

**Date:** Sept 3, 2019

**To:** School Board

**From:** Sharron Reese, Chief Human Resources Officer



# Staff Analysis and Report to the Board

Board Meeting/Work Session                      Date:  
 Senior Lead:            Sharon Reese, Chief Human Resources Officer  
 Department Lead:            Carol Hawkins, Senior Director, Labor and Employee Relations

SUBJECT        : Professional Conduct between Staff and Students Policy

I. BACKGROUND

The development of this policy was spurred by one of the recommendations in the Whitehurst Investigation Report. The investigators determined that the District had not provided clear guidance to employees as to what were appropriate boundaries between staff and students. This policy seeks to remedy this concern.

The attached draft includes the following changes:

1. The purpose and intent of the policy has been updated to recognize the importance of behaviors.
2. Clarifies expectations for staff conduct and provides examples of healthy and unhealthy behaviors.
3. Reorganizes components of the policy for better understanding.

II. RELATED POLICIES/BEST PRACTICES

As noted above, one of the recommendations coming out of the Whitehurst Investigation Report was to develop a professional conduct policy to provide clear expectations for adults working with students. We looked to a variety of sources to help us to develop this policy, including looking at the boundary policies of other school districts. We also relied on the U.S. Department of <https://rems.ed.gov/docs/ASMTrainingGuide.pdf>

III. ANALYSIS OF SITUATION

\$ NH\ ILQGLQJ LQ WKH :KLWHKXUVW UHSRUW ZDV WKH <sup>3</sup>'LVWULFW conduct with students, failure to investigate it thoroughly, and failure to take action to ensure a VDIH HGXFDWLRQDO HQYLURQPHQW E\ UHPRYLQJ WKH RIIHQGLQJ H this policy will provide an important component in remediating the failures identified in the report. The policy outlines expectations for personal behavior as well as training to all employees to better ensure a safe educational environment for our students. Failure to approve this policy would leave the District without an important tool for self-regulation and enforcement.

IV. FISCAL IMPACT

The policy provides for mandatory training for all employees. The District has already begun this work with improvi wT orkCu18 165.3e17( or)-2(k)-4o all employees will be significant in the first few years of implementation.

V. COMMUNITY ENGAGEMENT (IF APPLICABLE)

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1. Set a clear Vision and Strategic Plan
  2. Create equitable opportunities and outcomes for all students
  3. Build management and accountability systems and structures
  4. Allocate budget, funding and resources focused on improving outcomes for students
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## Professional Conduct Between Adults and Students

### PURPOSE

District staff show extraordinary dedication and care in their daily work with students. A hallmark of this commitment is the development of strong relationships between adults and students. We believe that:

1. Children are always learning about healthy relationships, and their most significant learning about relationships comes from how adults behave.
2. Consistent relationship boundaries help children feel safe. Boundaries help them trust adults and help them know what is healthy behavior.
3. Children need adults to be adults. Adults' behaviors set the conditions for healthy relationships.
4. Adults are responsible for creating safe spaces.

The purpose of this policy is to establish common understanding and expectations for all adults in our District on setting consistent and safe boundaries with students. Those boundaries create the healthy relationships and safe spaces that students need to thrive.

### GENERAL STANDARDS & DEFINITIONS

A. For purposes of this policy, except as specifically noted, "adults" include



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employment or other District-related duties.

- D. A “boundary violation” is behavior or interaction by an adult in a position of power with a student that has no legitimate educational purpose, and has the potential to cause harm to the student.
- E. All adults should maintain the highest professional and ethical standards when interacting with students. These standards are defined by the Oregon Teacher Standards and Practices Commission and by District policy.
- F. Volunteers play unique and important roles in students’ lives, and many also have relationships outside the school setting. This policy applies to volunteers in the context of their volunteer commitment with the District. The District expects volunteers to maintain appropriate conduct with students when they are engaged in District-authorized activities as outlined in this and other policies.

### GUIDELINES FOR INTERACTIONS BETWEEN ADULTS AND STUDENTS

#### A. General Guidelines and Required Training

The interactions and relationships between adults and students should be based upon 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 our schools. Adults may not intrude or appear to intrude on a student’s physical and emotional boundaries unless the purpose of the interaction is to serve a legitimate educational purpose.

Adults are required to complete annual training provided by the District on sexual conduct prevention to provide guidance and establish appropriate professional boundaries for student-adult interactions.

We recognize that forming a relationship with students is an important aspect of teaching; however, adults should not engage in discussions with students when its purpose is to meet the adult’s personal needs rather than the student’s needs. If a student initiates a discussion about a significant personal or family problem, adults are encouraged to seek guidance from

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### 3. Group Text Messages

The use of group text messaging has become a convenient tool for coaches and other staff working with students to relay information. District employees and third-party contractors shall use this method of communication only with both District approval and parental knowledge. Text messages to individual students shall contain only information with a legitimate educational purpose.

## E. IN-PERSON INTERACTIONS

### 1. One-on-one meetings with students

There will be times when adults are alone with students to discuss legitimate educational issues, including discipline or academic performance, for example. When possible, adults should meet one-on-one with students in a public space, such as libraries, open classrooms, or in places observable by others, such as offices or classrooms with windows and unlocked, ajar doors. When supporting students with sensitive issues, as is common for staff such as counselors and social workers, it is appropriate to provide a private setting. To maintain transparency, it is also good practice to let others know when and where meetings with a student will occur.

### 2. Personal communication with students

Connecting with students and building rapport is an important component to the staff-student relationship, and adults should promote healthy relationships with all students.

There are many times when a staff member's request for personal information is for a legitimate educational purpose. For example, personal reflection, relationships, or experiences are often part of a journaling exercise, and this policy is not intended to interfere with or impede this type of educational activity. It is appropriate for adults to check in with students about their well-being and/or whether they need any support with their school work. This policy does not prohibit that kind of healthy support of students.



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If a student discloses information about the student's significant personal or family problems, adults are expected to seek guidance from appropriate resources such as their principal or school counselor, as needed.

Adults are also expected to bring their concerns to their supervisor's attention when they have reason to believe a student is or may be becoming overly attached to or interested in them or other staff.

### 3. Traveling with or transporting students

Coaches, chaperones, and other staff ( s)4l1cc -0.004 T6920 (nes)04 T ( )T( )10 (aJ T\* [(w)1



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assistance. Likewise, adults may need to touch a student's arms or hands to redirect them in an activity. Coaches, music teachers, and other instructors may have a need for physical contact as a method of instruction. Adults need to be aware of a student's physical boundaries and limit physical contact to only that which is necessary for a legitimate purpose. Any physical redirection of students must be pursuant to the District's Physical Restraint and Seclusion Administrative Directive 4.50.060-AD.

### 5. Respecting student privacy

Adults must honor a student's physical and emotional boundaries unless the interaction serves a legitimate educational purpose or is in response to an emergency.

Examples:

Physical Surroundings: Adults should not invade a student's privacy by entering a restroom, locker room, or other space where a student may not be fully clothed unless it falls within a staff member's regular job duties under an established written protocol, an emergency, or the staff needs to respond to a student's emergency.



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### BOUNDARY VIOLATIONS

A boundary violation is behavior or interaction by an adult in a position of power with a student that has no legitimate educational purpose, and has the potential to cause harm to the student.

#### A. Examples of boundary violations/prohibited conduct

Examples of conduct that violates professional adult/student boundaries in or outside of school hours include, but are not limited to, the following:

1. Any type of conduct that would be considered sexual harassment under the District's Non-Discrimination/Anti-Harassment Policy (1.80.020-P);
2. Having any sexual conduct, including verbal or physical conduct or contact through written or electronic communications, with a student that is a sexual advance or request for a sexual favor or is of a sexual nature and is directed toward the student or that has the effect of unreasonably interfering with the student's educational performance, or of creating an intimidating, hostile, or offensive educational environment;
  - a. Examples of this behavior include, but are not limited to, the following:
    - 1) Engaging in a romantic or sexual relationship with a student;
    - 2) Dating, flirting with, or propositioning a student;
    - 3) Showing pornography to a student;
    - 4) Discussing, writing, texting, transmitting, and/or displaying





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a. Examples of this behavior include, but are not limited to, the following:

- 1) District employees acting in their District capacity are prohibited from inappropriate online socializing with students, including phone calls, texting, skyping, instant messaging, or use of any other telecommunications method, or from engaging in any conduct that violates the law, District policies, or other generally recognized professional standards.
- 2) Adults shall not communicate with students, for any reason, through use of a medium, blog, or app (software or phone application) that is designed to eliminate all traces or records of the communication (e.g., Snapchat).
- 3) District employees and third-party contractors may not

communicate with current students through any electronic device, including but not limited to, cell phones, tablets, laptops, or any other electronic device. This policy applies to all district employees and third-party contractors, regardless of whether they are acting in their official capacity or in their personal capacity. This policy does not apply to communication between district employees and students that is necessary for the district to provide educational services to students.



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### TRAINING

The Superintendent or his/her designee shall develop an annual training for all staff and ensure ongoing review of procedures to support this policy.

History: 10/18

2019 Revised Draft 6/19, 6/24, 6/28, 7/10, 7/30, 8/1, 8/5, 8/7, 8/25, 8/30