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SEXUAL MISCONDUCT PREVENTION, REPORTING, INVESTIGATION, AND RESPONSE

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I. PURPOSE

Three Rivers Montessori Public Charter School ("TRM") is committed to providing a safe, respectful, and secure educational environment for all students. The school recognizes its responsibility to protect students from sexual misconduct, abuse, exploitation, harassment, grooming behaviors, and boundary violations.

TRM maintains a zero-tolerance standard for sexual misconduct involving students and is committed to preventing abuse, identifying concerns, responding promptly to reports, protecting victims, and complying with all applicable federal and Minnesota laws.

II. GENERAL POLICY STATEMENT

Sexual misconduct by any employee, volunteer, contractor, board member, student teacher, intern, or visitor is prohibited.

The school shall maintain policies and procedures designed to:

1. Prevent sexual misconduct before it occurs.
2. Screen individuals who work with students.
3. Train staff and volunteers regarding abuse prevention.
4. Identify warning signs of abuse and grooming behaviors.
5. Ensure immediate reporting of suspected misconduct.
6. Cooperate fully with law enforcement and child protection agencies.
7. Protect students during investigations.
8. Respond appropriately when misconduct is substantiated.

III. DEFINITIONS

A. Sexual Misconduct

Sexual misconduct includes any behavior of a sexual nature that is inappropriate, unlawful, exploitative, abusive, harassing, or inconsistent with professional boundaries.

Examples include but are not limited to:

- Sexual abuse
- Sexual assault
- Sexual harassment
- Sexual exploitation
- Indecent exposure
- Inappropriate touching
- Sexual comments or jokes
- Sharing sexually explicit materials
- Inappropriate electronic communications
- Solicitation of sexual activity
- Any sexual conduct involving a student

B. Grooming

Grooming refers to behaviors intended to build trust or emotional dependence with a student for the purpose of exploitation or abuse.

Examples include:

- Favoritism
- Gift giving
- Excessive attention
- Secret communications
- Isolating students from peers
- Requests to keep secrets
- Boundary testing

C. Boundary Violations

Boundary violations are behaviors that blur the professional relationship between an adult and a student and increase the risk of misconduct.

IV. SCREENING AND SELECTION

A. Employee Screening

Prior to employment, all employees shall:

1. Complete a written application.
2. Participate in an interview process.
3. Provide professional references.
4. Complete all required background studies.
5. Disclose any criminal convictions.

B. Volunteer Screening

Volunteers with recurring or unsupervised student contact, including PTO volunteers, field trip chaperones, mentors, and after-school program volunteers, may be required to:

1. Complete a volunteer application.
2. Undergo a background study.
3. Receive safety training.
4. Comply with all school supervision expectations.

C. Criminal Background Studies

The school shall conduct criminal background studies in accordance with Minnesota law.

Individuals with criminal histories involving crimes against children, sexual offenses, abuse, neglect, trafficking, kidnapping, exploitation, or violent felonies may be prohibited from working with or having access to students.

V. TRAINING

A. Required Annual Training

All employees shall receive annual training on:

- Child abuse prevention
- Sexual misconduct prevention
- Grooming behavior recognition
- Professional boundaries
- Minnesota mandatory reporting requirements
- School reporting procedures
- Appropriate supervision practices
- Electronic communication expectations

B. New Employee Orientation

Training shall occur before employees have unsupervised access to students.

C. Volunteers

Volunteers with ongoing student contact shall receive training appropriate to their role.

D. Documentation

The school shall maintain records of all required training.

Failure to complete required training may result in disciplinary action.

VI. PREVENTION AND SUPERVISION

A. Two-Adult Standard

Whenever reasonably possible, school-sponsored activities shall include the presence of at least two responsible adults.

B. Open and Observable Environment

Employees and volunteers shall maintain visibility when working with students.

Whenever practical:

- Doors should remain open.
- Windows should remain unobstructed.
- Meetings should occur in observable locations.

C. One-on-One Interactions

One-on-one meetings shall:

- Serve a legitimate educational purpose.
- Be observable and interruptible.
- Occur in approved locations.

D. Transportation

Employees and volunteers may not transport students in personal vehicles without administrative approval and parent permission.

E. Restrooms and Changing Areas

Employees shall avoid being alone with students in restrooms, locker rooms, or changing areas except when required for student safety, health needs, or disability accommodations.

VII. ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA

Employees and volunteers shall maintain professional boundaries in all electronic communications.

The following are prohibited:

- Secretive communications with students
- Personal social media relationships with students
- Non-school-related texting or messaging
- Sharing inappropriate images or content
- Communications of a sexual, romantic, or suggestive nature

School-approved communication systems should be used whenever possible.

VIII. IDENTIFICATION OF CONCERNS

All employees and volunteers shall remain alert to signs of:

- Abuse
- Neglect

- Sexual misconduct
- Grooming behaviors
- Boundary violations
- Harassment
- Student disclosures

The school encourages a “See Something, Say Something” approach to student safety.

IX. MANDATORY REPORTING

A. Minnesota Reporting Requirements

All TRM employees are mandatory reporters under Minnesota Statute § 626.556.

Any employee who knows or has reason to believe that a child is being abused, neglected, sexually exploited, or subjected to sexual misconduct shall immediately make a report as required by law.

Employees are not required to investigate before making a report.

B. Internal Reporting

After making the legally required report, employees shall immediately notify:

1. The Executive Director; and
2. The Assistant Director.

If the allegation involves the Executive Director, notification shall be made directly to the Board Chair.

C. Good Faith Reporting

No person shall suffer retaliation for making a report in good faith.

X. CHILD PROTECTION TEAM

The Child Protection Team shall consist of:

- Executive Director (Child Protection Coordinator)
- Assistant Director(s)
- Special Education Director, when appropriate
- Additional staff designated by administration

Responsibilities include:

- Coordinating school responses
- Ensuring compliance with reporting laws
- Supporting student safety planning
- Monitoring implementation of protective measures

XI. INVESTIGATION

A. Immediate Response

Upon receiving an allegation:

1. Student safety shall be prioritized.
2. Appropriate authorities shall be notified.
3. Required reports shall be completed.
4. Documentation shall begin immediately.

B. Administrative Leave

Any employee accused of sexual misconduct may be placed on administrative leave pending investigation.

C. Cooperation

TRM shall fully cooperate with law enforcement, child protection agencies, licensing agencies, and other authorities.

D. Independent Investigation

The school may engage legal counsel or an independent investigator when appropriate.

XII. PROTECTION OF STUDENTS

The school shall take immediate steps to protect students during investigations.

Protective measures may include:

- Increased supervision
- No-contact directives
- Schedule adjustments
- Removal of the accused from student contact
- Safety planning

Students reporting concerns shall be treated with dignity, compassion, and respect.

XIII. STUDENT-TO-STUDENT SEXUAL MISCONDUCT

Reports involving student-to-student sexual harassment, assault, exploitation, abuse, or inappropriate conduct shall be investigated promptly.

The school shall:

1. Ensure student safety.
2. Notify parents or guardians as appropriate.
3. Follow Title IX procedures when applicable.

4. Implement corrective and supportive measures.

XIV. RESPONSE TO SUBSTANTIATED FINDINGS

When misconduct is substantiated, the school may take action including:

- Termination of employment
- Removal of volunteer privileges
- Contract termination
- Student discipline
- Reporting to licensing boards
- Referral to law enforcement

Individuals found responsible for sexual misconduct shall not continue in positions that place students at risk.

XV. COMMUNICATIONS

The Executive Director or Board Chair shall designate an official spokesperson regarding allegations of sexual misconduct.

Employees, volunteers, and board members shall not provide public statements concerning ongoing investigations unless authorized.

XVI. RECORDKEEPING

The school shall maintain records related to:

- Background studies
- Training completion
- Reports
- Investigations
- Corrective actions
- Annual policy reviews

Records shall be maintained in accordance with state and federal requirements.

XVII. NON-RETALIATION

Retaliation against any individual who reports concerns, participates in an investigation, or cooperates with authorities is prohibited.

Violations of this provision may result in disciplinary action.

XVIII. ANNUAL ACKNOWLEDGMENT AND REVIEW

A. Employee Acknowledgment

All employees, volunteers, contractors, interns, and board members who have student contact shall annually acknowledge receipt of this policy and complete required training.

B. Annual Review

The Executive Director shall review this policy annually and recommend revisions as necessary to ensure compliance with applicable law and best practices.

LEGAL REFERENCES

Minnesota Statute § 626.556 – Reporting of Maltreatment of Minors
Minnesota Human Rights Act, Minn. Stat. Chapter 363A
Title IX of the Education Amendments of 1972
Family Educational Rights and Privacy Act (FERPA)

CROSS REFERENCES

Child Protection Policy
Mandatory Reporting of Maltreatment of Minors Policy
Title IX Sexual Harassment Policy
Employee Code of Conduct
Volunteer Policy
Background Study Policy
Student Discipline Policy