

Board Policy

Maintaining Appropriate Employee/Student Interactions

BP 4119.24 4219.24 4319.24

Personnel

The Governing Board believes all students are entitled to a successful education in a safe learning environment. The Board expects all employees with whom students may interact at school or in school-related activities, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting. Such employees shall not engage in unlawful or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety. Employees shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.

Legitimate educational purposes or an emergency situation may justify deviation from professional boundaries set out in this policy. The employee may be asked, and shall be prepared, to articulate the reason for any deviation from the requirements of this policy

There may be circumstances where there is an appropriate pre-existing personal relationship between an employee and a student's family that exists independently of the employee's position with the District (e.g. when their children are friends). This policy is not intended to interfere with such relationships or to limit activities that are normally consistent with such relationships. Employees are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity.

It is understood that employees may be involved in other roles in the community through civic, religious, athletic or other organizations and programs whose participants may include District students. This policy is not intended to interfere with or restrict an employee's ability to serve in those roles. Employees are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity with regard to all youth with whom they interact in the course of their community involvement.

Under no circumstance will an educational, familial relationship, community involvement participation, or other reason justify deviation from the romantic and sexual relationship portions of this policy.

Employees are prohibited from entering into or attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student. Examples include, but are not limited to:

1. Sexual physical contact
2. Romantic flirtation, propositions, or sexual remarks

3. Sexual slurs, leering, epithets, sexual or derogatory comments
4. Personal comments about a student's body
5. Sexual jokes, banter, innuendo, notes, stories, drawings, gestures or pictures
6. Spreading sexual or romantic rumors
7. Touching a student's body or clothes in a sexual or intimate way or in a manner that is not age appropriate
8. Restricting a student's freedom of movement in a sexually intimidating or provocative manner
9. Displaying or transmitting sexual objects, pornography, pictures, or depictions to a student.

Employees must exercise caution, good judgement and discretion in engaging with students. Examples of employee conduct that may or can undermine professional adult-student interactions or create the appearance of impropriety include, but are not limited to:

1. Initiating inappropriate physical contact
2. Being alone with a student outside of the view of others
 - a) To avoid the appearance of impropriety, teachers who tutor students should leave the door open, especially if there are only one or two students present.
 - b) Counselors, and other support staff should avoid, whenever possible, seeing individual students alone after hours, when there is no one left in the office.
3. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent
4. Singling out a particular student for personal attention and friendship, including giving gifts and/or special names to individual students
5. Addressing a student in an overly familiar manner
6. Socializing or spending time with students outside of school-sponsored events, except as participants in community activities
7. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose
8. Transporting a student in a personal vehicle without prior authorization

9. For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships

10. Disclosing personal, family, or other private matters to students or sharing personal secrets with students.

11. Maintaining personal contact with a student that has no legitimate educational purpose, by phone, letter, electronic communications, or other means, without including the student's parent/guardian or the principal.

Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. When communicating electronically with students, employees shall make every attempt to use district equipment or technological resources. If a district employee uses non-district electronic means to communicate with students, they are strongly encouraged to retain that communication, contact a site administrator and/or copy a parent. The Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent.

12. Creating or participating in social networking sites for communication with students, other than those created by the district, without the prior written approval of the principal or designee

13. Inviting or accepting requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business.

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Any volunteer who observes or has knowledge of an employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Superintendent or designee shall protect anyone who reports a violation from retaliation. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation. Reporting under this policy does not supersede the requirements of mandated reporting.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. The Superintendent or designee may also notify law enforcement as appropriate.

Notice of this policy shall be provided to parents/guardians at the beginning of each school year

and shall be posted on school and district web sites.

Notice of this policy shall be included in the Annual Employee Notifications.

Legal Reference

EDUCATION CODE

44030.5 Employment status reports

44050 Employee code of conduct; employee interactions with students

44242.5 Reports and review of alleged misconduct

44940 Sex offenses and narcotic offenses; compulsory leave of absence

48980 Parental notifications

PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

CODE OF REGULATIONS, TITLE 5

80303 Reports of change in employment status, alleged misconduct

80304 Notice of sexual misconduct

7/19

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