

STAFF/STUDENT RELATIONS

Definitions

Educational Purpose : A reason associated with the staff member's duties in the district including, but not limited to: counseling, the treatment of a student's physical injury, or coordination of an extracurricular activity, depending on the staff member's job description.

Staff Member : For the purposes of this policy, a staff member is any individual employed by the district, including part-time and substitute employees and student teachers.

Student : Individuals currently enrolled in the East Carter County R-II School District.

General

Staff members are expected to maintain courteous and professional relationships with students. All staff members have a responsibility to provide an atmosphere conducive to learning through consistently and fairly applied discipline and the maintenance of physical and emotional boundaries with students. These boundaries must be maintained regardless of the student's age, the location of the activity, whether the student allegedly consents to the relationship or whether the staff member directly supervises the student. Maintaining these boundaries is an essential requirement for employment in the district.

Although this policy applies to the relationships between staff members and district students, staff members who inappropriately interact with any child may be disciplined or terminated when the district determines such action is necessary to protect students.

Absolute Prohibitions

There are some interactions between staff members and students that are never acceptable and are absolutely prohibited including, but not limited to:

1. Touching, caressing, fondling or kissing students in a sexual or sexually intimate manner.
2. Dating a student or discussing or planning a future romantic or sexual relationship with a student. The district may presume that this provision has been violated if a staff member begins a dating or sexual relationship with a student immediately after graduation or immediately after a student has left the district.
3. Making sexual advances toward a student or engaging in a sexual relationship with a student.

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4. Engaging in any conduct that constitutes illegal harassment or discrimination as defined in policy AC or that could constitute a violation of that policy if pervasive.
5. Engaging in any conduct that violates Board policies, regulations or procedures or constitutes criminal behavior.

Exceptions to This Policy

The goal of this policy is to protect students from harm and staff members from allegations of misconduct by requiring staff members to maintain professional boundaries with students. The district does not intend to interfere with or impede appropriate interactions between staff members and students.

An emergency situation or an educational purpose might justify deviation from some of the professional boundaries set out in this policy. Likewise, staff members might be related to students or have contact with students outside the school environment through friends, neighborhood or community activities, or participation in civic, religious or other organizations. These contacts might justify deviation from some of the standards set in this policy, but under no circumstance will an educational or other purpose justify deviation from the “Absolute Prohibitions” section of this policy.

Boundaries of Communications

Employee personal communication with students, in all forms including oral, written, electronic, and nonverbal shall be appropriate and consistent with Board policy. Personal communication shall be deemed to be inappropriate if such communication is sexual in nature; is sexually suggestive; suggests romantic activity with a student or students; or is otherwise inconsistent with Board policy.

Staff members are encouraged to communicate with students and parents/guardians for educational purposes using a variety of effective methods, including electronic communication. As with other forms of communication, staff members must maintain professional boundaries with students while using electronic communication regardless of whether the communication methods are provided by the district or the staff member uses his or her own personal electronic communication devices, accounts, web pages or other forms of electronic communication. Your online behavior must reflect the same standards of honesty, respect, and consideration that you use face to face, in person, or during interactions relative to interpersonal communications.

Consequences

Staff members who violate this policy will be disciplined, up to and including termination of employment. Where there is reason to believe that an employee has inappropriately communicated with a student(s), the employee may be required to provide access to the specific communication in question. Depending on the circumstances, the district may report staff members to law enforcement and the Children's Division (CD) of the Department of Social Services for further investigation, and the district may seek revocation of a staff member's license(s) with the Department of Elementary and Secondary Education (DESE).

Reporting

Any person, including a student, who has concerns about or is uncomfortable with a relationship or activities between a staff member and a student should bring this concern immediately to the attention of the principal, counselor or staff member's supervisor. If illegal discrimination or harassment is suspected, the process in policy AC will be followed.

Any staff member who possesses knowledge or evidence of possible violations of this policy must immediately make a report to the district's administration. All staff members who know or have reasonable cause to suspect child abuse shall immediately report the suspected abuse in accordance with Board policy. Staff members must also immediately report a violation or perceived violation of the district's discrimination and harassment policy (AC) to the district's nondiscrimination compliance officer. Staff members may be disciplined for failing to make such reports.

The district will not discipline, terminate or otherwise discriminate or retaliate against a staff member for reporting in good faith any action that may be a violation of this policy.

Training

The district will provide training to district staff that includes current and reliable information on identifying signs of sexual abuse in children and potentially abusive relationships between children and adults. The training will emphasize legal reporting requirements and cover how to establish an atmosphere where students feel comfortable discussing matters related to abuse.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

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Adopted: May 21, 2009

Revised: February 23, 2012

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment
JG, Student Discipline
JHG, Reporting and Investigating Child Abuse/Neglect

Legal Refs: ' ' 162.069, 168.114, 210.115, RSMo.
Ross v. Robb, 662 S.W.2d 257 (1983)
Title IX of the Education Amendments of 1972, 20 U.S.C. ' 1681
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999)
Gebser v. Lago Vista Ind. Sch. Dist., 524 U.S. 274 (1998)

East Carter County R-II School District, Ellsinore, Missouri