I. PURPOSE

The school district is committed to an educational environment in which all students are treated with respect and dignity. Every school district employee is to provide students with appropriate guidance, understanding, and direction while maintaining a standard of professionalism and acting within accepted standards of conduct.

II. GENERAL STATEMENT OF POLICY

A. This policy applies to all school district employees at all times, whether on or off duty and on or off of school district locations.

B. At all times, students will be treated by teachers and other school district employees with respect, courtesy, and consideration and in a professional manner. Each school district employee is expected to exercise good judgment and professionalism in all interpersonal relationships with students. Such relationships must be and remain on a teacher-student basis or an employee-student basis.

C. Teachers must be mindful of their inherent positions of authority and influence over students. Similarly, other school district employees also may hold positions of authority over students of the school district and must be mindful of their authority and influence over students.

D. Sexual relationships between school district employees and students, without regard to the age of the student, are strictly forbidden and may subject the employee to criminal liability.

E. Other actions that violate this policy include, but are not limited to, the following:

1. Dating students.

2. Having any interaction/activity of a sexual or romantic nature with a student.

3. Committing or attempting to induce students or others to commit an illegal act or act of immoral conduct which may be harmful to others or bring discredit to the school district.

4. Supplying alcohol or any illegal substance to a student, allowing a student access to such substances, or failing to take reasonable steps to prevent such access from occurring.

5. Grooming as prohibited under Minnesota Statutes, section 609.352.

F. School district employees shall, whenever possible, employ safeguards against improper relationships with students and/or claims of such improper relationships. Employees are encouraged to exercise awareness and appropriate minimization of situations with students involving physical contact, meeting in rooms with closed doors or one-on-one, or meeting with students in areas not visible to others.

G. Excessive informal and social involvement with individual students is unprofessional, is not compatible with employee-student relationships, and is inappropriate. Employees are strongly encouraged to minimize or avoid contact with students on any form of social media (with the exception of group electronic communication for scheduling or other time-sensitive communication) not readily accessible to other students or adults, and to avoid electronic connection with students on forms of social media whose purpose is not solely dedicated to school functions.

H. School district employees will adhere to applicable standards of ethics and professional conduct in Minnesota law.

III. REPORTING AND INVESTIGATION

A. Complaints and/or concerns regarding alleged violations of this policy shall be handled in accordance with the district's procedures. Generally, complaints about employee actions should be directed to the building principal or program director.

B. All employees are required to be particularly alert to situations where another employee may be in violation of this policy. Any employee with knowledge or reasonable suspicion that another employee has violated, is violating, or intends to violate the terms outlined in II, D and/or E, above, is required to immediately notify a school district principal, director, or superintendent. Any employee with awareness that another employee may be engaging in conduct referenced in II, F and/or G, above, holds an obligation to bring the situation to the attention of the appropriate building administrator in

a timely fashion. Failure to report knowledge or circumstances as addressed herein may result in disciplinary action being taken.

C. All employees shall cooperate with any investigation of alleged acts, conduct, or communications in violation of this policy.

IV. SCHOOL DISTRICT ACTION

Upon receipt of a report, the school district will promptly investigate and take any appropriate action. Such action may include, but is not limited to, warning, suspension, transfer, remediation, or discharge. It also may include reporting to appropriate state or federal law enforcement authorities, including the appropriate licensing authority(ies) and appropriate agency(ies) responsible for investigating reports of maltreatment of minors and/or vulnerable adults. 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.

V. SCOPE OF LIABILITY

Employees are placed on notice that if an employee acts outside the performance of the duties of the position for which the employee is employed or is guilty of malfeasance, willful neglect of duty, or bad faith, the school district is not required to defend and indemnify the employee for damages in school-related litigation.

Legal References: Minn. Stat. § 13.43, Subd. 16 (School District or Charter School Disclosure of Violence or Inappropriate Sexual Contact)
Minn. Stat. § 122A.20, Subd 2 (Mandatory Reporting to Minnesota Board of Teaching)
Minn. Stat. § 122A.40, Subds. 5(b) and 13(b) (Mandatory immediate discharge of teachers with license revocations due to child or sex abuse convictions)
Minn. Stat. §§ 609.341-609.352 (Defining “intimate parts” and “position of authority” as well as detailing various sex offenses)
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)
Minn. Rules Part 8700.7500 (Code of Ethics for Minnesota Teachers)

Cross References: Defense and Indemnification of School Board Members and Administrators Policy 112
Harassment and Violence Policy 425
Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 522

Mandated Reporting of Maltreatment of Vulnerable Adults Policy 414
Acceptance of Gifts Policy 708

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