

**SCHOOL POLICIES  
INDEPENDENT SCHOOL DISTRICT 16**

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<b>SERIES</b>	400	Personnel
<b>SUBJECT</b>	423	Employee-Student Relationships
<b>Adopted</b>		February 13, 2001
<b>Revised</b>		May 11, 2004; March 7, 2017

**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 and romantic 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.
- F. School district employees shall, whenever possible, employ safeguards against improper relationships with students and/or claims of such improper relationships. *[Note such safeguards may include the following: avoiding altogether or minimizing physical contact, keeping doors open when talking or meeting with students one-on-one and/or making sure that such meetings with a student take place in rooms with windows and/or others nearby.]*
- G. Excessive informal and social involvement with individual students is unprofessional, is not compatible with employee-student relationships, and is inappropriate.
- H. Social media, text messages or other electronic communication with students which is unrelated to curriculum or school district activities or is inappropriate in content or manner.
- I. School district employees will adhere to applicable standards of ethics and professional conduct in Minnesota law.

### **III. SCHOOL DISTRICT INVESTIGATION AND ACTION**

Upon receipt of a report, the school district will investigate and 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 Board of Teaching or the appropriate licensing authority. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, state and federal law and school district policies.

### **IV. 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 of 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. Rules Part 3512.5200 (Code of Ethics for School Administrators)  
Minnesota Rules, Part 8700.2100 (Code of Ethics for Minnesota Teachers)