Ms. Deborah Wall  
Ms. Sandra Zarembinski

FROM: Ronald A. Spies   
Director of Administration & Human Resources

SUBJ: POLICY COMMITTEE MEETING

The next meeting of the Policy Committee will be held promptly at 8:00 p.m. on Thursday, October 14, 2010, in the Board Room at the District Office. The agenda for this meeting is enclosed. Please contact me at 651/982-8123 if you are unable to attend this meeting.

RAS/kk

cc: Linda Madsen, Superintendent  
Bill Bresin, School Board  
Kathy Bystrom, School Board  
Joe Grafft, School Board  
Erin Turner, School Board  
Press (3)

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*Inspire the learner; ignite the potential!*

Forest Lake Area Schools • Independent School District 831 • Equal Opportunity Employer

INDEPENDENT SCHOOL DISTRICT NO. 831  
Forest Lake, Minnesota 55025  
*Policy Committee Meeting*  
*October 14, 2010 – 8:00 p.m. – District Office Board Room*

*AGENDA*

**It's critical that we get through Items 1-3 and even 4 if possible. Please review these items prior to the meeting and come prepared to discuss them.**

1. Mandated Reporting of Maltreatment of Vulnerable Adults Policy 414 (Annual Review) - Attached
  2. Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 522 (Annual Review) - Attached
  3. Community Use of School Facilities Policy 701 – Community Ed has completed their review - Attached
  4. Use of Student Records (Legislative Changes) – February Attachment – Extra copies will be available
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5. Wellness Policy 546 (Annual Review) – April Attachment – Pending Wellness Committee Input
  6. Consideration of Other Policies to be Scheduled for Review
  7. Other Matters
  8. Annual Policy Reviews
    - Technology Acceptable Use and Safety Policy 540 (November 2010)
    - Student Sex Nondiscrimination Policy 421 (November 2010)
    - Student Transportation Safety Policy 531 (November 2010) – No changes from John Gray
    - Anti-Bullying Policy 541 (December 2010)
    - School Board Member Reimbursement Guidelines Policy 103A (December 2010)
    - Out-of-State Travel by School Board Members Policy 103B (December 2010)
    - Crisis Management Policy 538 (January 2011)
    - School Discipline Policy 515 (March 2011)
    - Harassment and Violence Policy 425 (April 2011)
    - School Board Member Code of Ethics (April 2011)
    - Wellness Policy 546 (May 2011)
    - Family & Medical Leave Policy 428 (September 2011) – No legislative changes required in September 2010
    - Mandated Reporting of Maltreatment of Vulnerable Adults Policy 414 (October 2011)
    - Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 522 (October 2011)
  9. Future Policy Review
    - Naming of School Buildings or Portions Thereof Such as Naming a Gymnasium
    - Random Drug Testing
    - Policy on Superintendent Contract Renewals – See Minnesota Statute 123B.143 (Review 90 day suggestion)
  10. Policies at School Board for Action
    - Graduation Requirements Policy 613
    - New Policy – Special Education Records and Records Retention Policy 505A
    - Family and Medical Leave Policy 428

## MANDATED REPORTING OF MALTREATMENT OF VULNERABLE ADULTS 414

*[Note: This policy reflects the mandatory law regarding reporting maltreatment of vulnerable adults and is not discretionary in nature.]*

### 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 fully comply with Minn. Stat. § 626.557 requiring school personnel to report suspected maltreatment of vulnerable adults.~~

**A. The policy of the school district is to fully comply with Minn. Stat. § 626.557 requiring school personnel to report suspected maltreatment of vulnerable adults.**

B. It shall be a violation of this policy for any school personnel to fail 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. “Mandated Reporters” means any school personnel who has reason to believe that a vulnerable adult is being or has been maltreated.

B. “Maltreatment” means the neglect, abuse, or financial exploitation of a vulnerable adult.

C. “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. Neglect also includes 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 Minn. Stat. § 626.5572, Subd. 17.

D. “Abuse” means: (a) 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 sections 609.221 to 609.224; (2) the use of drugs to injure or facilitate crime as defined in section 609.235; (3) the solicitation, inducement, and promotion of prostitution as defined in section 609.322; and (4) criminal sexual conduct in the first through fifth degrees as defined in 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. (b) Conduct which is not an accident or therapeutic conduct as defined in this section, 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 section 245.825. (c) Any sexual contact or penetration as defined in 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. (d) 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 Minn. Stat § 626.5572, Subd. 2.

- E. "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.
- F. ~~"Vulnerable Adult" means any person 18 years of age or older who is a resident or inpatient of a facility, who receives services at or from a licensed facility which serves adults, who receive services at or from a licensed home care provider or who regardless of residence or type of service received, is unable to adequately provide the person's own care or protect the person from maltreatment without assistance because of impairment of mental or physical function or emotional status.~~

- F. **“Vulnerable Adult” means any person 18 years of age or older who: (1) is a resident or inpatient of a facility; (2) receives services at or from a licensed facility which serves adults as set forth in Minn. Stat. § 626.5572, Subd. 21(a)(2); (3) receives services from a licensed home care provider or home care provider service; or (4) regardless of residence or type of service received possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction that impairs the individual’s ability to adequately provide the person’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.**
- G. “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.
- H. “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.
- I. “Immediately” means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.

#### IV. REPORTING PROCEDURES

- A. A mandated reporter as defined herein shall immediately report the suspected maltreatment to the designated county entity.
- 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 reporter 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 Minn. Stat. § 13.02 to the extent necessary to comply with the above reporting requirements.
- D. A person mandated to report suspected maltreatment of a vulnerable adult who negligently or intentionally fails to report is liable for damages caused by the failure. A negligent or intentional failure to report may result in discipline. A mandatory reporter who intentionally fails to make a report, who knowingly provides false or misleading information in reporting or who intentionally fails to

provide all the material circumstances surrounding the reported incident may be guilty of a misdemeanor.

- E. Retaliation against a person who makes a good faith report under Minnesota law and this policy, or against 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 shall appear in school personnel handbooks where appropriate.
- B. The school district will develop a method of discussing this policy with employees where appropriate.
- C. This policy shall be reviewed at least annually for compliance with state law.

~~**Legal References:** Minn. Stat. § 609.234 (Failure to Report)  
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)  
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)  
Minn. Stat. § 626.5572 (Definitions)  
*In re Kleven*, 736 N.W.2d 707 (Minn. App. 2007)~~

**Legal References:** Minn. Stat. § 13.02 (Collection, Security, and Dissemination of Records; Definitions)  
Minn. Stat. § 245.825 (Aversive and Deprivation Procedures; Licensed Facilities and Services)  
Minn. Stat. §§ 609.221-609.224 (Assault)  
Minn. Stat. § 609.234 (Crimes Against the Person)  
Minn. Stat. § 609.235 (Use of Drugs to Injure or Facilitate Crime)  
Minn. Stat. § 609.322 (Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking)  
Minn. Stat. § 609.341 (Definitions)  
Minn. Stat. §§ 609.342-609.3451 (Criminal Sexual Conduct)  
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)  
Minn. Stat. § 626.5572 (Definitions)  
*In re Kleven*, 736 N.W.2d 707 (Minn. App. 2007)

*Cross References:* MSBA/MASA Model Policy 103 (Complaints – Students  
Policy 406 (Public and Private Personnel Data)  
Policy 522 (Mandated Reporting of Child Neglect or Physical or Sexual  
Abuse)

ADOPTED: 11/8/05  
READOPTED - NO CHANGES: 11/1/07  
REVISED: 12/4/08  
REVISED: 11/5/09

# CONFIDENTIAL DATA

## Maltreatment of Vulnerable Adults by School Personnel Reporting Form

Date Submitted \_\_\_\_\_ School District Name & Number \_\_\_\_\_  
 School Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Principal \_\_\_\_\_  
 School Phone Number (\_\_\_\_) \_\_\_\_\_

### REPORTER

Name \_\_\_\_\_ Title \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone Number (\_\_\_\_) \_\_\_\_\_ (Reporter is confidential under Minn Stat. § 626.556)

### ALLEGED VULNERABLE ADULT VICTIM

Name \_\_\_\_\_ DOB \_\_\_\_\_ Grade \_\_\_\_\_ Gender \_\_\_\_\_  
 Special Education: Y/N Disability Category \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone Number (\_\_\_\_) \_\_\_\_\_ Parent/Guardian \_\_\_\_\_

### ALLEGED OFFENDER

Name \_\_\_\_\_ Title \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Home Phone Number (\_\_\_\_) \_\_\_\_\_ Work Phone Number (\_\_\_\_) \_\_\_\_\_

### Type of Maltreatment

Date of Incident \_\_\_\_\_ Time of Incident \_\_\_\_\_  
 Location \_\_\_\_\_ County \_\_\_\_\_ City \_\_\_\_\_  
 Witness \_\_\_\_\_ Phone Number(\_\_\_\_) \_\_\_\_\_  
 Witness \_\_\_\_\_ Phone Number(\_\_\_\_) \_\_\_\_\_

Summary of Incident: (Attach additional sheets as needed.)

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School Investigation Information Included: Yes \_\_\_\_\_ Date to be sent \_\_\_\_\_

Were Police Notified: Y/N Date \_\_\_\_\_ Police Department \_\_\_\_\_  
 Contact Person \_\_\_\_\_ Phone Number (\_\_\_\_) \_\_\_\_\_

Please Contact Washington County Social Services Division – Adult Protection Reporting at  
 651/430-6484

*Maltreatment information is confidential data.*



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

*[Note: This policy reflects the mandatory law regarding reporting of maltreatment of minors and is not discretionary in nature.]*

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

~~A. — It is the policy of the school district to fully comply with Minn. Stat. § 626.556 requiring school personnel to report suspected child neglect or physical or sexual abuse.~~

**A. The policy of the school district is to fully comply with Minn. Stat. § 626.556 requiring school personnel to report suspected child neglect or physical or sexual abuse.**

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

**III. DEFINITIONS**

A. “Accidental” means a sudden, not reasonably foreseeable, and unexpected occurrence or event which:

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.

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 neglected or physically or sexually

abused, or has been neglected or physically or sexually abused within the preceding three years.

E. **“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, medical, or other care required for 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;
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;
3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors such as the child’s age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for his or her 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 used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child’s birth, or medical effects or developmental delays during the child’s first year of life that medically indicate prenatal exposure to a controlled substance;
6. medical neglect as defined by Minn. Stat. § 260C.007, Subd. 4, Clause (5);
7. chronic and severe use of alcohol or a controlled substance by a parent or 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 which 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 include spiritual means or prayer for treatment or care of disease where the person responsible for the child's care in good faith has selected and depended on those means for treatment or care of disease, except where the lack of medical care may cause serious danger to the child's health.

- F. "Physical Abuse" means any physical injury, mental injury, or threatened injury, inflicted by a person responsible for the child's care 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 Minn. Stat. § 121A.67 or § 245.825.

Abuse does not include reasonable and moderate physical discipline of a child administered by a parent or legal guardian which 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 Minn. Stat. § 121A.582.

Actions which are not reasonable and moderate include, but are not limited to, any of the following that are done in anger or without regard to the safety of the child: (1) throwing, kicking, burning, biting, or cutting a child; (2) striking a child with a closed fist; (3) shaking a child especially under age three; (4) striking or other actions which 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 Minn. Stat. § 609.02, Subd. 6; (7) striking a child especially under age one on the face or head; (8) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances which were not prescribed for the child by a practitioner, in order to control or punish the child, or giving the child other substances that substantially affect the child's behavior, motor coordination, or judgment or that result in sickness or internal injury, or subject the child to medical procedures that would be unnecessary if the child were not exposed to the substances; (9) unreasonable physical confinement or restraint not permitted under Minn. Stat. § 609.379 including, but not limited to, tying, caging, or chaining; or (10) in a school facility or school zone, an act by a person responsible for the child's care that is a violation under Minn. Stat. § 121A.58.

- G. "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.

- H. “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 Minn. Stat. § 609.341, Subd. 15), or by a person in a position of authority (as defined in Minn. Stat. § 609.341, Subd. 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 which constitutes a violation of Minnesota statutes prohibiting prostitution, or use of a minor in a sexual performance. Sexual abuse includes threatened sexual abuse.
- I. “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.
- J. “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 employees or agents, 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.
- K. “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 subjected the child to, or failed to protect a child from, egregious harm, or a person whose parental rights were involuntarily terminated, been found palpably unfit, or one from whom legal and physical custody of a child has been involuntarily transferred to another.

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

- A. A mandated reporter as defined herein shall immediately report the neglect or physical or sexual abuse, which he or she knows or has reason to believe is happening or has happened within the preceding three years to the local welfare agency, police department, county sheriff, or agency responsible for assisting or investigating maltreatment.
- B. If the immediate report has been made orally, 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 assisting

or investigating maltreatment. The written report shall identify the child, any person believed to be responsible for the abuse or neglect of the child if the person is known, the nature and extent of the abuse or neglect and the name and address of the reporter.

- C. A mandated reporter who knows or has reason to know of the deprivation of parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- D. 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.
- E. Submission of a good faith report under Minnesota law and this policy will not adversely affect the reporter's employment, or the child's access to school.
- F. 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, and the reckless making of a false report may result in discipline. The court may also award attorney's fees.

*[Note: The Minnesota Department of Education (MDE) is responsible for assessing or investigating allegations of child maltreatment in schools. Although a report may be made to any of the agencies listed in Section IV. A., above, and there is no requirement to file more than one report, if the initial report is not made to MDE, it would be helpful to MDE if schools also report to MDE.]*

## **V. INVESTIGATION**

- A. The responsibility for investigating reports of suspected neglect or physical or sexual abuse rests with the appropriate county, state, or local agency or agencies. The agency responsible for assessing or investigating reports of child maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged perpetrator, and any other person with knowledge of the abuse or neglect for the purpose of gathering the facts, assessing safety and risk to the child, and formulating a plan. The investigating agency may interview the child at school. The interview may take place outside the presence of a 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 will 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 perpetrator 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 perpetrator 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, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

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

- A. When a local welfare or local law enforcement agency determines that a potentially abused or abused child should be interviewed on school property, written notification of the agency's intent to interview on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct the interview. The notification shall be private data. School officials may not disclose to the parent, legal custodian, or guardian the

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

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

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

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

## **VIII. DISSEMINATION OF POLICY AND TRAINING**

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

*Legal References:*

- Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
- Minn. Stat. § 121A.58 (Corporal Punishment)
- Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
- Minn. Stat. § 121A.67 (Aversive and Deprivation Procedures)
- Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)
- Minn. Stat. § 260C.007, Subd.4, Clause (5) (Child in Need of Protection)
- Minn. Stat. § 609.02, Subd.6 (Definitions – Dangerous Weapon)
- Minn. Stat. § 609.341, Subd. 10 (Definitions – Position of Authority)
- Minn. Stat. § 609.341, Subd. 15 (Definitions – Significant Relationship)
- Minn. Stat. § 609.379 (Reasonable Force)
- Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)
- 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

*Cross References:* Policy 414 (Mandated Reporting of Maltreatment of Vulnerable Adults)

ADOPTED: 12/15/75  
REVISED: 12/90  
REVISED: 07/07/05  
REVISED: 12/06/07  
REVISED: 12/04/08  
REVISED: 11/05/09





*Confidential*  
 Student Maltreatment Reporting Form  
 Division of Compliance and Assistance  
 1500 Highway 36 West  
 Roseville, Minnesota 55113-4266  
 Phone: (651) 582-8546 FAX: (651) 634-2277

Minnesota Department of Education staff use only			
Intake Person	MDE File #	Investigator	Date Assigned
<input type="checkbox"/> No Maltreatment <input type="checkbox"/> No Jurisdiction <input type="checkbox"/> I & R <input type="checkbox"/> Other (Please explain)		Date Reporter Notified: _____ <input type="checkbox"/> Verbal <input type="checkbox"/> Written (Attach written correspondence)	

Date Submitted \_\_\_\_\_ School District Name \_\_\_\_\_ School District Number \_\_\_\_\_  
 Via: Fax  School Name \_\_\_\_\_ Address \_\_\_\_\_  
 Phone  City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone Number \_\_\_\_\_  
 (\_\_\_\_\_) \_\_\_\_\_  
 U.S. Mail  Principal \_\_\_\_\_ Phone Number \_\_\_\_\_  
 (\_\_\_\_\_) \_\_\_\_\_

**REPORTER** (name of person completing form) **Reporter is confidential under Minnesota Statute § 626.556**  
 Name \_\_\_\_\_ Title \_\_\_\_\_ Phone (\_\_\_\_\_) \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**ALLEGED VICTIM**  
 Name \_\_\_\_\_ DOB \_\_\_\_\_ Grade \_\_\_\_\_ Gender:  Male  Female  
 Special Education: Y/N Disability Description \_\_\_\_\_ Ethnicity \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Parent/Guardian \_\_\_\_\_ Home Phone (\_\_\_\_\_) \_\_\_\_\_ Other Phone (\_\_\_\_\_) \_\_\_\_\_

**ALLEGED OFFENDER**  
 Name \_\_\_\_\_ Position \_\_\_\_\_ DOB \_\_\_\_\_ Gender:  Male  Female  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Ethnicity \_\_\_\_\_  
 Home Phone Number (\_\_\_\_\_) \_\_\_\_\_ Other Phone (\_\_\_\_\_) \_\_\_\_\_

**INCIDENT**

Date _____	Time _____	Location/Address (if different than school) _____
<b>Type of Alleged Maltreatment:</b> <input type="checkbox"/> Physical Abuse <input type="checkbox"/> Sexual Abuse <input type="checkbox"/> Neglect <input type="checkbox"/> Unknown <b>Injury:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <b>Description of Incident and Injury:</b> (please attach additional page if needed)		
Police Notified: <input type="checkbox"/> Yes <input type="checkbox"/> No Police Department _____ Contact _____ Phone (_____) _____		

The Forest Lake Area Schools encourages the use of school facilities by our school and community for a variety of purposes and for residents of all ages. It is the policy of the Forest Lake Area School District to permit the use of school facilities by residents of the school district. The policy also permits the use of school facilities by other individuals and organizations. However, the use of school facilities should not interfere with the various school programs. This policy will be administered by the Community Education Department with rental fees deposited in the General Fund.

**I. ~~RENTAL FEES~~ RENTAL GROUP CLASSIFICATIONS**

A. NO RENTAL FEE CLASS I:

1. Forest Lake Area School District ~~sponsored~~ events **and events by Forest Lake Area School District organizations including FLAS PTA/O/SAs and FLAS Booster clubs. (*The wording may still need to be tweaked but the meaning will stay the same*).**
2. **Governmental agencies operating within the Forest Lake Area School District boundaries. This includes City, Township and County public hearings, caucuses, elections, candidate forums, and other similar events.**
3. ~~Community non-profit youth groups with at least 80% of their participants living in the Forest Lake Area School District. There cannot be any fees, donations or concessions associated with these events.~~
4. ~~Community, Civic, Service and Non-Profit adult groups with at least 80% of their participants living in the Forest Lake Area School District. There cannot be any fees, donations or concessions associated with these events.~~
5. ~~Tax-supported public agencies operating within the Forest Lake Area School District boundaries. This includes City, Township, County public hearings, caucuses, elections, candidate forums, and other similar events. There cannot be any fees, donations or concessions associated with these events.~~

B. PARTIAL RENTAL FEES CLASS II:

1. **Community Non-Profit Youth Groups within the Forest Lake Area School District. There cannot be any fees, donations or concessions associated with these events.** ~~which charge admission fees, accept donations or sell concessions at their event(s) will pay 50% of the full rental fee. This shall not include single baseball games at Schumacher Field.~~

2. Community, Civic, Service and Non-Profit adult groups **within the FLAS District. There cannot be any fees, donations or concessions associated with these events.** ~~, which charge admission fees, accept donations or sell concessions at their event(s) will pay 50% of the full rental fee.~~
3. ~~Local Community Groups with less than 80% of their participants living in this School District will pay 75% of the full rental fee.~~
4. ~~Local Business Groups will pay 75% of the full rental fee.~~

C. FULL RENTAL CLASS III:

1. ~~Church activities and/or religious services .~~ **Community non-profit youth and adult groups which charge admission fees, accept donations or sell concessions at their event.**
2. **Local business groups.**
3. Out-of-District organizations or groups.
4. Charter or Private Schools **or Educational Institutions.**
5. **All other groups or individuals not already specifically named.**

II. RULES AND REGULATIONS

- A. School groups and school organizations will have first priority for the use of the school facilities providing they reserve facilities at least four weeks in advance through the Community Education Office.
- B. Outside groups can make ~~their application for use of facilities at the Community Education Office, in the Forest Lake Area School District Building at 6100 North 210th Street, Forest Lake.~~ **a request to use district facilities by contacting the Community Education Office. Requests or changes will not be accepted unless they take place at least 24 hours before the requested facility use.**
- C. Use of a building will be permitted only when an authorized permit (green sheet) has been presented to the custodian of the building (by the Community Education Office in advance, or by the user at their event).
- D. All non-school users of school facilities shall complete and sign a Hold Harmless Agreement.

- E. The School District ~~may also~~ requires **all facility use groups to provide proof of** liability insurance of up to \$1,000 property damage, \$100,000 per individual and \$300,000 per accident.
  - 1. ~~This insurance will be required of all groups charging admission to a public event for the purpose of raising funds in excess of costs incurred by the event.~~
  - 2. ~~Insurance is also required as determined by the Director of Community Education.~~
- F. In the case of large **or multiple** events the Community Education Department may also require a supervisor **and/or additional custodians** to be on duty and the cost will be billed to the rental group.
- G. The applicant shall assume responsibility for damages to property that occur during use of the facility by their group or participants.
- H. All groups using school facilities shall reimburse the district for all extra labor or costs incurred by the district due to their use of facilities.
- I. Use of school facilities shall be denied to any groups which violate Policy 427 Smoke/Tobacco Free Environment or Policy 422 Employee Alcohol and Other Drug Use.
- J. Tobacco, alcohol, ~~and~~ other chemicals **and weapons** are prohibited in all school buildings and on school grounds.
- K. A custodian is required to be on duty when a building is occupied.
- L. The custodian on regular duty shall not be required to provide direct supervision for any groups or activities during the custodian's normal forty hour week. ~~There are no custodial charges for groups unless custodial services are required.~~
- M. When a custodian is on overtime duty for a rental group, the custodian is required to be present to provide custodial services and ~~to assist the rental group~~ **and must be employed at the expense of the user.**
- N. A Food Service Department employee is required to be on duty whenever kitchen equipment is used or when the kitchen is to be used as a food preparation area. **This includes but is not limited to the high school dishroom and high school cafeteria concession area. If the group requesting to use school facilities intends to serve food or beverages of any kind at their event, this information must be shared with the facility use scheduler at the time the request for facility use is made to**

**determine if there are additional custodial or food service needs or requirements.**

- O. Audio-visual equipment may be used for a fee and when doing so a District A.V. Technicians must be employed at the expense of the user.
- P. The Senior High School auditorium sound system and lighting equipment may be used for a fee and a District A.V. Technicians must be employed at the expense of the user.
- Q. Buildings must be vacated by ~~10:00~~ **9:30** p.m. unless special permission is obtained from the Director of Community Education.
- R. Any problems with Forest Lake Area Schools personnel must be reported to the Community Education Office on the next working day.

**III. SCHEDULE OF RENTAL FEES & OTHER CHARGES**

**There shall be a \$25.00 annual (July 1 – June 30) registration fee. At this time there is no fee for permit changes but we ask that you please keep them to a minimum.**

Rental Fees (up to 4 hours use) (minimum 2 hours)

Refer to Draft A – “Facility Use Rental Fees” (*Can be found ..*)

SENIOR HIGH SCHOOL

Auditorium	—————	\$200.00
— (with Stage Lighting and/or Sound System \$450.00)		
Gym	—————	\$240.00
Cafeteria	—————	\$160.00
Kitchen	—————	\$100.00
Classroom	—————	\$ 60.00
Media Center	—————	\$150.00
Outdoor Stadium	—————	\$500.00
Outdoor Field	—————	\$100.00
Schumacher Field	—————	\$350.00

JUNIOR HIGH SCHOOL AND CENTRAL LEARNING CENTER

Gym	—————	\$160.00
Cafeteria	—————	\$120.00
Kitchen	—————	\$ 80.00
Classroom	—————	\$ 60.00
Media Center	—————	\$120.00
Outdoor Field	—————	\$ 50.00

ELEMENTARY SCHOOL

Gym	\$120.00
Cafeteria	\$100.00
Kitchen	\$ 60.00
Classroom	\$ 60.00
Media Center	\$ 90.00
Outdoor Field	\$ 30.00

NOTE: ~~The Forest Lake Area Schools Swimming Pool, Ice Arena, parking lots, other outdoor grounds and computer labs will have an hourly rental rate as determined by the Director of Community Education.~~

Equipment Rental Charges *(August 31, 2010 THIS SECTION IS YET TO BE UPDATED - Pending information from technology staff)*

**On availability basis**

VCR with monitor	\$25.00 per use
Overhead projector	\$40.00 per use
Cordless Microphone	\$25.00 (with stand \$35) per use
Spotlight	\$25.00 per use
LCD Projector	\$40.00 per use
Choir Microphone	\$15.00 per use
Portable Sound System	\$50.00 per use

Personnel Charges

These charges are in addition to the rental fees.

- Food Service

Time and one-half (or double time on Sundays and holidays) of the Senior High School Cook Manager.

- Custodial

Time and one-half (or double time on Sundays and holidays) of the Senior High School Head Custodian. If custodians are on their regularly scheduled duty, there are no charges unless additional services are required.

- Supervisory

Designated rate of pay to be determined by the Director of Community Education.

- A.V. Tech

Designated rate of pay to be determined by the Director of Community Education.

REVISED: 8/26/74  
12/05/77  
9/08/87  
2/5/90 (effective 3/01/90)  
5/16/95  
7/07/05

RECOMMENDATION from Facility Use Committee  
 REVISED Oct. 7, 2010 July 23, 2010  
 (\*Classes are described in recommended changes to 701 policy)

**Facility Use Hourly Rental Fees**  
 (2 hour minimum)

	Class II	Class III
<u>Elementary School</u>		
Gym	\$6	\$30
Cafeteria	\$6	\$25
Kitchen	\$6	\$25
Classroom	\$3	\$15
Media Center	\$5	\$23
Outdoor Field	\$3	\$8
<u>Jr. High</u>		
Gym		
(*three at Century, *two at Southwest)	\$8	\$40
Cafeteria	\$8	\$30
Kitchen	\$5	\$25
Classroom	\$3	\$15
Media Center	\$6	\$30
Outdoor Field	\$4	\$13
<u>Sr. High</u>		
Auditorium	\$12	\$50
*With Stage Lighting and /or Sound System	\$25	\$113
Gym	\$10	\$60
Cafeteria	\$8	\$40
Kitchen	\$6	\$25
Classroom	\$4	\$15
Media Center	\$6	\$38
Outdoor Stadium		
(Without lights)	\$25	\$125
(With lights)	\$25	\$150
Outdoor Field		
(Without lights)	\$5	\$25
(With lights)	\$30	\$50
Schumacher Field		
(Without lights)	\$40	\$125
(With lights)	\$65	\$150



Equipment costs

Podium \$10

Staging risers \$10 each 4' X 8'

LCD projector system w/hard wired DVD \$50 for 4 hours

Sound system only \$150

Sound and lights \$250

large projection screen \$25.

Set up for special lighting \$25/hour

Upright piano \$50

Grand piano \$150

Risers: \$25 for single or double. \$50 for full set

Sound Shells: \$35 for single or double \$75 for full set

Overhead projector \$10

Digital projector (non-auditorium) \$25/4 hours

Non hardwired sound/lighting/technical equipment \$10/each

Computer lab \$20/hour

Computer lab tech cost \$27.50/hr

District Portable Sound System \$80/4 hours (+ tech costs)

SMART Boards - *INFORMATION FORTH COMING*

Charges for other specialty items will be set as part of rental agreement as determined by the Community Education Director

Note: The Forest Lake Area Schools Swimming Pool, parking lots, other outdoor grounds and computer labs will have an hourly rental rate as determined by the Director of Community Education