



To: Port Angeles School District Staff

From: Director Human Resources

Date: August 8, 2013

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.
- 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

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.

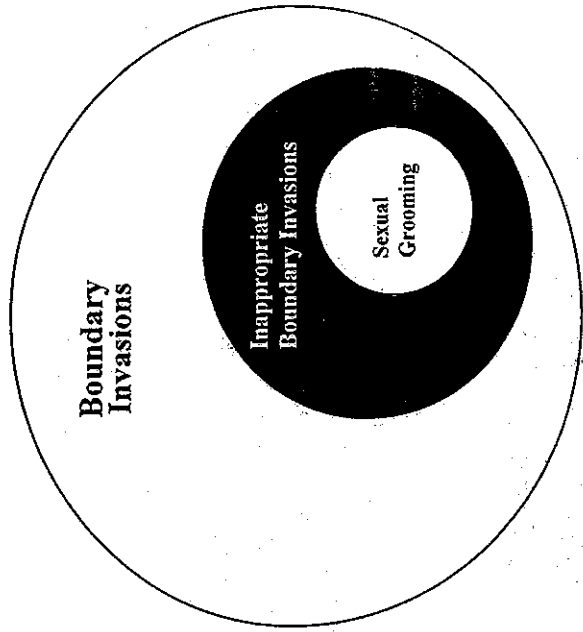
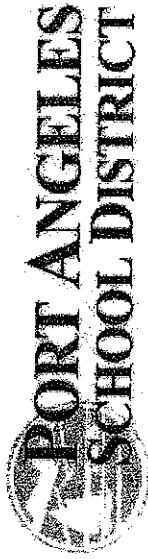
Documenting reports of Inappropriate Boundary Invasion

Contact your supervisor or Title IX Officer:

Director of Human Resources
360.457.8575

@portangelesschools.org
PASD website: 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 kindergarten'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.



**PREVENTING SEXUAL MISCONDUCT
AGAINST STUDENTS BY SCHOOL EMPLOYEES WITH CLEAR RULES AGAINST
BOUNDARY INVASIONS**

Don Austin
WSRMP Pool Cues
August 1, 2009

Boundary Invasions and Sexual Grooming

According to sexual abuse expert Carla van Dam, Ph.D., there are two kinds of child molesters, "groomers" and "grabbers." In education, 99.9% of child molesters are "groomers." The purpose of these guidelines is to eradicate opportunities for sexual grooming by clearly prohibiting inappropriate boundary invasions by school employees with students and defining such misconduct as unprofessional conduct which would be subject to discipline against the employee.

Sexual abusers and predators often target children who are suitably passive or needy and then engage in personal boundary invasion behaviors which become increasingly invasive of the child's boundaries. These actions, termed *sexual grooming*, involve the progressive breaking down of the child's normal personal boundaries so that the adult may eventually take sexual advantage of the child. They include physical contact that seems harmless or verbal comments that are designed to flatter and ingratiate the child, so that eventually physical contact or inappropriate remarks seem normal. Sexual grooming is often conducted through the adult making boundary invasions, some of which may not seem harmful or inappropriate when considered independent of other conduct, but when seen as a pattern are not healthy. Since inappropriate boundary invasion behaviors often precede situations when an educator takes sexual advantage of a child, such boundary invasion behaviors are suspect regardless of their intent. Unless there are sound educational reasons for the conduct, they are inappropriate, will not be tolerated, and will be the subject of discipline against any employee engaging in them.

Inappropriate Conduct Subject to Discipline

"Boundary invasion behaviors" include, but are not limited to, the following conduct by school employees in relation to students:

1. Taking an undue interest in a student (i.e., having a "special" friend or a "special relationship" with a particular student).
2. Favoring certain students by giving them special privileges.
3. Favoring certain students by inviting them to come to the classroom at non-class times.
4. Giving gifts or money to the student.
5. Engaging in peer-like behavior with students.
6. Touching students for no educational or health reason.
7. Being overly "touchy" with certain students.

8. Having personal secrets with a student.
9. Getting a student out of class to visit the teacher during the teacher's prep period.
10. Talking to the student about the educational practitioner's personal problems.
11. 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.
12. Allowing the student to get away with inappropriate behavior.
13. Being alone with the student behind closed doors at school.
14. Taking the student on outings, away from protective adults.
15. Giving students rides in the educational practitioner's personal vehicle.
16. Initiating or extending contact with students beyond the school day.
17. Using e-mail, text-messaging, or instant messaging to discuss personal topics or interests with students.
18. Invading the student's privacy (e.g., walking in on the student in the bathroom).
19. Visiting the student's home.
20. Taking the student on personal outings.
21. Inviting students to the teacher's personal home.
22. Engaging in talk with students containing sexual innuendo or banter.
23. Telling sexual jokes to students.
24. Talking with a student about sexual topics that are not related to a specific curriculum.
25. Showing pornography to the student.
26. Hugging, kissing, or other physical contact even when the student does not want this attention.
27. Any combination of the above or similar conduct.

Rules Relating to Inappropriate Boundary Invasion Behaviors.

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 school employees which are inappropriate or have questionable educational benefit are prohibited.

Appropriate boundary invasions of students constitute educationally or medically necessary actions taken for the sole purpose of instructing or caring for a student. Appropriate boundary invasions would include such things as a Kindergarten teacher assisting a 5 year old after a toileting accident, an assistant principal breaking up a fight, a P.E. teacher demonstrating wrestling holds or spotting for gymnastics, or a teacher driving a student home in a true emergency situation.

Reporting Duty of Other Education Practitioners

Part of being a professional is protecting students and protecting your profession from people who harm students and the profession through predatory conduct. Each year about two dozen Washington's school employees make the headlines for engaging in sexual misconduct with students. The adults who are in the best position to stop this misconduct are peers of the employees engaging in

the misconduct. Therefore, school employees who in the course and scope of their employment observe boundary invasion behaviors by another school employee with a minor have the duty to report what they have observed to the appropriate administrator. Failure to make such a report constitutes unprofessional conduct by the education practitioner who has failed to make the report.

Consequences of Engaging in Boundary Invasions for the Employee

Any employee who engages in inappropriate boundary invasions with a student will be subject to immediate discipline, which depending on the nature of the misconduct, could include a letter of reprimand to his/her personnel file, being placed on leave without pay, or being terminated. Certificated employees may also have a complaint lodged against them with OSP's Office of Professional Practices which could result in discipline against the teacher's credential. Furthermore, in answering job reference checks in the future, the school district would inform future potential employers of the misconduct. In addition, any report of the episode may be a public record which the media may obtain and publish. Criminal penalties may also apply in some situations.

Don Austin is an associate with Seattle's Patterson Buchanan Fobes Leitch & Kalzer which represents public entities, including more than sixty Washington school districts. He practices school law in the areas of litigation, special education, and personnel work. He is admitted to the bars in California (inactive) and Washington and has 25 years experience working inside school districts, 16 as a teacher (and NEA member) and 9 as an in-house attorney for Ventura Unified School District in California.

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.



CONTACT INFORMATION

FOR REPORTING INAPPROPRIATE BOUNDARY INVASION/SEXUAL MISCONDUCT:

BUILDING ADMINISTRATORS:

Port Angeles High School

Jeff Clark, Interim Principal

jclark@portangelesschools.org

360.565.1513 direct line

360.452.7602 main line

Stevens Middle School

Chuck Lisk, Principal

clisk@portangelesschools.org

360.565.1782 direct line

360.452.5590 main line

Dry Creek Elementary School

Michael Herzberg, Interim Principal

mherzberg@portangelesschools.org

360.565.3645 direct line

360.457.5050 main line

Franklin Elementary School

Amity Butler, Principal

abutler@portangelesschools.org

360.565.1836 direct line

360.457.1343 main line

Hamilton Elementary School

Gary Pringle, Principal

gpringle@portangelesschools.org

360.565.1679 direct line

360.452.6818 main line

Jefferson Elementary School

Joyce Mininger, Principal

jmininger@portangelesschools.org

360.565.1911 direct line

360.457.4231 main line

Roosevelt Elementary School

Michelle Olsen, Principal

molsen@portangelesschools.org

360.565.1717 direct line

360.452.8973 main line

Pupil Transportation Center

Karen Ross, Transportation Sup.

kross@portangelesschools.org

360.452.9714 main line

Parents as Partners and

Lincoln High School

Cindy Crumb, Principal

ccrumb@portangelesschools.org

360.452.9502

North Olympic Pen. Skills Ctr

Peggy Templeton, Director

ptempleton@portangelesschools.org

360.565.1515

Maintenance & Technology

Nolan Duce, Supervisor

nduce@portangelesschools.org

360.457.0949

Infant/Toddler Program

Brianne Barrett, Dir. Special Services

bbarrett@portangelesschools.org

360.565.3745

Central Services Building

Marc Jackson, Superintendent

mjackson@portangelesschools.org

360.457.8575

Sodexo Food Services

Kathy Crowley, Food Svc Dir.

kcrowley@portangelesschools.org

360.565.1940

DISTRICT TITLE IX OFFICER:

Central Services Building

Director Human Resources

360.565.3725