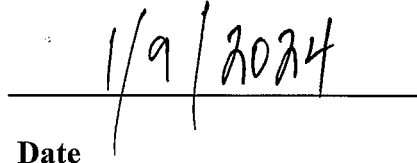


Superintendent's Regulation 9800-R

PROFESSIONAL BOUNDARIES BETWEEN STUDENTS AND EMPLOYEES, VOLUNTEERS, OR CONTRACTORS



Approved Upon Superintendents Initials



Date

General Provisions

The Board of Education requires all District employees to maintain the highest levels of professional and ethical standards when they interact with students. Our employees are crucial for creating an atmosphere conducive to learning and serve as mentors and role models to our students. Appropriate interactions and relationships are required of all employees on and off District property as well as during and after school hours. Appropriate interactions and relationships are also required by all District personnel, including volunteers and/or contractors when supporting the District and/or in District locations (collectively, "District team members").

District team members demonstrate skill in establishing an environment of respect and rapport through their words and actions in and out of the classroom. An essential skill of teaching and learning is that of managing relationships with students and ensuring that those among students are positive and supportive. It is important for District team members to know their students well and to interact with them as individuals. District team members are encouraged to develop and create an environment of respect and rapport.

The interactions and relationships between District team members 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 consistent with the educational mission of the District.

An inappropriate boundary invasion means an act, omission, or pattern of such behavior by a District team member that does not have an educational purpose and may result in abuse of the District team member/student professional relationship and/or has the potential to harm the student. An educational purpose is one that relates to the employee's duties in the district and the educational goals of the student. A boundary invasion is a District team member's act or omission that violates personal, physical, emotional, psychological, or professional boundaries of a student without their consent or in a way that makes them uncomfortable and that can be reasonably viewed as are more than a petty slight or trivial inconvenience. It shall also include any prohibited act as defined under Education Law § 1125(1) ("Child abuse"), and Education Law Article 2, the Dignity for All Students Act.

District team members will not intrude on a student's physical, social, or emotional boundaries. District team members are expected to be aware of the appearance of impropriety in their own conduct and the conduct of others when interacting with students. Importantly, student consent does not eliminate the boundary invasion. District team members will discuss concerns with their building administrator or supervisor whenever they suspect, or are unsure, whether conduct is inappropriate or constitutes a violation of this policy.

Examples of inappropriate boundary invasion include, but are not limited to:

- Engaging in peer like behavior or interacting with students as peers;
- Discussing mature, personal issues or having "secrets" with students, such as discussing an employee's intimate relationships or adult social behaviors;
- Being alone with a student behind closed doors without a necessary educational basis such as confidential counseling;
- A pattern of singling out a student or students for personal attention and friendship beyond the professional staff/student relationship;
- Taking the students on "outings" or meeting with students outside school grounds or outside school hours when there is no educational purpose and/or without appropriate approval, from a parent/or guardian;
- Giving inappropriate personal gifts;
- Giving students rides in personal vehicles and/or vehicles that are not school buses.
- Using email, text-messaging, websites, or other social media platforms to interact with or discuss personal topics with students;
- Discussing sexual situations, making sexual jokes or innuendos;
- Inviting students to employee's home without an educational purpose, administrative permission, and without approval of a parent/or guardian;
- Visiting students at their home for non-educational purposes without administrative permission; and/or
- Engaging in unwelcomed and/or intrusive physical contact that invades a student's personal space.

"Frequent personal communication with a student unrelated to course work or official school matters" means any form in which that personal communication may occur including, but not limited to, voice or text-based communication via phone, email, instant messaging, text messaging, or through social networking websites.

The Board supports and values the use of technology to communicate for educational purposes. However, District team members are prohibited from interacting with students on social media or computer-based applications unless that interaction is directly related to a demonstrated educational purpose and retains a record in compliance with the District Policies.

District team members are prohibited, under any circumstances, to date or engage in any improper fraternization or undue familiarity with students, regardless of the student's age and/or whether the student may have "consented" to such conduct. Further, District team

members will not entertain students or socialize with students in such a manner as to create the perception that a dating relationship exists.

Enforceability

District employees whose conduct violates this policy may be subjected to discipline, up to and including termination, consistent with the District's policies and the employee's collective bargaining agreement, if applicable. District volunteers or contractors may be removed from District property, and privileges and contracts may be revoked and terminated. A violation of this policy may also subject District team members to criminal and/or civil sanctions as well as disciplinary action by the State Education Department. Inappropriate conduct, however, does not need to rise to the level of criminal activity for such conduct to be in violation of District rules and subject to appropriate disciplinary sanctions.

Any District employee having knowledge of or reasonable suspicion that another staff member may have engaged in inappropriate conduct with a student that may constitute child abuse in an educational setting must also follow the District's reporting procedures for such allegations. This information will also be reported by the designated administrator as required by state law to law enforcement officials, the State Education Department, and/or Child Protective Services as may be applicable.

Any student who believes that they have been subjected to inappropriate District team member behavior as described in this policy, as well as students, staff members, volunteers and third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall report the incident to one of the Title IX Officers, the Building Principal or the Superintendent of Schools. In all events, these reports will be forwarded to the designated Title IX Officers for further investigation. Anonymous complaints of inappropriate fraternization of District team members with students will also be investigated by the District. Investigations of allegations of inappropriate staff-student relations will follow the procedures utilized for complaints of harassment within the District. Allegations of inappropriate staff-student behavior will be promptly investigated by the District, will be treated as confidential and private to the extent possible within legal constraints, and will result in prompt corrective action to stop inappropriate conduct.

Complaints may be sent to the Title IX inbox at titleixcomplianceofficer@rcsdk12.org.

Cross – Ref

Policy 5460, 5460R - Suspected Child Abuse and Neglect: General Reporting Requirement and Requirements Specific to Educational Settings.

Policy 0115 – (Student Harassment and Bullying Prevention and Intervention)

Policy 0110, 0110R – (Sexual Harassment)

Policy 0100, 0100R – (Prohibition and Reporting Complaints of Discrimination) or Harassment

Policy 1950, 1950R- (Acceptable Use of District Network)

Ref:

Title IX of the Education Amendments of 1972, 20 USC § 1681 et seq.

Education Law Article 23-B

Social Services Law §§ 411-428

8 NYCRR Part 83

Education Law Article 2

Human Rights Law Article 15