Title: **Maintaining Appropriate Adult-Student Interactions**
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Maintaining Appropriate Adult-Student Interactions

Purpose

The purpose of this policy is to provide the staff, students and volunteers in Marin County Office of Education (MCOE) who are working with students with information to increase their awareness of their role in maintaining appropriate boundaries by adults in order to prevent inappropriate conduct. All adults are expected to maintain professional, moral, and ethical relationships with students that are conducive to an effective, safe learning environment.

The provisions of this policy apply to all staff, volunteers and community members relative to their conduct with students in MCOE programs that are serving students.[1] This policy addresses a range of behaviors that include not only obviously unlawful or improper interactions with students, but also boundary violations, including boundary-blurring and grooming behaviors that undermine the professional adult/student relationship and can lead to misconduct or the appearance of impropriety. All sexual contact between students and School Adults is prohibited by this policy without regard to the student's age.

Adults are required to maintain an atmosphere conducive to learning by consistently and appropriately establishing and maintaining professional boundaries. The interactions and relationships between adults and students should be based upon mutual respect and trust, and an understanding of the appropriate boundaries between adults and students in and outside of the educational setting. Relationships between adults and students should also be consistent with the educational mission of the Marin County Office of Education (MCOE).

Definitions

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[1] For example, this policy would not preclude an employee who has a child attending an MCOE program from having their child's friends who are also in an MCOE program over to their house for a sleepover. Employees are directed to contact their supervisor if they have any questions regarding this or similar situations.

Sexual Assault usually refers to forced or unwanted sexual contact or activity that occurs as a single incident, as opposed to ongoing sexual abuse that may continue over time. It may also involve verbal or visual behaviors, or any type of pressure designed to coerce or force someone to join in unwanted sexual contact or activity. The assault may involve a similar range of behaviors that are attempted or perpetrated against a victim's will or when a victim cannot consent because of age, disability, or the influence of alcohol or drugs. Sexual assault may involve actual or threatened physical force, use of weapons, coercion, intimidation or pressure. The perpetrator usually takes advantage of the victim's vulnerability.

Sexual Abuse refers to coerced or forced sexual contact or activity that may be ongoing or occurs over time, often within a trusting relationship. Perpetrators may trick or force victims into gradually engaging in sexual activity. Perpetrators of ongoing sexual abuse often control the child/youth through secrecy, shame, or threats.

Grooming is the manipulative process by which an adult builds a relationship, trust, and emotional connection with a child, their family and the adult's colleagues to gain access to the child for the purpose of perpetrating sexual abuse.

Legitimate Educational Purpose includes matters or communications related to teaching, counseling, athletics, extracurricular activities, treatment of a student's physical injury, other medical/physical needs, or toileting needs, school administration, transporting students when required by their job duties, or other purposes that are within the scope of the adult's employment/volunteer duties.

Boundary Violation is an act or omission by an adult that does not have a legitimate educational purpose and has the potential to abuse the adult/student relationship. A boundary violation that constitutes serious misconduct is an act, omission, or pattern of such behavior by an adult that does not have a legitimate educational purpose; and results in abuse of the staff/student professional relationship.

School Adult refers to a person employed by, working in conjunction with or associated with MCOE program activities usually in supervisory capacity (teacher, learning coach, paraeducator) but can also be a support person (volunteer, chaperone) for school-related activities on- or off- campus. This policy applies to School Adults to the extent they are acting in the course and scope of their employment, volunteer, or other relationship to an MCOE program.

School Adult Relationships with Students

School Adults are expected to recognize and avoid any conduct—by themselves or other adults—that may appear inappropriate when interacting with students**.** In order to protect both students and School Adults from unwarranted physical contact or allegations of sexual misconduct, the following guidelines are established and are to be followed by all School Adults when working with students, on- or off-campus.

Physical Interactions - the following are examples, but not an exhaustive list of appropriate and inappropriate behaviors:]

<u>Appropriate Physical Interactions</u>

- Occasional side hugs; shoulder-to-shoulder hugs
- Pats on the shoulder or back
- Handshakes
- High-fives, fist bumps and hand slapping
- Brief touching hands, shoulders, and arms
- Arms around shoulders

<u>Inappropriate Physical Interactions</u>

- School Adult-initiated hugs
- Kisses
- School Adult sleeping in a bed with a student
- Allowing students to sit on School Adult's knees/lap
- Wrestling
- Piggyback rides
- Tickling
- Massage given by or to a student[2]
- Lying down in immediate proximity to a student on the floor, couch, bean bag
- Any form of affection that is unwanted by the student
- Touching bottom, chest, or genital areas

<u>Verbal Interactions</u>

School Adults are expected to refrain from speaking to students in a way that is harsh, manipulative, threatening, intimidating, shaming, disrespectful, insulting, demeaning,

[2] This does not apply to those students who require light massage or shoulder compressions for sensory issues, and as included in their approved Individualized Education Program. When in doubt about whether a particular physical interaction is appropriate, employees are directed to consult with their supervisor.

or humiliating. School Adults must not initiate sexually oriented conversations with students or discuss their own sexual activities with or near students. School Adults should stop any conversations that involve students who are involved in inappropriate conversations with other students or other adults in general. The following list are examples, but not an exhaustive list of appropriate and inappropriate behaviors:

Appropriate Verbal Interactions

- Positive reinforcement
- Appropriate jokes
- Encouragement
- Praise
- Instruction on human sexuality consistent with the adult's job duties

Inappropriate Verbal Interactions

- Name-calling
- Discussing sexual encounters
- Involving students in the personal problems or issues of School Adults
- Secrets
- Cursing
- Off-color or sexual jokes, sexual innuendo
- Shaming
- Belittling
- Derogatory remarks
- Harsh language that may frighten, threaten or humiliate students
- Derogatory remarks about the student or their family
- Pet names, nicknames given to students by School Adults, or terms of affection

One-on-One Interactions

The MCOE seeks to reduce situations in which a School Adult is alone with a student and recommends that School Adults avoid private one-on-one interactions unless approved in advance by the school administration.

In situations where one-on-one interactions are approved or unavoidable, School Adults should observe the following additional guidelines to manage the risk of abuse or false allegations of abuse.

Additional Guidelines for One-on-One Interactions

- In most situations, one-on-one meetings with students should occur in a public place in full view of others. School adults should never meet with any student behind a locked door.
- If meeting in a classroom or office, School Adults should (a) ensure the door is left open; and (b) meet in line of sight of the open door or move to an area that can be easily observed by others passing by.
- The MCOE recognizes that various functions performed by certain employees, (e.g., counselors, psychologists, therapists, persons assisting students with hygiene care, etc.) necessitate private meetings with students. Such School Adults should exercise professional judgment to determine when it is appropriate to meet with a student in a private setting, consistent with the norms and expectations of that profession.
- School Adults should avoid physical interactions that can be misinterpreted.
- School Adults should inform others (i.e., administrators, other School Adults) that they will be meeting alone with a student and, if appropriate, ask others to randomly check in. When appropriate, a second School Adult should be present, nearby or within hearing distance.

Off-Campus Contact

School Adults should not contact students outside of scheduled school activities, after school, and during school vacation periods. If a School Adult believes they have a legitimate educational purpose for contacting a student outside of school hours, including in cases of emergency or other urgent situations, they should consult their administrator for guidance.

School Adults may not invite or allow students into their home. The MCOE recognizes that employees have personal connections to students and families unrelated to their work at the MCOE. In the event an MCOE employee has an association with a student outside of their work at the MCOE (i.e., the student is a friend of a child of an MCOE employee), the MCOE employee shall provide notice of the association to their supervisor. Employees who are providing services to students outside their work at the MCOE are advised to consult and comply with Superintendent Policy 4036 regarding non-school employment.

Outside contact is only appropriate when an administrator has reviewed the activity and determined that the necessary and appropriate supervision protocols are implemented; and an administrator has secured parent/guardian permission to engage in the outside activity.

Examples of Appropriate Off-Campus Contact:

- Taking groups of students on an outing, with normal field trip permissions and supervisory protocols in effect
- Attending sporting activities with a group of students with appropriate field trip permission forms

Examples of Inappropriate Outside Contact:

- Taking any student on an outing without following established MCOE field trip permission protocols. The MCOE does not permit School Adults to take students on one-on-one outings.
- Visiting a student in the student's home without the explicit permission of the administration and unaccompanied by another School Adult
- Entertaining a student or students in the home of a School Adult with or without a parent or other adult present.
- A School Adult spending the night with a student without following established MCOE field trip and supervision protocols.

Electronic Communications

Electronic communications between School Adults and students should be minimized and transparent. School Adults are NOT, for any reason, permitted to share their personal contact information, including cell phone numbers, with students.

When communicating with students on a personal device, employees shall use the RingCentral App or other MCOE-approved applications such as ParentSquare or Remind. School Adults are strictly prohibited from using disappearing message apps, such as Snapchat or Signal when communicating with students for any reason.

The MCOE recognizes that employees have personal connections to students and families unrelated to their work at the MCOE. In the event an MCOE employee has an association with a student outside of their work at the MCOE (i.e., the student is a friend of a child of an MCOE employee), and the employee has shared their personal cell phone number in that context, the MCOE employee shall provide notice of the association to their supervisor and inform their supervisor that they have shared the personal cell phone number with the student. However, all work-related communications on a personal cell phone with students shall be conducted through Ring Central App or other MCOE-approved applications.

Electronic communications must adhere to the following guidelines:

Examples of Appropriate Electronic Communications

- Sending and replying to text messages from students utilizing the RingCentral App or other MCOE-approved application and for legitimate educational purposes.
- Communications for school-related work regarding assignments, appointments, activities etc. from an MCOE account, an MCOE-adopted platform or MCOE-approved application.

Examples of Inappropriate Electronic Communications

- Harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning or humiliating comments
- Sexually oriented conversations (explicit and implicit)
- Private messages between School Adults and students from private accounts
- Sending messages that are unrelated to school assignments/activities
- Engaging with students on social media, such as friending, snapping, messaging or subscribing to students' social media accounts or allowing students to engage with a School Adult on a School Adult's social media account
- Posting pictures of students without written parental consent and advance permission from the employee's immediate supervisor

Gifts and Other Tokens

Except as set forth below, School Adults are prohibited from giving gifts or other tokens to individual students. Gift giving will only be allowed if the following conditions are met:

- The gift(s), or similar gifts, are provided to the whole class/group at the same time; and
- Parents are notified; and
- Administration has approved the gift.

Supervision of School Programs

Appropriate monitoring and supervision are necessary to create and maintain a safe and supportive learning environment and for the protection of students, School Adults,

and the MCOE. Effective supervision enables the MCOE to more easily prevent, investigate, and resolve allegations of abuse.

General Supervision

Supervisors and school administrators will regularly visit all school programs to ensure that activities are well-managed and that school policies are observed. Staff will closely monitor unstructured student time, such as passing periods, before and after school, and lunch time, with line-of-sight supervision. Close line-of-sight supervision will be used when monitoring programs that mix age groups. Examples of particular times and campus locations where mixing of age groups typically occurs include:

- locker rooms
- lunch times
- recess
- before and after school.

Facility Monitoring

School Adults will observe the following guidelines when monitoring facilities:

- Unused rooms, storage areas, and closets will be kept locked at all times.
- Unused buildings and areas will be designated, posted, and enforced as off-limits to students.
- Students must remain in facility areas that are easily viewed by School Adults.
- Classrooms, meeting rooms, and any rooms where students have access should have windows that permit observation. Door windows should remain free of paper and items that may block visibility to the outside (i.e., artwork on windows should not prevent informal monitoring by passersby).
- Access to keys should be controlled for all facility areas.

Situations Requiring Heightened Supervision Levels

School Adults will observe the following guidelines when monitoring the following activities:

Bathroom Activities

- If privacy can be preserved, the bathroom doors should remain open.
- If a student requires toileting assistance, as indicated in their IEP, at least two School Adults should be present whenever possible.

- School Adults and adult visitors should use adult-only designated bathrooms especially on days/times when student activities are taking place.
- School Adults should monitor bathrooms during transition periods to ensure that students are not lingering in the bathroom.
- When students need to use the bathroom during class time, the classroom teacher or other School Adult should keep track of when the student left and ensure their timely return.
- Encourage pre-kindergarten and elementary-aged students to use the bathroom as a group during transition periods. However, sometimes students will need to use the bathroom during class time.
- In classrooms with connected single-stall bathrooms, send one student at a time to the bathroom and keep track of when the student entered the bathroom and ensure their timely exit.
- In those classrooms without connected single-stall bathrooms, assign the student a buddy based on the age and behaviors of the students. Instruct the buddy to stand outside the bathroom and wait for their classmate. If their classmate does not come out of the bathroom in a timely manner, instruct the buddy to report back to the teacher immediately.

<u>Transition and Free Times (including before and after school)</u>

- Designate certain areas at school as off-limits during these times by setting specific and narrow geographic boundaries in the program areas.
- Assign School Adults to specific areas to supervise during transition and free times. This “zone monitoring” ensures that all accessible areas are monitored. Assign more School Adults to any isolated areas.
- School Adults should not be on their cell phones or other electronic devices while they are assigned to supervise students
- Post School Adults at (or assign them as responsible for spot-checking) each available bathroom to actively monitor the students.
- School Adults are required to conduct periodic sweeps of the entire activity area. If students are lingering outside of the planned activity area, the supervisor should encourage these students to return to the designated areas.
- School Adults are required to be present during transition and free times (including before and after school).

<u>Evening Events and Activities</u>

In addition to the guidelines applicable for transition and free times, School Adults must observe the following guidelines for evening events and activities:

- Assign specific areas for supervision during both night activities and the transition times before and after the events. For example, while students are waiting in a large group before night activities,
- School Adults should be spread out in a “zone monitoring” formation – i.e., one School Adult in each corner of the area, one or more School Adults posted near the exits, etc. This “zone monitoring” increases our ability to effectively supervise all accessible areas, adults, and students.
- Assign an administrator during night activities.

Transporting Students

When transporting students, School Adults will:

- Notify their supervisor.
- Whenever possible, ensure that at least two adults are present when transporting a single student.
- Only transport students with permission from a parent and authorization from an administrator.
- Transport students directly to their destination without making any detours or unauthorized stops.
- Document beginning and ending time and the names of students and School Adults who are involved in transportation, the purpose of the transportation, and the destination.
- Avoid unnecessary physical contact with students while in vehicles. Students should sit in the rear seats.
- Avoid engaging in sensitive conversations with students while transporting them.
- Avoid using personal vehicles to transport students.

When transporting students by bus or van, School Adults will:

- Determine the number of School Adults necessary to adequately supervise the students
- Ensure that School Adults are randomly seated throughout the bus for easier supervision of students, with at least one School Adult in the front of the bus and one in the far rear. School Adults should sit in the aisle or in an outside seat so they can supervise students on the bus.
- Take a head count or roll call before loading and after unloading vehicles.

When public transportation is used, School Adults will:

- Determine the number of School Adults necessary to adequately supervise students

- If possible, ensure that students remain in one area of the bus.
- Assigned School Adults to a group and remain with that group on the bus.
- Take a head count or call roll immediately after entering and leaving the bus.

Day Trips, Field Trips, or Outings

All field trips or outings must be in compliance with the MCOE's policies. All such activities must meet the following guidelines:

- Have written prior approval by a supervisor.
- Have written parental permission.
- Have an established supervision ratio of School Adults to students, with at least two School Adults assigned to supervise.
- Monitor students at all times.

Specific recommendations for parks, amusement parks, and large public events, etc.

If the trip is to a location where students will be interacting in a large space and it is not possible to assign specific School Adults to specific groups of students, then:

- Set boundaries at the location.
- Assign students to groups and ask that they monitor each other's presence.
- Tell the students where they may and may not go and post School Adults/ chaperones around the boundaries and at the entrance and exit points.
- Assign remaining School Adults to monitor specific areas.
- When not supervised by chaperones, students should check in at meeting points at least once every hour.

Overnight Trips and Events

Overnight stays present increased supervision demands for School Adults.

Supervision Guidelines

- Goals for School Adult ratio is two School Adults to ten students unless an alternative ratio is approved by the administrator.
- Students should be supervised at all times. However, the lead chaperone may designate limited times and areas in which students, on a buddy system basis of two or more students together, may walk around unaccompanied by a chaperone. In all such instances, the lead chaperone must ensure that physical boundaries are clearly defined; students stay within areas accessible to the general public; and students who are non-compliant lose privileges.

- Ensure that supervision or assistance with private activities, such as dressing or showering students, never involves a School Adult being alone with a single student.

Sleeping Arrangements

- Overnight stays at private homes are prohibited.
- For overnight stays in cabins or group rooms, adhere to the following procedures:
    - Supervising School Adults should be placed in bunks to maximize supervision around the cabin and in a way that decreases the chances of students sneaking out (such as by the door). At least two adults should be assigned to each cabin.
    - Prohibit School Adults from changing in front of students.
    - Prohibit School Adults from showering with or in front of students.

School Adult Guidelines for Overnight Trips and Events

- School Adults are on duty at all times. There is no time off on a school trip.
- School Adults are required to be active supervisors of the students and not passive observers.
- School Adults are not to be under the influence of alcohol or other drugs while on the trip.
- All School Adults are to be on duty in the halls or cabins at night until after lights out and all rooms are quiet.
- School Adults are to regularly check rooms until after lights out.
- All doors are to remain locked but without security latches over the door so that School Adults can enter with the room key unannounced at any time and students can exit to the hall and find a School Adult at any time. All keys are to be retained by the School Adults.

Reporting Concerns and Violations of this Policy

All School Adults are required to report suspicious or inappropriate behaviors they observe on the part of other School Adults.

All School Adults are required to document and immediately report to the site supervisor any unusual incidents, including disclosures of abuse or maltreatment, injuries, or interactions that violate this policy.

As required by MCOE policy and state law, all School Adults must comply with mandated reporting laws. School employees must report any suspected abuse or neglect of a student—whether on or off school property or whether perpetrated by

employees or others—to Child Protective Services and/or law enforcement. MCOE policy also requires School Adults to report suspected abuse to their immediate supervisor.

Additional Guidelines for Responding to Incidents or Allegations of Abuse by School Adults

School Adults who witness abuse must interrupt the behavior immediately unless it is unsafe for them to do so, in which case they should immediately call 911.

- If abuse is disclosed to a School Adult, they should assure the individual disclosing that they did the right thing by telling them.
- School Adults should document the incident, disclosure, or circumstances causing the suspicion of abuse.
- School Adults are cautioned that it is not their job to investigate the incident but it is their job to report the incident to their immediate supervisor and Child and Family Services (CFS) or law enforcement in a timely manner and as required by California law.

Supervisor and Administrator Response to Incidents or Allegations of Abuse

The Supervisor/administrator must:

1. Determine the immediate needs of the student.
2. Ensure that the incident has been reported to the proper authorities (CFS and/or law enforcement).
3. Immediately contact the Assistant Superintendent of Human Resources to determine next steps which may include:
    a. Removing the accused from access to students.
    b. Gathering and documenting information surrounding the incident.
    c. Communicate with the authorities as to who will perform the internal investigation and/or coordinate the response.
    d. Notify parents if appropriate.

Organizational Response

After the internal review of the alleged conduct in violation in this policy, the MCOE will determine what can be done to prevent a reoccurrence, such as:

- Review the need for additional supervision.
- Develop a written corrective action or follow-up plan.
- Review the need for revised policies or procedures.
- Review the need for additional training.

Consequences of Inappropriate Behavior in Violation of this Policy

Conduct in violation of this policy disrupts the education of students, sidetracks the instructional focus of the MCOE, and has a high potential to result in harm to students.

All School Adults are required to thoroughly review and understand this Policy and conduct themselves in ways to avoid even the appearance of misconduct and inappropriate interaction. A School Adult who violates this policy will be subject to appropriate disciplinary action and, where applicable, criminal and/or civil liability.

This policy will be presented to and signed by all employees as part of their initial employment and, on an annual basis, as part of on-going training.

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