

GENERAL STATEMENT OF POLICY

It is the policy of Lakes International Language Academy (the “school”) to maintain a learning and working environment that is free from harassment and violence. This policy is inclusive of all areas protected by federal and state law, as defined by Policy 210, Equal Employment Opportunity and Policy 310, Equal Educational Opportunity.

It shall be a violation of this policy for any pupil, teacher, administrator or other school personnel to harass any other pupil, teacher, administrator or other school personnel through conduct or communication regarding any of the areas defined by the policies above. For purposes of this policy, “school personnel” includes school board members, school employees, agents, volunteers, or other persons subject to the supervision and control of the school.

It is a violation of this policy for any pupil, teacher, administrator or other school personnel to inflict, threaten to inflict, or attempt to inflict violence upon any pupil, teacher, administrator or other school personnel.

The school will act to investigate all complaints, either formal or informal, verbal or written, regarding these protected areas, and to discipline or take appropriate action against any pupil, teacher, administrator or other school personnel who is found to have violated this policy.

I. DEFINITIONS

A. “Harassment” includes unwelcome physical or verbal conduct or communication when:

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education; or
2. 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
3. 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.

Examples of sexual/gender harassment may include but are 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 pupil(s) by teachers, administrators or other school 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 or preferential treatment with regard to an individual's employment or educational status;
 - f. Any sexually motivated unwelcome touching;
 - g. Distribution or display of written materials, pictures or other graphics of a sexual or gender biased nature; or
 - h. Other unwelcome behavior or words directed at an individual because of gender.
- B. "Violence" means a physical act of aggression or assault upon another individual.

Sexual violence may involve, but is not limited to:

1. The touching of another's intimate parts, or forcing a person to touch any person's intimate parts including the genital area, groin, inner thigh, buttocks or breasts, as well as the clothing covering these areas;
2. Touching, patting, grabbing or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
3. Coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts;

4. Coercing, forcing or attempting to coerce or force a sexual act on another; or
5. Threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

C. “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.

II. APPLICABILITY

Harassment may occur:

- A. Between a supervisor and an employee;
- B. Between co-employees;
- C. Between an employee or supervisor and a student;
- D. Between students;
- E. Between students and members of the community who are participating in or attending school activities or who are on school grounds; or
- F. Between employees and members of the community who are participating in or attending school activities or who are on school grounds.

III. SCOPE

This policy covers conduct that takes place in the school, on school property, at school-sponsored functions and activities, on school buses or vehicles and at bus stops. This policy also pertains to usage of electronic technology and electronic communication that occurs in the school, on school property, at

school-sponsored functions and activities, on school buses or vehicles and at bus stops, and on school computers, networks, forums, and mailing lists.

IV. REPORTING PROCEDURES

Any person who believes he or she has been the victim of harassment or violence by a pupil, teacher, administrator or other school personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence toward a pupil, teacher, administrator or other school personnel should report the alleged acts immediately to an appropriate school official designated by this policy. Nothing in this policy shall prevent any person from reporting harassment or violence directly to the School Human Rights Officer.

- A. The Executive Director is the person responsible for receiving oral or written reports of harassment or violence. Any adult school personnel who receives a report of harassment or violence shall inform the Executive Director immediately.

Upon receipt of a report, the Executive Director must notify the School Human Rights Officer immediately, without screening or investigating the report.

The Executive Director may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as possible by the Executive Director to the School Human Rights Officer. If the report was given verbally, the Executive Director shall personally produce it in written form within 24 hours and forward it to the School Human Rights Officer. Failure to forward any harassment or violence report or complaint as provided herein will result in disciplinary action against the Executive Director. If the complaint involves the Executive Director, the complaint shall be made or filed directly with the School Human Rights Officer by the reporting party or complainant.

- B. The school board hereby designates the School Board Chair as the School Human Rights Officer to receive reports or complaints of harassment or violence. If the complaint involves the School Human Rights Officer, the complaint shall be filed directly with the school board. The school shall conspicuously post the name of the School Human Rights Officer, including mailing address and telephone numbers.
- C. Submission of a good faith complaint or report of harassment or violence will not affect the complainant or reporter's future employment, grades or work assignments.

- D. The school will process complaints made under this policy as discreetly as possible, consistent with the school's legal obligations and the necessity to investigate allegations of harassment and violence and take disciplinary action when the conduct has occurred.

V. INVESTIGATION

- A. By authority of the school, the School Human Rights Officer, upon receipt of a report of complaint alleging harassment or violence shall immediately undertake or authorize an investigation. The investigation may be conducted by school officials or by a third party designated by the school.
- 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 should consider: the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between 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 the surrounding circumstances.
- D. In addition, the school 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 harassment or violence.

VI. SCHOOL ACTION

- A. The school will take such action as appropriate based on the results of the investigation. In the event that the investigation establishes that a violation of this policy has occurred, disciplinary action will be taken.
- B. Consistent with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes §13.01 et. seq., the results of the school's investigation will be made available to the complainant.

VII. REPRISAL

The school will discipline or take appropriate action against any pupil, teacher, administrator or other school personnel who retaliates against any person who reports alleged harassment or violence 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 harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

VIII. HARASSMENT OR VIOLENCE AS ABUSE

Under certain circumstances, harassment or violence may constitute child abuse or neglect. Individuals responsible for a child's care, including teachers, school administrators and other lawful custodians of a child have a duty to report suspected child abuse or neglect, pursuant to Minnesota Statutes 626.556, Reporting Maltreatment of Minors.

Nothing in this policy will prohibit the school from taking immediate action to protect victims of alleged sexual abuse.

IX. DISCIPLINE

Any school action taken against a student or employee pursuant to this policy shall be consistent with the requirements of:

- A. School policies;
- B. The Pupil Fair Dismissal Act, Minnesota Statutes § 121A.40;
- C. Student Conduct Code (Refer to Policy 308, Student Discipline);
- D. State and Federal Law.

The school will take such disciplinary action it deems necessary and appropriate, including warning, suspension, immediate discharge or expulsion to end discriminatory harassment and violence and prevent its recurrence.

X. DISSEMINATION OF POLICY AND TRAINING

- A. This policy will be posted on the school's website.
- B. The school will address this policy with students and employees annually.

- C. This policy will be reviewed annually for compliance with state and federal laws.

ADOPTED: May 17, 2004 KP

REVISED: MARCH 3, 2008 JDD

AMENDED: October 8, 2009 jkl

AMENDED: November 11, 2010

REVIEWED: November 12, 2012

REVIEWED: September 23, 2013

AMENDED: November 10, 2015JC

AMENDED: November 15, 2016

**LAKES INTERNATIONAL LANGUAGE ACADEMY
Forest Lake, Minnesota**

HARASSMENT REPORTING FORM

GENERAL STATEMENT OF POLICY: LILA (the “school”) maintains a firm policy prohibiting harassment or violence related to any areas protected by federal and state law, such as race, religion, sex, or disability, as well as areas related to gender identity and expression and sexual orientation. It is the policy of the school to maintain a learning and working environment that is free from harassment, and prohibits any form of discrimination.

Complaint: _____

Home Address: _____

Work Address: _____

Home Phone: _____ Work Phone: _____

Date of alleged incident(s): _____

Name of person you believe harassed you: _____

List any witnesses that were present: _____

Where did the incident(s) occur: _____

Describe the incident(s) as clearly as possible (attach additional pages as needed):

I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.

Complainant Signature

Date

Received by: _____

Date