



TO: BOARD OF DIRECTORS

FROM: Maurene Stanton, Executive Director of Human Resources

SUBJECT: Second Reading Policy

DATE: June 21, 2022

This is the second reading of the updated Personnel Policy 5253 Maintaining Professional Staff/Student Boundaries. Updates reflect changes recommended by Washington State School Directors Association. It is identified as an encouraged policy by the Washington State School Directors Association.

Recommendation: We recommend the board approve Policy 5253 Maintaining Professional Staff/Student Boundaries.

MAINTAINING PROFESSIONAL STAFF/STUDENT BOUNDARIES

The purpose of this policy is to provide all staff, students, volunteers and community members with information ~~to increase their awareness of~~ **about** their role in protecting children from inappropriate conduct by adults. **This policy applies to all district staff and volunteers. For purposes of this policy and its procedure, the terms “district staff,” “staff member(s),” and “staff” also include volunteers.**

General Standards

The Stanwood-Camano board of directors expects all staff members to maintain the highest professional, ~~moral and ethical~~ standards **when they interact in their interaction** with students. Staff members are required to maintain an atmosphere conducive to learning **by consistently maintaining, including the establishment and maintenance of** professional boundaries.

Professional staff/student boundaries are consistent with the legal and ethical duty of care that district employees have for students.

The interactions and relationships between **district** staff ~~members~~ and students should be based upon mutual respect, **trust and commitment to the professional maintenance of appropriate** boundaries between adults and students in and outside of the educational setting, and ~~conduct~~ consistent with the educational mission of the **district schools**.

District staff ~~Staff members~~ will not intrude on a student’s physical and emotional boundaries unless the intrusion is necessary to serve a ~~n~~ **demonstrated** educational purpose. An educational purpose is one that ~~is required by the staff member’s position~~ **relates to the staff member’s duties** in the district. **Inappropriate boundary invasions can take various forms. Any type of sexual conduct with a student is an inappropriate boundary invasion.**

Additionally, staff members are expected to be **aware of** ~~sensitive to~~ the appearance of impropriety in their own conduct and the conduct of other staff when interacting with students. Staff members will **notify and** discuss issues with their building administrator or supervisor whenever they suspect or ~~are~~ **unsure** ~~question~~ whether **their own or another staff member’s** conduct is inappropriate or constitutes a violation of this policy.

The board recognizes that staff may have familial and pre-existing social relationships with parents or guardians and students. Staff members should use appropriate professional judgment when they have a dual relationship to students to avoid violating this policy, the appearance of impropriety, and the appearance of favoritism. Staff members shall pro-actively discuss these circumstances with their building administrator or supervisor.

~~A staff member who has knowledge or reasonable cause to believe that a student has been a victim of physical abuse or sexual misconduct by another staff member is required by law to report such abuse or misconduct to the appropriate school administrator. The school administrator shall cause a report to be made to the proper law enforcement agency if he or she has reasonable cause to believe that the misconduct or abuse has occurred. During the process of making a reasonable cause determination, the school administrator shall contact all parties involved in the complaint.~~

Use of Technology

The Stanwood-Camano board of directors supports the use of technology to communicate for educational purposes. However, **when the communication is unrelated to schoolwork or other legitimate school business**, district **staff employees** are prohibited from **communicating with students by phone, e-mail, text, instant messenger, or other forms of electronic or written communication. District staff members are prohibited from engaging in any conduct on social networking websites online socializing with students or from engaging in any conduct on social media** that violates the law, district policies **or procedures**, or generally recognized professional standards. **This prohibition includes prohibiting staff from “friending” and/or “following” students on social media.**

Employees whose conduct violates this policy **may will** face discipline and/or termination, consistent with the district's policies, acceptable use agreement and collective bargaining agreements, as applicable.

The superintendent or designee will develop staff protocols for reporting and investigating and develop procedures and training to accompany this policy.

Legal References: Title IX of the Education Amendments of 1972

Chapter 9A.44, RCW - Sex Offenses

Chapter 9A.88, RCW - Indecent Exposure - Prostitution

RCW 28A.400.320-3230 Crimes against children - **Mandatory termination of Classified employees - Appeal - Recovery of salary or compensation by district**

RCW 28A.405.470 Crimes against children - Mandatory termination certificated employees - Appeal - Recovery of salary or compensation by district.

RCW 28A.405.475 Termination of certificated employee based on guilty plea or conviction of certain felonies - Notice to superintendent of public instruction - Record of notices.

~~RCW 28A.400.317 Physical abuse and sexual misconduct by school employees~~

RCW 28A.410.090 Revocation or suspension of certificate or permit to teach - Criminal basis - Complaints - Investigation - Process

RCW 28A.410.095 Violation or noncompliance - Investigatory powers of superintendent of public instruction - Requirements for investigation of alleged sexual misconduct towards a child - Court orders - Contempt - Written findings required

RCW 28A.410.100 Revocation of authority to teach - Hearings

Chapter 28A.640, RCW Sexual Equality

Chapter 28A.642, RCW Discrimination Prohibition

Chapter 49.60, RCW - Washington State Law Against Discrimination

WAC 181-87 Professional Certification - Acts of Unprofessional Conduct

WAC 181-88 Definitions of Sexual Misconduct, Verbal and Physical Abuse - Mandatory Disclosure - Prohibited Agreements

Cross References **3205 - Sexual Harassment of Students Prohibited**

3207 - Prohibition of Harassment, Intimidation and Bullying

3210 - Nondiscrimination

3421 - Child Abuse, Neglect, and Exploitation Prevention

**Management
Resources**

2019 - March 2019 - March Policy Issue

2015 - October Policy Issue