

How to Write (or Re-write) an Effective Staff/Student Boundary Policy

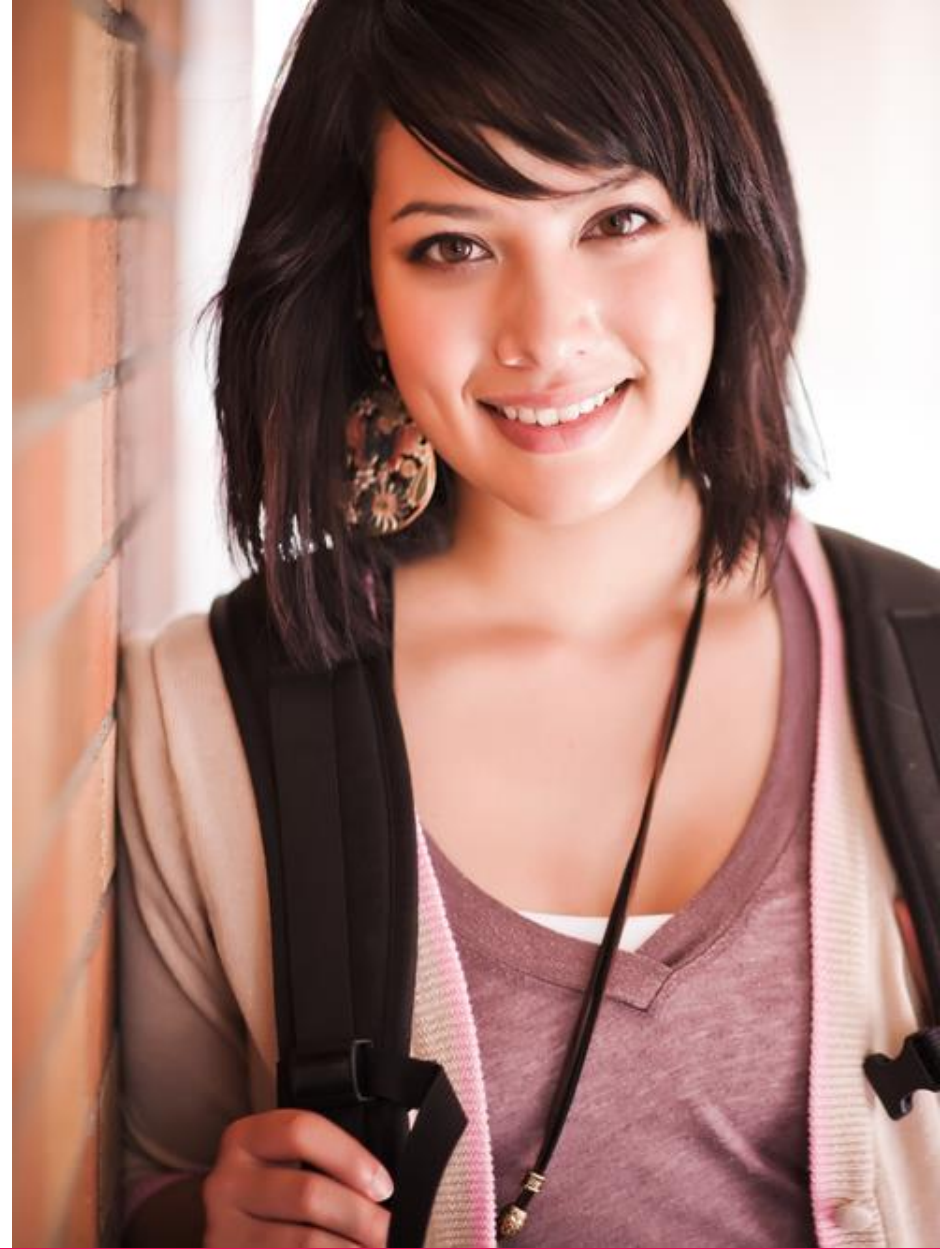
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This program is designed to educate the public on child sexual abuse prevention. It is for informational purposes only and is not meant to replace intervention or the advice of a licensed professional.

Learning Objectives

1. **Internalize the progression** of staff/student relationships from **appropriate to inappropriate**
2. Understand the **risk-reward continuum** and how to reflect your district's level of risk tolerance
3. Learn the **common mistakes** districts make when developing a staff/student boundary policy
4. **Acquire a sample policy** based on extensive research and nationwide best practices

Introduction





Prevalence

- **1 in 4 girls** and **1 in 6 boys** will be sexually abused before the age of 18
- **35-45%** of childhood molestation happens within the family
- But **55-60%** of child molestation happens at the hands of someone outside the family that the child knows and trusts
- Research shows that nearly **10% of students** surveyed say they were sexually abused at school – that is almost 4.5 million U.S. students.

Impact on Students

The impact on victims' **physical, mental, emotional, spiritual, and academic health** can be devastating and lifelong, including:

- Arthritis, asthma, and lung disease
- High-risk sexual behaviors, teen pregnancy, and contracting STDs
- Drug and alcohol abuse, cutting, and eating disorders
- Post-traumatic stress, dissociation, and attention issues
- Low self-esteem, depression, and suicide
- Anger, aggression, and criminal behavior
- Severing of religious connections, shame, and guilt
- Waning interest in school, decreased academic success, and dropping-out
- And even homelessness



Impact on Districts

- Claims of sexual abuse and molestation against students have become the **most expensive category of cases** for many school insurers
- Sometimes **exhausting district insurance limits**, especially in multi-victim cases
- **Districts are being held accountable** for sexual abuse and molestation in significant financial settlements





Impact on the Insurance Industry

Can insurers and reinsurers continue to fund the risk?

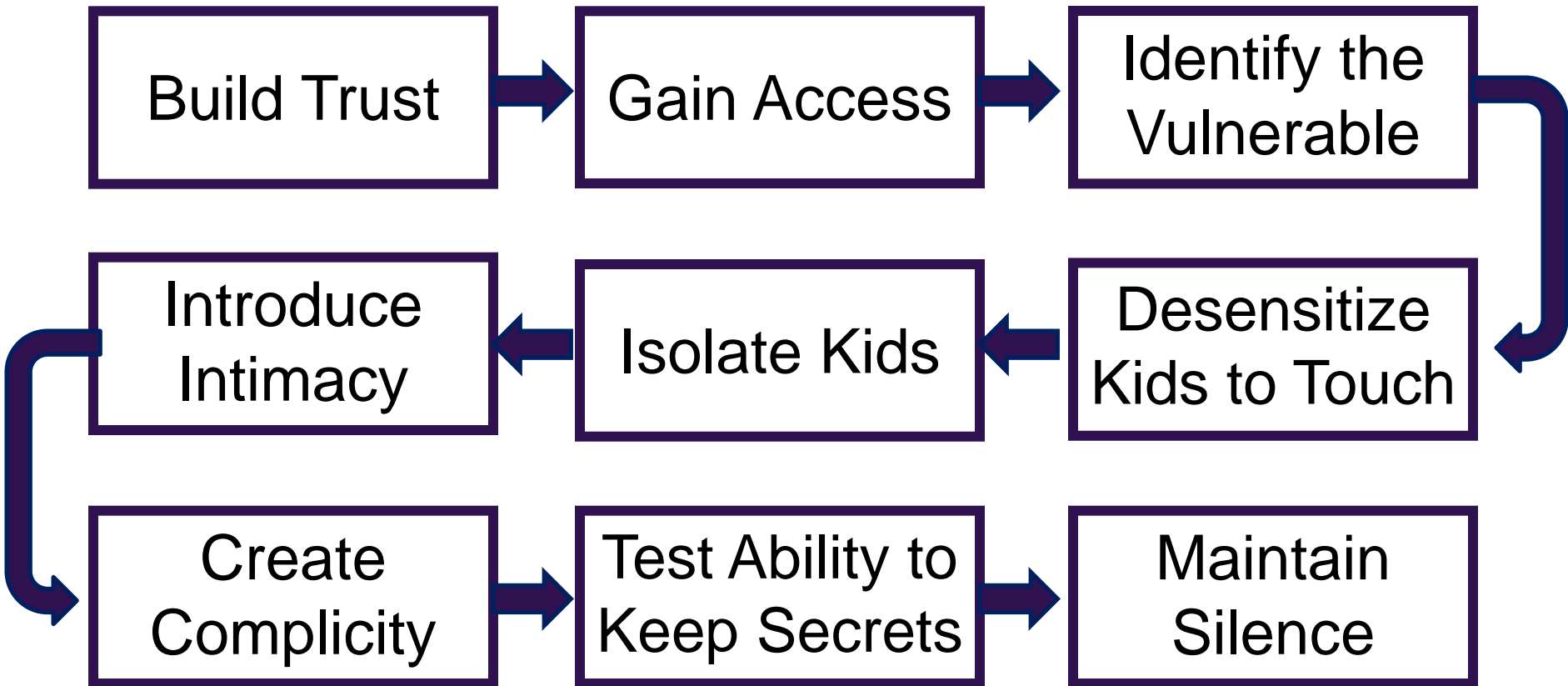
- Rates are set on market conditions & sexual assault disclosures are rising
- Some insurers are:
 - Increasing rates
 - Lowering coverage limits
 - Increasing deductibles/retentions
 - Restricting coverage through carve-outs

Strategic prevention plans and risk mitigation measures can be valuable in rate negotiations and litigation

The Progression of Staff/Student Relationships from Professional to Inappropriate



Boundary-Breaking Grooming Behaviors



The Progression of Inappropriate Staff-Student Relationships

Professional Relationships



Friendships

- Activities with no legitimate educational purpose
- Ongoing friendships
- Excessive or undue attention
- Preferential treatment
- Gift giving
- Peer-like behavior
- Socializing or hanging-out during school
- Personal errands

The Progression of Inappropriate Staff-Student Relationships

Friendships



Socially
Entangled
Relationships

- Terms of endearment, overly familiar
- Excessive photos
- Socializing or hanging-out outside school programs
- Confiding private matters, asking students to do the same
- Control, manipulation, intimidation, coercion, threats
- Gift giving with quid pro quo
- Emotional isolation, intimate involvement or attachment
- Social, personal, financial entanglements with parents
- Secrets, breaking rules

The Progression of Inappropriate Staff-Student Relationships

Socially
Entangled
Relationships



Non-Sexual
Physical
Relationships

- Touch for non-legitimate purposes
- Unwanted touch
- Excessive touch
- Massaging, stroking of hair, body or clothing
- Hugging, kissing, snuggling
- Physical contact in isolated situations
- Furniture designed for intimate contact of two people such as love seats, futons, mattresses

The Progression of Inappropriate Staff-Student Relationships

Non-Sexual
Physical
Relationships



Isolated
Relationships

- **Isolated Communications**
 - Communicating via personal accounts
 - Communication for non-legitimate purposes
 - Connecting on social media and gaming sites
 - Communicating with individual students
 - Apps designed to hide or eliminate data
 - Communications that are frequent, long in duration, or during inappropriate hours

The Progression of Inappropriate Staff-Student Relationships

Non-Sexual
Physical
Relationships



Isolated
Relationships

- **Isolated In-Person Interactions**
 - Non-legitimate purposes (lunches in classroom)
 - Being alone with individual students
 - Obstructing windows, lights off activities, hidden hands
 - Blindfolds or restraining or impeding student movement
 - Removing students from regularly scheduled programs
 - Remaining on campus with students after admin leave
 - Use of recording devices in private places, invading privacy
 - Showering or changing in front of students

The Progression of Inappropriate Staff-Student Relationships

Non-Sexual
Physical
Relationships



Isolated
Relationships

- **Isolated In-Person Interactions**
 - Loitering or lingering near undressed students
 - Private cars, hotel rooms, unplanned stops on field trips
 - Being an emergency contact for students
 - Intentionally being with students in a private or non-school setting
 - Students at staff's house or vice versa
 - Socializing with students' families
 - Providing services to families – babysitting, tutoring, etc.
 - Non-school sponsored overnight visits

The Progression of Inappropriate Staff-Student Relationships

Isolated Relationships



Risque & Romantic Relationships

- Risqué verbal, written, digital, or visual interactions or sexual hazing
- Remarks about students' physical attributes, development, or appearance
- Talking about romantic or highly personal matters
- Flirting, expressing romantic feelings, romantic overtures or propositions
- Comments about undergarments or talking about sexual matters
- Touching a student's body or clothes in a sexually intimate manner
- Gift giving with romantic or sexual quid pro quo
- Romantic outings, dating, or talking about entering a romantic or sexual relationship
- Restricting a student's freedom of movement in a sexually intimidating manner

The Progression of Inappropriate Staff-Student Relationships

Risqué &
Romantic
Relationships



Sexually
Abusive
Relationships

- Rape, statutory rape, rape in concert
- Sexual penetration, sodomy
- Incest
- Oral copulation
- Lewd or lascivious acts
- Masturbation in the presence of a child
- Child molestation
- Intentional touching of genitals or intimate parts
- Child sexual exploitation

GROUP DISCUSSION

Group Discussion

- Does your current policy sufficiently address Sexually Abusive and Risqué and Romantic relationships?
- How about Isolated Relationships and Non-sexual Physical Relationships?
- If not, how can your policy be improved to lower the risk of forming these types of relationships?



Risk-Reward Continuum

Risk-Reward Continuum

- **Risk of:**
 - Student sexual abuse
 - District liability
 - District financial impact from jury awards and settlements
 - Increased insurance premiums, deductibles, and carve-outs
- **Reward of:**
 - Student safety
 - District reputation
 - District financial savings, stability, available dollars

Risk-Reward of Boundaries

- **Boundary-breaking grooming behaviors** are typically apparent before sexual abuse occurs
- There are **more than 120 boundaries** in the sample policy the district can put in place to minimize the risk of student sexual abuse and decrease liability
- **Every boundary implemented or rejected** moves the district forward or backward on the risk-reward continuum

Importance of Boundaries

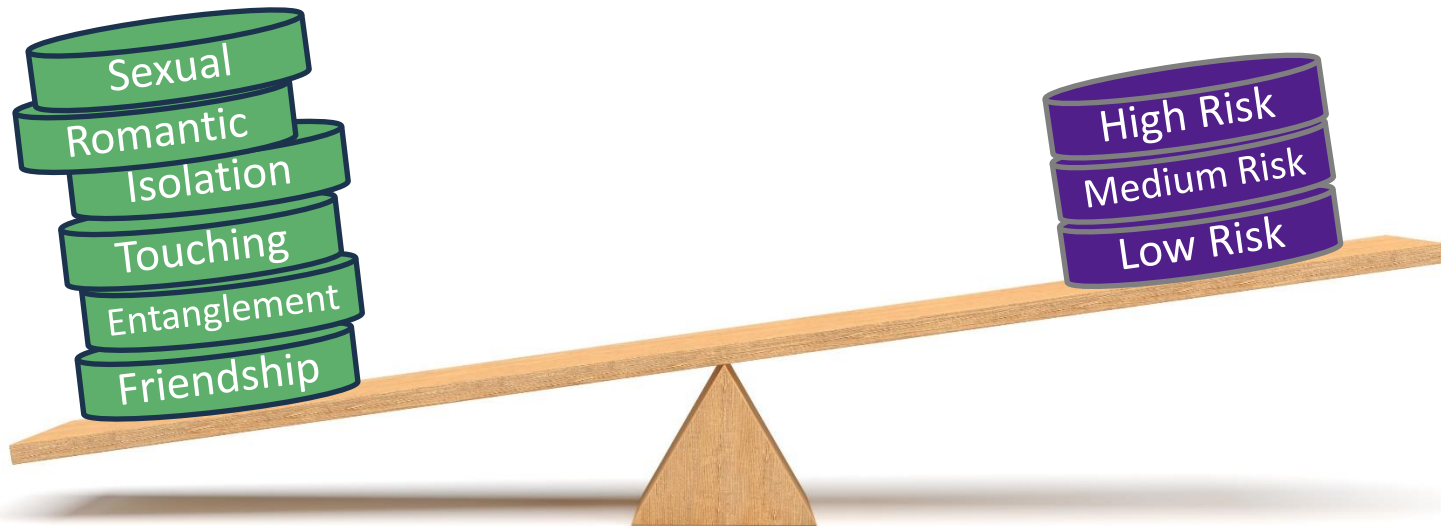
- Written boundaries are **at the heart** of protecting children
- Without them, every day is filled with a **myriad of subjective choices**
- Choices are often hindered by **emotions**
- Pre-established boundaries provide a **mechanism** for objective decision making
- We must be willing to **enforce** the boundaries
- Establish **direct correlation** between breaking boundaries and continued access to children

Importance of Boundaries

- **Transform the gray area** surrounding sexual abuse into absolute concrete expectations
- **Relieve confusion** for kids
- **Decrease the risk** of children being sexually abused
- **Minimize organizational liability** if a child is abused
- Sometimes children's boundaries are being **violated elsewhere** and they need you to report

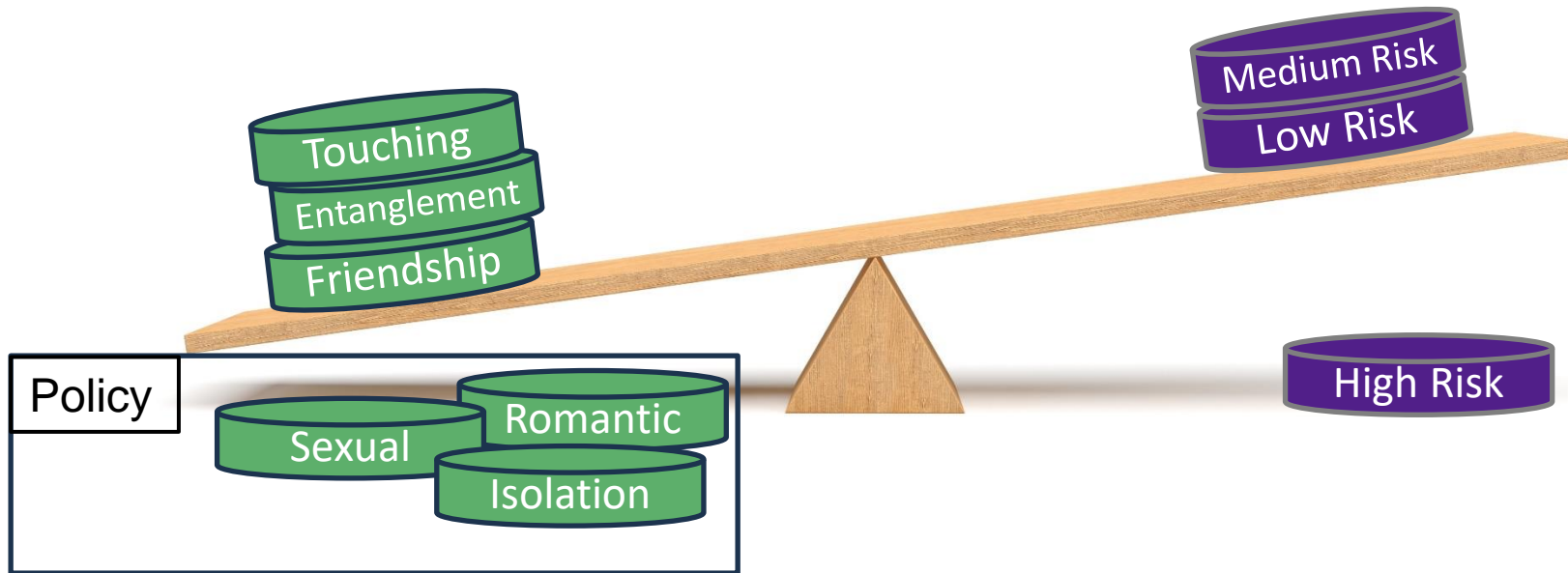
Boundaries vs. Risk

Missing or Lenient Boundaries = High Risk



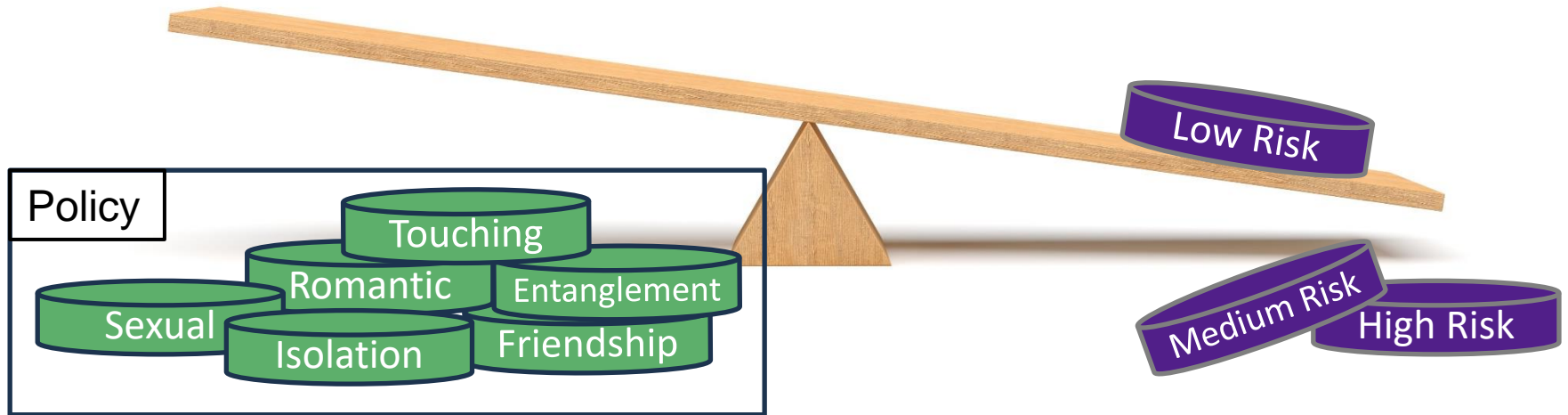
Boundaries vs. Risk

Some Limiting Boundaries = Medium Risk



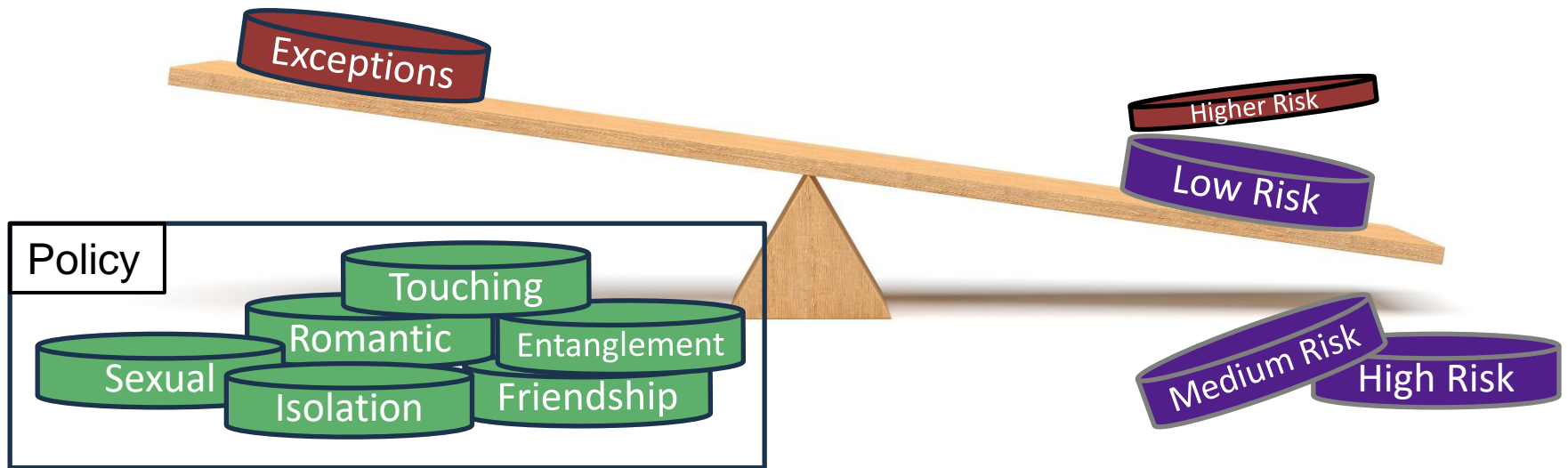
Boundaries vs. Risk

Comprehensive Restrictive Boundaries = Low Risk



Boundaries vs. Risk

Exceptions = Higher Risk



GROUP DISCUSSION

Group Discussion

- What is your district's risk tolerance level?
- Does your current policy sufficiently address Socially Entangled Relationships with students and parents?
- How about Friendships with students and parents?
- If not, how can your policy be improved to lower the risk of forming these types of relationships?

Common Boundary Policy Mistakes



Purpose

- To **detect** potential sexual abusers, **interrupt** grooming behaviors, and **protect** students from sexual abuse

versus

- To protect staff members from **accidentally** crossing the line to have sexual relations with a child

Appearance of Impropriety

- Sections on the appearance of impropriety often **include the highest risk boundary violations** such as visiting students' homes or giving students rides which minimizes true risk of these behaviors in people's minds
- Language **focused on the "appearance"** of impropriety versus the fact that the behavior is indeed improper
- Language focused on **boundary violations prompting counseling** versus disciplinary action

Breadth of Boundaries

- The breadth of boundaries should address **all key categories** of boundary-breaking grooming behaviors
 - Sexual Behaviors
 - Romantic and Risqué Behaviors
 - Isolating Behaviors
 - Non-sexual Physical Touching Behaviors
 - Entangled Socializing Behaviors
 - Friendship Establishing Behaviors
- Many policies are not **comprehensive** enough in their scope

Depth of Boundaries

- The depth of boundaries should address each key category of boundary-breaking grooming behaviors in enough detail based on **what we have learned historically** across thousands of cases
- Include all **reasonable** interrupting boundaries
- Many policies are **not detailed enough** in their scope such as lacking boundaries related to:
 - Blindfolds
 - Photos
 - Off-hours activities like babysitting, tutoring, socializing

Reflecting the Grooming Process

- Most policies overlook the opportunity to **teach and reinforce** the grooming process
 - **Explain grooming** in the purpose
 - Include the **specific grooming objective or risk** that makes each category important
 - Represent boundaries **in the order** of the seductive grooming process so they recognize it

Reporting Response

- Most policies have a reporting section at the end with **mandated reporting requirements**. However, reporting requirements:
 - May differ **by category and/or severity**
 - May differ **by reporter's role** (employee, volunteer, parent, student)
 - May dictate **multiple reports** (CANRA, Title IX, and Internal)
 - May differ based on the **victim** (Child vs Adult Protective Services)
- **Be specific** regarding all potential reporting scenarios
- Represent boundaries **in categories** that share common reporting requirements

Disciplinary Response

- Most policies do not present boundaries **in order of severity**
- Most policies have a **generic discipline section** at the end of the policy that is not correlated to the severity
- Though the disciplinary section of the policy need not change, your Human Resources staff will find it easier to **respond consistently** to boundary violations if they are **grouped by severity**

Exceptions Process

- Many policies do not address various reasons for **potential exceptions**
- Those that do, often include a generic statement and do not **create or reference a process** for requesting and approving exceptions
- Boundary **exceptions raise risk** that has been lowered by the policy
- Boundary exceptions should be **specific, limited, and documented**

GROUP DISCUSSION

Group Discussion

- Does your current policy include any of the common boundary policy mistakes? Which ones?
- If so, what needs to change to overcome the mistakes and improve the clarity and effectiveness of your district's policy?

Sample Staff-Student Policy



Sample Policy

- The sample policy was purposely written to **produce a low-risk environment**
- It includes a **comprehensive** list of **detailed boundaries** intended to promote early detection and intervention of grooming behaviors

Sample Policy

- **Pairing back** a policy is always easier than writing it from scratch
- Especially if district leaders are **not sufficiently knowledgeable** about grooming behaviors and child sexual abuse prevention
- I have done the **heavy lifting** for you
- Allowing you to use this low-risk sample policy for **crucial decision-making** that reflects your district's **desired level of risk mitigation**

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Sample Policy

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- I. Sexually Abusive Relationships
- J. Exceptions
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 - Non-mandated Reporters
- L. Investigation
- M. Disciplinary Action
- N. Confidentiality and Retaliation

Child Sexual Abuse is Predictable and Preventable

**When we surround children with knowledgeable and outspoken adults.
We ALL play a part in the solution!**

Now You're More Empowered

1. **Internalized the progression** of staff/student relationships from **appropriate to inappropriate**
2. Come to understand the **risk-reward continuum** and how to reflect your district's level of risk aversion
3. Learned the **common mistakes** districts make when developing a staff/student boundary policy
4. **Acquired a sample policy** based on extensive research and nationwide best practices

District Empowerment

- Effective child sexual abuse prevention requires districts to:
 - Recognize how sexual abuse happens and how to stop it
 - Embrace their power to intercede
- When districts take proactive risk management measures, they will:
 - Create a safer environment for student learning
 - Decrease the risk of student sexual abuse
 - Minimize district liability in the unfortunate case that sexual abuse does occur

**Thank you
for helping us protect
the future of our children!**

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Resources

- **Suicide Prevention Hotline**

988 or 1-800-Suicide or 1-800-799-4TTY (Hearing Impaired)

- **To Report Child Sexual Abuse**

Call 911, local law enforcement, or local child protective services agency

- **Inappropriate Sexual Feelings?**

Call 1-888-PREVENT or www.stopitnow.org/help

Anonymous hotline, calls are not recorded, phone numbers are not detected

- **Help for Survivors**

psychologytoday.com

taalk.org

thelamplighters.org

siawso.org

malesurvivor.org

1in6.org

District and/or local mental health resources

- **Help for Parents of Sexually Abused Children**

taalk.org

kkccares.org

mosac.net

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