LENAPE TECHNICAL SCHOOL

SECTION: OPERATIONS

TITLE: MAINTAINING PROFESSIONAL ADULT/STUDENT BOUNDARIES

ADOPTED: May 19, 2016

REVISED: September 17, 2020; December 19, 2024

824. MAINTAINING PROFESSIONAL ADULT/STUDENT BOUNDARIES

Authority

This policy applies to school employees, volunteers, student teachers, and independent contractors and their employees who interact with students or are present on school grounds. For purposes of this policy, such individuals are referred to collectively as **adults**. The term **adults** as used in this policy, does not include school students who perform services on a volunteer or compensated basis.

All adults shall be expected to maintain professional, moral and ethical relationships with school students that are conducive to an effective, safe learning environment. This policy addresses a range of behaviors that include not only obviously unlawful or improper interactions with students, but also precursor grooming and other boundary-blurring behaviors that can lead to more egregious misconduct.

The Joint Operating Committee directs that all adults shall be informed of conduct that is prohibited and the disciplinary actions that may be applied for violation of Joint Operating Committee policies, administrative regulations, rules and procedures.[1]

This policy is not intended to interfere with appropriate pre-existing personal relationships between adults and students and their families that exist independently of the school or to interfere with participation in civic, religious or other outside organizations that include school students.

Definition

For purposes of this policy, **legitimate educational reasons** include matters or communications related to teaching, counseling, athletics, extracurricular activities, treatment of a student's physical injury or other medical needs, school administration or other purposes within the scope of the adult's assigned job duties.

Delegation of Responsibility

The Administrative Director or designee shall annually inform students, parents/guardians and all adults regarding the contents of this Joint Operating Committee policy through employee and student handbooks, posting on the school website and by other appropriate methods.

The building administrator or designee shall be available to answer questions about behaviors or activities that may violate professional boundaries as

	defined in this policy. **Independent contractors doing business with the school shall ensure that their employees who have interaction with students or are present on school grounds are informed of the provisions of this policy.[2]** **ess with the school shall ensure that their employees who have interaction with students or are present on school grounds are informed of the provisions of this policy.[2]**
Guidelines	Adults shall establish and maintain appropriate personal boundaries with students and not engage in any behavior that is prohibited by this policy or that creates the appearance of prohibited behavior. <u>Prohibited Conduct</u> *Romantic or Sexual Relationships -* Adults shall be prohibited from dating, courting or entering into or attempting to form a romantic or sexual relationship with any student enrolled in the school, regardless of the student's age. Students of any age are not legally capable of consenting to romantic or sexual interactions with adults.[3][4] Prohibited romantic or sexual interaction involving students includes, but is not limited to: 1. Sexual physical contact. 2. Romantic flirtation, propositions, or sexual remarks. 3. Sexual slurs, leering, epithets, sexual or derogatory comments. 4. Personal comments about a student's body. 5. Sexual jokes, notes, stories, drawings, gestures or pictures. 6. Spreading sexual or romantic rumors. 7. Touching a student's body or clothes in a sexual or intimate way. 8. Accepting massages or offering or giving massages other than in the course of injury care **legitimately** administered by an athletic trainer, coach or healthcare provider. 9. Restricting a student's freedom of movement in a sexually intimidating or provocative manner. 10. Displaying or transmitting sexual objects, pictures or depictions. *Social Interactions* – In order to maintain professional boundaries, adults shall ensure that their interactions with students are appropriate.

Examples of prohibited conduct that violates professional boundaries include, but are not limited to:

1. Disclosing personal, sexual, family, employment concerns or other private matters to one or more students.
2. Exchanging notes, e-mails or other communications of a personal nature with a student.
3. Giving personal gifts, cards or letters to a student without written approval from the building administrator.
4. Touching students without a legitimate educational reason. (Reasons could include the need for assistance when injured, appropriate coaching instruction or appropriate music instruction).
5. Singling out a particular student or students for personal attention or friendship beyond the ordinary professional adult-student relationship.
6. Taking a student out of class without a legitimate educational reason.
7. Being alone with a student behind closed doors without a legitimate educational reason.
8. Initiating or extending contact with a student beyond the school day or outside of class times without a legitimate educational reason.
9. Sending or accompanying a student on personal errands.
10. Inviting a student to the adult's home.
11. Going to a student's home without a legitimate educational reason.
12. Taking a student on outings without prior notification to and approval from both the parent/guardian and the building administrator.
13. Giving a student a ride alone in a vehicle in a nonemergency situation without prior notification to and approval from both the parent/guardian and the building administrator.
14. Addressing students or permitting students to address adults with personalized terms of endearment, pet names, or otherwise in an overly familiar manner.
15. Telling a student personal secrets or sharing personal secrets with a student **or asking students to keep any conversation, gift or activity a secret**.
16. For adults who are not guidance/counseling staff, psychologists, social workers or other adults with designated responsibilities to counsel students, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, the student should be referred to the appropriate school resource.
17. Furnishing alcohol, drugs or tobacco to a student or being present where

any student is consuming these substances.

18. Engaging in harassing or discriminatory conduct prohibited by other school policies or by state or federal law and regulations.[5][6]

Electronic Communications –

For purposes of this policy, **electronic communication** shall mean a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular telephone, computer, computer network, personal data assistant or pager. Electronic communications include, but are not limited to, e-mails, instant messages and communications made by means of an Internet website, including social media and other networking websites.

As with other forms of communication, when communicating electronically, adults shall maintain professional boundaries with students.

Electronic communication with students shall be for legitimate educational reasons only. An electronic communication to a student shall be copied to the student's designated parent/guardian.

When available, school-provided e-mail or other school-provided communication devices or platforms shall be used when communicating electronically with students. The use of school-provided e-mail or other school-provided communication devices or platforms shall be in accordance with school policies and procedures.[7]

All electronic communications from teachers/advisors to student/club members shall be sent in a single communication to all participating students/club members, except for communications concerning an individual student's medical or academic privacy matters, in which case the communications will be copied to the building administrator.

Adults shall not follow **or send** or accept requests from current students (including former students currently enrolled in any other K thru 12 school, educational program or home schooling) to be friends or connections on personal social networking sites and shall not create any networking site for communication with students other than those provided by the school for this purpose, without the prior written approval of the Administrative Director.

If a student contacts an adult via social media or any other non-school provided e-mail, the adult shall inform the student's parent/guardian and building principal, and the building principal will request that the parent/guardian take steps to halt such contacts.

<u>Exceptions</u>

An emergency situation or a legitimate educational reason may justify deviation from the rules regarding communication or methods for maintaining

professional boundaries set out in this policy. The adult shall be prepared to articulate the reason for any deviation from the requirements of this policy and must demonstrate that **they have** maintained an appropriate relationship with the student.

Under no circumstance will an educational or other reason justify deviation from the "Romantic and Sexual Relationships" section of this policy.

There will be circumstances where personal relationships develop between an adult and a student's family, e.g. when their children become friends. This policy is not intended to interfere with such relationships or to limit activities that are normally **consistent** with such relationships. Adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity.

It is understood that many adults are involved in various other roles in the community through non-school-related civic, religious, athletic, scouting or other organizations and programs whose participants may include school students. Such community involvement is commendable, and this policy is not intended to interfere with or restrict an adult's ability to serve in those roles. However, adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity with regard to all youth with whom they interact in the course of their community involvement.

Reporting Inappropriate or Suspicious Conduct

Any person, including a student, who has concerns about or is uncomfortable with a relationship or interaction between an adult and a student, shall promptly notify the Administrative Director or Title IX Coordinator. Reports may be made using the Discrimination/ **Harassment**/Bullying/Hazing/Dating Violence/Retaliation Report Form or by making a general report orally or in writing. Upon receipt of a report, school staff shall promptly notify the **Title IX Coordinator**.[5][8]

All school employees, independent contractors and volunteers who have reasonable cause to suspect that a child is the victim of child abuse, shall immediately report the suspected abuse, in accordance with applicable law, regulations and Joint Operating Committee Policy.[9][10]

An educator who knows of any action, inaction or conduct which constitutes sexual abuse or exploitation or sexual misconduct under the Educator Discipline Act shall report such misconduct to the Pennsylvania Department of Education on the required form, and shall report such misconduct to the Administrative Director, Title IX Coordinator and his/her immediate supervisor, promptly, but not later than fifteen (15) days following discovery of such misconduct.[5][8][11][12]

If the Administrative Director or designee reasonably suspects that conduct being reported involved an incident required to be reported under the Child Protective Services Law, the Educator Discipline Act or the **school safety and security provisions of School Code**, the Administrative Director or designee shall make a report, in accordance with applicable law, regulations and Joint Operating Committee Policy.[9][10][11][12][13][14][15][16][17][18]

It is a violation of Joint Operating Committee policy to retaliate against any person for reporting any action pursuant to this policy or for participating as a witness in any related investigation or hearing.[5][8]

Investigation

The Title IX Coordinator shall promptly assess and address allegations of inappropriate conduct in accordance with the procedures for reports of discrimination or **discrimination/**harassment.[5][8]

It is understood that some reports made pursuant to this policy will be based on rumors or misunderstandings; the mere fact that the reported adult is cleared of any wrongdoing shall not result in disciplinary action against the person making the report or any witnesses. If as the result of an investigation any individual, including the reported adult, the person making the report, or a witness is found to have knowingly provided false information in making the report or during the investigation or hearings related to the report, or if any individual intentionally obstructs the investigation or hearings, this may be addressed as a violation of this policy and other applicable laws, regulations and Joint Operating Committee policies. **Obstruction** includes, but is not limited to, violation of "no contact" orders given to the reported adult, attempting to alter or influence witness testimony, and destruction of or hiding evidence.[5][8][12][19][20][21][22]

Disciplinary Action

A school employee who violates this policy may be subject to disciplinary action, up to and including termination, in accordance with all applicable school disciplinary policies and procedures.[8][12][19]

A volunteer, student teacher, or independent contractor or an employee of an independent contractor who violates this policy may be prohibited from working or serving in the school for an appropriate period of time or permanently, as determined by the Administrative Director or designee.

Training

The school shall provide training with respect to the provisions of this policy to current and new school employees, volunteers and student teachers subject to this policy.

	The school, at its sole discretion, may require independent contractors and their employees who interact with students or are present on school grounds to receive training on this policy and related procedures. **PSBA Revision 7/24 © 2024 PSBA** Legal References 1. 24 P.S. 1850.1 2. Pol. 818 3. 18 Pa. C.S.A. 3124.2 4. 24 P.S. 2070.9f 5. Pol. 103 6. Pol. 103.1 7. Pol. 815 8. Pol. 104 9. 23 Pa. C.S.A. 6311 10. Pol. 806 11. 24 P.S. 2070.9a 12. Pol. 317.1 13. 24 P.S. 1306.2-B 14. 24 P.S. 1319-B 15. 22 PA Code 10.2 16. 22 PA Code 10.21 17. 22 PA Code 10.22 18. Pol. 805.1 19. Pol. 317 20. Pol. 113.1 21. Pol. 218 22. Pol. 233 22 PA Code 235.1 et seq 24 P.S. 2070.1a et seq 23 Pa. C.S.A. 6301 et seq