

STAFF-STUDENT RELATIONS

The Board of Education accepts the principle that the relationship between staff and students should be one of cooperation, understanding and respect. The Board believes that the Superintendent of School and each building level administrator, as instructional leaders, must exhibit a visible, involved relationship with pupil activities to create an appropriate environment for learning.

Staff members shall be expected to regard each student as an individual, and to afford each the rights and respect due to any individual. Students shall be treated with courtesy and consideration.

Students shall be expected to regard staff members as individuals, employed to provide direct or indirect contributions to learning. No student shall have the right to interfere with the efforts of the instructional staff to coordinate or otherwise implement a learning program. Nor shall a student have the right to interfere with the motivation to learn or the learning activities and efforts of other students.

The Board of Education requires that all School District employees maintain a professional and ethical relationship with District students that is conducive to an effective, safe learning environment, and that staff members 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.

Staff members are prohibited, under any circumstances, to date or engage 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 such conduct. Further, employees shall not entertain students or socialize with students in such a manner as to create the perception that a dating 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 District policy, and may result in the notification of law enforcement officials and the filing of criminal charges and/or disciplinary action by the District, up to and including termination of employment.

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 (including, but not limited to, phone, e-mail, letters, notes, instant messaging, text messaging, or social networking web sites) 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.

Even if the student participated "willingly" in the activity (regardless of the student's age), inappropriate fraternization of staff with students is against District policy, and may be in

violation of professional standards of conduct and New York 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 District rules and subject to appropriate disciplinary sanctions.

Any student who believes that he/she has been subjected to inappropriate staff behavior as enumerated in this policy, as well as student, school employees or third parties 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 District'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 investigated by the District. Investigations of allegations of inappropriate staff-student relations shall follow the procedures utilized for complaints of harassment within the School District. Allegations of inappropriate staff-student behavior shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

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, Policy #5460 Child Abuse in a Domestic or Educational Setting) must also follow the District's reporting procedures for such allegations, and such information must be reported to the NYS Central Register for Child Abuse and Maltreatment (school officials and any personnel who hold a teaching or administrative license or certificate) and the building principal. All other staff must report the information to the building principal who is required to file such report with the Central Register.

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 supervisor.

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

The Board of Education prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of inappropriate staff-student relations. Follow-up inquiries and/or appropriate monitoring shall be made to ensure that the alleged conduct has not resumed and that all those involved in the investigation have not suffered retaliation. Any act of retaliation is subject to appropriate disciplinary action by the District.

The principal of each school, program supervisors, and Central Administration shall be responsible for informing students, staff, parents, and volunteers of the requirements of this policy, including the duty to report, and the procedures established for investigation and resolution of complaints. Further, staff training shall be provided to facilitate staff identification

of possible behavior that may constitute inappropriate staff/student relationships. Students shall be provided such training in an age appropriate manner.

The District's policy (or a summary thereof) shall be disseminated during new teacher orientation, upon commencement of employment, and at other times, when appropriate, to staff, students and parents. Further, this topic shall be addressed in the district's code of conduct.

Any staff member who engages in inappropriate conduct with a student, prohibited by the terms of this policy, shall be subject to appropriate disciplinary measures up to and including termination of employment in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement. A violation of this policy may also subject the employee to criminal and/or civil sanctions as well as disciplinary action by the State Education Department.

Ref: Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.

Education Law Article 23-B

Social Services Law Sections 411-428

8 New York Code of Rules and Regulations (NYCRR) Part 83

Cross-ref: 5030 Student Complaints and Grievances

5300 Student Conduct

5320 Bullying

5460 Child Abuse in a Domestic or Educational Setting

9140 Staff Complaints and Grievances

9620 Anti-Harassment in the School District

9645 Disclosure of Wrongful Conduct

9700 Staff Development

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