

Maintaining Professional Staff/Student Boundaries

Purpose

The purpose of this policy is to provide all staff, students, volunteers and community members with information about their role in protecting children from inappropriate conduct by adults. This policy applies to all district staff and volunteers. For purposes of this policy and its procedure, the terms “district staff”, “staff members”, and “staff” also include volunteers.

General Standards

The board expects all district staff to maintain the highest professional standards when they interact with students. District staff are required to maintain an atmosphere conducive to learning by consistently maintaining professional boundaries.

Professional staff/student boundaries are consistent with the legal and ethical duty of care that district employees have for students.

The interactions and relationships between district staff and students should be based upon mutual respect and trust, an understanding of the appropriate boundaries between adults and students in and outside of the educational setting, and consistency with the educational mission of the district.

District staff will not intrude on a student’s physical and emotional boundaries unless the intrusion is necessary to serve a demonstrated educational purpose. An educational purpose is one that relates to the staff member’s duties in the district. Additionally, staff members are expected to be aware of the appearance of impropriety in their own conduct and the conduct of other staff when interacting with students. Staff members will notify and discuss issues with their building administrator or supervisor whenever they suspect or question whether their own or another staff member’s conduct is inappropriate or constitutes a violation of this policy.

The board recognizes that staff may have familial and pre-existing social relationships with parents or guardians and students. Staff members should use appropriate professional judgement when they have a dual relationship to students to avoid violating this policy, the appearance of impropriety, and the appearance of favoritism. Staff members shall pro-actively discuss these circumstances with their building administrator or supervisor.

Use of Technology

The board supports the use of technology to communicate for educational purposes. However, district staff are prohibited from inappropriately communicating with students on-line or from engaging in any conduct on social networking websites that violates the law, district policies or procedures, or other generally recognized professional standards. Staff whose conduct violates this policy may face discipline and/or termination, consistent with the district’s policies and procedures, acceptable use agreement and collective bargaining agreements, as applicable.

The superintendent/designee will develop staff protocols for reporting and investigating allegations and develop procedures and training to accompany this policy.

Cross References: 3205 – Sexual Harassment of Students Prohibited
 3207 - Prohibition of Harassment, Intimidation and Bullying

3210 – Nondiscrimination

Legal References:

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| Title IX of the Education Amendments of 1972 | |
| Chapter 9A.44, RCW – Sex offenses | |
| Chapter 9A.88, RCW – Indecent exposure – Prostitution | |
| RCW 28A.400.320 | Crimes against children – Mandatory termination of classified employees – Appeal – Recovery of salary or compensation by district |
| RCW 28A.405.470 | Crimes against children - Mandatory termination of certificated employees — Appeal — Recovery of salary or compensation by district |
| RCW 28A.405.475 | Termination of certificated employee based on guilty plea or conviction of certain felonies — Notice to superintendent of public instruction - Record of notices |
| RCW 28A.410.090 | Revocation or suspension of certificate or permit to teach — Criminal basis — Complaints — Investigation - Process |
| RCW 28A.410.095 | Violation or noncompliance — Investigatory powers of superintendent of public instruction — Requirements for investigation of alleged sexual misconduct towards a child — Court orders — Contempt — Written findings required |
| RCW 28A.410.100 | Revocation of authority to teach — Hearings |
| RCW 28A.640 | Sexual Equality |
| RCW 28A.642 | Discrimination Prohibition |
| RCW 49.60 | Washington State Law Against Discrimination |
| Chapter 181-87 WAC | Professional Certification — Acts of Unprofessional Conduct |
| Chapter 181-88 WAC | Sexual Misconduct, Verbal and Physical Abuse - Mandatory Disclosure — Prohibited Agreements |

Management Resources:

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Maintaining Professional Staff /Student Boundaries

Boundary Invasions

In a professional staff/student relationship, staff maintain boundaries that are consistent with the legal and ethical duty of care that school personnel have for students.

A boundary invasion is an act or omission by a staff member that violates professional staff/student boundaries and has the potential to abuse the staff/student relationship.

An inappropriate boundary invasion means an act, omission, or pattern of such behavior by a staff member that does not have an educational purpose and results in abuse of the staff/student professional relationship.

Inappropriate Boundary Invasion Examples

Examples of possible inappropriate boundary invasions by staff members include, but are not limited to, the following:

- A. Any type of inappropriate physical contact with a student or any other conduct that might be considered harassment under the district's policy on Sexual Harassment of Students (Policy 3205); Prohibition of Harassment, Intimidation and Bullying (Policy 3207); Nondiscrimination (Policy 3210); Title IX of the Education Amendments of 1972 (Title IX); the Washington State Law Against Discrimination (Chapter 49.60 RCW); or that constitutes misconduct under RCW 28A.640 and .642 or WAC 181-88-060; or any conduct that would constitute a violation of Chapter 9A.44 or 9A.88 RCW.
- B. Showing pornography to a student;
- C. Singling out a particular student or students for personal attention and friendship beyond the professional staff/student relationship;
- D. Socializing where students are consuming alcohol, drugs or tobacco;
- E. For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school performance;
- F. Sending students on personal errands unrelated to any educational purpose;
- G. Banter, allusions, jokes or innuendos of a sexual nature with students;
- H. Disclosing personal, sexual, family, employment concerns or other private matters to one or more students;
- I. Addressing students or permitting students to address staff members with personalized terms of endearment, pet names or otherwise in an overly familiar manner;
- J. Maintaining personal contact with a student outside of school by phone, e-mail, instant messenger or Internet chat rooms, social networking websites, or letters beyond homework or other legitimate school business without including the building administrator/supervisor and parent/guardian;
- K. Exchanging personal gifts, cards, or letters with an individual student;
- L. Socializing or spending time with students (including but not limited to activities such as going out for beverages, meals or movies, shopping, traveling and recreational activities)

outside of school-sponsored events, except as participants in organized community activities;

- M. Giving a student a ride alone in a vehicle in a non-emergency situation; and/or
- N. Unnecessarily invading a student's privacy, (e.g. walking in on the student in the bathroom).
- O. Employing a student to do work at the personal residence or property of the staff member. Exceptions to this prohibition would be made if the student is also a relative and/or the child of parents whom the staff member knows through means that are independent of the staff member's employment with the district, (e.g. church, neighbors, personal friends.)
- P. Soliciting phone, email, text messages or other forms of written or electronic communication to students without building administrator/supervisor and parent permission when the communication is unrelated to school work or other legitimate school business; or
- Q. Any other conduct that fails to maintain professional staff/student boundaries.

Appearances of Impropriety

The following activities are boundary invasions and can create an actual impropriety or the appearance of impropriety. Whenever possible, staff should avoid these situations. If unavoidable these activities should be pre-approved in writing by the appropriate administrator. If not pre-approved, the staff member must report the occurrence to the appropriate administrator as soon as possible.

- A. Being alone with an individual student out of the view of others;
- B. Inviting or allowing individual students to visit the staff member's home;
- C. Visiting a student's home; and/or
- D. Sending or soliciting email, text messages or other electronic communications to the student, even when the communication relates to school business, except where the parent or guardian and building administrator/supervisor has consented to such communications and receives a copy of the communication. Staff should use school email addresses and phone numbers and the parent/guardian phone numbers for communications with students, except in emergency situations.

Reporting Violations

Students and their parents/guardians are strongly encouraged to notify the principal (or other administrator) if they believe a staff member may be engaging in conduct that violates this policy or procedure.

Staff members are required to promptly notify the principal or the supervisor of the employee or volunteer suspected of engaging in inappropriate conduct that violates this policy or procedure.

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 director in charge of the district's human resources department. The director in charge of human resources will maintain a file documenting reports of this nature which are made.

Reporting Sexual Abuse

All professional school personnel who have reasonable cause to believe that a student has experienced sexual abuse by a staff member, volunteer, or agency personnel working in the school are required to make a report to Child Protective Services or law enforcement pursuant to board policy and procedure 3421, *Child Abuse, Neglect and Exploitation Prevention*, and Chapter 26.44, RCW. Reporting suspected abuse to the building principal or supervisor does not relieve professional school personnel from their reporting responsibilities and timelines.

Disciplinary Action

Staff violations of this policy may result in disciplinary action up to and including dismissal. The violation may also be reported to the state Office of Professional Practices.

Training

All new employees and volunteers will receive training on appropriate staff/student boundaries within three months of employment or service. Continuing staff will receive training every three years.

Dissemination of Policy and Reporting Protocols

This policy and procedure will be included on the district website and in all employee, student, and volunteer handbooks. Annually, all administrators and staff will receive copies of the district's reporting protocol.