

INDEPENDENT SCHOOL DISTRICT 271
Bloomington, Minnesota

REQUEST FOR SCHOOL BOARD ACTION

DATE OF BOARD MEETING: April 9, 2018

SUBJECT: New Policy 423, Staff-Student Relationships

ORIGINATING DEPARTMENT: Human Resources

APPROVAL OF ADMINISTRATIVE CABINET MEMBER: Mary Burroughs
Executive Director of Human Resources

RESOLUTION FOR BOARD TO ADOPT:

RESOLVED, that the School Board of Independent School District 271 approves new Policy 423, Staff-Student Relationships.

RECOMMENDATION OF SUPERINTENDENT:

Approve: 

DETAILED BACKGROUND:

The purpose of Policy 423 is to maintain an educational environment in which all students are treated with respect, and dignity, and to ensure that District staff provides students with appropriate guidance, understanding, and direction while maintaining a standard of professionalism and acting within accepted standards of conduct.

This new policy follows Minnesota School Boards Association (MSBA) model policy modified to fit District procedures. It is not an MSBA mandatory policy.

On March 22, 2018, the School Board Policy Committee reviewed Policy 423, Staff-Student Relationships, prepared and presented by Administration. No edits were made to the policy. There is no accompanying regulation.

The District's legal counsel has reviewed the policy.

Adopted: April 9, 2018 [NEW/MSBA Model Policy Modified]
Contact Person: Executive Director of Human Resources

POLICY 423 STAFF-STUDENT RELATIONSHIPS

I. PURPOSE

To maintain an educational environment in which all students are treated with respect and dignity. District staff 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 District staff at all times, whether on or off duty and on or off of District locations.
- B. At all times, students will be treated by teachers and other District staff with respect, courtesy, and consideration, and in a professional manner. Each District staff member 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 a staff-student basis.
- C. Teachers must be mindful of their inherent positions of authority and influence over students. Similarly, other District staff also may hold positions of authority over students of the District and must be mindful of their authority and influence over students.
- D. Sexual relationships between District staff and students, without regard to the age of the student, are strictly forbidden and may subject the staff 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 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. District staff shall, whenever possible, employ safeguards against improper relationships with students and/or claims of such improper relationships.

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, not meeting off school grounds, not participating in personal social media exchanges.

- G. Excessive informal and social involvement with individual students, without regard to the age of the student, is unprofessional, is not compatible with staff-student relationships, and is inappropriate.
- H. District staff 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 reported to a supervisor, a school administrator, or the Executive Director of Human Resources as appropriate.
- B. All staff shall cooperate with any investigation of alleged acts, conduct, or communications in violation of this policy.
- C. Retaliation against a victim, a good faith reporter, or witness is prohibited.

IV. DISTRICT ACTION

Upon receipt of a report, the 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 Board of Teaching or the appropriate licensing authority and appropriate agencies responsible for investigating reports of maltreatment of minors and/or vulnerable adults. District action taken for violation of this Policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and District policies.

V. SCOPE OF LIABILITY

Staff is placed on notice that if a staff member acts outside the performance of the duties of the position for which the staff member is employed or is guilty of malfeasance, willful neglect of duty, or bad faith, the District is not required to defend and indemnify the staff member for damages in school-related litigation.