
Policy Number: 730.010
Title: Education Partner Personal Associations/Interactions between Staff and Incarcerated/Resident Students
Effective Date: 01/02/25

PURPOSE: To provide parameters governing personal and professional interactions between education partner employees and current or formerly incarcerated/resident students or the families of current or formerly incarcerated/resident students. This includes parameters regarding advocacy by education partner employees on behalf of students in prison education programming.

APPLICABILITY: All post-secondary education institution staff members working in a prison education program.

DEFINITIONS:

Academic purposes – encompasses activities, initiatives, or interventions directly linked to education, learning, or scholarly pursuits. These may involve tasks such as studying, attending classes, engaging in educational programs, conducting research, and participating in scholarly discussions.

Advocacy – actions taken to change circumstances, policies, laws, or rules.

Appointing authority – see DOC Policy 103.223, “Personal Associations between Staff and Incarcerated People.”

Education partner employee – see Policy 720.020, “Education Partner Relationship.”

Current incarcerated/resident student – a student who meets the definition of a current incarcerated person/resident in DOC Policy 103.223, “Personal Associations between Staff and Incarcerated People.”

Formerly incarcerated/resident student – a student who meets the definition of a former incarcerated person/resident in DOC Policy 103.223, “Personal Associations between Staff and Incarcerated People.”

Incarcerated/Resident student family members – see DOC Policy 103.223, “Personal Associations between Staff and Incarcerated People.”

Personal association – see DOC Policy 103.223, “Personal Associations between Staff and Incarcerated People.”

Released incarcerated/resident students – see DOC Policy 103.223, “Personal Associations between Staff and Incarcerated People.”

Staff family members – see DOC Policy 103.223, “Personal Associations between Staff and Incarcerated People.”

PROCEDURES:

A. Prohibited Conduct

1. Personal Relationships between Education Partner Employees and Incarcerated/Resident Students
 - a) A personal relationship of a sexual or other intimate nature between an education partner employee and an incarcerated/resident student, is prohibited. Any education partner employee engaging in a sexual or other intimate relationship with an incarcerated/resident student will no longer be allowed in any DOC facility and will not be allowed to provide any educational programming in any DOC facility. Such a relationship creates, or may reasonably be perceived to create, an abuse of authority. It also undermines the relationship of trust and confidence which is intrinsic to interactions between staff and students.
 - b) Education partner employees are under a duty to act with integrity and not to place themselves in a position of actual or apparent conflict. A personal relationship in the circumstances described are expressly prohibited.
2. Education Partner employees are prohibited from:
 - a) Divulging any personal telephone numbers, addresses, or other private information to current or formerly incarcerated/resident students or their families regarding themselves or other employees, without the approval of the appointing authority.
 - b) Giving or accepting gifts, articles, special favors to/from current or formerly incarcerated/resident students or their families. Any attempt on the part of any current or formerly incarcerated/resident students or their families to visit, write, or otherwise communicate or send gifts to an education partner employee or the education partner employee's family must be immediately reported, in writing, to the appropriate appointing authority.
 - c) Introducing or removing any written material, information, etc., to or from any incarcerated/resident student in a facility, without the approval of the appointing authority.
 - d) Introducing or removing clothing, food, tobacco, or other articles or devices to or from an incarcerated student/resident in a facility. Violation of this provision is dealt with in accordance with DOC Policy 303.030, "Contraband."

B. Education Partner Employee and Student Interaction

1. Current and formerly incarcerated/resident students may contact education partner employees if required for the incarcerated/resident student's employment, education, or some type of social services.
2. Education partner employees may advocate in a professional capacity on behalf of current and formerly incarcerated/resident students if the advocacy is for academic purposes.

C. Disclosure Required

Education Partner employees who become aware they, or a member of their family, have a personal association with a current or formerly incarcerated/resident student or their families must immediately complete the Incarcerated Person/Resident Association Disclosure (IP/RAD) form (attached). The completed IP/RAD form must be submitted to the appropriate appointing authority.

1. Education partner employees working at adult or juvenile facilities submit the IP/RAD to the facility warden.
2. The appointing authority may also require an education partner employee to complete a confidential incident report that discloses and provides additional information regarding the incarcerated/resident student association.

D. Requests for Personal Associations

Education partner employees may request the type of personal association they wish to establish or maintain, if any, including the duration, the type, and frequency of contact, and names of the current or formerly incarcerated/resident students and family members. To do so, they also use the IP/RAD form and submit it to the appointing authority or facility warden.

2. The appointing authority receiving the IP/RAD form consults, if needed, with the facility warden where the designated student is incarcerated, with the field/community services manager where the designated incarcerated/resident student is on supervised release, parole or probation, or with the appointing authority review panel (see DOC Policy 103.014, "Background Checks for Applicants and Current Employees"), to determine whether the personal association requested would create a safety or security risk; and decides whether to deny, approve, or approve with conditions, the personal association requested.
 - a) If the appointing authority or panel denies the association request, the appointing authority who received the request sends:
 - (1) A written response to the education partner employee informing them of the reason for the denial; and
 - (2) The completed IP/RAD form and any written denials to the director of post-secondary education.
 - b) Central office staff send a copy of the completed IP/RAD form(s) and any written denials to the facility office of special investigations (OSI) unit.
 - c) The OSI unit's investigator – corrections intelligence staff must maintain a copy of the completed IP/RAD forms.

E. Updated IP/RAD

1. Updated IP/RAD
The education partner employee must immediately complete an updated IP/RAD form and submit it to the appropriate appointing authority if there is any change or intent to change the association by either party.
2. Failure to Report
An education partner employee who fails to report a personal association may no longer be allowed into a facility, and may no longer provide educational services to incarcerated students/residents.
3. Department of Corrections Investigations
The department investigates allegations of sexual assault involving an incarcerated/resident student and an education partner employee in compliance with Policy 202.057, "Sexual Abuse Prevention, Reporting, and Response."

F. Violations

Any education partner employee who uses their professional capacity for personal advocacy on behalf of a student or themselves is subject to removal as an educator in the prison education program.

INTERNAL CONTROLS:

- A. IP/RAD forms completed by education partners are maintained by the office of special investigations upon final approval or denial by the appointing authority.

REFERENCES: Prison Rape Elimination Act (PREA), [28 C.F.R. §115 \(2012\)](#)
Minn. Stat. §§ 243.211, 243.59, [611A.20](#), [629.37](#) and [629.39](#)
Policy 103.014, "Background Checks for Applicants and Current Employees"
DOC Policy 103.223, "Personal Associations between Staff and Incarcerated People"
Policy 202.057, "Sexual Abuse Prevention, Reporting, and Response"
Policy 301.030, "Contraband"
Policy 720.020, "Education Partner Relationship"

REPLACES: All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: Incarcerated Person/Resident Association Disclosure (103.223A) (public pdf of 103.223A)

APPROVALS:

Commissioner of Corrections