

MAINTAINING PROFESSIONAL STAFF/STUDENT BOUNDARIES

The purpose of this procedure is to provide all PSESD staff members and volunteers with information regarding what is deemed appropriate and inappropriate behaviors in regards to student interactions, and to increase staff awareness of their role in protecting children from inappropriate conduct and sexual abuse by adults.

Since it may not be possible to determine whether boundary invasion behaviors are in fact sexual grooming until it is too late, boundary invasion behaviors engaged in by staff members, volunteers, and agency personnel which are inappropriate or have questionable educational benefit, are prohibited.

Applicable laws are the Code of Professional Conduct Chapter 181-87 WAC and RCW 28A.400.317 Physical abuse or sexual misconduct by school employees — Duty to report — Training, which states:

(1) A certificated or classified school employee who has knowledge or reasonable cause to believe that a student has been a victim of physical abuse or sexual misconduct by another school employee, shall report such abuse or misconduct to the appropriate school administrator...

Staff members, volunteers, and agency personnel who become aware of an adult engaging in behavior with children at school or within the scope of your duties which may be construed as inappropriate boundary invasion, or “sexual grooming behavior,” must report the matter immediately to his/her program supervisor/administrator or to the PSESD Title IX Officer if the supervisor is somehow involved in the conduct.

Examples of inappropriate boundary invasions by staff members include, but are not limited to, the following:

- Taking an undue interest in a student (i.e., having a "special" friend or a “special relationship” with a particular student).
- Favoring certain students by giving them special privileges.
- Intentionally allowing the student to get away with inappropriate behavior.
- Giving gifts or money to the student.
- Engaging in peer-like behavior with students.
- Touching students for no educational or health reason, i.e. being overly “touchy.”
- Hugging, kissing, or other physical contact including when the student does not want this attention.
- Having personal secrets with a student.
Initiating or extending contact with students beyond the school day or within the scope of your duties and approved activities.
- Taking the student on outings, away from protective adults, including personal outings.
- Visiting the student’s home without supervisor’s approval.
- Inviting individual students to your home.

- Being alone with the student behind closed doors at school or within the scope of your duties.
- Talking to the student about the educational practitioner's personal problems.
- Talking to the student about the student's personal problems to the extent that the adult becomes a confidant of the student when it is not the adult's job to do so.
- Engaging in talk with students containing sexual innuendo or banter.
- Telling sexual jokes to students.
- Talking with a student about sexual topics that are not related to a specific curriculum. Showing pornography to the student.
- Giving students rides in staff member's personal vehicle.
- Using e-mail, text-messaging, social networking sites, or instant messaging to contact and/or discuss personal topics or interests with students.
- Invading the student's privacy (e.g., walking in on the student in the bathroom).
- Or any combinations of the above or similar conduct that violates professional boundaries in an employee's relationship with students.

Staff Procedure

Staff's role in preventing sexual abuse of students is two-fold: first, to avoid engaging in behaviors which could be mistaken for grooming behaviors; and second, to report situations where such behaviors take place.

1. Do not engage in the behaviors described above or behaviors like them. Keep your interactions with students on a professional level. Refer students who need emotional or other support to appropriately trained staff such as counselors. Staff can be caring while maintaining an appropriate level of professional decorum.

2. Report the Concern: Staff members, volunteers, and agency personnel who observe any adult engaging in the behaviors described above with students, or in other behaviors which raise concerns, inform the appropriate program supervisor/administrator or the District Title IX Officer at your earliest opportunity.

- a. Do not wait or mull things over or attempt to determine for yourself whether the behavior you have observed has a plausible, innocent explanation. You may not understand the entire situation, and allowing the conduct to continue could be harmful for both the staff member and students.
- b. Do not confront or discuss the matter with the suspected individual. Do not inform the person of your concern, unless it is a situation where immediate intervention is necessary to protect a child.
- c. Maintain confidentiality. Report your concern only to your program supervisor or the Title IX Officer. Failure to do so may impede official investigations and foster untrue rumors. You owe a legal duty of confidentiality to students on matters which a reasonable person would want to remain confidential. Therefore, you may not share your concerns to anyone other than the appropriate administrator, Child Protective Services or the police. If approached by anyone other than the appropriate administrator, CPS or the police, or a person conducting an official investigation on behalf of the District, you may not discuss the matter unless otherwise permitted in writing by the Deputy Superintendent or designee in charge of the matter.

- d. If you desire, and it is possible and appropriate, confidentiality will be maintained about the report to administration.
- e. Document who you notified, where and when and what you reported for your own records.

3. RCW 26.44 Mandatory Reporting Duties for Educators: Washington law requires educators to ensure that a report is made to the proper law enforcement agency of any situation where the educator has reasonable cause to believe that a child has suffered abuse or neglect. Failure to make such a report may constitute a gross misdemeanor and be punishable under law. Failure to report child abuse may also result in disciplinary action by the District.

Child abuse may include physical injury, sexual abuse, sexual exploitation, negligent treatment, or maltreatment. The report must be made at the employee's first opportunity, but in no case later than within 48 hours. Generally report intra-family abuse to Child Protective Services 1-866-363-4276 and other abuse to law enforcement.

Please note that staff must also report the situation to an appropriate administrator and document action which has been taken to the Title IX officer.*

4. If you observe misconduct between students, you shall take appropriate action to intervene. "They are not my students," "It's my lunch time," "It is someone else's responsibility," or "I am in a hurry" are unacceptable excuses for not intervening.

5. Any questions about anything related to this procedure should be referred to your program supervisor/administrator or the District's Title IX Officer.

*An appropriate administrator would be your immediate supervisor. If for some reason that would seem inappropriate in a given situation, then report to the District Title IX Officer or designee.