



# Staff Analysis and Report to the Board

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**Board Meeting/Work Session Date:**

**Senior Lead: Sharon Reese, Chief Human Resources Officer**

**Department Lead: Carol Hawkins, Senior Director, Labor and Employee Relations**

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| <b>SUBJECT: Professional Conduct between Staff and Students Policy</b> |
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## **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 healthy relationships in children's lives and the role adults play in modeling healthy 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 Education's Training Guide to help us to craft this policy. The guide can be found here: <https://rems.ed.gov/docs/ASMTrainingGuide.pdf>

## **III. ANALYSIS OF SITUATION**

A key finding in the Whitehurst report was the "District's failure to recognize an educator's sexual conduct with students, failure to investigate it thoroughly, and failure to take action to ensure a safe educational environment by removing the offending educator." Report at p. 9. Approval of 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 improv wT orkCu18 16e17or)2k)4 all employees will be significant in the first few years of implementation.

V. COMMUNITY ENGAGEMENT (IF APPLICABLE)

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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## Board Policy

X.XX.XXX-P

# Professional Conduct between Staff and Student Policy

### (1) 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 staff and students. ff  
and students. ff



# Professional Conduct between Staff and Student Policy

understanding of the appropriate boundaries between staff and students in and outside the educational setting.

Volunteers also play unique and important roles in students' lives, and many have relationships outside the school setting. As such, volunteers are not subject to some of the provisions of this policy, however, the District still expects them to maintain appropriate conduct with students when they are engaged in District-authorized activities.

### **(3) Guidelines for Interactions Between Staff and Students**

The interactions and relationships between 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 schools. Staff are required to complete annual training provided by the District on sexual conduct prevention to provide guidance and establish appropriate professional boundaries for student-staff interactions.

Staff will not intrude on a student's physical and emotional boundaries unless the interaction is necessary to serve an educational or physical, mental and/or emotional health purpose. An educational purpose is one that relates to the staff's duties in the District. Any appearance of impropriety should be avoided.

Staff shall use good judgment in their relationships with students beyond their work responsibilities and/or outside the school setting and shall avoid informal and social involvements with individual students that may affect appropriate professional boundaries. In addition to regular classroom instruction and extracurricular activities, appropriate occasions when staff may interact with students beyond the school day include before and after care, tutoring to improve students' academic skills, mentoring that provides students with positive role models, and hosting school-sanctioned or school-sponsored activities and events that reinforce positive behaviors.

## **Board Policy**

## **Professional Conduct between Staff and Student Policy**



**Professional Conduct between Staff and Student Policy**

- i) If a student initiates discussions about the student’s personal or family problems, staff are expected to seek guidance from appropriate staff such as their principal or school counselors.;
- j) Inviting individual students to the staff member’s home without proper chaperones, parental notice and approval unless otherwise noted in “Exceptions” section of the policy;
- k) Observing students who are consuming alcohol, drugs or tobacco without intervening or reporting the conduct to appropriate personnel;
- l) Sending or accompanying a student on personal errands or travel unrelated to any legitimate educational purpose;
- m) Disclosing intimate or sexual matters to a student; unless necessary to serve an educational or physical, mental and/or emotional health purpose of the student.
- n) Telling a student to keep something secret from other adults;
- o) Addressing students, or permitting students to address staff members with personalized terms of endearment, pet names, or otherwise in an overly familiar manner that may affect appropriate professional boundaries
- p) Giving a student a ride alone in a vehicle in a non-emergency situation; and/or;
- q) Permitting students to engage in behaviors with staff that invade appropriate physical boundaries, e.g., allowing students to give shoulder massages to staff or allowing students to sit on a staff member’s lap.

(5) SMC n/a - anti-discrimination w/iden wpu 711pw) (b) MUE had wpu (7) ns 110v 201 (EMC Body 12



### **Professional Conduct between Staff and Student Policy**

As with all forms of communication, staff is expected to maintain professional boundaries with students when communicating via electronic communications and social media. All communication between staff and students must be for legitimate education-related purposes only and as transparent as possible. Staff 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). Staff should have no expectation of privacy when communicating to students, including on a social media platform (e.g. Facebook, Twitter). Staff should not promise students absolute confidentiality in their communications.

District staff must maintain separate accounts for professional and personal social media use and may follow or accept requests to connect from current students, or non-staff former students, only through their professional social media presence established consistent with the requirements set forth in the Social Media Administrative Directive









**Professional Conduct between  
Staff and Student Policy**

done, for instance, are fine. In other instances, staff members may be required to assist an injured student or a student with special needs who requires physical assistance. Likewise, staff members 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. Staff needs to be aware of a student's physical boundaries and limit physical contact to only that which is necessary for a legitimate educational purpose. Any physical redirection of students must be pursuant to the District's Physical Restraint and Seclusion s Administrative Directive 4.50.060-AD.

e) Respecting student privacy:

Staff must honor a student's physical and emotional boundaries unless the interaction serves a legitimate educational purpose or is in response to an emergency. For example, staff members should not invade a student's privacy by entering a restroom when a student is present unless it falls within a staff member's regular job duties under an established written protocol or to use it for a legitimate and intended purpose.

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**Professional Conduct between  
Staff and Student Policy**





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### **Professional Conduct between Staff and Student Policy**

participant in an investigation may be subject to discipline, up to and including dismissal.

#### (10) 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