

*Fisher Independent School District #600*

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To: Fisher Schools Parents/Guardians

From: Evan Hanson, Superintendent

Re: Assurance of Compliance

Enclosed you will find several documents that are required by law to be sent to all Fisher Schools' students pertaining to Assurance of Compliance with State and Federal Law Prohibiting Discrimination. The following is a list of those documents. Please review them and if you have any questions or concerns, please feel to contact me.

- Policy 413 Harassment and Violence
- Policy 526 Hazing Prohibition
- Policy 521 Student Disability Nondiscrimination
- 504/ADA
- Student Grievance Procedure
- Policy 522 Student Sex Nondiscrimination
- General Pesticide Notice for Parents or Guardians
- Indoor Air Quality Notice
- Protection of Pupil Rights Amendment (PPRA)
- The Family Educational Rights and Privacy Act (FERPA)
- Inclusive Education Plan
- School Attendance and the Law brochure

Sincerely,

*Evan Hanson*

Evan Hanson  
Superintendent

## **413 HARASSMENT AND VIOLENCE**

### **I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.

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

- A. The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability, as defined by this policy. (For purposes of this policy, school district personnel includes school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is found to have violated this policy.

### **III. DEFINITIONS**

- A. "Assault" is:
  - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
  - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  - 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability when the conduct:
  - 1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
  - 2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
  - 3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.

D. Protected Classifications; Definitions

1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
  - a. has a physical, sensory, or mental impairment which materially limits one or more major life activities;
  - b. has a record of such an impairment; or
  - c. is regarded as having such an impairment.
2. "Familial status" means the condition of one or more minors being domiciled with:
  - a. their parent or parents or the minor's legal guardian; or
  - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.
7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.

E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.

F. Sexual Harassment; Definition

1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
  - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
  - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
  - c. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
2. Sexual harassment may include, but is not limited to:
  - a. unwelcome verbal harassment or abuse;
  - b. unwelcome pressure for sexual activity;
  - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
  - d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;

- e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
  - f. unwelcome behavior or words directed at an individual because of gender.
- G. Sexual Violence; Definition
- 1. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. § 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
  - 2. Sexual violence may include, but is not limited to:
    - a. touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
    - b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
    - c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
    - d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.
- H. Violence; Definition
- Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.

#### IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct which may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has

other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.

- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. In the District. The school board hereby designates Catherine Steinmetz as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.<sup>1</sup>
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.  
Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.  
Consequences for employees who permit, condone, or tolerate violence or harassment or engage in an act of reprisal or intentional false reporting of violence or harassment may result in disciplinary action up to and including termination or discharge.  
Consequences for other individuals engaging in prohibited acts of violence or harassment may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.

## V. INVESTIGATION

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.

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<sup>1</sup> In some school districts the superintendent may be the human rights officer. If so, an alternative individual should be designated by the school board.

- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

#### **VI. SCHOOL DISTRICT ACTION**

- A. Upon completion of an investigation that determines a violation of this policy has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.
- B. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

#### **VII. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

#### **VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

**IX. HARASSMENT OR VIOLENCE AS ABUSE**

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minn. Stat. § 626.556 may be applicable.
- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

**X. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- C. This policy shall appear in the student handbook.
- D. The school district will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

**Legal References:**

- Minn. Stat. § 120B.232 (Character Development Education)
- Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)
- Minn. Stat. § 121A.031 (School Student Bullying Policy)
- Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
- Minn. Stat. § 609.341 (Definitions)
- Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)
- 20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
- 29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
- 29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)
- 42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)
- 42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
- 42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
- 42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

**Cross References:**

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

## 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 superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.  
The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as 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.

***Legal References:***

Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents Under the Safe and Supportive Minnesota Schools Act)  
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.69 (Hazing Policy)

***Cross References:***

Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
Policy 413 (Harassment and Violence)  
Policy 506 (Student Discipline)  
Policy 514 (Bullying Prohibition Policy)  
Policy 525 (Violence Prevention [Applicable to Students and Staff])

## **521 STUDENT DISABILITY NONDISCRIMINATION**

### **I. PURPOSE**

The purpose of this policy is to protect disabled students from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973 (Section 504), need services, accommodations, or programs in order that such learners may receive a free appropriate public education.

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

- A. Disabled students who meet the criteria of Paragraph C. below are protected from discrimination on the basis of a disability.
- B. The responsibility of the school district is to identify and evaluate learners who, within the intent of Section 504, need services, accommodations, or programs in order that such learners may receive a free appropriate public education.
- C. For this policy, a learner who is protected under Section 504 is one who:
  - 1. has a physical or mental impairment that substantially limits one or more of such person's major life activities; or
  - 2. has a record of such an impairment; or
  - 3. is regarded as having such an impairment.
- D. Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act.

### **III. COORDINATOR**

Persons who have questions or comments should contact Superintendent, Evan Hanson 313 Park Ave. Fisher, MN 56723 (218) 891-4105. This person is the school district's Americans with Disabilities Act/Section 504 coordinator. Persons who wish to make a complaint regarding a disability discrimination matter may use the accompanying Student Disability Discrimination Grievance Report Form. The form should be given to the ADA/Section 504 coordinator.

**Legal References:** Pub. L. 110-325, 122 Stat. 3553 (ADA Amendments Act of 2008, § 7)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)  
34 C.F.R. Part 104 (Section 504 Implementing Regulations)

**Cross References:** Policy 402 (Disability Nondiscrimination)

# **504/ADA**

## **Parent/Student Rights in Identification Evaluation and Placement**

Section 504 of the Rehabilitation Act of 1973

The following is a description of the right granted by federal law to students with handicaps. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have the right to:

1. Have your child take part in, and receive benefits from public education programs without discrimination because of his/her handicapping conditions;
2. Have the school district advise you of your rights under federal law;
3. Receive notice with respect to identification, evaluation, or placement of your child,
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-handicapped students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided non-handicapped students;
6. Have your child receive special education and related services if he/she is found to be eligible under the Individuals with Disabilities Education Act (PL 101-476) or Section 504 of the Rehabilitation Act.
7. Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by persons who know the student, the evaluation data, and placement options;
8. Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district;
9. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district;
10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement;

11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records;
12. A response from the school district to reasonable requests for explanations and interpretations of your child's records;
13. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the school district refuses this request for an amendment, it shall notify you within a reasonable time, and advise you of the right to a hearing;
14. Request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement. You and the student may take part in the hearing and have an attorney represent you. Hearing request must be made to the Superintendent of Schools.
15. Ask for payment of reasonable attorney fees if you are successful on your claim;
16. File a local grievance.

The person in this district who is responsible for assuring that the district complies with Section 504 is the Superintendent of Schools.

Fisher Public Schools ISD #600  
313 Park Avenue  
Fisher, MN 56723  
218-891-4105

## STUDENT GRIEVANCE PROCEDURE

### INFORMATION PROVIDED FOR PARENTS AND STUDENTS OF THE FISHER PUBLIC SCHOOL DISTRICT

Non-  
Discrimination

- Title IV and Title VII, Civil Rights Act of 1964 and Age Discrimination in Employment Act of 1967
- Title IX of the Education Amendments of 1972
- Section 503 and Section 504 of the Rehabilitation Act of 1973
- Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974
- Title 11 of the Americans With Disability Act of 1990 (ADA) Section 35.130

As required by law under the above names, titles and section, the Board of Education assures that no person shall, on the basis of race, color, age, religion, sex, handicap, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the programs and activities under the control of the Board of Education. The Board of Education hereby appoints the Superintendent and its Equal Opportunity Officer for the above named titles and section. The Superintendent is charged to develop an Affirmative Action Program for the school district and to establish procedures necessary for effective, uniform, and judicious enforcement of equal opportunity standards. The Superintendent or his designee shall make available to all participants, beneficiaries, and other interested persons, information regarding the provisions of the above named titles and section, and their application to the district program.

Superintendent  
313 Park Avenue  
Fisher, MN 56723  
218-891-4105

## STUDENT GRIEVANCE PROCEDURE

1. Definition: A "Grievance" shall mean a complaint which has been filed by a student or by a student's parent, on his /her behalf, dealing specifically with the various civil rights and nondiscrimination laws enumerated above. This grievance procedure is not applicable to situations for which other appeal and adjudication procedures are provided in State laws or in which the Board is without authority to act. Normal channels of communication, from student to teacher/guidance counselor to administrator to Board of Education, shall be used, whenever feasible, in seeking clarification of questions of concern to the student, before the grievance procedure is utilized.
2. Purpose: The primary purpose of this procedure is to secure, at the earliest level possible, equitable solutions to a claim of a complaint, if the claim is justifiable. The proceedings shall be kept confidential at each level of this procedure.
3. Time: The number of days indicated at each level shall be regarded as a maximum, and every effort shall be made to expedite the process. However, the time limits specified may be extended by mutual agreement of the complainant and the administration.
4. Level One: A student with a complaint shall present it first to his/her secondary school principal or elementary principal. At this time the District Equal Opportunity Officer must be notified. If the complaint is not resolved at this meeting, the student may present a formal claim in writing (including all supporting statements and evidence) to his/her principal. Within five (5) school days after receiving the complaint the principal shall state his/her decision in writing with all supporting reasons and evidence.
5. Level Two: If the complainant deems it desirable to carry the complaint beyond the decision reached in Level One, he/she may within ten (10) school days, file his/her complaint with the Superintendent. The Superintendent shall evaluate the evidence and render his/her decision within ten (10) school days after receiving the appeal.
6. Level Three: If the complainant deems it desirable to carry the complaint beyond the decision reached in Level Two, he/she may within ten (10) school days file his/her complaint with the Board of Education. Upon receiving the complaint, the matter shall be placed upon the agenda of the Board of Education, for consideration at the next regular meeting of the Board, and a final determination shall be made within thirty (30) calendar days from said meeting.
7. Withdrawal: A complaint may be withdrawn by the complainant at any level without prejudice or record.
8. Hearings and Decisions: At each of the above four levels the complainant shall be given the opportunity to be present and to be heard. All decisions at each level (with the exception of Level One) \* shall be in writing and shall include supporting reasons. Copies of all decisions and recommendations shall be furnished promptly to all parties of interest.



9. Reprisals: No reprisal of any kind shall be taken by or against any party of legitimate interest of any legitimate participant in the grievance procedure by reason of such participation.

10. Preservation of Records: All proceedings external to the decision of the Board of Education shall be destroyed. However, any complainant who wishes the proceedings (relative to his/her own complaint) to be placed in his/her school records may achieve such action by filing a written request therefore.

\*In the first discussion with the secondary school principal or elementary principal, it is not necessary to place the complaint in writing.

SPECIAL SCHOOL DISTRICT NO. 600  
Fisher Public Schools  
COMPLAINT FORM - UNLAWFUL SEX DISCRIMINATION TOWARD A STUDENT

General Statement of Policy Prohibiting Unlawful Sex Discrimination toward a Student

The Fisher Public Schools maintains a firm policy prohibiting all forms of unlawful sex discrimination. All students are to be treated with respect and dignity. Unlawful sex discrimination by any teacher, administrator or other school personnel will not be tolerated under any circumstances.

Complainant: \_\_\_\_\_

Home Address: \_\_\_\_\_

Work Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

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

Name of person you believe unlawfully discriminated toward you or a student on the basis of sex: \_\_\_\_\_

If the alleged unlawful sex discrimination was toward another person, identify that person: \_\_\_\_\_

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

When and where did the incidents) occur:  
\_\_\_\_\_  
\_\_\_\_\_

List any witnesses that were present:  
\_\_\_\_\_  
\_\_\_\_\_

This complaint is filed based on my honest belief that \_\_\_\_\_  
has unlawfully discriminated against me or a student on the basis of sex. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.

\_\_\_\_\_  
(Complainant Signature) (Date)

Received by: \_\_\_\_\_

## FISHER SCHOOLS ISD #600 AFFIRMATIVE ACTION STATEMENT

The Fisher Public Schools' Board of Education complies with all Federal laws and regulations prohibiting discrimination and with all requirements and regulations including, but not limited to, Title R of the Americans with Disability Act of 1990 (ADA) Section 35.130, of the U.S. Department of Education, Title VI of the Civil Rights Act of 1964, Title VII, Age Discrimination in Employment Act of 1967, Title IX of the Educational Amendments of 1972, and Section 503 and 504 of the Rehabilitation Act of 1973, as amended, and Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974. It is the policy of the Fisher Public Schools Board of Education that no person, on the basis of race, color, religion, national origin or ancestry, age, sex, marital status, or handicap shall be discriminated against, excluded from participation or denied the benefits of or otherwise be subjected to discrimination in any program or activity for which it is responsible or for which it received financial assistance from the U.S. Department of Education. Limited English proficiency shall not be considered a barrier to participation in any program offered by the Fisher Public Schools. In all cases of grievance or concern, interested parties should contact the Superintendent, Fisher ISD #600, 313 Park Avenue, Fisher, MN 56723, telephone number (218) 891-4105 who serves as the School District's Coordinator and Chief Compliance Officer.

**AN EQUAL OPPORTUNITY EMPLOYER.**

GRIEVANCE PROCEDURES  
FOR TITLE VI OF THE CIVIL RIGHTS ACT OF 1964  
TITLE IX OF THE EDUCANONAL AMMENDMENT ACT OF 1972  
TITLE II OF THE AMERICANS WITH DISABILITY ACT OF 1990  
SECTION 504 OF The Rehabilitation ACT OF 1973

SECTION I

Any person believing that the Fisher Public School District or any part of the school organization has inadequately applied the principles and/or regulations of (1) Title VI of the Civil Rights Act of 1964, (2) Title IX of the Education Amendment Act of 1972, (3) Section 504 of the Rehabilitation Act of 1973, (4) Title 11 of the Americans with Disability Act of 1990, and (5) Age Discrimination Act of 1975, may bring forward a complaint, which shall be referred to as a grievance, to the local Civil Rights Coordinator at the following address:

Mr. Evan Hanson, Superintendent  
313 Park Avenue, Fisher, MN 56723

SECTION II

The person who believes a valid basis for grievance exists shall discuss the grievance informally and on a verbal basis with the local Civil Rights Coordinator, who shall in turn investigate the complaint and reply with an answer to the complainant with five (5) business days. The complainant may initiate formal procedures according to the following steps.

Step 1 - A written statement of the grievance signed by the complainant shall be submitted to the Local Civil Rights Coordinator within five (5) business days of receipt of answers to the informal complaint. The coordinator shall further investigate the matters of grievance and reply in writing to the complainant within five (5) days.

Step 2 - A complainant wishing to appeal the decision of the Local Civil Rights Coordinator may submit a signed statement of appeal to the Superintendent of Schools within five (5) business days after receipt of the Coordinator's response. The superintendent shall meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) business days.

Step 3 - If unsatisfied, the complainant may appeal through a signed, written statement to the Board of Education within five (5) business days of receiving the superintendent's response in step two. In an attempt to resolve the grievance, the Board of Education shall meet with the concerned parties and their representative within forty (40) days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) days of this meeting.

## **522 STUDENT SEX NONDISCRIMINATION**

### **I. PURPOSE**

Students are protected from discrimination on the basis of sex pursuant to Title IX of the Education Amendments of 1972 and the Minnesota Human Rights Act. The purpose of this policy is to provide equal educational opportunity for all students and to prohibit discrimination on the basis of sex.

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

- A. The school district provides equal educational opportunity for all students, and does not unlawfully discriminate on the basis of sex. No student will be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any educational program or activity operated by the school district on the basis of sex.
- B. It is the responsibility of every school district employee to comply with this policy.
- C. The school board hereby designates Donald Blaeser, superintendent of Fisher Public School, 313 Park Avenue, Fisher, MN, phone 218-891-4105 as its Title IX coordinator. This employee coordinates the school district's efforts to comply with and carry out its responsibilities under Title IX.
- D. Any student, parent or guardian having questions regarding the application of Title IX and its regulations and/or this policy should discuss them with the Title IX coordinator. Questions relating solely to Title IX and its regulations may be referred to the Assistant Secretary for Civil Rights of the United States Department of Education. In the absence of a specific designee, an inquiry or complaint should be referred to the superintendent or the school district human rights officer.

### **III. REPORTING GRIEVANCE PROCEDURES**

- A. Any student who believes he or she has been the victim of unlawful sex discrimination by a teacher, administrator or other school district personnel, or any person with knowledge or belief of conduct which may constitute unlawful sex discrimination toward a student should report the alleged acts immediately to an appropriate school district official designated by this policy or may file a grievance. The school district encourages the reporting party or complainant to use the report form available from the principal of each building or available from the school district office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting unlawful sex discrimination toward a student directly to a school district human rights officer or to the superintendent.
- B. In Each School Building. The building principal is the person responsible for receiving oral or written reports or grievances of unlawful sex discrimination toward a student at the building level. Any adult school district personnel who receives a report of unlawful sex discrimination toward a student shall inform the building principal immediately.
- C. Upon receipt of a report or grievance, the principal must notify the school district human rights officer immediately, without screening or investigating the report. The principal may request, but may not insist upon a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the principal to the human rights officer. If the report was given verbally, the principal shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any report or complaint of unlawful sex discrimination toward a student as provided herein may result in disciplinary action against the principal. If the complaint involves the building principal, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. The school board hereby designates the Superintendent of Fisher Public School, 313 Park Avenue, Fisher, MN, phone 218-891-4105 as the school district human rights officer(s) to receive reports,

complaints or grievances of unlawful sex discrimination toward a student. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.

- E. The school district shall conspicuously post the name of the Title IX coordinator and human rights officer(s), including office mailing addresses and telephone numbers.
- F. Submission of a good faith complaint, grievance or report of unlawful sex discrimination toward a student will not affect the complainant or reporter's future employment, grades or work assignments.
- G. Use of formal reporting forms is not mandatory.
- H. The school district will respect the privacy of the complainant, 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 conform with any discovery or disclosure obligations.

#### **IV. INVESTIGATION**

- A. By authority of the school district, the human rights officer, upon receipt of a report, complaint or grievance alleging unlawful sex discrimination toward a student shall promptly undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the complainant, pupils, teachers, administrators or other school personnel pending completion of an investigation of alleged unlawful sex discrimination toward a student.
- E. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

#### **V. SCHOOL DISTRICT ACTION**

- A. Upon conclusion of the investigation and receipt of a report, 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. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law and school district policies.
- B. The result of the school district's investigation of each complaint filed under these procedures will be reported in writing to the complainant by the school district in accordance with state and federal law regarding data or records privacy.

#### **VI. REPRISAL**

The school district will discipline or take appropriate action against any pupil, teacher, administrator or other school personnel who retaliates against any person who reports alleged unlawful sex discrimination toward a student or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such unlawful sex discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

#### **VII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights, initiating civil action or seeking redress under state criminal statutes and/or federal law, or contacting the Office of Civil Rights for the United States Department of Education.

**VIII. DISSEMINATION OF POLICY AND EVALUATION**

- A. This policy shall be made available to all students, parents/guardians of students, staff members, employee unions and organizations.
- B. The school district shall review this policy and the school district's operation for compliance with state and federal laws prohibiting discrimination on a continuous basis.

**Legal References:** Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)  
Minn. Stat. Ch. 363 (Minnesota Human Rights Act)  
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)  
34 C.F.R. Part 106 (Implementing Regulations of Title IX)

**Cross References:** Policy 102 (Equal Educational Opportunity)  
Policy 413 (Harassment and Violence)  
Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)



*Fisher Independent School District #600*

MR. EVAN HANSON, SUPERINTENDENT  
MRS. CATHERINE STEINMETZ, PRINCIPAL

313 Park Avenue  
Fisher, MN 56723

Phone 218-891-4105  
FAX 218-891-4251

**GENERAL PESTICIDE NOTICE FOR PARENTS OR GUARDIANS**

Dear Parent or Guardian,

A Minnesota state law went into effect in the year 2000 that requires schools to inform parents and guardians if the school district applies certain pesticides on school property.

Specifically, this law requires schools that apply these pesticides to maintain an estimated schedule of pesticide applications and to make the schedule available to parents and guardians for review or copying at each school office.

State law also requires that you be told that the long-term health effects on children from the application of such pesticides or the class of chemicals to which they belong may not be fully understood.

If you have any questions regarding this notice, please contact Evan Hanson at 218-891-4105.

Sincerely,

Evan Hanson  
Superintendent

## *Fisher Independent School District #600*

MR. EVAN HANSON, SUPERINTENDENT  
MRS. CATHERINE STEINMETZ, PRINCIPAL

313 Park Avenue  
Fisher, MN 56723

Phone 218-891-4105  
FAX 218-891-4251

### **Indoor Air Quality Notice**

Fisher School District is proud to be taking a leadership role in providing a safe, comfortable and productive environment for our students and staff so that we achieve our core mission- educating students. Our school will follow the EPA guidance to improve our indoor air quality by preventing as many IAQ problems as possible, and by quickly responding to any IAQ problems that may arise. Good air quality requires an ongoing commitment by everyone in our school because each of us daily makes decisions and performs activities that affect the quality of the air we breathe.

School staff, students and parents can obtain checklists or self-help information so they can properly evaluate their child's home or other out of school situation by contacting the school. Staff and parents can also obtain information about school facility construction, maintenance and housekeeping practices, chemicals used, mold and HVAC related information, chemical producing academic subjects, and pesticide and herbicide applications to determine the extent to which school activities contribute to a child's symptoms by contacting the school.

The Fisher School District Indoor Air Quality contact person is the Superintendent. If there are any questions regarding the school's IAQ Program, please feel free to call the school at 218-891-4105.

## Protection of Pupil Rights Amendment (PPRA)

The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. § 1232h; 34 CFR Part 98) applies to programs that receive funding from the U.S. Department of Education (ED). PPRA is intended to protect the rights of parents and students in two ways:

- It seeks to ensure that schools and contractors make instructional materials available for inspection by parents if those materials will be used in connection with an ED-funded survey, analysis, or evaluation in which their children participate; and
- It seeks to ensure that schools and contractors obtain written parental consent before minor students are required to participate in any ED-funded survey, analysis, or evaluation that reveals information concerning:
  1. Political affiliations;
  2. Mental and psychological problems potentially embarrassing to the student and his/her family;
  3. Sex behavior and attitudes;
  4. Illegal, anti-social, self-incriminating and demeaning behavior;
  5. Critical appraisals of other individuals with whom respondents have close family relationships;
  6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; or
  7. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parents or students who believe their rights under PPRA may have been violated may file a complaint with ED by writing the Family Policy Compliance Office. Complaints must contain specific allegations of fact giving reasonable cause to believe that a violation of PPRA occurred.

For additional information or technical assistance, you may call (202) 260-3887 (voice). Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339. Or you may contact us at the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920

# Fisher Independent School District #600

MR. EVAN HANSON, SUPERINTENDENT  
Mrs. Catherine Steinmetz, Principal

313 Park Avenue  
Fisher, MN 56723

Phone 218-891-4105  
FAX 218-891-4251

## FERPA

The *Family Education Rights and Privacy Act* (FERPA), a Federal law, requires that Fisher Public Schools, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's educational records. However, Fisher Public Schools may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Fisher Public Schools to include this type of information from your child's records in certain school publications. Some examples of the use of directory information are school district publications such as the Knights' News, Daily Bulletin, newspaper articles about student accomplishments, yearbook pictures, athletic features and PTA directories.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act* of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent; along with sharing special education students' names and birthdates with the Department of Human Services for MA eligibility purposes.

If you do not want Fisher Public Schools to disclose directory information from your child's education records, you must notify the district in writing.

Fisher Public Schools has designated the following information as directory information:

- Student's name
- Name(s) of the student's parent(s)/guardian
- Student's address
- Student's telephone number
- Student's date of birth
- Student's grade
- Student's participation in recognized activities and sports
- Awards received by student
- Weight and height of members of student teams
- Student's photograph
- Previous school district(s) attended by the student prior to enrollment in Fisher Public Schools

## Videotape/Audiotape/Photograph

Student photographs include videotaping of events such as concerts, plays or other performances. Videotapes may be broadcast on the Halstad Cable station.

Revised October 26, 2009; Approved November 9, 2009

# The Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest;
  - Other schools to which a student is transferring;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the school;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information or technical assistance, you may call (202) 260-3887 (voice). Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339.

Or you may contact us at the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920

## **3500.0550 INCLUSIVE EDUCATIONAL PROGRAM.**

Subpart 1. **Establishment of a plan.** The school board in each district shall adopt a written plan to assure that the curriculum developed for use in district schools establishes and maintains an inclusive educational program. An inclusive educational program is one that employs a curriculum that is developed and delivered so that students and staff gain an understanding and appreciation of:

A. The cultural diversity of the United States. Special emphasis must be placed on American Indians/Alaskan natives, Asian Americans/Pacific Islanders, Black Americans, and Hispanic Americans. The program must reflect the wide range of contributions by and roles open to Americans of all races and cultures.

B. The historical and contemporary contributions of women and men to society. Special emphasis must be placed on the contributions of women. The program must reflect the wide range of contributions by and roles open to American women and men.

C. The historical and contemporary contributions to society by persons with disabilities. The program must reflect the wide range of contributions by and roles open to Americans with disabilities.

Subpart 2. **Specifications for the plan.** The current plan must:

A. address the manner in which the multicultural and gender fair concepts in subpart 1, items A, B, and C are to be incorporated into the curriculum goals, learner outcomes, and evaluation processes established in the district;

B. determine the extent to which the district curriculum advisory committee established by Minnesota Statutes, section 120B.11, subdivision 3, will be involved in implementing this part;

C. include evidence of substantive involvement by women, persons of color, and persons with disabilities in the development of the plan. In communities with no persons of color, the district shall use resource people available in the region, state, or nation whenever the plan is developed, reviewed, or revised;

D. include specific goals, objectives, and implementation timelines for the curriculum processes, content, and materials needed for each of the areas in subpart 1;

E. include procedures for systematic monitoring and evaluation of the plan; and

F. include a description of the program planned to provide in-service training for all staff in the areas related to subpart 1, items A, B, and C, and subpart 2, items D and E.

Subpart 3. **Filing, reports, review, and revision.**

A. The current plan must be on file in the administrative offices of the district and with the commissioner of education.

B. The district shall submit status reports on implementing the plan as requested by the commissioner.

C. The current plan must be reviewed at least every six years and be revised as necessary. Statutory Authority: MS s 121.11

History: 13 SR 2859; L 1995 1Sp3 art 16 s 13; L 1998 c 397 art 11 s 3; L 2003 c 130 s 12; L 2005 c 56 s 2

Posted: October 08, 2007

Revised October 27, 2008

# FISHER PUBLIC SCHOOLS

## Inclusive Education Plan

The Fisher School Board believes that public education must be philosophically committed to the values identified in the Inclusive Education Rule (MR3500.0550). The board sees these as significant values in our American way of life.

Therefore, Fisher Schools affirms their commitment to provide equal educational opportunities to all students attending district schools regardless of their sex, race, disability or socio-economic background.

The school board and administration will continually work with district staff, community members, and others to develop a written plan to assure that curriculum developed for use within the district is done in conjunction with the State Board of Education so that students and staff gain an understanding and appreciation of the following:

1. The cultural diversity of the United States with special emphasis on African Americans, American Indians/Alaskan Natives, Asian/Pacific Americans, Hispanic Americans, and any other minorities.
2. The historical and contemporary contributions of and roles open to women and men in society.
3. The historical and contemporary contributions and roles to persons with disabilities.

The curriculum developed provides learning experiences in inter-group, appreciation of all cultural heritages, human dignity, cultural pluralism, and the development of individual self-worth for students and staff; and provides experiences in multicultural, gender-fair activities which prepare the students to live productively in a multicultural pluralistic society.

### SCHOOL DISTRICT'S PHILOSOPHY STATEMENT

The school board and administration is committed to providing equal educational opportunities to all students in the district. No challenge is more urgent than the leadership role of the school board and administration in assuring the fullest possible education for all students, regardless of their sex, race, disability, or socio-economic background.

The school board and administration propose to develop and implement new policies and design new programs that will provide all students with educational opportunities commensurate with today's challenges.

The school board and administration believe that public education must be philosophically committed to gender-fairness, respect for cultural and racial plurality, and sensitivity to people with disabilities, as significant values in our American way of life. It is not enough to have such a commitment in theory; it must be accompanied by a greater commitment in practice. The school board will continually develop and implement an Inclusive Education Plan designed to assist students in the development of respect and appreciation for gender-fairness, disability sensitivity, and the diversity which our cultural and racial groups represent.

### DETERMINATION OF NEEDS

The school board and administration have identified a lack of student preparedness in multicultural and gender-fair education. Since this is a rural community, most of the students leaving school will seek employment in the large urban areas of the state or other states. This new environment will usually be of a multi-racial, multi-ethnic composition much different from that familiar to our students. We know from past experience that our schools need to improve on preparing students to function effectively and comfortably in a multi-racial gender-fair society.

The Inclusive Education Plan provides students the opportunity to become sensitive to persons with disabilities and acquainted with the various racial and ethnic groups and their cultures. The goal is to help students understand and appreciate all Americans whether or not they have different racial and cultural heritages than themselves. Learning experiences will assist students in the elimination of hatred, prejudice and discrimination so that they can live and function in a disability-sensitive, gender-fair, multi-racial, multi-ethnic society.

## RATIONALE

The school board and administration believe as does Minnesota's State Board of Education that schools must create an atmosphere of learning which is devoid of harmful and dehumanizing prejudice, discrimination on any basis, and separatism. Knowledge of the complex causes and consequence: prejudice and discrimination must supplant existing myths and misconceptions. We believe that the stability of our nation depends, in large measure, on the understanding and respect which is derived from a common educational experiences for both men and women and among diverse racial, socio-economic, and disability groups.

One of our responsibilities in public education is to prepare young people to live and work in a multi-racial, multi-ethnic, gender-fair, and disability sensitive society. The school board and administration recognize that a program in multicultural and gender-fair education is important for all students regardless of race or gender.

The lack of minority group representation in the community and/or school is not a valid reason for the exclusion of and inclusive education program. The school board and administration are taking affirmative action to ensure that our schools do a better job in helping students understand and appreciate all Americans whether or not they are of different racial and cultural heritage. We also realize that we have an obligation and responsibility to assist minority group students in their efforts to find their cultural identity. Also, the school board and administration encourages males and females in our educational program to understand the importance of the full utilization of all human resources in our society.

Until we accept the responsibility of preparing students to live and function in a disability-sensitive, multi-racial, multi-ethnic, gender-fair society, our schools will continue to do injustice to both minority and majority group students.

## GOALS

Fisher Schools will prepare students who are culturally literate, who accept and appreciate human diversity as a source of strength and enrichment, and who are able to actively participate and to function effectively in a changing multicultural society.



# FIVE STRATEGIES TO ENCOURAGE SCHOOL ATTENDANCE

1. *Let your child(ren) know that you value education. Insist they go to school every day.*
2. *Talk with your child(ren) about school. Is your child struggling with schoolwork, classmates, or other problems? Ask how you can help.*
3. *"Discuss your concerns with your child's teachers. Ask them to help you to help your child succeed.*
4. *Does your child(ren) need a tutor or assessment for special services? Ask for referrals to community program or counseling services.*
5. *Get to know your child's friends and their families.*

# WHAT CAN PARENTS DO?

**You are not alone.** Many families are concerned about their child(ren)'s school attendance, and help is available.

**Talk to the staff at your child(ren)'s school.** Teachers, principals, counselors, and social workers at your child(ren)'s school may be able to help you understand why your child(ren) is truant. Visit the school if possible to understand what's going on in your child(ren)'s day.

**Ask the school staff how they can help you.** The district may offer extra programs and services that would help your student with attendance.

**Reach out to other family members and friends.**

They may have information or ideas that can help.

**Connect with professionals for advice.** Community programs, family counselors, therapists, and clergy can all offer insight and support.

**Monitor you child(ren)'s attendance:**

- Request your child(ren)'s attendance record from school.
- Ask the school to contact you immediately if your child(ren) is absent without a valid excuse.
- Periodically check in with your child(ren)'s teachers to find out how things are going for your child(ren).

# SCHOOL ATTENDANCE AND THE LAW

*Information on truancy  
and consequences for  
skipping school*

School District #600  
218-891-4105

Polk County Social  
Services  
218-773-2431

Tri-County Community  
Corrections  
218-281-6622

Polk County Attorney's  
Office  
218-281-4345

## School Attendance - IT IS THE LAW

Minnesota State Statute requires that children attend school. For students under the age of 12, it is presumed that it is a *parental responsibility* to ensure the child's attendance. Between the age of 12 and through the 17th year, it is primarily the *student's responsibility* to get to school on a daily basis. Children who are age 17 must be lawfully withdrawn from school by their parent or guardian. Children cannot independently "drop out" of school.

A student is required to attend school each and *everyday and each and every class period*. If they miss a school day or part of the day, for legitimate reasons, a parent or guardian must notify the school. Examples of excused absences include:

- Sickness
- Medical or mental health appointments
- Religious holidays
- Family emergency

Examples of unexcused absences include:

- Missing the bus
- Employment
- Need for sleep or rest
- Babysitting

If a student is absent without lawful excuse on *three or more days or any part of the school day*, they are considered as continuing truant. ***Truancy is violation of Minnesota state law.***

The law also mandates that parents compel their children to attend school. There are potential criminal penalties if a parent fails to do so. ***This can include up to a \$1,000.00 fine and/or 90 days in jail or both.***

## TRUANCY INTERVENTION SERVICES

The parents, school, and community are all partners in working toward the goal of school attendance and educational success. The law is "designed to provide a continuum of intervention and services to support families and children in school and in combating truancy and educational neglect."

When a child has had *one or two unexcused absences*, the school will begin the initial interventions. This may include a contact with the parent, and detention.

At *three unexcused absences*, the school is legally required to notify the parent or guardian that the child is a "*continuing truant*." A letter is usually sent outlining potential legal consequences as well as recommended action for the parent. At this point, parents are strongly encouraged to attend school with their son or daughter if the truant behavior continues.

If the child has *seven unexcused absences*, they are then considered "*habitually truant*." The school is required to report that the student is in violation of the compulsory attendance laws. At this level, one final intervention is attempted. A county social worker arranges a formal meeting between the school, parents, and child. This meeting occurs in lieu of court, in final efforts to compel the child to attend school. A contract is established with the child and he or she is placed under supervision to attend class. Significant consequences can occur at this level and appropriate service referrals are made.

## CONSEQUENCES AND COURT ACTION

If a student continues to be truant after all less restrictive interventions have been tried, the matter will be referred to the Polk County Attorney's Office to determine what action should occur. At this point, ***the parent or guardian can be criminally charged if they have neglected their child's attendance.*** The student can be petitioned as a child in need of protection or services based on truancy. The judge has the authority to dispositions, which can include the following:

- A child can be placed on probation while remaining in their own home and school;
- A child can be removed from their home and placed in shelter or foster care or a short-term residential facility;
- A child may lose their driving privileges until he or she is 18 years old;
- The court can order that the Child or Family complete any necessary evaluations, treatment, and counseling services.

The most far-reaching consequences for truancy are not the court sanctions. Children who do not attend school are more likely to become involved in delinquent and ultimately criminal behaviors. These young people are severely limiting their opportunities and truancy can be the beginning of a lifetime of problems.