

MAINTAINING PROFESSIONAL EMPLOYEE-STUDENT BOUNDARIES

The Board requires employees, volunteers, and students to treat one another with respect and professionalism. District employees and volunteers are legally and ethically obligated to exercise good judgment and maintain professional boundaries at all times when interacting with students on and off school property. Employees and volunteers must not intrude on a student's physical and emotional boundaries unless the intrusion is necessary to serve a legitimate health, safety, or educational purpose. Any type of sexual conduct with a student is an inappropriate boundary invasion.

Inappropriate boundary invasions can take many forms. Employees and volunteers are expected to be aware of the appearance of impropriety in their own conduct and the conduct of other employees when interacting with students.

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

Activities that May Create an Impropriety or Appearance of Impropriety

Employees and volunteers should avoid activities that may create an impropriety or appearance of impropriety. If these activities are unavoidable, they should be pre-approved by the appropriate administrator. If not preapproved, the employee or volunteer must report the occurrence to the appropriate administrator as soon as reasonably possible. Activities include, but are not limited to, the following:

1. Being alone with an individual student out of the view of others;
2. Inviting or allowing individual students to visit the employee's or volunteer's home;
3. Visiting a student's home;
4. Sending or soliciting email, text messages or other electronic communications to the student, except when the communication relates to school business, and the building administrator or supervisor has consented to such communications; and/or
5. Social networking with students for non-educational purposes.

Inappropriate Boundary Invasion

Examples of possible inappropriate boundary invasions by an employee or volunteer include, but are not limited to, the following:

1. Any type of inappropriate physical contact with a student or any other conduct that might be considered harassment under board policy AAC, Nondiscrimination and Anti-Harassment Policy;
2. Any conduct that would constitute sexual abuse of a minor under law;
3. Any activity that may lead to a sexual relationship such as dating, sending intimate correspondence, and/or engaging in sexualized dialogue. This includes, but is not limited to, banter, allusions, jokes or innuendos of a sexual nature with students;

RECOMMENDED

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4. Any sexual relationship between an employee or volunteer and a current student, regardless of their age, or a former student under the age of 18;
5. Showing pornography to a student;
6. Singling out a particular student or students for personal attention and friendship beyond the professional employee-student relationship;
7. Socializing where students are consuming alcohol, drugs, or tobacco;
8. For non-guidance/non-counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, employees are expected to refer the student to appropriate guidance/counseling staff. In either case, employee involvement should be limited to a direct connection to the student's school performance;
9. Sending students on personal errands unrelated to any educational purpose;
10. Disclosing personal, sexual, family, employment concerns or other private matters to one or more students;
11. Addressing students or permitting students to address staff members with personalized terms of endearment, pet names or otherwise in an overly familiar manner;
12. Maintaining personal contact with a student outside of school by phone, email, text messaging, instant messenger or Internet chat rooms, social networking websites, or letters beyond homework or other legitimate school business without including the parent/guardian;
13. Exchanging personal gifts, cards, or letters with an individual student;
14. Socializing or spending time with students (including but not limited to activities such as going out for beverages, meals or movies, shopping, traveling and recreational activities) outside of school-sponsored events, except as participants in organized community activities;
15. Giving any student a ride alone in a vehicle in a non-emergency situation;
16. Unnecessarily invading a student's privacy, (e.g. walking in on the student in the bathroom); or
17. Any other conduct that fails to maintain professional staff/student boundaries.

Exemption

Student instruction on board approved curriculum pertaining to sexual education that may include, but is not limited to, instruction on human anatomy, childbirth, puberty and the reproductive system, and human sexuality is exempt from violating this policy or applicable laws when taught for educational purposes as directed by the Board.

Reporting

Employees and volunteers shall discuss these issues with their building administrator or supervisor whenever they suspect or question whether their own or another employee's conduct is inappropriate or constitutes a violation of this policy.

Individuals aware of any inappropriate boundary invasions or impropriety by an employee or volunteer are expected to report such action promptly to the building administrator or

the Administrator. Allegations of such inappropriate misconduct shall be investigated by the Administrator or designee in accordance with district policy.

All allegations of sexual misconduct shall be reported to and investigated by the Title IX Coordinator in accordance with the procedures utilized for complaints of sexual harassment (see board policy AAC).

If disciplinary action is deemed warranted at the completion of the investigation, the District shall take appropriate action, up to and including termination of employment, in accordance with district policy, the negotiated agreement, and law. When appropriate, such disciplinary action may include reporting such activity to appropriate state licensing and law enforcement officials. Volunteers who violate this policy may be prohibited from working or serving in district schools for an appropriate period of time or permanently, as determined by the Administrator or designee.

Policy Dissemination

The Administrator or designee shall inform employees, volunteers, students, and parents/guardians annually or upon acceptance of the position of the contents of this policy through employee and student handbooks, posting on the district website, and/or by other appropriate methods.

The District, at its sole discretion, may require independent contractors and their employees who interact with students or are present on school grounds to receive this policy.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- AAC, Nondiscrimination and Anti-Harassment Policy
- AAC-BR1, Discrimination and Harassment Grievance Procedure
- AAC-BR2, Title IX Sexual Harassment Grievance Procedure
- AAC-E1, Filing a State or Federal Discrimination and Harassment Complaint
- DED, Administrative Leave and Suspension
- DEBG, Electronic Communications with Students

End of Yellowstone Policy DEBD Adopted: March 17, 2025