

MAINTAINING APPROPRIATE ADULT-STUDENT INTERACTION

The Governing Board desires to provide a positive school environment that protects the safety and well-being of district students. The Board expects all adults with whom students may interact at school or in school-related activities, including employees, independent contractors, and volunteers, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting. Such adults shall not engage in 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.

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

Employees are prohibited from entering into or attempting to form 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.

(cf. 5145.7 - Sexual Harassment)

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.

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent and Associate Superintendent of Personnel Support Services 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 and Associate Superintendent of Personnel Support Services or designee. The Superintendent and the Associate Superintendent of Personnel Support Services or designee shall protect anyone who reports a violation from retaliation. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

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. The Superintendent or designee may also notify law enforcement as appropriate.

(cf. 4117.7/4317.7 - Employment Status Reports)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

MAINTAINING APPROPRIATE ADULT-STUDENT INTERACTION (continued)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

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 web sites. (Education Code 44050)

(cf. 1113 - District and School Web Sites)

(cf. 5145.6 - Parental Notifications)

INAPPROPRIATE CONDUCT

Employees shall remain vigilant of their position of authority and not abuse it when relating with students. Examples of employee conduct that can undermine professional adult-student interactions or create the appearance of impropriety include, but are not limited to:

1. Initiating inappropriate physical contact
2. Being alone with a student outside of the view of others; i.e. classroom doors and blinds closed
3. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent
4. Maintaining personal contact with a student that has no legitimate educational purpose, by phone, letter, electronic communications, or other means, without including the student's parent/guardian or the principal

When communicating electronically with students, employees shall use district equipment or technological resources when available. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The Superintendent and the Associate Superintendent of Personnel Support Services or designee may monitor employee usage of district technology at any time without advance notice or consent.

(cf. 4040 - Employee Use of Technology)

5. Creating or participating in social networking sites for communication with students, other than those created by the district or for educational purposes, without the prior written approval of the principal or an administrator
6. Inviting or accepting requests from students, or former students who are minors, to

INAPPROPRATE CONDUCT (continued)

connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business

7. Singling out a particular student for personal attention and friendship, which could include the giving of gifts and/or the assigning of nicknames to individual students
8. Socializing or spending time with students outside of school-sponsored events, except as participants in community activities
9. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose
10. Transporting a student in a personal vehicle without prior authorization from a parent or legal guardian
11. Disclosing personal, family, or other private matters to students or sharing personal secrets with students

Legal Reference:

EDUCATION CODE

44030.5 *Employment status reports*

44050 *Employee code of conduct; employee interactions with students*

44242.5 *Reports and review of alleged misconduct*

44940 *Sex offenses and narcotic offenses; compulsory leave of absence*

48980 *Parental notifications*

PENAL CODE

11164-11174.3 *Child Abuse and Neglect Reporting Act*

CODE OF REGULATIONS, TITLE 5

80303 *Reports of change in employment status, alleged misconduct*

80304 *Notice of sexual misconduct*

Policy
adopted: September 12, 2019

POWAY UNIFIED SCHOOL DISTRICT
Poway, California