Employment & Personnel Contact: Director of Human Resources

423 EMPLOYEE-STUDENT RELATIONSHIPS

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 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.

G. Excessive informal and social involvement with individual students is unprofessional, is not compatible with employee-student relationships, and is inappropriate.

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 MSBA/MASA Model Policy 103 (the school district's Complaints – Students, Employees, Parents/Guardians, Other Persons) policy unless other specific complaint procedures are provided within any other policy of the school district.~~ **directed to the employee's supervisor. The supervisor will review the complaint and determine whether a specific complaint procedure contained in a different policy applies. If no other complaint procedure applies, the supervisor will investigate and respond as appropriate.**

B. 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 take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. It also may include reporting to appropriate state or federal authorities, including the Minnesota Professional Educator Licensing and Standards Board or the appropriate licensing authority and appropriate agencies 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 (Personnel Data)
Minn. Stat. § 122A.20, Subd. 2 (Suspension or Revocation of Licenses)
Minn. Stat. § 122A.40, Subds. 5(b) and 13(b) (Employment; Contracts; Termination)
Minn. Stat. §§ 609.341-609.352 (Definitions)
Minn. Stat. Ch. 260E (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 8710.2100 (Code of Ethics for Minnesota Teachers)

Cross References:

School District Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
School District Policy 413 (Harassment and Violence)
School District Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
School District Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
School District Policy 421 (Gifts to Employees)

POLICY ADOPTED:	December 14, 2009
POLICY REVIEWED/REVISED:	March 20, 2017; January 21, 2020; August 21, 2023
Monitoring Method:	Administrative Review
Monitoring Frequency:	Once every three years