

# How to Write (or Rewrite) an Effective Adult/Student Boundary Policy

## Intended Audience

School district superintendents, human resources directors, risk managers, and Title IX Coordinators.

## The Problem

Almost 10% of eighth through eleventh graders surveyed said they were sexually abused on a school campus at some point during their school career. People who have the intent to abuse children sexually often seek jobs and volunteer opportunities in schools and other youth-serving organizations that provide repeated access to children. The bottom line is sexual abusers will want to work for your district and possibly already do.

## The Solution

Effective child sexual abuse prevention requires districts to recognize how sexual abuse happens and how to stop it and embrace their power to intercede. While districts may not be able to stop all incidents of sexual abuse in their schools and programs, when they take proactive risk management measures, they will create a safer environment for student learning, decrease the risk of student sexual abuse, and minimize district liability in the unfortunate case that sexual abuse does occur.

One crucial risk management measure is creating and enforcing an effective adult/student boundary policy that intercedes with known boundary-breaking grooming behaviors that are typically apparent before sexual abuse occurs. The attached sample policy has been created to assist districts in writing such a policy.

## Risk Management in Action

Risk exists on a spectrum. In the case of adult/student boundaries, lenient or absent boundaries result in a higher risk of student sexual abuse. In comparison, thorough and detailed boundaries result in a lower risk of abuse.

The attached 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. 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. So, 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.

## How to Use the Sample Policy

- First, determine the district's intended level of risk mitigation. This often depends on extenuating circumstances, such as whether the district has had one or more cases of alleged abuse, convictions, civil settlements, or jury awards. It may also depend on external pressures from insurance risk pools, excess insurers, the Office of Civil Rights, law enforcement, victims, or the community.
- Review and modify the definitions section to accurately reflect the district's environment.
- Remember, the sample policy is written for districts looking for thorough and detailed boundaries that will significantly lower risk. If the district is willing to take on a slightly higher level of risk, it may delete or modify individual boundaries to make them more lenient. The district may also want to change words like "must" to "should."
- When modifying boundaries, looking at risk through the right lens is essential. The natural tendency is to think about boundaries through the lens of how you or another trusted adult would behave in a particular situation, but child sexual abusers walk among us, and we don't know who they are. So, instead, think about boundaries through the lens of whether a student would be safe if the adult in the situation were a

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known child molester. This will help the district better clarify what boundaries should be in place to mitigate risk.

- Compare the district’s program practices to the boundaries established in the sample. Where deviations exist between current practices and the sample policy, the district should determine which should be modified to meet the level of risk the district is trying to achieve. In some cases, programs create such a high level of risk that they may need to be discontinued, such as reading programs that incorporate blindfolding to teach students about their other senses.
- Determine what level of exceptions will be made to accommodate existing relationships between individuals. Just remember that risk increases with every exception that is made to this low-risk policy.
- Modify the sample policy to refer to pertinent district policies and to reflect the district’s state laws and education code. For example, this sample policy was written to reflect California’s mandated reporter laws, which must be adjusted for use in other states.
- Modify the sample policy to reflect the district’s reporting policies, processes, and contacts, such as the district’s Title IX Coordinator or an incident reporting hotline or app that they have deployed.
- Since this sample policy was written to create a low-risk environment, all boundary violation categories beyond establishing friendships recommend that School Adults report to the authorities versus just reporting violations internally. This is a cautious approach because districts are repeatedly held liable in civil lawsuits for not reporting these early signs of grooming. However, the district may modify the reporting directive to meet its desired level of risk mitigation.
- Some boundaries refer to “district-approved” items such as communication platforms, reward options, or programs where photos/videos are acceptable. The district should modify the policy to include these approved items or refer to where the currently approved list can be found.
- Above all, work with the district’s general counsel to develop the final policy to ensure all legal references are accurate, that the policy sufficiently reflects the district’s intended level of risk mitigation, and that the potential liability of the policy being deployed and not enforced is fully understood.

I hope you find this sample policy to be a valuable tool to help write or rewrite your district’s adult/student boundary policy to lower the risk of student sexual abuse and limit the district’s liability.

*Diane Cranley*



Diane Cranley is a leading expert in the area of child sexual abuse prevention. She has taken the immense complexities of the child sexual abuse pandemic and condensed them into a set of best practices that are clear and actionable. These best practices provide the foundation for strategically identifying and mitigating the risks of child sexual abuse.

Diane provides child sexual abuse consulting and prevention training to schools, including a mandated reporter and prevention course, which is viewed by over 250,000 California educators annually. She has also authored an online child sexual abuse prevention training program that targets the identification of grooming behaviors and the boundaries that intercede with those behaviors, which is available through Vector Solutions and is provided to over a million K-12 school employees nationwide by school districts, risk pools, and insurers.

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# Sample School Board Policy – Adult/Student Relationships

## Purpose

The Governing Board expects School Adults to maintain the highest professional, moral, and ethical standards in their interactions with students. They must also maintain an atmosphere conducive to learning through self-discipline and establish and maintain professional boundaries in and outside the educational setting.

Interactions and relationships between School Adults and students should be strictly professional and based upon mutual respect and trust. They should also be consistent with the school's educational mission, serve a legitimate educational purpose, and be part of the School Adult's school or program role and responsibilities.

People who have an intent to abuse children sexually often seek jobs and volunteer opportunities in youth-serving organizations that provide repeated access to children. They use that access to cultivate trusting relationships with children, parents, colleagues, and administrators so others will dismiss boundary-breaking behaviors that should be cause for concern and should be interrupted. This process is called grooming.

At first, boundaries broken in the grooming process may seem insignificant and typically involve establishing friendships with students and their families. But slowly, over time, those friendships get progressively more entangled, and the boundary violations become more serious, more sexual, and more damaging to the children being targeted.

This policy is not designed to restrain innocent, positive relationships but to establish expectations for professional boundaries between School Adults and students that prohibit serious sexual misconduct *and* interrupt early boundary-breaking grooming behaviors to minimize the risk of child sexual abuse in and through district schools and programs.

An inherent power differential exists because School Adults have authority over students participating in district schools and programs. Therefore, violations of this policy are deemed to be an abuse of power and a betrayal of public trust. School Adults are expected to adhere to the professional boundaries outlined in this policy and report others who violate them.

When School Adults follow and enforce the boundaries outlined in this policy, they create a safer learning environment for students, protect themselves from false accusations, and interrupt the behaviors of people with intentions to abuse students sexually.

## A. Definitions

For purposes of this policy:

- “School Adults” refers to all district employees, volunteers, chaperones, independent contractors, student teachers, and coaches.
- “Students” refers to any person enrolled in a district school or program or who utilizes district properties or buildings through non-district contracted programs, regardless of age (this includes dependent adult students).
- “Parents” refers to one or more of a student's parents, legal guardians, or any other person with temporary legal custody of a student.
- “Legitimate educational purpose” refers to matters or communications related to teaching, counseling, athletics, extracurricular activities, treatment of a student's physical injury or other medical needs, school

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administration, or other purposes within the scope of the School Adult's school or program role and responsibilities.

## B. Acceptable and Recommended Behaviors

The following behaviors will help to establish and maintain professional relationships between School Adults and their students:

1. Maintain professional boundaries consistent with this policy and report others who do not.
2. Maintain professional boundaries consistent with this policy for two years after the student turns 18 or is no longer enrolled, whichever comes later.
3. Engage with students and parents in activities that serve a legitimate educational purpose.
4. Engage with parents during district-established activities to facilitate such interactions, such as back-to-school nights, open houses, parent-teacher conferences, and guidance counseling.
5. Conduct all school instruction, counseling, and administrative tasks that require the presence of students on school premises within the regular school day. Some programs may have legitimate reasons for exceptions, such as athletics programs, home hospitals, food delivery, etc. (See Section J: Exceptions)
6. If it is necessary to meet with students for legitimate educational purposes off school premises or outside the regular school day, secure prior written approval from a site administrator and each student's parent. Two or more School Adults should be present in these circumstances, and the exception should be documented.
7. Conduct all interactions with individual students in line-of-sight view of other School Adults.
8. Ensure written, in-person, and electronic communications with students have a legitimate educational purpose.
9. Use district-provided and approved communications platforms, applications, and accounts for all electronic communications with students and parents.
10. (For coaches and advisors) A single correspondence should be sent to all participating team or club members rather than individuals.
11. Call parents' contact numbers if it is necessary to reach a student regarding a matter that cannot be communicated by email from a school email account or other district-provided and approved communications platform.
12. Include a student's parent or a site administrator on electronic communications required with an individual student to address personal medical or academic matters.
13. Engage with all students fairly, creating opportunities that are available to all.
14. Use nominally priced administrator-approved rewards to encourage excellence.
15. Address students and other School Adults by their preferred names and pronouns, with appropriate respect due in a professional relationship.
16. Encourage and enforce a secret-free environment.
17. When handling personal information about students, take all necessary steps to protect education records and health information in accordance with the Family Educational Rights and Privacy Act (FERPA) and the Insurance Portability and Accountability Act (HIPPA) regulations. In addition, School Adults should be mindful of protecting personal information about parents and themselves.
18. Keep your social media accounts private or ensure posts are appropriate for student viewing and in compliance with this policy, other school policies, and the law.
19. Take a reasonable number of group or individual photographs of students during administrator-approved school programs when more than one School Adult is present, and you have prior parent permission.

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20. Refer students and parents to other district resources when you recognize a need or students request support outside your professional role and responsibilities.
21. (For non-counseling staff) Refer students to a parent or school counselor for a referral to outside resources when you recognize a need or students request support with no legitimate educational purpose. In similar circumstances, refer parents to a school counselor.
22. Remind students and parents that their relationship with School Adults should be professional if their behaviors become overly friendly.
23. Remind parents that the relationship between School Adults and students should be professional if they encourage or allow their students' behavior to become overly friendly.
24. Enforce school rules and the law and report any violations by School Adults, students, or parents.

## C. Friendships

Relationships between School Adults and students and their parents should be professional, not personal. Being friendly, sensitive, attentive, and supportive is good, but School Adults should refrain from developing ongoing friendships with students or their parents. A professional relationship must be maintained. The following boundaries keep relationships between School Adults and students and their parents professional and are therefore expected to be followed. School Adults must not:

1. Engage with students or parents in activities that do not serve a legitimate educational purpose.
2. Establish an ongoing friendship with one or more students or their parents.
3. Give excessive or undue attention to an individual student, a small group of students, or students' parents.
4. Give preferential treatment to any student, such as a higher grade, a lead in the play, or a starting position on the team unless it has been earned.
5. Give tangible or intangible gifts to students or their parents beyond nominally priced administrator-approved rewards.
6. Engage in "peer-like" behavior with one or more students.
7. Socialize or hang out with students at school or during school programs beyond structured program activities.
8. Send students on personal errands, on or off campus, such as picking up coffee, food, and personal items.

**Reporting: Violations of the boundaries in this section should be reported via the District's Internal Reporting procedures. (See Section K: Reporting).**

## D. Socially Entangled Relationships

School Adults, students, and parents can be unsuspecting regarding grooming behaviors designed to develop socially entangled relationships. Entangled relationships breed deeper trust, causing people to dismiss or justify future boundary-breaking behavior.

In addition, more entangled relationships often reveal vulnerabilities that can be exploited to gain future, frequently isolated access to students. The following are boundaries that will limit and expose the development of socially entangled relationships between School Adults and students or their parents, and they are therefore expected to be followed. School Adults must not:

1. Address students or parents or permit students to address School Adults with personalized terms of endearment, pet names, or in an overly familiar manner.

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2. Take an excessive number of photos/videos of one or more students, take photos/videos of students without a parent's prior permission, take individual versus group photos/videos, take photos/videos outside of administrator-approved school programs, take unduly revealing photos/videos, take photos/videos of students without another School Adult present, or take photos/videos that reveal personal health or injury information prohibited by the Health Insurance Portability and Accountability Act (HIPPA).
3. Socialize or hang out with students outside of school or district programs or with parents outside of district programs, whether the student is present or not. Socializing includes but is not limited to attending family gatherings and parties, going to sporting events, restaurants, movies, shopping, or running errands.
4. Attend students' non-district-sponsored extracurricular activities or district-sponsored extracurricular activities in support of an individual student when it is outside the School Adult's role or responsibilities.
5. Confide in a student or their parents regarding personal, family, lifestyle, health, employment, relationship, or financial concerns, or any other private matter.
6. (For non-counseling staff) Encourage or allow students or parents to confide in a School Adult about personal, family, lifestyle, health, employment, relationship, or financial concerns, or any other private matter. School Adults are expected to refer the student to a school counselor if a student initiates such discussions and stop and redirect parents who initiate such discussions.
7. Provide a student or parent with personal or private information or opinions about other students or any School Adult.
8. Provide other School Adults with personal or private information or opinions about any student or parent without a legitimate educational purpose or specific reason related to school business, including but not limited to education records or health information protected by the Family Educational Rights and Privacy Act (FERPA) and the Insurance Portability and Accountability Act (HIPPA).
9. Offer advice to a student or parent on personal matters.
10. Use control, intimidation, manipulation, coercion, or threats to create an entangled relationship with a student or to establish a student's emotional dependence on them.
11. Exchange gifts, favors, privileges, or communications with an individual student for which it is directly or implicitly suggested that a student is to say or do something in return.
12. Attempt to create emotional isolation in students by pitting them against their parents, other trusted adults, or friends through verbal, written, or electronic communications.
13. Discuss or make promises about the future of their relationship with a student that may influence or alter a student's decisions about their future.
14. Seek emotional involvement with or intimate attachment to a student by positioning themselves as a pseudo-parent, best friend, mentor, consoler, or confidant to students.
15. Seek emotional involvement with or intimate attachment to a parent by positioning themselves as a pseudo-parent, child, sibling, best friend, mentor, or confidant to parents.
16. Be intimately involved in parents' lives, including but not limited to being an emergency contact or godparent for one or more of their children.
17. Become a foster parent of a student or adopt a student.
18. Be financially entangled with students' parents, including giving or receiving gifts or loans, working for each other, paid or unpaid, investing in each other, starting a business together, or any form of potential indebtedness.
19. Furnish alcohol, drugs, tobacco, or vape products to a student, be present where any student is consuming such substances, or fail to report such inappropriate substance use as soon as possible.

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20. Ask any student or parent to keep a secret or agree to keep a student's secret.
21. Ask any student or parent not to disclose violations of this policy, any other school policy, or the law.
22. Allow School Adults, students, or parents to break school rules or the law or fail to report such violations as soon as possible.

**Reporting: Violations of the boundaries in this section should be reported to Child Protective Services or Law Enforcement (Adult Protective Services for Dependent Adults), the Title IX Coordinator, and via the District's Internal Reporting procedures. (See Section K: Reporting).**

## E. Non-Sexual Physical Relationships

Desensitizing children to touch before sexual contact is a crucial part of the grooming process that keeps kids from disclosing. However, socially entangled relationships often cause students and parents to dismiss unnecessary and sometimes excessive non-sexual physical touch as normal. The following are boundaries that will interrupt the desensitization process and are, therefore, expected to be followed. School Adults must not:

1. Engage in any unwarranted or unwanted touch of a student, personally or with an object.
2. Engage in any form of excessive physical touch of students.
3. Touch a student in any way that does not serve a legitimate educational purpose, including but not limited to hitting, fighting, piggyback rides, tickling, wrestling, horseplay, sitting on laps, stroking hair or any body part, hands in other people's pockets, bra-snapping, wedgies, cuddling, snuggling, or massage.
4. Engage in any hands-on medical treatment beyond the treatment of minor cuts and scrapes unless a medical emergency requires immediate life-saving treatment such as CPR or defibrillation. This includes but is not limited to massage or physical therapy for treatment of an injury unless the School Adult is licensed to provide such therapy, it is part of their designated role or responsibilities, and there are two School Adults present. Some approved medical procedures may require exceptions for school nurses, healthcare technicians, or trained staff, such as dispensing medications, administering G-Tube feedings, or performing necessary catheter interventions (See Section J: Exceptions).
5. Engage in front-to-front hugs or front-to-back hugs or fail to redirect students who initiate them to instead give air hugs, high-fives, fist bumps, or side-to-side hugs in the case of small children.
6. Engage in kissing of any kind with a student.
7. Engage in any form of physical contact with a student in an isolated situation unless it is to assist an injured student in an emergency, protect the safety of students or School Adults, or provide bathroom or diapering assistance for toddlers or dependent adult students in which case more than one School Adult should be present or nearby.
8. Supply or fail to report any furniture on campus designed for more than one person to sit or lie in close physical contact, including, but not limited to, mattresses, futons, couches, loveseats, or oversized beanbag chairs.

**Reporting: Violations of the boundaries in this section should be reported to Child Protective Services or Law Enforcement (Adult Protective Services for Dependent Adults), the Title IX Coordinator, and via the District's Internal Reporting procedures. (See Section K: Reporting).**

## F. Isolated Relationships

Eighty percent of child sexual abuse happens in a one-on-one situation. People with the intent to sexualize students in or through district schools or programs seek to physically isolate children first into small groups and

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then into one-on-one situations where sexual abuse can take place in isolation. But even before physically isolating students, they often seek to isolate their communications with students to cultivate inappropriate relationships outside the purview of other School Adults and parents. This policy will establish boundaries that pertain to both forms of isolation.

## Isolated Communications

The following are boundaries that will limit isolated communications with students and are therefore expected to be followed. School Adults must not:

1. Use district email addresses on personal online accounts or use personal email addresses on school-provided or approved online accounts.
2. Communicate electronically or in writing with students regarding matters that do not have a legitimate educational purpose.
3. Communicate electronically with students or parents using personal accounts, including text, email, social networking, video chat platforms, and gaming accounts.
4. Create or participate in any networking site for communication with students other than those provided by the district for this purpose.
5. Follow or accept requests to be friends or connections with students on personal social networking accounts.
6. Interact with students' public social networking posts.
7. Make any posts on personal social networking accounts that violate this policy, any other school policy, or the law.
8. Make personal contact with an individual student electronically without including the student's parent or a site administrator, including but not limited to phone calls, texts, direct messaging, emails, social networking, chat rooms, video calls, or gaming apps. If students initiate such a communication, School Adults are expected to respond by including the student's parent or a site administrator as a response recipient. Video calls may be used for regularly scheduled pre-approved distance learning classes within regular school hours if multiple students or a second School Adult are present on the call.
9. Communicate with students for any reason using a platform or application designed to hide or eliminate communications, such as Snapchat, Calculator%, KeepSafe, or Vault.
10. Post images or other personally identifiable information of students online.
11. Send frequent or unnecessary electronic communications to students.
12. Engage in electronic communications with students longer than a few minutes or outside of a reasonable duration for the circumstances.
13. Send electronic communications, including text messages, to students during class hours or between 10:00 p.m. and 6:30 a.m. unless a verifiable emergency or urgent circumstance requires otherwise.

## Isolated In-Person Interactions

The following are boundaries that will limit the physical isolation of students and are therefore expected to be followed. School Adults must not:

14. Be with one or more students without a legitimate educational purpose, including but not limited to hanging out in classrooms or staff offices outside of a student's regularly scheduled hours, including lunches and recesses.



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15. (For non-counseling staff) Be alone in any room with an individual student, whether the door is open or closed. Some legitimate reasons may require an exception, such as for bathroom or diapering assistance needed by toddlers or dependent adult students, in which case more than one adult should be present or nearby (See Section J: Exceptions).
16. (For non-counseling staff) Be alone with an individual student anywhere other School Adults do not have a line-of-sight view of the student and the School Adult. If isolation happens unexpectedly, School Adults are expected to take steps to move into a line-of-sight view of other School Adults. If they cannot do so, they should contact their supervisor right away for assistance in resolving the isolation.
17. Obstruct windows in any location where a student is or could be in the future.
18. Turn the lights out in any room where students are present except during pre-approved curricular activities such as educational movies, in which case two adults must be present.
19. Purposely obscure visibility of a School Adult's hands when working with children, such as under a table or blankets.
20. Block the visual sight of any student at any time using blindfolds, eye masks, or other means.
21. Restrain or impede the movement of a student in any way outside of Professional Crisis Management (PCM) guidelines.
22. (For non-counseling staff, administrative staff, or service providers) Remove a student from class or other regularly scheduled activity.
23. Remain on campus with one or more students after the last administrator leaves the school premises.
24. Use district-provided or personal electronic devices to allow students to connect with people not fully vetted through the district's screening process.
25. Use any electronic recording device in a bathroom, locker room, hotel room, or other location where a student expects privacy.
26. Invade a student's privacy by walking in on a student in the bathroom, changing room, hotel room, or other location where a student expects privacy.
27. Enter a student-designated bathroom even with multiple students present, except in emergencies where a student or School Adult's health or safety is at risk.
28. Shower with or in front of students or change clothes in front of students.
29. Install or allow others to install mirrors in locker rooms, bathrooms, or other locations where a student expects privacy beyond the mirrors designated and pre-approved by the district to monitor the safety of students, such as convex mirrors positioned in the corners of a locker room.
30. Initiate discussions with students or loiter or linger near fully or partially undressed students, such as in locker rooms.
31. Make unplanned or unauthorized stops while transporting students for pre-approved field trips.
32. Enter a student's hotel room or allow a student to enter a School Adult's hotel room during overnight school-sponsored travel.
33. Use a hot tub or sauna with one or more students during overnight school-sponsored travel.
34. Be listed as an emergency contact on a student's school emergency card, which authorizes the removal of the student from school premises or a school program.
35. Transport individual or multiple students to or from school or school activities in a personal vehicle unless it is pre-approved by both a site administrator and the student's parents, and a second fingerprinted School Adult is present in the front seat with students in the back seat.
36. Intentionally be with one or more students away from school in a private or non-school setting.
37. Intentionally be with one or more students outside regular school hours and approved school activities.

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38. Socialize or spend time with students, including but not limited to activities such as going out for beverages, meals, movies, shopping, traveling, or recreational activities outside of school-sponsored events, except as participants in organized community activities.
39. Invite one or more students to the School Adult's home regardless of whether other students or adults are present.
40. Meet with a student at the student's home unless it is part of a district home visit program, is pre-approved by both a site administrator and the student's parent, and the student's parent is present.
41. Socialize with students' families, including but not limited to family gatherings, parties, and athletic events at the student's home or other locations.
42. Babysit or tutor students or their siblings, paid or unpaid, outside of school-sponsored tutoring programs.
43. Participate in any overnight visit where a student is present outside of school-sponsored programs, regardless of the location.

**Reporting: Violations of the boundaries in this section should be reported to Child Protective Services or Law Enforcement (Adult Protective Services for Dependent Adults), the Title IX Coordinator, and via the District's Internal Reporting procedures. (See Section K: Reporting).**

## G. Risqué and Romantic Relationships

Before a sexual encounter with a student is initiated, romantic or risqué sexual interactions are typically introduced, often to gauge a student's vulnerability or willingness to engage. The following boundaries will intercede with the development of romantic and sexually risqué relationships between School Adults and students and are therefore expected to be followed. School Adults must not:

1. Initiate or fail to stop sexually risqué verbal interactions about students or in front of students, including sexual jokes, remarks, stories, rumors, banter, double-entendres, allusions, innuendos, slurs, or epithets.
2. Initiate or fail to stop or intercept sexually risqué written, digital, or physical expressions about students or shared with students, including notes, letters, emails, texts, online posts, drawings, graphics, photos, videos, pornography, objects, leering, or gestures such as hip thrusts, or blowing kisses.
3. Participate in or fail to stop sexual hazing in any form.
4. Make remarks about a student's physical attributes or physiological development.
5. Comment on a student's appearance in a way that could be construed as excessive flattery, flirtation, or sexual, or if the comments have no educational value.
6. Make comments about or touch any student's undergarments, including but not limited to snapping bras and wedgies.
7. Talk with students about romantic or highly personal matters or ask a student to do the same, including romantic relationships, boyfriends and girlfriends, marriage, divorce, pregnancy, abortion, or having or raising children.
8. Talk with students about sexual matters or ask a student to do the same, including sexual relationships, gratification, interests, preferences, or fantasies.
9. Flirt with a student, express romantic feelings toward a student, or make any romantic or sexual overture or proposition to a student.
10. Touch a student's body or clothes intimately, including stroking hair or any body part.

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11. Give a student a gift that is sexually intimate, such as lingerie, sexual toys or objects, or devices that may be used to capture or transmit sexually intimate activities.
12. Exchange gifts, favors, privileges, or communications with an individual student for which it is directly or implicitly suggested that a student is to say or do something romantic or sexual in return.
13. Engage in any romantic outing with a student or date, court, enter into, or attempt to enter into any romantic or sexual relationship with a student, regardless of the student's age.
14. Talk with a student about engaging in a romantic or sexual relationship at a future date.
15. Restrict a student's freedom of movement in a sexually intimidating or provocative manner.

**Reporting: Violations of the boundaries in this section should be reported to Child Protective Services or Law Enforcement (Adult Protective Services for Dependent Adults), the Title IX Coordinator, and via the District's Internal Reporting procedures. (See Section K: Reporting).**

## H. Sexually Abusive Relationships

When this policy is followed and enforced, the behaviors of people with intentions to sexually abuse students will be hindered. However, all incidents of sexual abuse may not be stopped. The following behaviors are considered criminal sexual abuse and are therefore prohibited:

1. Rape (sexual intercourse by force, threat of force, or coercion)
2. Statutory rape (intercourse with a child under the age of 18)
3. Rape in concert (gang rape)
4. Incest
5. Sodomy
6. Lewd or lascivious acts
7. Oral copulation
8. Sexual penetration
9. Child molestation
10. Intentional touching of genitals or intimate parts, including the inner thighs
11. Masturbation in the presence of a child
12. Preparing, selling, or distributing obscene materials involving children, including sexting
13. Employing a minor to perform obscene acts
14. Promoting, aiding, assisting, employing, using, persuading, inducing, or coercing a minor to engage in sex for hire, live performances involving obscene sexual conduct, or posing for purposes of preparing any pictorial depiction involving obscene sexual conduct.

**Reporting: Violations of the boundaries in this section should be reported to Child Protective Services or Law Enforcement (Adult Protective Services for Dependent Adults), the Title IX Coordinator, and via the District's Internal Reporting procedures. (See Section K: Reporting).**

## I. Exceptions

Exceptions to the professional boundaries detailed in this policy may be warranted under some circumstances. In all circumstances, the district must weigh student needs with the additional risk such exceptions may present and do all they can to minimize the risk of sexual abuse. Examples of exceptions include:

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1. Legitimate educational purposes may justify deviation from the professional boundaries detailed in this policy. In such cases, the School Adult must receive prior written approval from a site administrator.
2. Existing social relationships may exist between a School Adult and students or their parents. In such cases, the School Adult must receive prior written approval from a site administrator. Examples of such existing social relationships include:
  - a. Familial relationships.
  - b. Pre-existing social relationships between a School Adult and a student’s family.
  - c. Pre-existing social relationships between the child of a School Adult and a student.
3. School Adults may participate in outside organized community, civic, athletic, or religious activities or events alongside students or their students’ parents. This policy is not intended to interfere with or restrict a School Adult’s ability to serve in those roles; however, School Adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity related to all youth with whom they interact during their community involvement.
4. A School Adult may unexpectedly find themselves in a situation that violates the professional boundaries detailed in this policy. In such cases, the School Adult should attempt to resolve the violation themselves and notify a site administrator as soon as possible after the fact (e.g., they find themselves alone in a room with a student and they move themselves and the student to another location with a line-of-sight view of other School Adults). If unable to resolve the violation on their own, they should contact their supervisor right away for assistance in resolving the violation.
5. Some verifiable medical emergencies may necessitate a School Adult to violate the professional boundaries detailed in this policy. In such cases, the School Adult must notify a site administrator as soon as the emergency has been resolved or the student has been transferred to the care of a medical professional.

All approved deviations from the professional boundaries detailed in this policy will be documented in writing *annually* and will identify:

1. The School Adult who has requested the waiver
2. The reason for the waiver request
3. The specific boundary being waived (e.g., Section E, Boundary 3) with a note that all other boundaries continue to be in force
4. The students the waiver applies to
5. The date(s) that the waiver is approved for
6. The approving signature

Under no circumstance will a waiver be justified or approved for any boundary in Section H: Riské and Romantic Relationships or Section I: Sexually Abusive Relationships of this policy.

## J. Reporting

**Mandated Reporters** (i.e., district employees, student teachers, coaches, and some independent contractors)

- **Child Abuse Neglect and Reporting Act (CANRA)**
  - According to the Child Abuse Neglect and Reporting Act (CANRA), all district employees, student teachers, coaches, and some independent contractors are designated mandated reporters.

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- Mandated reporters must report all known or suspected incidents of child abuse by phone to child protective services or law enforcement as soon as practicably possible and follow up with a written report to the agencies contacted within 36 hours. (See Policy \_\_\_\_ – Reporting Child Abuse).
- **Elder Abuse and Dependent Adult Civil Protection Act (EADACPA)**
  - According to the Elder Abuse and Dependent Adult Civil Protection Act (EADACPA), all district employees, student teachers, coaches, and some independent contractors who work with dependent adults are designated mandated reporters.
  - Mandated reporters must report suspected abuse, neglect, or exploitation of dependent adults in your care to Adult Protective Services (APS) as soon as possible and follow up with a written report within two days. (See Policy \_\_\_\_ – Reporting Dependent Adult Abuse).
- **Title IX Reporting**
  - According to Title IX, all district employees, student teachers, coaches, and some independent contractors are responsible employees.
  - Responsible employees are required to report severe or repetitive behavior that creates a hostile environment, including but not limited to reporting sexual violence, unwelcome sexual advances, unwanted requests for sexual favors, and other unwanted verbal, visual, or physical conduct of a sexual nature. Violations of Sections E, F, G, H, and I should be reported to the district's Title IX Coordinator for further investigation. (See Policy \_\_\_\_ – Title IX Sexual Harassment Reporting Form)
- **District Internal Reporting**
  - Violations of any boundary in this policy should be reported to (\_\_\_\_ Fill in the Blank\_\_\_\_) so the district can take immediate action to protect students and impose corrective disciplinary measures.

### Non-mandated Reporters (i.e., parents, volunteers, chaperones, students, and some independent contractors)

- Violations of any boundary in this policy should be reported to (\_\_\_\_ Fill in the Blank\_\_\_\_) so the district can take immediate action to protect students and impose corrective disciplinary measures.
  - In addition, School Adults who are **not** designated as mandated reporters under CANRA or the EADACPA or responsible employees under Title IX are encouraged to voluntarily follow the reporting guidelines detailed in the mandated reporter section above.
- Students are also encouraged to inform their parents or another trusted adult inside or outside the school setting as soon as possible about any violations of this policy.

## K. Investigation

Whenever the district receives a report concerning a possible boundary violation, the site supervisor and the assigned Human Resources Administrator will conduct a prompt investigation utilizing the procedures for investigating allegations of serious misconduct. The investigation shall include a review of the entire history of concerns relating to the subject of the concern/complaint.

Immediate intervention shall be considered and implemented when necessary to protect student safety or the investigation's integrity.

## L. Disciplinary Action

Any district employee found to have engaged in conduct in violation of law, this policy, or any other district policy shall be subject to disciplinary action up to and including dismissal. In the case of a certificated employee, the

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employee may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

An employee who has knowledge of but fails to report violations of this policy may also be subject to discipline.

A volunteer, chaperone, independent contractor, student teacher, or coach who violates this policy may be prohibited from working or serving in district schools and programs for an appropriate period or permanently, as determined by the Superintendent or designee.

## M. Confidentiality and Retaliation

The district prohibits retaliation against anyone who files a complaint under this policy. Any School Adult who retaliates against any such complainant, reporter, or other participant in the district's complaint process shall be subject to discipline.

Reporting School Adults are expressly advised of the following:

- Reporting School Adults are neither permitted nor responsible for investigating boundary violations
- Reporting School Adults are required to maintain confidentiality

Confidentiality protects the student(s) and the School Adult who is the report's subject. Failure to maintain confidentiality may impede the investigation and foster untrue and potentially harmful rumors. Nothing in this policy shall prevent any represented employee from consulting with their exclusive representative.