

Policy 4319.24: Maintaining Appropriate Adult-Student Interactions

Status: DRAFT

Original Adopted Date: Pending

For purposes of this policy employees include interns, volunteers, contractors, and other persons with an employment relationship with the district.

The Governing Board desires to provide a safe and positive school environment that promotes the learning, engagement, safety, and well-being of district students. The Board expects all adults with whom students may interact at school or in school-related activities, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting, in accordance with this policy and Board Policy 4119.21/4219.21/4319.21 - Professional Standards. Such adults shall not engage in threatening, unsafe, unlawful, or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety.

Adults shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.

The district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district websites. (Education Code 44050)

Inappropriate Conduct

Employees shall remain vigilant of their position of authority and not abuse it when relating with students.

The Board prohibits inappropriate conduct between employees and students. (Education Code 32100)

Inappropriate employee conduct includes, but is not limited to:

1. Inappropriate physical contact
2. **Soliciting, encouraging, forming, or maintaining** a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature
3. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
Being alone with a student outside of the view of others
4. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent
5. Maintaining personal contact with a student during or outside the school day that has no legitimate educational purpose, by phone, letter, text message, social media internet platforms, electronic communications, or other means of communication, without including the student's parent/guardian
In accordance with Board Policy/Administrative Regulation 4040 - Employee Use of Technology, employees shall use district equipment or technological resources, when available, when communicating electronically with students. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent.
6. Creating or participating in social networking sites for communication with students, other than those created by the district, without the prior written approval of the principal or designee
7. Inviting or accepting requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business
8. Singling out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students
9. Addressing a student in an overly familiar manner, such as by using a term of endearment
10. Socializing or spending time with students outside of school-sponsored events, except as participants in community activities
11. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose
12. Transporting a student in a personal vehicle without prior authorization
13. Encouraging students to confide personal or family problems and/or relationships
14. Disclosing personal, family, or other private matters to students or sharing personal secrets with students
15. Engaging in any conduct that endangers or threatens to endanger students, including, but not limited to, physical violence or threats of violence

16. Engaging in harassing or discriminatory behavior towards students, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
17. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
18. Using profane, obscene, or abusive language against students

Violations of Policy

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Board prohibits retaliation against anyone who reports a violation of this policy. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. Additionally, the Superintendent or designee may also notify law enforcement as appropriate.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 80303	Reports of change in employment status; alleged misconduct
5 CCR 80304	Notice of sexual misconduct
Ed. Code 32100	Professional boundaries between adults and students and the safety of learning environments
Ed. Code 44030.5	Reporting change in employment status due to alleged misconduct
Ed. Code 44050	Employee code of conduct; interaction with students
Ed. Code 44242.5	Reports and review of alleged misconduct
Ed. Code 44940	Compulsory leave of absence for certificated persons
Ed. Code 48980	Parent/Guardian notifications
Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act

Management Resources	Description
Website	CSBA District and County Office of Education Legal Services

Cross References	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1240	Volunteer Assistance
1240	Volunteer Assistance
4040	Employee Use Of Technology
4040	Employee Use Of Technology
4040-E PDF(1)	Employee Use Of Technology
4111	Recruitment And Selection
4116	Probationary/Permanent Status
4116	Probationary/Permanent Status
4119.21	Professional Standards
4119.21-E PDF(1)	Professional Standards

Cross References

4121
4121
4211
4216
4218
4219.21
4219.21-E PDF(1)
4311
4319.21
4319.21-E PDF(1)
5131
5141.4
5141.4
5142
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5145.6
5145.6-E PDF(1)
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Description

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