

## Maintaining Professional Staff/Student Boundaries

The Board of Directors recognizes the importance of providing all staff, students, volunteers and community members with information about their role in protecting children from inappropriate conduct by adults. This policy applies to all ESD staff and ESD volunteers. For purposes of this policy and its procedure, the terms "ESD staff," "staff member(s)," and "staff" also include volunteers.

### Professional Boundaries

The Board expects all ESD staff to maintain the highest professional standards when they interact with students. ESD staff are required to maintain an atmosphere conducive to learning by consistently maintaining professional boundaries.

Professional staff/student boundaries are consistent with the legal and ethical duty of care that school\_district employees have for students.

The interactions and relationships between ESD staff and students should be based upon mutual respect and trust, an understanding of the appropriate boundaries between adults and students in and outside of the educational setting, and consistency with the educational mission of the ESD.

ESD staff will not intrude on a student's physical and emotional boundaries unless the intrusion is necessary to serve a demonstrated educational purpose. An educational purpose is one that relates to the staff member's duties in the ESD. Additionally, staff members are expected to be aware of the appearance of impropriety in their own conduct and the conduct of other staff when interacting with students. Staff members will notify and discuss issues with their building administrator or supervisor whenever they suspect or question whether their own or another staff member's conduct is inappropriate or constitutes a violation of this policy.

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

### Personal Communications

Except in rare and infrequent situations, employees are prohibited from engaging in electronic communications and social networking of a personal nature with students. Such electronic communications may include but are not limited to emails, text messaging, instant messaging, and use of social networking online services and platforms included but not limited to Facebook, Twitter, LinkedIn, and Google+. This policy includes any future technology that could allow for communications of a personal nature between employees and students.

Communications of a personal nature are communications that fall outside the scope of employment. The scope of employment is defined as the range of reasonable and foreseeable activities that an employee may engage in while carrying out his/her job responsibilities.

## **Exceptions**

Employees may use personal electronic communication or social networking to communicate with their own children, family, and friends, subject to compliance with Policy 5254, Social Media.

Employees may use personal electronic communication or social networking to contact a student in an emergency situation, but the communication must be reported to the designated program manager within 24 hours of such communication, including the reason necessitating the communication.

If an employee wishes to engage in electronic communication or social networking of a personal nature with a student for a reason the employee believes has merit, the employee must obtain permission from his/her program manager in writing before doing so. The program manager will discuss the situation with his/her Cabinet member before providing direction to the employee in relation to the employee's request.

The Superintendent is directed to develop protocols for reporting and investigating allegations and implementing procedures.

### *Legal References:*

*Title IX of the Education Amendments of 1972*  
*Chapter 9A.44, RCW – Sex offenses*  
*Chapter 9A.88, RCW – Indecent exposure – Prostitution*  
*RCW 28A.400.320 Crimes against children – Mandatory termination of classified employees – Appeal – Recovery of salary or compensation by district*  
*RCW 28A.405.470 Crimes against children – Mandatory termination of certificated employees – Appeal – Recovery of salary or compensation by district*  
*RCW 28A.405.475 Termination of certificated employee based on guilty plea or conviction of certain felonies – Notice to superintendent of public instruction - Record of notices*  
*RCW 28A.410.090 Revocation or suspension of certificate or permit to teach – Criminal basis – Complaints – Investigation - Process*  
*RCW 28A.410.095 Violation or noncompliance – Investigatory powers of superintendent of public instruction – Requirements for investigation of alleged sexual misconduct towards a child – Court orders – Contempt – Written findings required*  
*RCW 28A.410.100 Revocation of authority to teach – Hearings*  
*Chapter 28A.640, RCW Sexual Equality*  
*Chapter 28A.642, RCW Discrimination Prohibition*  
*Chapter 49.60, RCW – Washington State Law Against Discrimination*  
*Chapter 181-87 WAC Professional certification – Acts of unprofessional conduct*  
*Chapter 181-88 WAC Definitions of sexual misconduct, verbal and physical abuse - Mandatory disclosure – Prohibited agreements*

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