

**VASHON ISLAND SCHOOL DISTRICT**  
**For All Personnel in Dealing with Inappropriate Behavior by Adults with Students**

**APPLICABLE LAW**

Washington state law, RCW 28A.400.317 *Physical abuse or sexual misconduct by school employees* "Duty to report" Training states that; A certificated or classified school employee who has knowledge or reasonable cause to believe that a student has been a victim of physical abuse or sexual misconduct by another school employee, shall report such abuse or misconduct to the appropriate school administrator.

If you become aware of an adult engaging in behavior with children at school which may be construed as "sexual grooming behavior," you **must** report the matter immediately to your principal or the District Title IX Officer if the principal is somehow involved in the conduct.

The purpose of these guidelines is to provide all staff with information to increase their awareness of their role in protecting children from inappropriate conduct by adults.

In a **professional staff/student relationship**, school employees maintain boundaries that are consistent with the legal and ethical duty of care that school personnel have for students.

A **boundary invasion** is an act or omission by a school employee that violates professional staff/student boundaries and has the potential to abuse the staff/student relationship.

An **inappropriate boundary invasion** means an act, omission, or pattern of such behavior by a school employee that does not have an educational purpose; and results in abuse of the staff/student professional relationship.

**Unacceptable Conduct**

Examples of inappropriate boundary invasions by staff members include but are not limited to the following:

- Any type of inappropriate physical contact with a student or any other conduct that might be considered harassment under the Board's policy on Harassment and Sexual Harassment of Students;
- Showing pornography to a student;
- Singling out a particular student or students for personal attention and friendship beyond the professional staff-student relationship;
- Socializing where students are consuming alcohol, drugs or tobacco,
- For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school performance;
- Sending students on personal errands unrelated to any educational purpose;
- Banter, allusions, jokes or innuendos of a sexual nature with students;
- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- Addressing students, or permitting students to address staff members with personalized terms of endearment, pet names, or otherwise in an overly familiar manner;
- Maintaining personal contact with a student outside of school by phone, email, Instant Messenger or Internet chat rooms, social networking Web sites, or letters (beyond homework or other legitimate school business) without including the parent/guardian.
- Exchanging personal gifts, cards or letters with an individual student;
- Socializing or spending time with students (including but not limited to activities such as going out for beverages, meals or movies, shopping, traveling, and recreational activities) outside of school-sponsored events, except as participants in organized community activities;
- Giving a student a ride alone in a vehicle in a non-emergency situation; and/or

- Unnecessarily invading a student’s privacy, (e.g. walking in on the student in the bathroom)

### Appearances of Impropriety

The following activities are boundary invasions and can create an actual impropriety or the appearance of impropriety. Whenever possible, staff should avoid these situations. If unavoidable these activities should be pre-approved by the appropriate administrator. If not pre-approved, the staff person must report the occurrence, to the appropriate administrator, as soon as possible.

- Being frequently alone with an individual student out of the view of others;
- Inviting or allowing individual students to visit the staff member’s home;
- Visiting a student’s home; and/or
- Social networking with students for non-educational purposes.

<b>ADULT-STUDENT BOUNDARIES~CROSSING THE LINE</b>	
<b>Friendly</b>	<b>Overly Friendly</b>
Appropriate personal space	Invading personal space – too close
Reasonable eye contact	Maintaining intense eye contact
Appropriate comments regarding academic and social environment	Compliments more personal or physical in nature, i.e. “you have great legs,” “you should wear that sweater more often”; condoning inappropriate topics for discussion; condoning verbal comments with sexual overtones.
Student aides work in a learning environment with duties appropriate to the academic environment	Student aides assigned duties that meet personal needs of teachers
Conversations with students support learning and growth for student – “confidant of the student”	Conversations with students become personal in nature and confidential – “confidant of the teacher”
Appropriate use of student conferences in a manner consistent with educational purpose	Pattern of spending time alone with student in conferences beyond educational expectations
Student-staff relationship centered on school events and activities	Student-staff relationship maintained outside school events, taking student(s) to lunch, gifts, outside social activities, consistent rides home or receiving or writing personal notes
Maintain fair and equal treatment of all students with occasional exceptions	Pattern of covering for or providing excuses for special students, writing passes repeatedly for favored students to cover tardies or absences.
Student-staff communication appropriate and understood by general population	Student-staff communication has implied messages and inside understandings not commonly understood by general population.
Leaders of extracurricular activities maintain clear standards around gender issues and harassment	Leaders of extracurricular activities encourage atmosphere of loose and inappropriate boundaries around gender and harassment issues
A pat on the back, shoulder or arm	Shoulder massage, lingering touches, requesting affection “give me a hug,” “give me a kiss”
Exercising good judgment on whether to touch students or under what circumstances, sensitive to individual and cultural preferences	Touching of students who may misinterpret the touch due to individual circumstances, cultural standards or developmental stage.
Classroom/building staff members referring students with serious problems to appropriately trained staff.	Classroom/building staff members acting as helpers for serious student problems without appropriate training in effective advising.
Contacting students via parents home phone or from school email account (cc parents and/or administrators) regarding educational matters.	Contacting students via your personal email account, student cell phone or text message.

This list is not an exhaustive list. If a staff member engages in such behaviors, there may be cause for concern based on the profiles of educators who became sexual abusers. The bottom line is that such behaviors cross the line from professional and caring into personal and dangerous and with rare exceptions are not acceptable.

**Staff members who observe such conduct must understand that such behaviors are inappropriate and take action, in doing so they protect children, the staff member, and the profession.**

### **Reporting Violations**

Staff members are required to promptly notify the principal (or other administrator) or the superintendent if they become aware of a situation that may constitute a violation based on the above information (see details below)

### **Disciplinary Action**

Staff violations of these guidelines may result in disciplinary action. The violation, if substantiated, may also be reported to the state Office of Professional Practices. Violations involving sexual or other abuse will also result in referral to Child Protective Services and/or law enforcement in accordance with the board's policy on Reporting Child Abuse and Neglect.

### **Training**

All new employees and volunteers will receive training on appropriate staff /student boundaries within three months of employment. Continuing employees will receive training a minimum of every three years.

## **STAFF DUTIES**

Your role in preventing sexual abuse of students is two-fold: first, to avoid engaging in behaviors which could be mistaken for grooming behaviors; and second, to report situations where such behaviors take place.

1. *Do not engage in the behaviors* described above or behaviors like them. Keep your interactions with students on a professional level. Refer students who need emotional or other support to appropriately trained staff such as counselors. Staff can be caring while maintaining an appropriate level of professional decorum.
2. *Report the Concern:* If a staff member observes any adult engaging in the behaviors described above with students, or in other behaviors which raise concerns:
  - a. Inform your principal or the appropriate person at the District Office at your earliest opportunity.<sup>1</sup> Do not wait or mull things over or attempt to determine for yourself whether the behavior you have observed has a plausible, innocent explanation. You may not understand the entire situation, and allowing the conduct to continue could be bad for both the staff member and students.
  - b. DO NOT confront or discuss the matter with the suspected individual. Do not inform the person of your concern, unless it is a situation where immediate intervention is necessary to protect a child.

Maintain confidentiality. Failure to do so may impede official investigations and foster untrue rumors. You owe a legal duty of confidentiality to students on matters which a reasonable person would want to remain confidential, but do not make a promise that you will not share the information with an administrator or other legally appropriate individual. You are directed not to tell your concerns to anyone other than the appropriate administrator, Child Protective Services or the police. If approached by anyone other than the appropriate administrator, CPS or the police,

---

<sup>1</sup> Make your report to the appropriate administrator, but do not make the report to an administrator who is involved in the conduct in question.

or a person conducting an official investigation on behalf of the District, you may not discuss the matter unless otherwise permitted in writing by the administrator in charge of the matter.

- c. If you desire, and it is possible and appropriate, confidentiality will be maintained about the report to administration.
  - d. Document who you notified, where and when and what you reported for your own records.
3. *RCW 26.44 Mandatory Reporting Duties for Educators:* Washington law requires educators to ensure that a report is made to the proper law enforcement agency of any situation where the educator has reasonable cause to believe that a child has suffered abuse or neglect.
- Failure to make such a report may constitute a gross misdemeanor and be punishable under law.
  - Failure to report child abuse may also result in disciplinary action by the District.
  - If such a report is required, the responsible administrator will assist you in the process.

**District procedures and regulations should be consulted regarding specific requirements for child abuse reporting.**

Please note that educators must also report the situation to an appropriate administrator and document action which has been taken to the Title IX office.<sup>2</sup>

4. If you observe misconduct between students, you **shall** take appropriate action to intervene. This duty is not mitigated by time of day, location on the grounds or classroom assignment of the student(s).
5. Any questions about anything related to this process may be referred to your site principal or the following:

**Title IX/RCW 28A.640 Officer:**  
Kathryn Coleman  
PO Box 547/9309 SW Cemetery Rd.  
Vashon, WA 98070  
206-463-2121 ext. 8120

**Title VII Officer:**  
Amy Sassara  
PO Box 547/9309 SW Cemetery Rd  
Vashon, WA 98070  
206-463-2121 ext. 8111

Additional information can be found at any of the following external agencies:

Washington State Commission for Human Rights: <http://www.hum.wa.gov/>  
Director of the Office for Civil Rights, Department of Ed  
<http://www.ed.gov/about/offices/list/ocr/index.html>  
Department of Health and Human Services: <http://www.hhs.gov/ocr/>

Any student, staff or community member who violates this policy by engaging in conduct defined above that directly or indirectly causes intimidation, harassment or physical harm to another student or staff member, on a school campus or at school activity, will be subject to appropriate disciplinary action.

---

<sup>2</sup> An appropriate administrator would be your site principal. If for some reason that would seem inappropriate in a given situation, then report to the Title IX Officer at the District Office.