

XVI. Staff/Student Interaction Policy

Purpose And Scope

While reported incidences of sexual misconduct committed by teachers and school staff are low throughout the country, every incident results in consequences that must be immediately addressed by the particular school community. Accordingly, it is the purpose of this policy to provide additional clarification to the **Standards of Conduct** expected at Unity Middle College High School. This policy clarifies school ethics-related rules and regulations so that staff members clearly understand the prohibitions and behavior boundaries, which must govern their conduct. (For purposes of this policy, staff includes all school employees—certificated or classified; coaches or advisors; full-time or part-time, as well as volunteers). The rules of conduct set forth in this policy are not intended to serve as an exhaustive delineation of requirements, limitations, or prohibitions on staff conduct and activities established by this school. Rather, the components of this policy serve:

1. To alert staff about some of the more sensitive and often problematic matters involved in faculty/staff student relationships.
2. To specify Boundaries related to potentially sexual situations and conduct—the crossing of which is contrary to accepted norms of behavior and in conflict with the duties and responsibilities of staff.
3. To provide staff members with clear guidance in conducting themselves in a manner that reflects high standards of professionalism. (It is important for Unity MCHS to maintain a school-wide culture in which students and staff understand their responsibilities to report sexual misconduct without fearing that school leaders will betray them, if they do. In order to prevent sexual abuse and exploitation, students and staff must know that the administration will investigate reports about possible misconduct.)
4. To clarify that potential improper action may have significant consequences.
5. To provide an environment that empowers staff and students to identify actions that appear to have crossed Boundaries.
6. To define the process that Unity MCHS will use for addressing potential improper

conduct.

7. To preserve student and staff privacy rights during any pending investigation as much as possible.

Background And General Code of Conduct Actions by staff members that are inconsistent or in conflict with the values established by UNITY SCHOOLS SOCAL can harm students, staff members, and the school's operation; therefore, such actions are unacceptable. It is the policy of this school that all employees conduct themselves at all times in a manner that reflects the ethical standards consistent with the rules contained in this policy and otherwise proclaimed by this school. The provisions set forth herein are intended to guide all UNITY SCHOOLS SOCAL staff members toward conduct that reflects the high standards of behavior and professionalism required of school employees while defining interaction Boundaries between students and staff members.

An educator accused of sexual misconduct, whether or not the accusation is true, becomes at risk for loss of job as well as for criminal and/or civil legal actions. Occurrences of sexual misconduct by a staff member disrupt the education of other students, sidetrack the instructional focus of the school, and harm the school's legitimacy—all of which threaten the school's future ability to recruit skilled professionals and maintain a credible operation in the eyes of the community. It is vital that school administrators equip staff with a policy that clarifies acceptable and unacceptable behavior with students. It is also critical that staff members study this policy thoroughly and behave in ways to avoid even the appearance of misconduct.

While not all Boundaries and/or situations can be addressed in a single policy, the issues delineated herein are among those that can be most problematic for staff members and among those that can have the greatest potential for a negative impact on this school and its community. Staff members should seek guidance in their daily conduct from established policies, procedures, and directives as well as through the guidance and recommendations of school leadership. Although this policy gives specific, clear direction, it is each staff member's obligation to avoid situations that could prompt suspicion by parents, students, colleagues, or school leaders.

Boundaries

Boundaries Defined For the purposes of this policy, the term "Boundaries" are defined as acceptable professional behaviors by staff members while interacting with a student. Trespassing beyond the Boundaries of a student/teacher relationship is deemed an abuse of power and a betrayal of public trust.

Acceptable and Unacceptable Behavior Some activities may seem innocent from a staff

member's perspective, but some of these can be perceived as flirtation or sexual insinuation from a student or parental point of view. The purpose of the following lists of acceptable and unacceptable behaviors is not to restrain innocent, positive relationships between staff and students but to prevent relationships that could lead to, or may be perceived as, sexual misconduct.

Staff members must understand their own responsibilities for ensuring that they do not cross the Boundaries as written in this policy. Disagreeing with the wording or intent of the established Boundaries will be considered irrelevant for any required disciplinary purposes. Thus, it is critical that all employees study this policy thoroughly and apply its spirit and intent in their daily activities. Although sincere, professional interaction with students fosters the charter mission of "Academic Excellence," student/staff interaction has Boundaries regarding the activities, locations and intentions.

Unacceptable Behaviors (This list, and any subsequent lists, is not meant to be all-inclusive, but rather illustrative of the types of behavior addressed by this policy.)

- Giving gifts to an individual student that are of a personal and intimate nature.
- Kissing of **ANY** kind.
- Any type of unnecessary physical contact with a student in a private situation.
- Intentionally being alone with a student away from the school.
- Making, or participating in, sexually inappropriate comments.
- Sexual jokes, or jokes/comments with sexual double-entendre.
- Seeking emotional involvement (which can include intimate attachment) with a student beyond the normative care and concern required of an educator.
- Listening to or telling stories that are sexually oriented.
- Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding.
- Becoming involved with a student so that a reasonable person may suspect
- inappropriate behavior.

Acceptable with Caution (These behaviors should only be exercised when a reasonable and prudent person, acting as an educator, is prevented from using a better practice or behavior. Staff members should inform their supervisor of each circumstance and occurrence.)

- Giving students a ride to/from school or school activities without parent permission (only in "emergency" situations).

- Being alone in a room with a student at school and with the door closed. Allowing students in your home with signed parent permission for a pre-planned and pre-communicated educational activity, which must include another educator, parent, or other responsible adult).
- Remarks about the physical attributes or physiological development of anyone.
- Excessive attention toward a particular student.
- Sending e-mails, text messages, internet social networking (such as MySpace, Facebook, Twitter and others) responses or letters to students if the content is not about school activities.

Acceptable and Recommended Behaviors

- Obtaining parents' written consent for any after-school activity on or off campus (exclusive of tutorials).
- Obtaining formal approval (site and parental) to take students off school property for activities such as field trips or competitions.
- E-mails, text-messages, phone conversations, and other communications to and with students must be professional and pertain to school activities or classes. (Communication should be initiated via school-based technology and equipment.)
- Keeping the door open when alone with a student.
- Keeping reasonable space between you and your students.
- Stopping and correcting students if they cross your own personal boundaries.
- Keeping parents informed when a significant issue develops about a student.
- Keeping after-class discussions with a student professional and brief.
- Asking for advice from senior staff or administrators if you find yourself in a difficult situation related to Boundaries.
- Involving your supervisor if conflict arises with a student.
- Informing your Principal about situations that have the potential to become more severe.
- Making detailed notes about an incident that could evolve into a more serious situation later.
- Recognizing the responsibility to stop unacceptable behavior of students and/or co-workers.
- Asking another staff member to be present if you will be alone with any student who may have severe social or emotional challenges (and you are not the assigned case educator).
- Asking another staff member to be present, or within close supervisory distance, when you must be alone with a student after regular school hours.
- Giving students praise and recognition without touching them in questionable areas; giving appropriate pats on the back, high-five's, and handshakes are appropriate.
- Keeping your professional conduct a high priority during all moments of student contact.

- Asking yourself if any of your actions which go contrary to these provisions are worth sacrificing your job and career.

Reporting When any staff member, parent, or student becomes aware of a staff member having crossed the Boundaries specified in this policy, he or she must report the suspicion to the Principal promptly. All reports shall be confidential. Prompt reporting is essential to protect students, the suspected staff member, any witnesses, and the school as a whole. Employees must also report to the administration any awareness of, or concern about, student behavior that crosses Boundaries, or any situation in which a student appears to be at risk for sexual abuse.

Investigating The Principal will promptly investigate and document the investigation of any allegation of sexual misconduct, using such support staff or outside assistance as he or she deems necessary and appropriate under the circumstances. Throughout this fact-finding process, the investigating administrator, and all others privy to the investigation, shall protect the privacy interests of any affected student(s) and/or staff member(s), including any potential witnesses, as much as possible. The investigating Principal, or designated representative shall promptly notify the California Charter Schools Association Joint Powers Authority that an investigation is in progress; the Principal, in turn, shall notify the Governing Board in closed session of the existence and status of any investigations. Upon completion of any such investigations, the Principal shall report to the Governing Board any conclusions reached. The Principal, or designated representative shall consult with Unity MCHS legal counsel, prior to, during, and after conducting any investigation.

Consequences Staff members who have violated this policy will be subject to appropriate disciplinary action, and, where appropriate, will be reported to authorities for potential legal action. In such instances, Unity MCHS will collaborate Unity Schools (Oakland) and with the California Charter Schools Association.

Training This document shall be discussed with and acknowledged by all UNITY SCHOOLS SOCAL employees as part of their initial employment and again, on an annual basis, as part of on- going training for all UNITY SCHOOLS SOCAL employees. A copy of this acknowledgement will be placed into each UNITY SCHOOLS SOCAL employee's personnel folder. In addition, appropriate portions of this policy and related information will be incorporated into on-going UNITY SCHOOLS SOCAL communications activities (e.g., via the daily bulletin, the school website, the parent newsletter), to underscore the continuing importance that UNITY SCHOOLS SOCAL places on student/staff interaction.