

## Personnel

### Employee–Student Relationships

#### I. Purpose

This policy commits the school district 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. Students will be treated by teachers and other district employees with respect, courtesy and consideration and in a professional manner. A district employee is expected to exercise good judgment and professionalism in interpersonal relationships with students. 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 district employees also may hold positions of authority over students and must be mindful of their authority and influence over students.
- D. Sexual relationships between 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, an act of immoral conduct, an act that may be harmful to others, or an act that may bring discredit to the district; and
  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. District employees must employ safeguards against the appearance of improper relationships with students.
- G. Excessive informal and social involvement with individual students is unprofessional, is not compatible with employee-student relationships, and is inappropriate.
- H. 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 are handled in accordance with Policy 104 (Complaints – Students, Employees, Parents, Other Persons) unless other specific complaint procedures are provided within another district policy.
- B. All employees will 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 but not limited to the Minnesota Department of Education, other appropriate licensing authority, and agencies involved in 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 district-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:

Policy 104 (Complaints – Students, Employees, Parents, Other Persons)  
Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee or Student)  
Policy 306 (Administrator Code of Ethics)  
Policy 403 (Discipline, Suspension and Dismissal of School District Employees)  
Policy 413 (Harassment and Violence)  
Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)  
Policy 421 (Gifts to Employees)  
Policy 507 (Corporal Punishment)  
Policy 634 (Electronic Technologies Acceptable Use)

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