

File: GBEBB - ANTI-FRATERNIZATION POLICY: STAFF

Preamble:

The Fall River School District ("District") is committed to fostering a positive learning and working environment for all students and staff to promote educational excellence. The District's Anti-fraternization Policy shall serve as a statement on appropriate conduct and relationships between staff and students of the District. The spirit and intent of this policy is meant to help both staff and students understand and appreciate the delicate balance that exists between them and to better define the boundaries that their respective roles dictate.

Definitions:

For purposes of this policy, "staff" refers to all District employees, contracted service personnel, and any volunteers working on school property.

For purposes of this policy, "student" refers to all District students in grades from pre-kindergarten through twelve.

For the purposes of this policy "school property" includes all places set forth in the District, along with any place where extracurricular activities and/or events may take place, including locations visited during the course of field trips and/or other District sponsored activities.

Policy:

The District expects all staff members, including teachers, coaches, counselors, administrators, board members, support staff and others, to maintain the highest professional, moral and ethical standards in their conduct with students. A staff member must be aware that students of all ages and intellect are susceptible to influence by both staff and fellow peers. While this influence most often yields positive educational results, it can also be used in a manner that is entirely inappropriate. Accordingly, staff must be cognizant of their appropriate roles and professional duties in the development of students. Similarly, staff must be cognizant of the imbalance of power that exists in relationships between staff and students, which can live on long after the student has graduated from the District. This imbalance of power places students in a vulnerable position that must be recognized and respected by staff. It is the responsibility of staff not to take advantage of or otherwise exploit this imbalance of power to further any non-educational, personal, or inappropriate objective. Accordingly, staff is prohibited from engaging in any romantic, sexual, or physical relationship with students.

Many personal relationships are entirely appropriate and develop through family or neighborhood interactions with respect and adherence to the appropriate standards of professional conduct. To the degree that such relationships develop or exist, it is the staff's responsibility to ensure that such relationships continue along and within appropriate boundaries. This policy does not preclude conduct otherwise necessary to respond to legitimate educational circumstances.

The staff of the District must understand that this Anti-fraternization Policy is a condition of employment. As a condition of employment, the District reserves the right to at any time, without advance notice to staff, to access, investigate and/or review the appropriateness of any

activity or relationship between staff and students in order to protect the health, welfare and safety of the District, its staff, and students. Failure to adhere to the requirements of this policy may result in severe consequences, up to and including termination.

Any question by staff as to the appropriateness of an activity, relationship, or interaction with a student may be directed to the school building principal or designee. All inquiries into the appropriateness of an activity or relationship will be confidential to the fullest extent appropriate. All staff that reasonably suspect an inappropriate relationship exists between a staff member and student are required to immediately notify, orally or in writing, the school building principal or designee. Nothing in this paragraph is intended to relieve mandated reporters of their obligations under state and local statutes.

Submission of a good faith report of a suspected violation of this policy or compliance with an investigation will not adversely affect the reporting individual's employment. Submission of a purposely inaccurate report may result in disciplinary action.

Acceptable and Unacceptable Behavior:

Staff members are expected to use good judgment in their relationships with students both inside and outside of the school context. The Anti-fraternization policy requires a delicate balance between establishing appropriate norms and acknowledging a faculty/staff member or students' right to privacy. The District Anti-fraternization policy is focused on staff/student relationships and is intended to provide clear direction on what is unacceptable behavior with students that might compromise staff member roles as educators and developers of character and what is acceptable behavior. In all instances staff members have a duty and obligation under Massachusetts law to protect the health and welfare of students, and an affirmative duty to provide notice to the appropriate District representative if an inappropriate situation develops so that the District can take appropriate action.

Employees must understand that even an appearance of inappropriate relationships will adversely impact their effectiveness in the school environment. Therefore, employees must be diligent in maintaining the highest ethical standards when interacting with youth both inside and outside the school environment.

The District is committed to avoiding situations which may generate complaints of favoritism and inappropriate relationships between staff and students. Staff members are prohibited from engaging in any of the following types of prohibited conduct, regardless of whether the conduct occurs on or off school property or whether the conduct occurs during or outside of school hours. The following list of prohibited conduct does not, and is not intended to, constitute the entire list of conduct for which discipline may be imposed.

- (a) Engaging in any romantic or sexual relationships with students, including dating, flirting, sexual contact, inappropriate physical displays of affection, or sexually suggestive comments between staff and students, regardless of whether staff or student initiates the behavior, whether the relationship is consensual, or whether the student has parental permission;

- (b) Fostering, encouraging, or participating in inappropriate emotionally or socially intimate relationships with students in which the relationship is outside the bounds of the reasonable, professional staff-student relationship and in which the relationship could reasonably cause a student to view the staff person as more than a teacher, administrator, or advisor;
- (c) Initiating or continuing communications containing unprofessional content or tone with students for reasons, including oral or written communication; telephone calls; electronic communication such as texting, instant messaging, email, chat rooms, Facebook, or other social networking sites; webcams; or photographs, electronic and online communications with students, including those through personal accounts;
- (d) Making disparaging comments about their colleagues or other students in the presence of any student;
- (e) Sending students on personal errands;
- (f) Disclosing information concerning a student, other than that required by law, to any person not authorized to receive such information, this includes but is not limited to, information concerning students' addresses, assessments, ability scores, grades, behavior, mental or physical health and/or family background; and
- (g) Providing alcohol (regardless of age) or drugs - either prescription or illegal (except for those provided in accordance with district policy on medication administration) - to students.

In order to protect the health, welfare and safety of students the following are examples of appropriate staff member conduct.

- (a) Staff shall maintain appropriate and professional conduct in all settings in the presence of students;
- (b) Staff members shall maintain professional relationships with students which are conducive to an effective educational environment;
- (c) Staff members shall maintain a reasonable standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities;
- (d) Staff members shall report pursuant to law and District policy any suspected signs of child abuse or neglect;
- (e) Staff members shall report any violation of this policy to the school building principal or designee; and
- (f) Staff members shall report any violation of social media sites or networks to the school building principal or designee.

Sanctions

(a) **Discipline.** The District will take appropriate disciplinary action, up to and including dismissal, against any staff found to have violated this non-fraternization policy.

(b) **Report Procedures.** Reports of suspected fraternization violations by represented staff shall follow the procedures set forth in accordance with the appropriate disciplinary policies in their collective bargaining agreement. Reports of suspected violations by staff that are not part of a bargaining unit shall follow the appropriate administrative policy.

Adopted: January 23, 2017