

Bend-La Schools employees must understand the difference between appropriate and inappropriate interactions with students. Employees must engage in appropriate interaction with students at all times and avoid any interactions with students that are inappropriate or could appear inappropriate. Appropriate interactions create a safe environment for students to learn, grow, seek help in problem solving and conflicts, and develop social skills. Inappropriate interactions cross the boundaries separating student needs from adult needs and create relationships that become peer-to-peer rather than adult-to-child. Staff who have frequent one-to-one contact with students or who work in co-curricular activities can be more at risk for inappropriate interactions or student allegations of inappropriate interactions.

This Administrative Regulation is designed to help all district employees understand what conduct is appropriate, and what conduct is inappropriate or could appear inappropriate, using examples in different contexts of staff and student interactions.

### **Communication**

#### *Appropriate Interaction*

- Maintaining personal space and reasonable eye contact
- Dialoguing about the academic environment and school activities
- Having a conversation that supports a student's learning and growth where the student's perspective is the focus of conversation

#### *Inappropriate Interaction*

- Maintaining intense eye contact that a student may find uncomfortable
- Making comments that are physical in nature (e.g., "you have great legs " "you should wear that sweater more often") or may have sexual overtones
- Discussing or condoning inappropriate topics and/or making comments with sexual overtones or flirting
- Communicating to the student with implied, inside messages that are unknown by the general population
- Sharing personal and confidential information in which the adult becomes the focus of conversation
- Having any dialogue that makes the student feel uncomfortable or makes the student a confidant of the adult

### **Relationships**

#### *Appropriate Interaction*

- Conducting student conferences in a manner consistent with educational purposes
- Having staff/student relationships centered on academics, school events, and activities
- Notifying administration if a student is suspected of having romantic feelings toward staff member
- Maintaining fair and equal treatment of all students with occasional exceptions
- Referring serious student problems to the appropriately trained professional

### *Inappropriate Interaction*

- Spending time alone with student in conferences beyond educational expectations
- Transporting a child alone and/or in a private vehicle when it is not a regular function of the employee's assigned job duties
- Receiving or writing personal communication from/to student and or giving gifts
- A pattern of covering for or providing excuses for particular students, and/or writing passes repeatedly for favored students to cover tardies or absences
- A pattern of giving special privileges or showing favoritism to a particular student
- Extracurricular and co-curricular activity leaders encouraging or condoning an atmosphere of loose and inappropriate boundaries around gender and harassment issues
- Acting as helpers for serious student problems where appropriate training in effective advising or counseling is warranted
- Failing to notify administration if a student is suspected of having romantic feelings toward staff member

### **Physical Contact**

#### *Appropriate Interaction*

- Occasionally patting a student on the back, shoulder or arm
- Exercising good judgment on whether to touch students and/or under what circumstances; being sensitive to individual preferences and cultural norms.

#### *Inappropriate Interaction*

- Invading personal space, being too close in physical proximity
- Giving shoulder massages, lingering touches, squeezes, requested affection, or touching private parts of a student
- Requesting/inviting affection (e.g. "give me a hug" "give me a kiss")
- Touching students who may misinterpret the touch due to individual circumstances, cultural standards, or developmental stages

### **Electronic Communication**

#### *Appropriate Interaction*

- Using the internet appropriately in compliance with Board Policy EHA and Administrative Policy EHA-AR
- Limiting electronic communication with students to that which supports educational and/or school sponsored extracurricular activities

#### *Inappropriate Interaction*

- Conversing with students via electronic communication beyond what is supportive of educational and/or school sponsored extracurricular activities
- Discussing personal issues with students via text messaging, social networking sites, e-mail, etc.

## **Sexual Conduct and Bend-La Pine Public Schools Employees**

Board Policy JHFF and Administrative Regulation JHFF-AR set forth the district's policies and procedures when there has been a report of suspected sexual conduct by a District employee toward a student. The examples listed above under sections titled "Inappropriate Interactions" could constitute sexual conduct toward a student. In any situation in which a district employee suspects a school employee of engaging in sexual conduct towards a student, the reporting requirements set forth in JHFE and JHFE-AR must immediately be followed. Reporting obligations are in effect at all times, regardless of whether the information was obtained in an official capacity with the district.

### **How to Report Suspicions of Sexual Conduct**

Any district employee who has reasonable cause to believe that another district employee or volunteer has engaged in sexual conduct with a student must immediately report the suspicion to the building principal. In the event that the building principal is the person suspected of engaging in sexual conduct with a student, the employee shall instead immediately notify the superintendent or designee.

### **Report of Suspected Child Abuse**

All Bend-La Pine Schools employees are mandated by law to report suspected child abuse immediately to law enforcement or the Department of Human Services/Child Welfare (DHS).

If a district employee who suspects another district employee of sexual conduct towards a student, but is uncertain as to whether the sexual conduct also meets the statutory definition of abuse of a child, the employee must follow the reporting procedures set forth in Board Policy JHFE and ORS 339.372 by immediately reporting the suspicion of child abuse to law enforcement or to the Department of Human Services.

### **Volunteers**

Under Oregon law, school volunteers are included within the definition of district employees. Therefore, school volunteers are also prohibited from engaging in sexual conduct toward a student, and are subject to the mandatory reporting obligations set forth by Oregon law and Board Policies/Administrative Regulations JHFE, JHFE-AR, JHFF and JHFF-AR.

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