

MAINTAINING PROFESSIONAL ADULT/STUDENT BOUNDARIES

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This policy applies to all school district employees, volunteers, student teachers, and independent contractors and their employees who interact with students or are present on school grounds. For purposes of this policy, such individuals are referred to collectively as adults. As used in this policy, the term “adults” does not include students who are minors and perform services for the school district on a volunteer or compensated basis.

All adults are expected to maintain professional, moral, and ethical relationships with students that are conducive to an effective, safe learning environment. This policy addresses a range of behaviors that include not only obviously unlawful or improper interactions with students, but also boundary-blurring behaviors that undermine the professional adult/student relationship and can lead to misconduct.

For purposes of this policy, the term “legitimate educational reasons” includes matters or communications related to teaching, counseling, school attendance, athletics, extracurricular activities, treatment of a student's physical injury or other medical needs, school administration, or other purposes within the scope of the adult's employment duties.

Prohibited Conduct

Adults shall establish and maintain appropriate personal boundaries with students and not engage in any behavior that is prohibited by this policy or that creates the appearance of prohibited behavior.

Romantic or Sexually Related Conduct

Adults are prohibited from dating, courting, or entering into or attempting to form a romantic or sexual relationship with any student, regardless of the student's age.

Prohibited romantic or sexual interaction involving students includes, but is not limited to:

1. Sexual physical contact.
2. Romantic flirtation, propositions, or sexual remarks.
3. Sexual slurs, leering, epithets, sexual or derogatory comments.
4. Talking about sexual topics that are not related to a specific curriculum.
5. Personal comments about a student's body.

Prohibited Conduct (Cont.)

6. Sexual jokes, banter, innuendo, notes, stories, drawings, gestures or pictures.
7. Spreading or discussing sexual or romantic rumors including which students may or are dating or “like” each other.
8. Touching a student's body or clothes in a sexual or intimate way.
9. Accepting massages, or offering or giving massages other than in the course of injury care administered by an athletic trainer, coach, or health care provider.
10. Restricting a student's freedom of movement in a sexually intimidating or provocative manner.
11. Displaying or transmitting sexual objects, pictures, or depictions.
12. Engaging in harassing or discriminatory conduct prohibited by other district policies or by state or federal law and regulations.

Social and Other Interactions

In order to maintain professional boundaries, adults shall ensure that their interactions with students are appropriate. Prohibited conduct that violates professional boundaries includes, but is not limited to:

Taking an Undue Interest in a Particular Student

1. Having a “special” friend or a “special relationship” with a student.
2. Singling out a particular student or students for personal attention or friendship beyond the ordinary professional adult-student relationship.
3. Engaging in peer-like behavior with students.
4. Addressing a specific or small group of students or permitting a specific or small group of students to address the adult with personalized terms of endearment, pet names, or otherwise in an overly familiar manner.
5. Favoring certain students by giving them special privileges without a legitimate educational reason.
6. Favoring certain students, inviting them to come to the classroom during non-class times without a legitimate educational reason.
7. Taking a student out of class without a legitimate educational reason.

Prohibited Conduct (Cont.)**Using Poor Judgment in Relation to a Particular Student**

1. Being alone with a student without a legitimate educational reason.
2. Giving gifts, money, or personal cards or letters to a student without approval from the school principal.
3. Being overly touchy with certain students.
4. Giving a student a ride alone in a vehicle in a nonemergency situation without prior notification to and approval from both the parent/guardian and the school principal.
5. Furnishing alcohol, drugs or tobacco to a student, or being present where any student is consuming these substances.
6. Sending or accompanying a student on personal errands without a legitimate educational reason.
7. Taking a student on outings without prior notification to and approval from both the parent/guardian and the school principal.
8. Exchanging notes, emails, texts, or other communications of a personal nature with a student.

Becoming Involved in a Student's Private Life

1. Disclosing personal, or family matters to one or more students without a legitimate educational reason.
2. Disclosing sexual, employment concerns or other private matters to one or more students.
3. Sharing personal secrets with a student.
4. Initiating or extending contact with a student beyond the school day or outside of class times without a legitimate educational reason and approval of the principal.

Prohibited Conduct (Cont.)**Not Respecting Normal Professional Boundaries**

1. Sharing personal information about a student with a third party, except as required by law.
2. Unnecessarily invading a student's privacy.
3. Inviting or having a student in the adult's home without parent or guardian permission.
4. Visiting a student's home without a legitimate educational reason and approval of the school principal.
5. Asking the student to keep secrets from his/her parents or other school staff.

Communications

For purposes of this policy, electronic communication shall mean a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular telephone, computer, computer network, personal data assistant, pager, or other device. Electronic communications include, but are not limited to, emails, instant messages, texts, and communications made by means of an Internet website, chat room, social media, and other networking services.

As with other forms of communication, when communicating electronically, adults shall maintain professional boundaries with students.

Electronic and other communications with students shall be for legitimate educational reasons only. Adults shall not maintain personal contact with a student outside of school by phone, letter, electronic communication, or other means (beyond legitimate educational reasons) without including the parent/guardian and/or school principal.

When available, school district email and school district communication devices shall be used when communicating electronically with students. The use of school district email or other communication devices shall be in accordance with school district policies and procedures.

All electronic communications from coaches and advisors to team or club members shall concern only legitimate educational interests and shall be sent in a single communication to all participating team or club members, except for communications concerning an individual student's medical or academic privacy matters, in which case the communications will be copied to the school principal.

Adults shall not follow or accept requests from current PLESD students to be friends or connections on personal social networking sites and shall not create or participate in any networking site for communication with students other than those provided by the school district for this purpose, without the prior written approval of the school principal.

Adults who choose to be friends or connections on personal social networking sites with former PLESD non-adult students are strongly encouraged to maintain professional boundaries. All communication should be done in a public manner and private communications are prohibited.

Exceptions

An emergency situation or a legitimate educational reason may justify deviation from professional boundaries set out in this policy. The adult shall be prepared to articulate the reason for any deviation from the requirements of this policy and must demonstrate that s/he has maintained an appropriate relationship with the student.

Under no circumstance will an educational or other reason justify deviation from the "Romantic and Sexually Related Conduct" section of this policy.

There may be circumstances where there is an appropriate pre-existing personal relationship between an adult and a student's family that exists independently of school, 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. Adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity.

It is understood that adults may be involved in other roles in the community through civic, religious, athletic, scouting or other organizations and programs whose participants may include school district students. This policy is not intended to interfere with or restrict an adult's ability to serve in those roles; however, adults 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.

Reporting Inappropriate or Suspicious Conduct

Any person, including a student or parent, who has concerns that an adult may be engaging in conduct that violates this policy, or who is uncomfortable with a relationship or interaction between an adult and a student, shall immediately notify the principal, supervisor, or other administrator.

All school district employees and mandated reporters who have reasonable cause to suspect that a child is the victim of child abuse, sexual abuse or exploitation, or sexual misconduct shall also immediately report the suspected abuse to Child Protective Services or law enforcement, in accordance with applicable law and district policy.

Reporting Inappropriate or Suspicious Conduct (Cont.)

(See, e.g., Penal Code section 11166, et seq.; <http://www.dhhs.saccounty.net/CPS/Pages/Emergency-Response/GI-Suspected-Child-Abuse-Report.aspx>) Reporting suspected abuse to the school principal or supervisor does not relieve the person from their mandated reporter responsibilities and timelines.

The administrator to whom a boundary invasion concern is reported must document, in writing, the concern and provide a copy of the documentation to the Superintendent or designee .

Whenever boundary invasion concerns occur, the Superintendent or designee will review the full history of concerns relating to the person complained about and will take appropriate action.

It is a violation of this policy to retaliate against any person for reporting any action pursuant to this policy or for participating as a witness in any related investigation or hearing.

Investigation

Allegations of inappropriate conduct shall be promptly investigated in accordance with the procedures utilized for complaints of harassment.

It is understood that some reports made pursuant to this policy will be based on rumors or misunderstandings; the mere fact that the reported adult is cleared of any wrongdoing shall not result in disciplinary action against the reporter or any witnesses.

If as the result of an investigation any individual, including the reported adult, the reporter, or a witness is found to have intentionally provided false information in making the report or during the investigation or hearings related to the report, or if any individual intentionally obstructs the investigation or hearings, this may be addressed as a violation of this policy and other applicable laws, regulations, and employment policies. Obstruction includes, but is not limited to, violation of "no contact" orders given to the

reported adult, attempting to alter or influence witness testimony, and destruction of or hiding evidence.

Disciplinary Action

An employee who violates this policy may be subject to disciplinary action, up to and including termination, in accordance with all applicable disciplinary policies and procedures. When the violation involves a certificated employee, the violation may also be reported to the California Commission on Teacher Credentialing.

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Disciplinary Action (cont.)

A volunteer, student teacher, or independent contractor or an employee of an independent contractor who violates this policy may be prohibited from working or serving in district schools and programs for an appropriate period of time or permanently, as determined by the Superintendent or designee.

Dissemination of Policy and Reporting Protocols

The Superintendent or designee shall annually inform students, parents/guardians, and all adults of this policy through employee and student handbooks and other appropriate methods.

School principals or designees shall be available to answer questions about behaviors or activities that may violate professional boundaries as defined in this policy.

Contractors doing business with the school district whose staff have interaction with students shall receive a copy of this policy and shall ensure that their staff are informed of the provisions of this policy.

Legal References:

Penal Code section 11164, et seq.