

## **POLICY 413 - PROHIBITION AGAINST DISCRIMINATION, HARASSMENT AND VIOLENCE**

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### **I. PURPOSE**

The purpose of this policy is to establish and maintain a learning and working environment that is free from harassment, violence or discrimination based on actual or perceived race, color, creed, religion, national origin, sex/gender, marital status, disability, status with regard to public assistance, sexual orientation, age, family care leave status or veteran status. The school district prohibits any form of harassment, violence or discrimination based on actual or perceived protected class status.

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

- A. It will be a violation of this policy for any student or school district employee to harass a student or school district employee:
  - 1. through conduct or communication (e.g., physical, verbal, graphic or written);
  - 2. or to inflict, threaten to inflict or attempt to inflict violence;
  - 3. or to discriminate against a student or school district employee based on that student's or employee's actual or perceived protected class status.
- B. This policy applies to all of the academic and nonacademic (e.g. athletic, extracurricular, community education) programs of the school district and will be enforced before, during, or after school hours on all school district property, including the school bus, school functions, or events held at other locations. The policy also applies to any off-campus conduct that causes or threatens to cause a substantial and material disruption at school, or interferes with the rights of students or employees to be free from a hostile school environment taking into consideration the totality of the circumstances on and off campus.
- C. The school district will investigate all complaints of harassment, violence or discrimination whether formal or informal, verbal or written based on a student's or district employee's actual or perceived protected class status.
- D. The school district's procedures will incorporate appropriate due process standards and include at a minimum the following:
  - 1. notice to students, employees, and others of the process for filing a complaint under this policy, including who to contact (title and method of communication) and how to initiate a complaint;
  - 2. a requirement that all complaints will be promptly, thoroughly, and impartially investigated and decided within reasonable, designated time frames at each stage of the complaint process;

3. provisions for maintaining the confidentiality of the person who files a complaint;
4. written notice to the complainant of the disposition of the complaint at each stage of the process;
5. a fair and equitable appeal process;
6. a notice that retaliation against a person who files a complaint of discrimination, harassment or violence under this policy, or people who participate in related proceedings, is prohibited;
7. an assurance that if discrimination, harassment or violence has occurred in violation of this policy, appropriate corrective and remedial actions will be taken; and
8. a provision that notifies individuals that they may file complaints with other appropriate state and federal agencies.

### III. VIOLATION OF POLICY

The school district will discipline or take appropriate action against any student or school district employee who is found to have violated this policy. Appropriate administrative and staff follow-up will be provided for targets and offenders of harassment, violence and discrimination.

### IV. TRAINING AND EDUCATION

The school district will implement discrimination/harassment/violence prevention and character development education programs to prevent and reduce policy violations.

Policy Revised: 4/17/2018  
Policy Revised: 1/24/12  
Policy Revised: 10/16/01  
Policy 413 Adopted: 2/2/99  
(formerly Policy 4153 & 4253)

Policy Revised: 2/1/94  
Policy Revised: 4/3/90  
Policy Adopted: 8/20/85

#### **Cross Reference:**

Policy 414 – Mandated Reporting of Child Neglect or Physical or Sexual Abuse  
Policy 506 – Student Discipline

#### **Legal Reference:**

M.S. 121A.03, subd. 2  
M.S. 363A  
M.S. 609.341-609.345  
M.S. 609.321-609.324  
M.S. 617.246  
M.S. 626.556