



Adopted: new

Revised: _____

423 EMPLOYEE-STUDENT RELATIONSHIPS

I. PURPOSE

EMID is committed to an educational environment in which all students are treated with respect and dignity. Every EMID employee is to provide students with appropriate guidance, understanding, and direction while maintaining a standards of professionalism and acting within accepted standards of conduct.

II. GENERAL STATEMENT OF POLICY

- A. The policy applies to all EMID employees at all times, whether on or off duty and on or off school district locations.
- B. Each EMID employee is expected to exercise good judgment and professionalism in all interpersonal relationships with students. At all times, students will be treated by EMID employees with respect and courtesy.
- C. EMID employees must be mindful of their inherent positions of authority and influence over students.
- D. Sexual relationships between EMID 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 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. EMID employees shall, whenever possible, employ safeguards against improper relationships with students and/or claims of such improper relationships. Such safeguards may include: avoiding altogether or minimizing physical contact, keeping doors open when talking or meeting with students one-on-one, and/or ensuring such meetings 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. EMID 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 EMID Policy 103 (Complaints – Students, Employees, Parents, Other Persons) unless other specific complaint procedures are provided within any other policy of the district.
- B. All employees shall cooperate with any investigation of alleged acts, conduct, or communication in violation of this policy.

IV. DISTRICT ACTION

Upon receipt of a report, EMID will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, remediation, termination, or discharge. It may also include reporting to appropriate state or federal authorities, including the appropriate licensing authority and appropriate agencies responsible for investigating reports of maltreatment of minors and/or vulnerable adults. EMID action taken for violation of this policy will be consistent with requirements of applicable Minnesota and federal law and EMID policies.

V. SCOPE OF LIABILITY

Employees are placed on notice that if any 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, EMID is not required to defend and indemnify the employee for damages in EMID-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. § 122SA.40, Subd. 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:

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