



Staff–Student Professional Boundaries & Prohibition of Sexual/Ethical Misconduct (HB 128 Compliance

POLICY:)

Approved by Governing Council on:

1. Purpose

Siembra Leadership High School (“Siembra”) is committed to ensuring the physical, emotional, and psychological safety of all students. Because staff hold positions of power and trust, clear professional boundaries are essential to prevent misconduct, exploitation, favoritism, or harm.

This policy establishes:

- Required professional boundaries
- Prohibited conduct
- Mandatory reporting procedures
- HB128 compliance expectations
- Investigation and training requirements

This policy is informed by the NMPSIA/POMS model boundary policy and HB128 requirements.

2. Scope

This policy applies to:

- All employees (instructional, non-instructional, part-time, temporary)
- Student teachers, interns, and volunteers
- Independent contractors, consultants, and vendors
- Coaches, extracurricular staff
- Virtual or off-site service providers

This policy applies:

- On and off campus
- During and beyond school hours
- During school-sponsored activities
- During digital or electronic communication
- In any circumstance involving a Siembra student





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3. Definitions

Duty of Care

Staff must take reasonable steps to protect students from foreseeable risk of harm.

Professional Boundaries

Clear limits separating staff roles from personal relationships, ensuring student safety and preventing conflicts of interest.

Inappropriate Boundary Invasion

Acts (or patterns of behavior) without legitimate educational purpose that compromise or abuse the staff-student relationship.

Legitimate Educational Purpose

Actions consistent with staff responsibilities including instruction, discipline, counseling, or student safety.

Electronic Communication

Any communication using phones, computers, email, texting, messaging apps, or social media.

Sexual Misconduct

Any sexualized behavior—verbal, physical, written, or digital—toward a student.

Ethical Misconduct

Any action abusing professional authority, including favoritism, dual relationships, inappropriate disclosure, or grooming.

4. Guiding Principles

Staff must:

- Prioritize student safety and well-being
- Understand power dynamics
- Ensure all interactions are observable & interruptible
- Maintain professional tone and behavior
- Avoid private or personal relationships with students
- Report concerns immediately





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5. Prohibited Conduct

The following behaviors are strictly prohibited and may result in termination.

A. Sexual Misconduct (Zero Tolerance)

- Sexual contact, communication, or behavior
- Romantic involvement or dating
- Grooming behaviors
- Sexual jokes, comments, or discussions
- Sharing inappropriate or explicit material

B. Boundary Violations / Ethical Misconduct

Based on the POMS sample policy.

Prohibited actions include, but are not limited to:

- Being alone with a student in private or isolated areas
- Driving a student without administrative permission
- Giving students gifts of more than nominal value
- Sharing personal or intimate information
- Meeting students socially outside school duties
- Sending or receiving personal messages
- Asking a student to keep a secret
- Favoritism or special treatment
- Touching a student except when necessary for safety or educational purposes

6. Electronic Communication Standards

Staff must:

- Use only school-approved platforms
- Never use personal accounts to communicate with students
- Keep communication professional, transparent, and accessible to administrators/parents

Examples of prohibited communication:

- Private texting, DMs, phone calls not related to school
- Following, friending, or messaging students on personal social media
- Using apps designed to hide or delete messages





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7. Acceptable vs. Unacceptable Contexts

Acceptable with Conditions

- Academic tutoring (observable & interruptible)
- Counseling in rooms with windows
- Emergency safety situations
- Group communication through approved systems

Unacceptable

- Home visits not approved by administration
- Private meetings off-campus
- Socializing at events where alcohol is consumed
- Bringing students to staff homes

(Adapted from POMS guidance on community interactions.)

8. Reporting Requirements

All staff are MANDATED reporters.

Staff must immediately report:

- Suspected sexual misconduct
- Suspected boundary violations
- Concerns about grooming or inappropriate communication
- Any appearance of impropriety

Reports must be made to:

- Executive Director
- HR / Compliance Officer
- CYFD or law enforcement when required

Failure to report is a violation of this policy and state law.

Anonymous reports will be investigated.

Witness intimidation, retaliation, or obstruction is prohibited.





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9. Investigation Procedures

Upon receiving a report:

- Staff may be reassigned or placed on leave
- Investigation begins immediately
- Evidence is documented
- External agencies notified when required
- Confidentiality is maintained as appropriate

Consequences may include:

- Corrective action
- Suspension
- Non-renewal or termination
- Licensure reporting to NMPED
- Referral to law enforcement

10. Training Requirements

To comply with HB128:

- All staff must complete annual boundary & misconduct training
- New hires must complete training before student contact
- Contractors may be required to complete or verify training

Documentation will be maintained in personnel files.

11. Dissemination of Policy

This policy will be included in:

- Employee handbook
- Volunteer/contractor materials
- School website
- Annual training materials

12. Exceptions

Emergency situations or legitimate educational reasons may justify deviations IF:

- Staff can articulate the rationale





SIEMBRA LEADERSHIP
HIGH SCHOOL

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- The relationship remained appropriate
- The incident is documented and reported immediately

No exception applies to sexual or romantic conduct.

Revision History

Version #

Description of Changes

Date

