

## **I. PURPOSE**

NWSISD is committed to an educational environment in which all students are treated with respect and dignity. Every NWSISD staff member 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 NWSISD staff at all times, whether on or off duty and on or off of the locations of NWSISD programs or activities.
- B. At all times, students will be treated by teachers and other NWSISD staff with respect, courtesy and consideration and in a professional manner. Each NWSISD 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 member-student basis.
- C. Teachers must be mindful of their inherent positions of authority and influence over students. Similarly, other NWSISD staff also may hold positions of authority over students participating in NWSISD programs or activities, and must be mindful of their authority and influence over students.
- D. Sexual relationships between NWSISD staff and students, without regard to the age of the student, are strictly forbidden and may subject the NWSISD staff member 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 NWSISD.
  - 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. NWSISD staff 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 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 staff nearby.]
- G. Excessive informal and social involvement with individual students is unprofessional, is not compatible with NWSISD staff-student relationships, and is inappropriate.
- H. NWSISD 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 handled in accordance with NWSISD Policy 103 (Complaints—Students, Employees, Parents, Other Persons) unless other specific complaint procedures are provided within any other NWSISD policy.

Complaints regarding employees of a NWSISD member school district shall be referred to the appropriate person from the district employing the subject of the complaint or concern.

- B. All NWSISD staff shall cooperate with any investigation of alleged acts, conduct or communications in violation of this policy.

### **IV. NWSISD ACTION**

Upon receipt of a report, NWSISD 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. NWSISD action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law and NWSISD policies.

### **V. SCOPE OF LIABILITY**

NWSISD staff are placed on notice that if a NWSISD staff person acts outside the performance of the duties of the position for which he/she is employed, or is guilty of malfeasance, willful neglect of duty, or bad faith, NWSISD is not required to defend and indemnify her/him for damages in NWSISD-related litigation.

**Legal References:** 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 8700.7500 (Code of Ethics for Minnesota Teachers)  
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)  
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)

**Cross Reference:** NWSISD Policy 103 (Complaints - Students, Employees, Parents, Other Persons)  
NWSISD Policy 211 (Criminal or Civil Action Against NWSISD, School Board Member, Staff, or Student)  
NWSISD Policy 306 (Administrator Code of Ethics)  
NWSISD Policy 403 (Discipline, Suspension and Dismissal of NWSISD Staff)  
NWSISD Policy 413 (Harassment and Violence)  
NWSISD Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
NWSISD Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)  
NWSISD Policy 421 (Gifts to NWSISD Staff)  
NWSISD Policy 507 (Corporal Punishment)

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