

1000 – SUPERINTENDENT’S POLICY

SUPPORTING PROFESSIONAL ADULT/STUDENT BOUNDARIES SP 1010

All adults are expected to maintain professional, moral, and ethical relationships with students that are conducive to an effective, safe learning environment. The purpose of this policy is to support positive, healthy interactions with students, while preventing inappropriate boundary-blurring and grooming behaviors that undermine the professional adult/student relationship and can lead to misconduct or the appearance of impropriety.

This policy applies to all Sacramento County Office of Education (SCOE) 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 SCOE students who are minors and perform services for SCOE on a volunteer or compensated basis.

For purposes of this policy, the term “legitimate educational reasons” includes matters or communications related to teaching, counseling, 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 or volunteer duties.

I. Supporting Professional Relationships with Students

To ensure that interactions with students are appropriate and healthy for the growth and development of the child, professional interactions and behaviors should support the following:

1. Modeling high integrity, which includes valuing each student as a human being, and modeling respect, patience, honesty, kindness, and fairness.
2. Demonstrating care, support, and safety in response to the needs of each student that is culturally and age appropriate.
3. Understanding that some students may have experienced adverse childhood experiences and may express their feelings in many ways. Teaching students how to use words and images to express their feelings in a constructive manner, how to negotiate conflict, and finding ways to model appropriate interactions and communications.
4. Creating opportunities to build positive safe relationships by including culturally responsive activities within the classroom and school, modeling a growth mindset, and honoring the attributes that each student brings to the classroom and school community.

II. Prohibited Conduct

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

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A. Romantic or Sexually Related Conduct

Adults are prohibited from dating, courting, 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 explicitly about sexual topics or behaviors without a legitimate education purpose.
5. Personal comments about a student's body.
6. Sexual jokes, music, banter, innuendo, notes, stories, drawings, gestures or pictures.
7. Spreading sexual or romantic rumors.
8. Touching a student's body or clothes in a sexual way or with the intent to arouse.
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. Any type of conduct that would be considered harassment under SCOE policies prohibiting sexual harassment or by state or federal law.

B. Personal 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 or can create the appearance of impropriety includes, but is not limited to:

Using Poor Judgement in Relation to a Particular Student

1. Being alone with or intentionally secluding a student without a legitimate educational reason.

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2. Giving gifts or money to a student without written approval from the school principal.
3. Touching students or initiating physical contact without a legitimate educational reason. (Legitimate reasons could include the need for assistance when injured, a student with special needs needing toileting or physical assistance, appropriate coaching instruction, appropriate music instruction, or acknowledgement of a task well done [e.g., hand shake, high-five, or fist bump]).
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, unauthorized medication, tobacco, or paraphernalia to a student, or being present where a student is consuming these substances.

Involvement in a Student’s Private Life

1. Inappropriately disclosing personal, sexual, family, employment concerns or other private matters to one or more students.
2. Sharing personal secrets with a student.
3. Talking to a student about the student’s personal problems to the extent that the adult becomes a confidant to the student, or failing to direct a student to appropriate help or support services in order to maintain the role of confidant with the student, when it is not the adult’s role to do so.
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.
5. Sending or accompanying a student on personal errands.
6. Exchanging notes, emails, texts, or other communications with a student that do not support the student’s best interests.
7. Taking a student on outings without prior notification to and approval from both the parent/guardian and the school principal.

Not Respecting Normal Professional Boundaries

1. Sharing personal information about a student with a third party, except as required by law or, as necessary, with persons legally permitted to know.

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2. Unnecessarily invading a student’s privacy.
3. Inviting or having a student in the adult's home.
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.
6. Playing or interacting with students in online or mobile games without a legitimate educational reason.

Taking an Undue Interest in a Particular Student

1. Singling out a particular student or students for personal attention or friendship beyond the ordinary professional adult-student relationship.
2. Socializing, engaging in peer-like behavior, or spending time with students outside of school sponsored events.
3. Addressing a student or permitting a student to address the adult with personalized terms of endearment, pet names, or otherwise in an overly familiar manner.
4. Favoring certain students by inappropriately giving them special privileges.
5. Inviting or spending time alone with student(s) in the classroom during non-class times without a legitimate educational reason.
6. Taking a student out of class without a legitimate educational reason.

C. 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, gaming system, personal data assistant, pager, or other device. Electronic communications include, but are not limited to, emails, instant messages, texts, photos, images, 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. All electronic and other communications shall be only for legitimate educational reasons or school approved activities. Adults shall not maintain personal contact with a student outside of school by

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phone, letter, electronic communication, or other means (beyond legitimate educational reasons).

SCOE email and SCOE communication devices and designated media tools or texting applications shall be used when communicating electronically with students. The use of SCOE email or other SCOE communication devices shall be in accordance with SCOE policies and procedures.

Adults shall not follow or accept requests from current students, dependent adults, or non-adult former students to be friends or connections on gaming related sites or personal social media sites (including but not limited to Snapchat, Instagram, Facebook, Twitter, LinkedIn, Spotify, and those invented in the future) and shall not create or participate in any networking site for communication with students other than those provided by SCOE for this purpose. This includes posting students’ images or other personally identifiable information on an adult’s personal social networking site.

D. 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 shall 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 SCOE students. This policy is not intended to interfere with or restrict an adult's ability to serve in those roles; however, adults are expected 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.

III. 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.

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All SCOE 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. (See, e.g., Penal Code section 11166, et seq.; <https://dcfas.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.

Reporting adults are neither permitted nor responsible for investigating whether the conduct was appropriate. In addition, reporting adults are required to maintain confidentiality. Confidentiality protects both the student(s) and the adult 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 is intended to prevent any represented employee from consulting with the employee’s exclusive representative.

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 human resources and the program administrator.

Whenever boundary invasion concerns occur, the human resources director 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.

IV. 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 will 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.

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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 destroying or hiding evidence.

V. 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.

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 SCOE schools and programs for an appropriate period of time or permanently, as determined by the Superintendent or designee.

VI. 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 SCOE 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 Reference:

PENAL CODE

11164, et seq. Child Abuse and Neglect

02/18/20 Reviewed by Cabinet

02/18/20 Approved by Superintendent