

## Applicable Laws

Code of Professional Conduct Chapter 181-87 WAC

and

Washington state law RCW 28A.400.317 *Physical abuse or sexual misconduct by school employees "Duty to report" training states that;*

- (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 . . .

If it is determined that an employee or volunteer engaged in or solicited any prohibited acts, including but not limited to inappropriate boundary invasion, sexual conduct or romantic relationship, with a student or minor as defined in this directive, the employee will be subject to immediate discipline.

## Documenting reports of Inappropriate Boundary Invasion

Contact your supervisor or Title IX Officer:

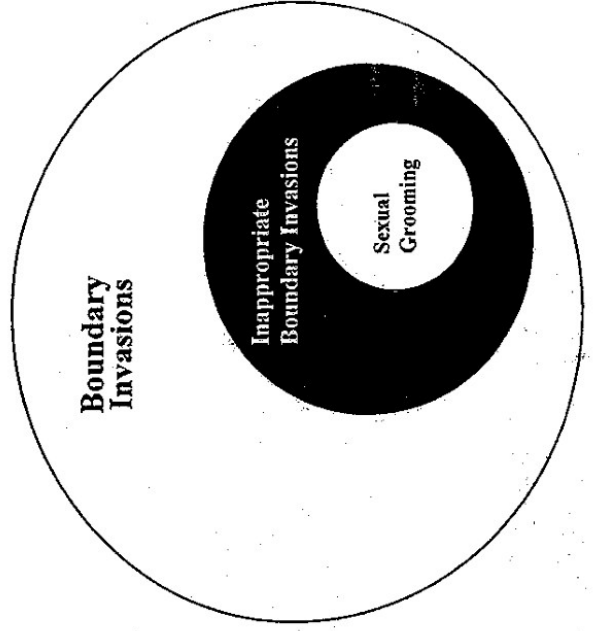
**Director of Human Resources**

360.457.8575

[\\_\\_\\_\\_\\_@portangelesschools.org](mailto:_____@portangelesschools.org)

PASD website: [www.portangelesschools.org](http://www.portangelesschools.org)

# IDENTIFYING AND PROHIBITING INAPPROPRIATE BOUNDARY INVASION



## *Inappropriate Conduct Subject to Discipline*

- 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 and school approved activities.
- Taking the student on outings, away from protective adults, including personal outings.
- Visiting the student's home without supervisor's approval.
- Inviting students to the teacher's personal home.
- Being alone with the student behind closed doors at school.
- Talking to the student about 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 in a non-emergency situation.
- 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.

## *Appropriate vs. Inappropriate Boundary Invasion*

For our purposes, there are two kinds of boundary invasions—those which are appropriate because they have educational and health reasons, and those which are inappropriate because they lack such valid reasons. The key is for administration to be able to make a distinction between the two, monitoring the former and taking action concerning the latter. This distinction is important to make because boundary invasions are not necessarily the same thing as sexual grooming. There are some boundary invasions which must take place in the school setting and are justified:

- A teacher or aid changing a kindergartner's pants after a toiletting accident makes sense.
- Touching students in coaching wrestling, football, or gymnas-tics is often necessary.
- Having a student teacher assistant stay after school to assist in preparing a presentation the following day may be necessary.
- Taking a volleyball team to a team dinner at the beginning of the season may be useful in melding team spirit.

There are many situations in education where boundary invasions make educational or medical sense. However, problems sometimes begin to occur when the pattern of such contacts gets out of hand and begins to take the form of a "special" or "secret" relationship. To avoid that problem, administration must be aware of boundary invasions going on at a school in order to determine when a staff member may be going too far. That means that ideally, administrators would best be aware of both the appropriate and inappropriate boundary invasions taking place at their schools.



## ***Identifying and Prohibiting Inappropriate Boundary Invasions***

### **FREQUENTLY ASKED QUESTIONS**

**You return from an away game late on Friday night and realize one student is still waiting for a ride, 45 minutes later. The student tries calling his/her parents and other family members but no one can be reached to drive them home. District protocol states staff are not to drive students home in their personal vehicles, but you also can't leave a student at the building?**

**In these types of situations it is best to have already discussed procedures ahead of time with your Athletic Director or Building Principal. The intent is to protect yourself as well as the student. By making others aware of your situation, it helps prevent misunderstandings.**

- **First, speak with your Supervisor (Athletic Director, Building Principal, etc) and relay to them the situation, the child's name, address and approx time it should take you to drive student home.**
- **Leave a message for the parent or with another family member and your cell number so they can contact you. Explain you are leaving specific location at specific time and should have student to their home by this time.**
- **Have the student sit in the back seat of your vehicle if possible.**
- **Your building administrator or AD may ask you to contact them once you have dropped the student off.**

**Our Marching Band is leaving for competition Saturday morning and I need to contact the Drum Major and a few of the Drum Section to change their arrival time at the school an hour earlier? It's Friday Night after 9pm and I don't want to call their home number-Can I text or email my students?**

**Even though Email, text messages and cell phones are convenient they are not a necessity and should not be used as a means of communicating directly with students. It is always best to discuss these types of scenarios ahead of time with your building principal, so you know your department's policy.**

- **In this situation, even though it is late, if it is an emergency it would be best to try and call the parents and explain the issue and ask that they relate the message to their child.**

**At the start of the season, ask parents if they have an email or preferred way to contact them. Only contact students via their parents' email & telephone numbers do not call or text students direct. A team captain or activity club president has a leadership role and therefore should be tasked with contacting students with change of plans, not you.**

**I am the Golf team Coach and I have 7 students who are playing on 9 different holes, can I give them my cell number?**

Unlike most sports and after school activities, Cross Country, and Golf often means you cannot always be physically supervising students at all times. It is important that you have an ability to contact and be contacted by your students in case of emergencies.

- o Talk with your building administrator and / or AD to set up specific parameters.
- o Request prior to the start of the season permission from the parent of the student with the cell phone if it is okay for you to call their son/daughter while at practice, etc and only for emergencies.
- o Pair students so that at least one student has cell phone and an emergency number, as well as understand they should call 911 in any life threatening incidents.
- o Be sure students understand they are to call you *only* for emergencies and *only* during activity when they are under your supervision.

**I have a student who is struggling in my class and would like to come before school three days a week for extra help? No one is usually around in the morning down in my wing. Will this be a violation?**  
To protect yourself and students, never do things that seem secretive or favoring a specific student. Have you offered your help to others students at this same time frame? Make all your students aware they can come for extra help during this time and not just student X.

- o Speak to your building administrator ahead of time so they are aware you are working with a student one on one on a regular basis.
- o If possible move study session to library or populated area.
- o Always make sure you and the student are visible to others. Keep doors open, lights on and windows uncovered.

**I have a Facebook account and have a few students contact me occasionally. No big deal right?**  
Wrong! Social networking sites have become major issues in many sexual misconduct cases. While you may use Facebook, MYSPACE, twitter, or other social networking sites in your personal life, it is not appropriate to "accept" students as "friends" who may wander onto your page. If you have already accepted students onto your social networking page, please set a boundary for them to follow such as:

*All staff has been asked by the District to use District communication mechanisms to communicate with students. If you wish to contact me, my school e-mail address is: \_\_\_\_\_ and my school voice mail is \_\_\_\_\_. I look forward to working with you at school.*

The NEA recommends against staff using such sites, and if they do, to always set their privacy level to 'friends only' so students cannot access your private information.



To: Port Angeles School District Staff

From: Director Human Resources

Date: September 1<sup>st</sup> 2022

Our District provides this information to all staff as per our policy and requirements of the Washington Schools Risk Management Pool (WSRMP) regarding inappropriate Boundary Invasion, with an emphasis on preventing sexual misconduct.

**Our district is required to:**

- Ensure that all staff receive a copy of these updated protocols, and training.
- Ensure that all staff signs receipt of policies and/or protocols and returns this form to Human Resources to be kept on file.

Please review the attached documents, sign below that you have reviewed the documents and **return it to Human Resources.**

- ☐ I have received and reviewed the following Port Angeles School District policies/protocols:
  - PASD Brochure *Identifying and Prohibiting Inappropriate Boundary Invasion*
  - WSRMP Pool Cues article: *Preventing Sexual Misconduct Against Students by School Employees*
  - FAQs: Identifying and Prohibiting Inappropriate Boundary Invasion
  - District Contact Information
- ☐ I understand that the district has adopted School Board Policy 3421P which can be accessed on the district website @ [www.portangelesschools.org](http://www.portangelesschools.org)
- ☐ I understand there are two kinds of boundary invasions – those that are appropriate because they have educational or health reasons and those that are inappropriate.
- ☐ I understand I am responsible for following District procedures regarding inappropriate Boundary Invasion, incident reporting, and consequences of enacting in such behaviors.
- ☐ I understand I also have a legal Duty to report ANY AND ALL allegations of Sexual Misconduct (RCW 28A.400.301).
- ☐ I will adhere to these guidelines and acknowledge my role in protecting children from inappropriate conduct by adults.

If you have any questions, please contact Human Resources. Thank you for your help in expediting this requirement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name