

STAFF COMMUNICATIONS WITH STUDENTS

Policy 528.1

Sample Policy 2

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{This sample policy provides a comprehensive and detailed approach to compliance with section [118.07\(7\)\(a\)](#), which requires every school district to adopt a policy on staff-student communications that satisfies the following elements:

- 1. The policy must apply to district employees and to district volunteers.*
- 2. The policy must apply to employee and volunteer communications with:*
 - a. Pupils enrolled in the applicable school district;*
 - b. Pupils attending a school that is not under the control of the applicable school board; and*
 - c. Pupils attending a home-based private educational program.*
- 3. The policy must apply whenever an employee or volunteer is acting in the individual's official capacity, and it must apply regardless of whether the communication occurs during school hours or outside of school hours.*
- 4. The policy must address standards for appropriate content of covered communications.*
- 5. The policy must address standards for appropriate methods of covered communications.*
- 6. The policy must include a range of consequences for policy violations, the most serious of which shall be termination.*

This sample is particularly lengthy due to the decision to provide language that covers not only standards for appropriate content and appropriate methods of communications, but also specific standards and detailed examples of content and methods that a district might choose to expressly identify as being inappropriate and prohibited. The sample also establishes and provides several examples of a concept referred to as “accountability practices” (such as including a supervisor or parent as an additional recipient of a communication) which, when used, are considered part of the overall communication “method.” This sample also presents extensive treatment of the “range of consequences” element, addresses district authority in relation to staff-student communication that occurs when a staff member is not acting in his or her official capacity, and addresses specific situations such as a staff member’s receipt of an unsolicited inappropriate communication initiated by a student and the application of the policy to any individual who may simultaneously be both a student and either a District employee or District-authorized volunteer.

IMPORTANT: Refer to PRG 528.1 Sample Policy 1 for a shorter sample policy that also addresses the policy mandate established in section 118.07(7)(a) of the Wisconsin Statutes.

NOTE: Some of the language found in this sample is drawn from a sample policy addressing staff-student relationships and staff-student communication that involved joint drafting by staff at the WASB and staff at the DPI several years ago. Because this sample relies, in part, on such jointly-drafted content, the WASB does not assert any exclusive copyright ownership in the content of this sample.

The substantive sample begins on the next page.}

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General Standards and Purpose

District staff members are expected to conduct themselves in a manner that promotes the health, safety, and wellbeing of students, including by establishing and maintaining role-appropriate communicative, physical, emotional, and social boundaries in their interactions with students. This requires every staff member to consistently exercise sound judgment that is context dependent and that gives due consideration to the staff member's District-assigned role and responsibilities.

As applied to communication that occurs between District staff members and any student(s), the general expectations outlined in the previous paragraph mean that staff members are expected to communicate with students in an appropriate manner, which encompasses (1) the content of the communications, (2) the method of communication, and (3) the setting (i.e., time and location) of the communication. This policy establishes certain standards for appropriate content and appropriate methods of staff-student communications that occur when a staff member is interacting with a student in the staff member's District-authorized capacity.

Whether a communication occurs in a staff member's District-authorized capacity is determined based on the totality of the circumstances and is not limited to any specific hours of the day. For example, a District employee can be acting in such capacity when the reason(s) for or other circumstances of the communication arise directly from the employee's District-assigned responsibilities, even though the communication occurs outside of established school hours, outside of the employee's regular work hours, or both.

For purposes of this Policy, staff members include District employees and District-authorized volunteers (i.e., an individual who has been approved by the District to provide volunteer services for the benefit of the District in one or more specified capacities). ~~[Insert if desired~~ **Include:** "As determined by applicable contractual agreements or pursuant to District discretion permitted and exercised under a specific contract, this Policy may also be applied to certain independent contractors or to the employees of a contracted service provider."] **{Editor's Note: The policy mandate in section 118.07(7)(a) does not require the local policy to address or cover independent contractors or the employees of a contracted service provider. However, some districts may choose to do so. If the district contracts for student transportation services or for an on-site food service program, or if a non-employee contractor performs a role that involves a regular presence on school grounds or direct interaction with district students, those would be examples of situations in which a district might arrange to apply this policy to the individuals who perform those contracted services.}**

~~[Insert if desired~~ **Include:** "It is not practical to exhaustively address all possible situations with definitive rules and standards. Therefore, if a staff member encounters a situation in which the staff member determines that applicable laws, policies, and directives do not supply sufficient guidance, the staff member is expected to implement practices that reflect sound judgment, that promote accountability, and that safeguard student welfare. Staff members are strongly encouraged to seek guidance and clarification regarding appropriate communication with students from an appropriate supervisor or administrator who has relevant oversight responsibility whenever the staff member concludes that doing so would be prudent or helpful. If a staff member is unable to seek or obtain such supervisory guidance in advance, prompt after-the-fact disclosure of any concerning or potentially problematic communication scenario is an appropriate step."]

Appropriate and Inappropriate Content of Communications

The **content** of communication between a District staff member and a student that occurs when the staff member is acting in his or her District-authorized capacity is **appropriate** if, to the extent applicable to the situation (if at all), the communication:

{Editor's Note: The items in the following list can be modified.}

- Has a legitimate educational, programmatic, or supervisory purpose that is reasonably grounded in the staff member's District-assigned role and responsibilities.
- Is consistent with the role of a supportive authority figure who protects student welfare in a manner that is consistent with the scope of the staff member's District-assigned role and responsibilities.
- Is respectful in its substantive message and tone, recognizing that not all communication between staff and students needs to be excessively formal. For example:
 - When used in appropriate contexts, informal conversations and good-natured humor have a place in District programs and activities as part of (1) building positive rapport with students, (2) learning about a student's interests, needs, strengths and challenges at a level that is commensurate with the staff member's District role and responsibilities, and (3) creating a positive environment for learning and other youth-focused activities.
 - Some staff-student communications may be as simple as showing a basic social courtesy, such as by offering a friendly greeting, congratulating a student on an achievement, offering a condolence, or thanking a student for a kind act.
- Remains within the reasonable scope of the professional competencies that are part of the staff member's District-assigned role and responsibilities and that are relevant to the specific situation.
- Is age appropriate for the relevant student(s).
- Addresses a sensitive personal issue that has been raised by the student or that has been identified by the staff member by focusing on the student's welfare and, when the issue is outside of the staff member's District-assigned role and responsibilities, by involving other appropriate staff and supervisors.
- Provides feedback to a student that is constructive, developmentally appropriate, and learning-focused.
- Reasonably responds to an emergency situation.
- Adheres to any District policies, rules, or supervisory directive(s) that apply to the staff member in the relevant situation.
- Is lawful.
- *[Continue this list with any additional parameters or standards for appropriate content.]*

The **content** of communication between a District staff member and a student when the staff member is acting in his or her District-authorized capacity is **inappropriate** and a violation of this Policy if the communication fails to meet a standard for appropriate communication (see list, above) when the standard applies in the specific situation.

In addition, without attempting to be exhaustive of all possible examples and without restricting supervisors and administrators who have relevant oversight authority from establishing additional rules and directives related to appropriate and inappropriate content, such staff-student communications are **inappropriate** and prohibited by this Policy if the content:

{Editor's Note: The items in the following list can be modified.}

- Ridicules, demeans, or threatens a student.
- Would be viewed by a reasonable supervisor or school administrator as improper harassment of a student, such as by communication that the District determines creates an intimidating, hostile, or offensive environment within a District school, program, or activity.
- Manipulates, coerces, or grooms a student to engage in, or to consider engaging in, an inappropriate relationship (including a sexual relationship with the staff member) or other inappropriate behavior. For purposes of this Policy:
 - Grooming includes communications that are part of any course of conduct that a reasonable person would view as conditioning, seducing, soliciting, luring, or enticing a student to engage in, or to consider engaging in, inappropriate behavior.
 - Grooming can occur, for example, by exploiting a student's vulnerabilities, by creating inappropriate emotional dependence, or by normalizing or desensitizing the student to inappropriate conduct.
- Exploits a power dynamic, such as by offering improper benefits or privileges or by inappropriately threatening to impose negative consequences in a quid quo pro posture.
- Encourages, condones, invites, or arranges any unlawful conduct, any conduct that would unreasonably endanger the safety or welfare of any person, or any staff-student interaction that would occur at an inappropriate time or in an inappropriate location.
- Outside of any legitimate curricular purpose (e.g., as part of the approved curriculum in literature, biology, health, or human growth and development):
 - Is or would be interpreted by a reasonable person as being sexualized in nature, such as by being sexually explicit or sexually suggestive.
 - Involves sexual humor or the use of sexual innuendo.
 - Uses profanity.
- Is or would be interpreted by a reasonable person as an expression of a staff member's sexual or romantic interest in a student or as making, accepting, or encouraging sexual or romantic advances involving a student.
- Constitutes "immoral conduct" within the meaning of section 115.31 of the state statutes.
- Solicits or encourages secrecy or concealment to avoid detection, oversight, or accountability for inappropriate communication or inappropriate conduct.
- Taken in context, engages any student(s) in:
 - The sharing of information at an inappropriate level of personal or emotional intimacy, such as through a staff member's disclosure of inappropriate personal information to a student.

- An inappropriately peer-like social interaction, such as through peer-like communication that could reasonably impair the staff member's ability to be effective in the staff member's District role(s).
- Improperly discloses confidential information about any other student(s), as determined under applicable laws and District policies.
- ~~[Continue this list with any additional parameters, standards, or examples.]~~

Appropriate and Inappropriate Means of Communication

[Insert if desired: "The selection of an appropriate method of communication is often routine and based on commonly-applied practices and procedures. However, particularly in non-routine situations, a staff member must consider context-dependent factors such as the timing, location, and purpose of the communication, the age(s) of the student(s), and the staff member's specific role and responsibilities."]

Notwithstanding any other provision of this Policy, a method of staff-student communication is **always** inappropriate and prohibited if it is selected or used to **conceal** an inappropriate communication or some other inappropriate interaction from being discovered by persons who have a legitimate interest in the conduct (e.g., by a supervisor or by the student's parent or guardian) and/or from being subject to legitimate District oversight.

Subject to the previous paragraph and unless a supervisor or administrative official with relevant authority has given the staff member an express directive to the contrary that applies to the particular staff-student communication, the District considers the following **means of communication** to be normally **appropriate** for communication between a District staff member and one or more students that occurs when the staff member is acting in his or her District-authorized capacity:

{Editor's Note: The items in the following list can be modified. Subject to planning for district oversight of staff members and for appropriate records retention and records access, districts ultimately have substantial discretion to determine appropriate and inappropriate methods of communication.}

- In person communication that occurs in any of the following situations:
 - During the student's attendance at school.
 - At a time when the student is actively participating in a District-sponsored program or activity or actively receiving District services.
 - At a time when the staff member is actively performing District-assigned responsibilities with respect to (1) District property; (2) a District program, activity, or service; or (3) the supervision or general oversight of individuals (including students) who are present in such settings, and the communications relates to such District-assigned responsibilities.
 - When the staff member and student are in the direct presence of (i.e., directly observable by) the student's parent, guardian, or other caregiver.

- In a community/public setting (i.e., a time and place) that a reasonable person would consider to be transparent, accountable, and otherwise socially appropriate, which may include certain interactions that occur on an unplanned or chance basis.
- Provided that the staff member is an authorized user of the relevant system, application, or platform, electronic communication that occurs through a District-provided and District-controlled:
 - Student information system.
 - Learning management system or online learning platform or application.
 - Phone system or an equivalent account for voice communication that is based on a phone number.
 - Email account that the District has issued to the staff member for District-related communications. *[If desired and if seen as practical, insert the following as additional directives] Include: "Staff are expected to make reasonable efforts to consistently send emails to any District student using the student's District-issued email account. For any District student or non-District student who does not have an active District-issued email account, any email communication to the student shall be directed through the student's parent or guardian unless a situation-specific exception is approved by a supervisor or other District official who has relevant oversight authority."*
- Electronic communication that occurs through some other system, application, account, or other means that the District has provided or expressly approved for use by the staff member to communicate with the student(s) in the specific context.
- Non-electronic, written communication that is distributed to the student(s) at school, in direct connection with a District-sponsored activity, or mailed to the student(s) through the school to the student's current mailing address.
- Communication that is delivered to a student through the student's parent, guardian or other designated caregiver as an intermediary.
- Communication that is delivered to a student through a supervisor, administrator, or other District staff member with relevant responsibilities who acts as an intermediary and who is reasonably aware of the content of the communication.
- *[Continue this list with any additional appropriate means of communications.]*

Subject to the limited exceptions identified below, the District considers other **means of communication** (i.e., other than the means listed above) to be **normally inappropriate and normally prohibited** for staff-student communication that occurs when the staff member is acting in his or her District-authorized capacity. Without attempting to be exhaustive of all possible examples and without restricting supervisors and administrators who have relevant oversight authority from establishing additional rules and directives related to appropriate and inappropriate means of staff-student communication, examples of such inappropriate means include:

{Editor's Note: The items in the following list can be modified but need to remain consistent with how the district defines "appropriate" means of communication, above.}

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- Messaging a student using the staff member's personal or other non-District internet account (including any non-District social media account or a non-District email account).
- Messaging or voice calling a student when the staff member is using a non-District phone account (or the equivalent, such as a non-District virtual phone number), except when the communication is limited to a reasonably necessary safety-related contact or a logistics-related communication that is time sensitive and for which no District-provided phone account is reasonably available for the purpose, which might occur, for example, in connection with an activity that involves District-supervised travel away from school grounds).
- Messaging a student through (1) a student's personal social media account or other non-District personal internet account that is known to be accessed by the student; or (2) a student's personal phone account (or the equivalent, such as a personal virtual phone number), except for messaging to a phone account that is limited to a reasonably necessary safety-related contact or a logistics-related communication that is time sensitive.
- Other electronic voice communications and/or video calls that take place using an account, application, system, or platform that is neither District-provided nor District-approved.
- Communication that occurs using any means or method that violates an express supervisory directive, which may be more restrictive than this Policy.

The following are authorized exceptions to using a means of communication that is identified as being normally inappropriate and normally prohibited:

1. Emergency/exigent circumstances of an imminent and reasonably serious nature, such as an imminent threat to a person's health, safety, or property, and the staff member (a.) limits the extent of the communication to reasonably addressing the exigent circumstances, and (b.) promptly communicates their reliance on this exception to an appropriate supervisor or other District official with relevant oversight responsibility.
2. ~~[Insert the relevant position(s)]~~ **Include as written**—e.g., “Situations in which the appropriate school principal, the District Administrator, or other supervisor or administrator with relevant oversight responsibility] has granted approval for such communication for a limited purpose, including establishing a protocol for the retention of any relevant records and identifying any appropriate accountability practices the staff member will be expected to implement.
3. ~~[If desired, insert any additional exception to the prohibited means of communication.]~~

Accountability Practices

In connection with staff-student communications, **accountability practices** are conditions or actions that are either an inherent part of or used in direct connection with a particular means of communication. Such practices have the purpose of promoting accountability for the staff member and/or avoiding the appearance of impropriety.

When communicating with a student, a District staff member is required to implement any specific accountability practices that may be mandated by a District policy, an administratively-established rule, or a supervisory directive that applies to the relevant communication.

When no mandate or directive applies, staff members are encouraged to consider and use one or more appropriate accountability practices in connection with a staff-student communication if the staff member determines that the practice in question (1) would not violate any student's confidentiality rights; (2) would not endanger the welfare of the student; and (3) is either necessary or prudent in the interests of transparency, accountability, or the avoidance of an appearance of impropriety.

The following are examples of **accountability practices** that might be implemented in connection with communication that occurs between a staff member and one or more students:

{Editor's Note: The examples in the following list can be modified.}

- Communicating in a reasonably open setting (e.g., where the communication or interaction is, or easily can be, observed by others)
- Using group (rather than one-to-one) communication when practicable.
- Including one or more other staff members, supervisors, administrators, and/or parents/guardians as additional recipient(s).
- Communicating in a manner that is planned with and approved by a relevant supervisor or administrator.
- Communicating at a time, in a manner, and for a purpose that is known to the student's parent or guardian, the staff member's supervisor, and/or other relevant administrator.
- Arranging for an appropriate witness to be present during an in-person meeting or conversation that occurs in a private or confidential setting.
- Using a means of communication that creates a District record of the communication.
- Promptly documenting and disclosing an unusual or concerning staff-student communication event after the fact (e.g., disclosing the situation to a supervisor or other administrator and/or to the student's parent or guardian).
- Using a means of communication that, for the given purpose, is consistent with widely-used and accepted practices in school-related settings such that the approach is likely to align with the expectations of a reasonable parent, guardian, or other caregiver.
- [Continue the list with any additional accountability practices the district wishes to identify.]

[Insert if desired: "Not all of the examples listed above are appropriate for every situation. For example, it would not be appropriate to use a group communication or to conduct a conversation in a public/open setting in situations where it is appropriate, or even necessary, for the District to provide a student with a confidential and private setting for the protection of the student's own rights and welfare."]

Time and Location for Staff-Student Communications

Regardless of the specific content and specific method of a staff-student communication that occurs when a staff member is acting in the staff member's official, District-authorized capacity, District staff members are expected to consider and use sound judgment regarding the impact of time and location on the appropriateness of such communications. For example:

- Unless addressing emergency/exigent circumstances using the exception defined in the previous section of this Policy, a communication that constitutes or back-and-forth messaging that closely resembles a direct, person-to-person conversation, whether occurring in-person or by electronic means, can be inappropriate based solely on the time of day at which the interaction occurs—particularly during night or overnight hours (and assuming the student is not actively participating in a late-night, overnight, or early morning District-sponsored program or activity).
- Location is often a critical consideration particularly for in-person staff-student communications.

Retention and Provision of Records of Staff-Student Communications

{Editor's Note: The policy mandate in section 118.07(7)(a) of the state statutes does not require the local policy to address or cover this issue. This section of this sample can be treated as optional.}

Except to the extent consistent with a District-adopted records retention schedule or as authorized by an administrator who serves as a legal custodian of District records, District staff may not delete or destroy any record of a substantive communication with a student that was sent or received in connection with the staff member's official, District-authorized capacity. If any such communication with a student occurs through a non-District electronic system or application that is not accessible to the District's custodian(s) of records, the staff member should, to the extent feasible and consistent with student record confidentiality, forward a complete electronic copy of the relevant record to a District-controlled system, application, or account. If forwarding an electronic copy of any such record is not feasible, then the staff member is expected to seek additional direction regarding appropriate retention of the record the appropriate school principal or another supervisor or administrator who has relevant oversight responsibilities.

To the extent permitted by law, the District may ask or direct a staff member to provide the District with records of communications with students that are not in the District's possession and that have a reasonable nexus to the staff member's District role and to the District's legitimate supervisory, managerial, and educational interests. A refusal to reasonably comply with such a directive may, in appropriate circumstances, constitute a basis for adverse consequences.

Addressing Inappropriate Communication Initiated by a Student

{Editor's Note: The policy mandate in section 118.07(7)(a) of the state statutes does not require the local policy to address or cover this issue. This section of this sample can be treated as optional.}

If a student initiates communication with a District staff member using an inappropriate means of communication and there are no emergency or exigent circumstances that require otherwise, the staff member should redirect the student to an appropriate means of communication, including by responding to the student using an appropriate method.

If a District staff member receives any communication from a student that a reasonable person would perceive as crossing appropriate staff-student boundaries or as being otherwise inappropriate in content, the staff member shall promptly report the communication to a supervisor, school principal, or other District official with relevant oversight authority. As District officials deem necessary or appropriate, an administrator may initiate consequences for the student and may advise or directly assist the staff member with an appropriate response or other follow-up, which could include actions such as:

1. Contact with a parent or guardian.
2. A statement that the student's communication to the staff member was inappropriate or addressed matters that are outside the boundaries of the staff member's responsibilities.
3. A directive that the student is expected to refrain from initiating similar communications with the staff member in the future.
4. Identification of appropriate means and content of communication that the student should use moving forward.

Consequences for Inappropriate Staff-Student Communications

Staff members who communicate with a student in violation of the law, this Policy, other District policies or rules, or applicable supervisory directives, are subject to a range of disciplinary and non-disciplinary consequences that will be determined based on the District's assessment of the nature and seriousness of the violation/misconduct. For example:

1. Possible disciplinary consequences for employees include but are not limited to a formal reprimand, a disciplinary reassignment, an unpaid suspension, contract nonrenewal, termination of a specific District-authorized role, and/or termination of employment.
2. Possible disciplinary consequences for non-employees who are subject to this Policy include but are not limited to a formal reprimand, suspension from or the termination of a District-authorized role (e.g., as a volunteer), and/or the termination or nonrenewal of contracts (if any).

Examples of possible non-disciplinary consequences include a notice of performance expectations and the provision of evaluative feedback or other performance ratings.

Consequences may be structured with or without special conditions, such as a requirement to complete specific training or re-training or a notice/directive that prohibits an individual from being present on District property or at certain District-sponsored events or activities.

For purposes of applying consequences under this Policy:

- A District employee shall be considered an employee under this Policy whether acting in connection with any District role(s) that the individual has as an employee or in connection with any additional role(s) the individual may have as a District volunteer.
- Unless prohibited by law, consequences for a District student who violates this Policy while serving in the capacity of a District employee or District volunteer may include non-academic school-related consequences, up to and including possible expulsion from school. However, the imposition of such school-related consequences for a violation of this Policy shall be reserved for situations that involve serious misconduct.

As required by law or as otherwise deemed appropriate to the situation, the District may also refer or report matters relating to inappropriate communications (whether substantiated or alleged) to law enforcement, the Department of Public Instruction, Child Protective Services, or other governmental authorities. Nothing in this Policy alters any person's mandatory reporting obligations that are established under any law.

Definitions and Policy Application

1. In this Policy, "**student**" means an individual who is any of the following:
 - a. An individual who is enrolled in or who attends **any** public, private, or tribal school at the secondary (i.e., high school) level or lower (e.g., an elementary school), whether the school is within or outside of the District and regardless of the age of such individual.
 - b. An individual who is enrolled in or who attends a home-based private educational program, as defined under state law.
 - c. Under age 18 and a participant in any District-sponsored class, program, or activity that is offered for children and other school-age youth.
2. A student is considered a student under this Policy, rather than a District-authorized volunteer, if the student is enrolled in the District and engages in service opportunities within the District which are not generally available to non-students and during which time the student is subject to District supervision as a student.
3. If an individual is **both** a current student (as defined above) **and** a current District employee or District-authorized volunteer, then for purposes of applying this Policy:
 - a. Such an individual is considered a student in connection with the content of any communication that occurs between that individual and any non-student District staff member (i.e., even if the communication occurs in connection with such individual's employment or volunteer capacity).
 - b. Such individual is considered an employee or volunteer, as applicable to the individual's non-student role, when the student is acting in their official employment or volunteer capacity and communicating with any other student.

4. For purposes of applying this Policy, a District-authorized intern or District-authorized student-teacher or other clinical, practicum, or fieldwork student shall be classified as a District-authorized volunteer unless such an individual receives a wage or salary from the District.

Communications with Students when Not Acting in a District-Authorized Capacity

The District recognizes that there are many potential scenarios in which a District staff member may communicate or otherwise interact with a student when the staff member is **not** acting in the staff member's District-authorized capacity, including many such situations in which the staff member is instead acting in connection with a legitimate non-District relationship or other legitimate non-District social or community connection that the staff member has to the student (for example, as a parent or other relative of the student or through a non-District community organization). The standards and expectations that this Policy establishes for staff-student communications that occur when a staff member is acting in the staff member's official, District-authorized capacity do **not** directly apply to communications that occur entirely outside of that official capacity. For example, the District is in no way purporting to constrain a staff member who is a parent of a student from privately messaging their child(ren) using personal accounts.

However, and very importantly, communications and other interactions between a student and a District staff member that occur outside of the staff member's official, District authorized capacity are subject to the limitation that where there is a sufficient nexus between the circumstances surrounding the staff member's conduct and the staff member's District-authorized role(s) and responsibilities, the District may still impose lawful consequences for the conduct. For example, the District often retains evaluative, remedial, and potentially disciplinary interests in such conduct if the conduct (1) unreasonably harms or endangers the health, safety, welfare, or property of any person; (2) undermines a staff member's ability to be effective in his/her District role(s); (3) is disruptive to District operations, programs, or activities; (4) jeopardizes the District's educational mission; (5) is contrary to a lawful supervisory directive; or (6) is unlawful.

~~If desired, insert as a clarification of this section~~ **Include:** *"Stated another way, nothing in this Policy shields a staff member from lawful, District-imposed consequences if the staff member has engaged in inappropriate conduct that (1) occurred outside of the staff member's official, District-authorized capacity and/or outside of the staff member's scope of employment or scope of services; and (2) sufficiently triggers the nexus-based evaluative, remedial, and potentially disciplinary interests identified in the previous paragraph. Further, for the avoidance of doubt, statements and rules in this Policy that establish that certain communicative conduct is inappropriate and prohibited when it occurs in a staff member's official capacity do not, in any way, equate to the substantively different statement that the relevant conduct is appropriate or acceptable in other contexts."*

Administrative Responsibility and Authority under this Policy

The District Administrator or an administrative-level designee is responsible for ensuring that the District takes reasonable steps to make District staff members aware of this Policy.

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~~[Insert if desired]~~ **Include:** *"The District Administrator and other supervisors and administrative officials with relevant oversight authority are authorized to (1) develop and provide further guidance for staff members regarding the application of this Policy; (2) identify additional examples of inappropriate and prohibited content in staff-student communications; (3) identify additional methods of communication that are deemed District-authorized and appropriate; (4) expressly direct specific staff members to not engage in specific staff-student communications or to not use particular methods of communication that, in the absence of such a directive, would normally be considered appropriate; (5) establish requirements for the use of specific accountability practices; (6) make decisions regarding possible exceptions as authorized by the Policy; and (7) issue other rules or directives related to staff-student communications, which may be more restrictive than this Policy."*

Legal References:

Wisconsin Statutes

[Section 48.981](#)

[mandatory reporting of child abuse and neglect]

[Section 115.31](#)

[requirements to report certain substantiated or suspected misconduct by school district employees to the Department of Public Instruction]

[Section 118.07\(6\)](#)

[requirement to immediately notify pupil's parent or guardian of sexual misconduct by a school staff member and other potential victimization affecting the parent's or guardian's child]

[Section 118.07\(7\)](#)

[requirement to adopt policy on appropriate communication between an employee or volunteer and students; related training mandate]

[Section 175.32](#)

[mandatory reporting of threats of school violence]

[Section 948.072](#)

[crime of grooming a child for sexual activity]

[Section 948.098](#)

[crime of sexual misconduct by a school staff person or volunteer]

[Section 995.55](#)

[limitations on district access to personal Internet accounts of employees and students]

Federal Laws

[47 U.S.C. §§254\(h\) and 254\(l\)](#) [Children's Internet Protection Act (CIPA); implementing regulations at [47 C.F.R. §54.520](#)]

Cross References:

[Insert appropriate cross references to the policy as applicable to your district.]

Adoption Date: