

Act 89 Policy for Private Schools

Employee and Volunteer Communication with Students

Policy

I. Purpose

Maranatha Baptist Academy is committed to maintaining appropriate professional boundaries between employees, volunteers, and students. Clear standards for communication help protect students from grooming, exploitation, and other professional boundary violations while supporting the school's educational mission.

This policy establishes expectations for appropriate communication between employees or volunteers and students.

II. Scope

This policy applies to any communications between an employee or volunteer, when acting in their official capacity, and all students.

An employee or volunteer is acting within their official capacity whenever their actions are at least partly motivated by doing their job or helping their employer.

The term "all students" include both students currently enrolled in Maranatha Baptist Academy, students who do not attend the School or are homeschooled. It also applies to former students who have not yet graduated high school or obtained the age of 18 years or older.

This policy applies to communications that occur during or outside of school hours and include all methods of communication, including electronically.

III. Standards for Appropriate Communication

Employees and volunteers shall maintain professional boundaries in all communications with students.

Communication with students must:

- Be professional in tone and appropriate for an adult-student relationship;
- Relate to legitimate educational, spiritual, extracurricular, safety, or school-related purposes;
- Avoid any personal or intimate details about the employee or volunteer's life;
- Not encourage students to keep these communications or their contents a secret.

Employees and volunteers shall not engage in communications that:

- Are sexual, suggestive, or romantic in nature;
- Encourage a student to keep secrets from parents or other school staff;

- Discuss personal matters of the employee or volunteer that do not serve any legitimate school purposes in a manner that blurs professional boundaries;
- Use a method of communication that the student or parent has indicated they prefer not to use, so long as another appropriate method is available;
- Continue engaging in a type or manner of communication after a student or parent has clearly requested that such communication cease, where the communication is not required for legitimate educational, spiritual, extracurricular, safety, or school-related purposes;
- Involve conduct commonly associated with grooming behavior, including but not limited to:
 - Attempting to build an inappropriate personal relationship with a student;
 - Isolating a student from peers or parents;
 - Seeking secrecy in communications;
 - Giving personal or excessive gifts to a student outside of approved school activities; and or
 - Gradually introducing increasingly personal or boundary-crossing conversations.

IV. Appropriate Methods of Communication

Employees and volunteers should communicate with students through school-approved communication platforms whenever practicable.

Acceptable communication methods include:

- School email accounts
- Sycamore
- Rave Emergency notification system
- Other communication tools authorized by the governing body or school administration for educational or extracurricular purposes.

Employees and volunteers must avoid private one-on-one electronic communication with students unless necessary for legitimate school purposes and consistent with school policies, guidelines, and expectations.

Any communications with a student must either include a parent as a recipient or be conducted in a way that parents may access or review the communication.

V. Record Keeping and Inspection of Communications

Employees and volunteers may not delete any communications with students unless given express permission by the governing body or school administration. All communications must be retained in a manner that ensures transparency and accountability and allows review by the

governing body, school administration, or parents when appropriate.

VI. Reporting Concerns

Any person who becomes aware of communication that may violate this policy must promptly report the concern to the school principal or individual as designated by the school principal.

VII. Investigation and Consequences

When the school principal or his or her designee receives a report of communication that may violate this policy, he or she must conduct an investigation that includes at least all of the following:

- Retrieve and review the communications at issue;
- Talk with the employee or volunteer who may have violated this policy;
- Notify the parents of any implicated students that a report has been made and what the allegations are; and
- Talk with the student and his or her parents.

If applicable, the principal and his or her designee must:

- Report the communications pursuant to Wis. Stats. §§ 48.981 *et seq.* (Wisconsin's mandated reporting statutes);
- Notify the parents of the communications pursuant to Wis. Stat. § 118.07(6)(a) (2025 Act 57's requirement to notify parents of alleged sexual misconduct).

If, after an investigation has been conducted, the principal or his or her designee determines that there has been a violation of this policy, the governing body shall determine appropriate consequences for the employee or volunteer. Consequences may include, but are not limited to:

- Verbal or written warning;
- Required training or corrective action;
- Suspension or administrative leave;
- Removal from volunteer service;
- Termination of employment; and or
- Banishment from school property.

VIII. Training

Beginning in the 2026–27 school year and annually thereafter, the School shall provide training to employees on at least all of the following:

- Appropriate standards and methods of communicating with students;
- Identifying unprofessional and inappropriate behavior;

- Preventing professional boundary violations;
- Reporting suspected misconduct;
- Any changes or additions to this policy.

Volunteers at the School will be given a copy of this policy, and the School shall answer any questions the volunteer has on the policy or appropriate standards and methods of communicating with students.

IX. Implementation

The principal or an individual designated by the principal shall implement procedures consistent with this policy and ensure that employees and volunteers are informed of its requirements.

Legal Analysis

Public, private, and charter schools are required to adopt a policy addressing communications between an employee or volunteer and students. Wis. Stat. § 118.07(7)(a). The policy must include a range of consequences for employees and volunteers who violate the policy and include standards for what is appropriate content for communication with

students and what are the appropriate methods of communicating with students. Wis. Stat. § 118.07(7)(a)1.–2.

This communication policy applies only when the employee or volunteer is acting in their official capacity. *Id.* Whether an employee or volunteer is acting in their official capacity is a fact-based analysis that depends on whether “the employee was at least partially actuated by a purpose to serve the employer.” *Olson v. Connerly*, 156 Wis. 2d 488, 499–500, 457 N.W.2d 479 (1990); *see also State v. Christensen*, 100 Wis. 2d 507, 511–12, 302 N.W.2d 448 (1981).

Students covered by this policy include *all students*, not just students enrolled at the school where the employee or volunteer works, including students who are homeschooled. Wis. Stat. § 118.07(7)(a). This policy also applies to communications that occur both during and outside of school hours.

Annually, public, private, and charter schools must provide training in identifying, preventing, and reporting grooming and professional boundary violations to its employees. Wis. Stat. § 118.07(7)(b).

School teachers, administrators, counselors, and other employees who have reasonable cause to suspect that a child has been abused or neglected or has been threatened with abuse and neglect must report such abuse or neglect to the county department or licensed child welfare agency, whichever applies. Wis. Stat. § 48.981(2)(a)14.–16m.

All public, private, and charter schools are required to notify the parent or guardian of each student alleged to be the victim of any report alleging sexual misconduct. Wis. Stat. § 118.07(6).