



Shonto Governing Board of Education, Inc. Policy Statement

SUBJECT: FRATERNIZATION
POLICY NUMBER: GBEBBA
DATE OF ORIGINAL POLICY: 9/2/08

EFFECTIVE DATE: 12/6/13
DATE OF NEXT REVIEW: 12/2016
DATED: 12/6/13

I. PHILOSOPHY:

The Shonto Governing Board of Education, Inc. recognizes the very positive benefits to be gained from student interaction with the adult role models who work in for this School. The Board also believes that social relationships between employees are essential to having the type of climate that encourages teamwork and workplace fulfillment. These interactions are encouraged and supported when they are kept at a professional level and promote healthy social, emotional, and intellectual development. The Board also recognizes that it has a responsibility to see that all staff are good role models and conduct themselves in a professional manner. The Board knows that it is essential to balance its legitimate business interests as an employer against the employee's privacy rights, especially outside the work place. Therefore, the Governing Board establishes the following policy:

II. POLICY STATEMENT:

It is the policy of the Shonto Preparatory School that due to its vested interest in sustaining harmony among employees, in preserving its normal operational procedures from disruption, and in protecting the welfare of children under its supervision because of PL 101-630, 25 CFR 63, and PL 101-647, the rules of fraternization as contained in this policy shall be consistently and evenhandedly enforced.

III. EXCEPTIONS TO POLICY:

None.

IV. AMPLIFYING INSTRUCTIONS AND GUIDELINES:

A. STAFF-STUDENT RELATIONS (FRATERNIZATION)

1. The Shonto Governing Board of Education, Inc. requires that all School employees maintain professional, ethical relationships with students that are conducive to an effective, safe learning environment. Staff members are expected to act as role models for students at all times, whether on or off school property and both during and outside of school hours. Staff must establish appropriate personal boundaries with students and not engage in any behavior that could reasonably lead to even the appearance of impropriety.
2. Staff members are prohibited, under any circumstances, from dating or engaging in any improper fraternization or undue familiarity with students, regardless of the student's age and/or regardless of whether the student may have "consented" to



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such conduct. Further, employees shall not entertain students or socialize with students in such a manner as to create the perception that an amorous, sexual or other improper relationship exists. Similarly, any action or comment by a staff member which invites romantic or sexual involvement with a student is considered highly unethical, in violation of School policy, and shall result in the notification of law enforcement officials the State Education Department and/or Child Protective Services and the filing of criminal charges and/or disciplinary action by the School up to and including termination of employment.

3. Inappropriate employee behavior includes, but is not limited to, flirting; making suggestive comments; dating; requests for sexual activity; physical displays of affection; giving inappropriate personal gifts; frequent personal communication with a student (via phone, e-mail, letters; notes, etc.) unrelated to course work or official school matters; providing alcohol or drugs to students; inappropriate touching; and engaging in sexual contact and/or sexual relations.
4. Even if the student participated "willingly" in the activity (regardless of the Students age), inappropriate fraternization of staff with students is against School policy and may be in violation of professional standards of conduct under the Indian Child Protection and Family Violence Prevention Act and State Law. However, inappropriate employee conduct does not need to rise to the level of criminal activity for such conduct to be in violation of School rules and subject to appropriate disciplinary sanctions.
5. Any student who believes that he/she has been subjected to inappropriate staff behavior as enumerated in this policy, as well as students, school employees, parents or others who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall report the incident to any staff member or either the employee's supervisor, the student's principal or the School's designated complaint officer. In all events such reports shall be forwarded to the designated complaint officer for further investigation. Anonymous complaints of inappropriate fraternization of staff members with students shall also be recorded and investigated as appropriate by the School. Investigations of allegations of inappropriate staff-student relations shall follow the procedures utilized for complaints of harassment within the School. Allegations of inappropriate staff-student behavior shall be promptly investigated and will be treated as confidential and private to the extent permitted by law.
6. Any employee having knowledge of or reasonable suspicion that another employee may have engaged in inappropriate conduct with a student that may constitute child abuse (specifically, child abuse in an educational setting) must also follow the School's reporting procedures for such allegations; and such information shall be reported as required by federal, state and Navajo Nation law to law enforcement officials, the State Education Department and/or Child Protective Services as may be applicable.
7. If a student initiates inappropriate behavior toward a staff member, that employee shall document the incident and report it to his/her building principal or



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supervisor.

8. The School shall promptly investigate all complaints of inappropriate staff-student relations, and take prompt corrective action to stop such conduct if it occurs.

B. EMPLOYEE TO EMPLOYEE- FRATERNIZATION

1. It is the intent of the Governing Board to reduce possible complaints against retaliation, sexual harassment, or reduced productivity in the workplace by stating that romantic engagements should not interrupt the work environment of one's self or that of other employees.
2. Shonto prohibits any consensual amorous relationships involving any employee with another employee, or an employee and a supervisor where the supervisor has direct authority, influence or responsibility with regard to that employee. Such authority, influence or responsibility includes, but is by no means limited to, in the employment setting, carrying out assignments, evaluations, promotion or disciplinary decisions, and the instructional setting. Such situations tend to interfere with the objectivity of the supervisor's decisions with respect to the employee. In addition, the authoritative position of one party may create an environment that diminishes the freedom of the other to alter or terminate the relationship. Third parties may also be injured by a sexual relationship between other parties if they are denied privileges that accrue to those who participate in the relationship.
3. Supervisors or other employees who engage in such consensual relations and do not voluntarily resign from their employment shall be subject to dismissal.
4. It is possible that an employee's relationships outside of the work environment may cause severe stress to other employees or otherwise disrupt the workplace. In such situations, the employee will be counseling cannot the matter then additional steps, such as transfer or disciplinary actions, may be taken, as appropriate.

C. REPORTING PROCEDURES

Any person (employee, student, parent or community member) who reasonably believes that a violation of this fraternization policy has occurred between an employee and student (s) shall submit and sign the form attached to this policy and forward immediately to the attention of the Superintendent of Schools. Failure to report when the person has credible evidence of alleged fraternization may violate SPS policy, Navajo Nation and federal laws, and a school employee may be disciplined for failing to report. Employees may not make anonymous reports, but confidentiality of the reporting person's identify will be maintained to the extent permitted by law.



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The Superintendent is responsible for insuring that any reports on child abuse required, based on the facts alleged, have been made pursuant to Navajo Nation and Federal laws. The Superintendent shall then investigate the allegations and, if appropriate, schedule an Administrative Hearing with the employee. The parents or guardians of the student shall be notified of the Hearing and may attend. The student may give testimony with parental permission if under 18 years of age or if declared to be an emancipated youth. If the report is found to be credible, the employee shall be subject to discipline, up to and including termination of employment as provided in SPS policy.

V. DELEGATION OF AUTHORITY:

- A. The Superintendent is responsible for seeing that all school employees adhere to the provisions of this policy.
- B. Administrators are responsible for the implementation and enforcement of this policy in their building/department.
- C. Every school employee shall be asked to review a copy of this policy, sign a document that he/she had done so, and acknowledge that he or she is expected to comply with all provisions.
- D. School employees should report alleged violations of this policy in accordance with the guidelines and procedures which accompany this policy.
- E. A copy of this policy is to be included in all employee handbooks.
- F. To the extent possible, all contractors, vendors, and other agents of the school will be informed about the fraternization policy.
- G. Building principals and administrators will provide fraternization awareness training for all employees at a yearly staff meeting.

VI. FORM FOR REPORTING FRATERNIZATION VIOLATIONS INVOLVING EMPLOYEES AND STUDENTS:

See attachment #1 entitled, "Form to Submit Reports of Suspected Fraternization Violations Involving an Employee and a Student"

VII. EXPIRATION DATE:

The policy will be revised as needed to fulfill state and/or federal statutes and will expire three (3) years after its acceptance unless re-approved.



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VIII. SIGNATURE BLOCK:

Submitted by: Lemual B. Adson
Superintendent

Date: 12/6/13

Approved: December 6, 2013

Established: 
Martha Tate, President,
Shonto Governing Board of Education, Inc.