

3213 - STUDENT SUPERVISION AND WELFARE

Staff members, because of their proximity to students are frequently confronted with situations which, if handled incorrectly, could result in liability to the District and personal liability to the professional staff member. It is the intent of the School Board to direct the preparation of guidelines that would minimize that possibility.

A staff member, or a person who works or volunteers with children, who is found to have had sexual contact with a student, including a student age sixteen (16) or older, shall be referred to the proper authorities and be subject to discipline up to and including discharge.

This section should not be construed as affecting any obligations on the part of staff to report suspected child abuse under Wis. Stats. 48.981 and Policy [8462](#).

It is the responsibility of the Superintendent to prepare administrative procedures to ensure the maintenance of the following standards:

- A. Each staff member shall maintain a standard of care for supervision, control, and protection of students commensurate with assigned duties and responsibilities.
- B. A staff member should not volunteer to assume responsibility for duties s/he cannot reasonably perform. Such assumption carries the same responsibilities as assigned duties.
- C. Each staff member shall report immediately to the principal knowledge or suspicion of illegal tobacco, alcohol, or drug use by students on school property or at a school event.
- D. A staff member shall provide proper instruction in the safety matters presented in assigned course guides.
- E. Each staff member shall immediately report to the principal any accident or safety hazard s/he detects.
- F. Each staff member shall immediately report to the principal any knowledge of threats of violence by students.
- G. A staff member shall not send students on any personal errands.
- H. A staff member shall not associate with students, particularly those of the opposite gender, at any time in a manner which gives the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve illegal substances such tobacco, alcohol or drugs.

This provision should not be construed as precluding a staff member from associating with students in private for legitimate or proper reasons.

- I. If a student comes to a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, the staff member may help the student make contact with certified or licensed individuals in the District or community who specialize in the assessment, diagnosis, and treatment of the student's problem. Under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior.
- J. A staff member shall not transport students in a private vehicle without the approval of the principal.
- K. A student shall not be required to perform work or services that may be detrimental to his/her health.

Most information concerning a child in school, is a confidential student record under federal and state laws. Any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse (see Policy [8330](#)).

Pursuant to the laws of the state and Board Policy [8462](#), if an employee has reasonable cause to suspect child abuse or neglect, the employee or appropriate administrator in the presence of the employee shall immediately call the local office of the Child Welfare Department or local law enforcement agency and shall secure prompt medical attention for any such injuries reported. Furthermore, that employee shall notify the appropriate administrator according to the District's Reporting Procedure for Student Abuse or Neglect.

Section 48.981 of the Wisconsin Statutes (abused or neglected children and abused unborn children)

Chapter 948 of the Wisconsin Statutes (crimes against children)

Section 948.095 of the Wisconsin Statutes (sexual assault of a child by a school staff person or a person who works or volunteers with children)

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