

**Maintaining Appropriate Adult-Student Interactions**

Consistent with Article I, Section 28(c) of the California Constitution and Student-Employee Interaction Board Policy, all district employees are expected to maintain professional, moral, and ethical relationships with students that are conducive to a safe learning environment. This policy addresses a range of behaviors that includes not only obviously unlawful or improper interactions with students, but also boundary-blurring and grooming behavior that undermine the professional student-employee relationship and can lead to misconduct or the appearance of impropriety. Therefore, all employees shall:

1. Communicate and interact with students in a manner that respects student's right to a safe and secure environment as required by the California Constitution.
2. Maintain appropriate boundaries with students that are consistent with their role, duties, responsibilities, within accepted norms of behavior for educators, and in a manner that a reasonable person would not interpret as inappropriate. Examples of boundary violations include, but are not limited to, the following:
  - Singling or seeking out a specific student which may create excessive emotional attachment for all parties or may be perceived as acting in a "parental" role.
  - Dating, courting, or entering into or attempting to form a romantic or sexual relationship with any student, regardless of the student's age.
  - Kissing of ANY kind.
  - Taking a student out of class without a legitimate educational purpose.
  - Showing inappropriate videos, photographs, images or other content to a student.
  - Photographing and videoing students outside of district sponsored activities or events.
  - Communicating / "friending" students through ANY form of social media.
  - Grabbing, touching, tickling, rubbing, stroking hair, or hugging a student.
  - Cuddling with or allowing a student to sit on the employee's lap or sitting on a student's lap.
  - Telling sexual jokes, commenting about students' bodies, or communicating in a personal nature with students.
  - Consuming alcohol or drugs with, or offering, giving, or otherwise making alcohol or drugs available to a student.
  - Giving or exchanging personal gifts, cards or letters with an individual student for which it is directly or implicitly suggested that a student is to say or do something in return.
  - Using student bathrooms.
3. Understand that they may only be alone with a single student on school premises during the normal school day when:
  - The employee's supervisor or administrators has/have deemed it educationally necessary and has/have authorized in advance.
  - It is a requirement of the employee's position, role, duties, or responsibilities.

4. Employees must obtain written approval in advance from their administrator, and the student's parent/guardian to:
  - Participate in non-school-related extracurricular activities outside of school premises.
  - Meet with students outside of the normal school day.
  - Visit a student at home.
  - Invite student(s) to social events or activities off school premises.
  - Transport a student alone in the employee's personal vehicle.
  - Conduct instruction outside of the normal school day or outside of school premises.
5. As with in-person communications, employees must avoid appearances of impropriety and refrain from unauthorized and inappropriate communications, by any means with students. Factors that may be considered in determining whether communication is inappropriate include, but are not limited to:
  - Using personal social media sites, or other forms of electronic devices, to communicate with students.
  - The subject, content, purpose, authorization, timing, and frequency of communications.
  - If the communication can be reasonably interpreted as soliciting sexual contact or a romantic relationship.
  - If the content of communication is sexual in nature or sexually explicit.

### **Duty to Report**

Employees who observe or has knowledge of a violation of this policy shall immediately report the information to the site supervisor. If the supervisor is the subject of the report, the adult will report instead directly to the district Title IX Coordinator.

When an employee observes conduct by another employee that creates a reasonable suspicion of child abuse (including sexual abuse), the employee must report the conduct to Department of Social Services and/or local police/sheriff's department in accordance with state law and District policy.

### **Investigation**

Law enforcement and Child Protective Services investigate suspicions of child abuse. District must investigate all other policy violations. Reporting employees are neither permitted nor responsible for investigating whether the conduct is inappropriate.

Employees who have suspicion of policy violations, must report their information to the district superintendent and/or the assistant to the superintendent.

Immediate intervention shall be considered and implemented when necessary to protect student safety and/or the integrity of the investigation.

## **Consequences of Inappropriate Behavior**

All employees shall be disciplined up to and including termination and/or legal action, for noncompliance with this policy. Examples of noncompliance include, but are not limited to:

1. Failure to maintain appropriate boundaries when interacting and communicating with students.
2. Failure to appropriately intervene or report when witnessing, observing, and becoming cognizant of prohibited or unauthorized student-employee interactions.
3. Failure to fulfill duties and requirements as mandated reporters.
4. Failure to report to the California Commission on Teacher Credentialing (CCTC) regarding possible educational misconduct, as required by their role.

## **Confidentiality and Retaliation**

The District prohibits retaliation against anyone who files a complaint under this policy. Any employee who retaliates against any such complainant, reporter, or other participant in the District's complaint process shall be subject to discipline.

Reporting employees are required to maintain confidentiality.

Confidentiality protects both the student(s) and the employee who is the subject of the report. Failure to maintain confidentiality may impede the investigation and foster untrue and potentially harmful rumor. Nothing in this policy shall prevent any represented employee from consulting with his/her exclusive representative.

This policy will be presented to and signed by all district employees as part of their initial employment, and as part of ongoing training.

## **LEGAL REFERENCES**

California Constitution

Article 1, Section 28 (c)

## **PENAL CODE**

11164 Child abuse and Neglect Reporting

11165 Child abuse and Neglect Reporting

Cf. 3541.1 - Transportation for School-Related Trips