



Staff/Student Interaction Policy

Sierra Foothill Charter School recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the most safe and learning conducive environment possible.

Disciplinary Physical Contact With Students

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student.

For purposes of this policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to property.

For clarification purposes, the following examples are offered for direction and guidance of School personnel:

A. Examples of PERMITTED actions (NOT corporal punishment)

- Stopping a student from fighting with another student;
- Preventing a pupil from committing an act of vandalism;
- Defending yourself from physical injury or assault by a student;
- Forcing a pupil to give up a weapon or dangerous object;
- Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
- Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.

B. Examples of PROHIBITED actions (corporal punishment)

- Tying, taping, or physically restraining a student as a means of control;
- Making unruly students do push-ups, run laps, or perform other physical acts that cause pain or discomfort as a form of punishment;
- Spanking, hitting, pushing, swatting slapping, grabbing, pinching, kicking, or the use of any other physical force as retaliation or correction for inappropriate behavior.

Staff-Student Interactions

This policy is intended to guide all School faculty and staff in conducting themselves in a way that reflects the high standards of behavior and professionalism required of school employees and to specify the boundaries between students and staff.

While the use of appropriate touching is part of daily life and is important for student development, teachers and other staff members must ensure that they do not exceed appropriate behavior. If a child or other staff member specifically requests that he or she not be touched, then that request must be honored without question.

Boundaries Defined

For the purposes of this policy, the term “boundaries” is defined as acceptable professional behavior 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 Behaviors

Some activities may seem innocent from a staff member’s perspective, but may be perceived as flirtation or sexual insinuation from a student or parent/guardian 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 inappropriate, or sexual misconduct, or “grooming.” Grooming is defined as an act or series of acts by a sexual predator to gain physical and/or emotional control by gaining trust (of staff and/or family and a minor) and desensitizing the minor to various forms of touching and other intimate interaction.

Staff members must understand their own responsibilities for ensuring that they do not cross the boundaries as written in this policy. Violations could subject the teacher or staff member to discipline up to and including termination. Disagreeing with the wording or intent of these 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, competent interaction with students certainly fosters learning, student/staff interactions must have boundaries surrounding potential activities, locations, and intentions.

Unacceptable Behaviors

These lists (and any subsequent lists) are not meant to be all-inclusive, but rather, illustrative of the types of behavior we intend to address by this policy.

- Being alone in a room with a student at school with the door closed and/or windows blocked from view.
- Giving gifts to an individual student that are of a personal and intimate nature (including photographs); or items such as money, food, outings, electronics, etc. without the written pre-approval of the Principal/Superintendent. It is recommended that such gift be filtered through the Principal/Superintendent along with the rationale therefor.
- Kissing of any kind.
- Massage (Note: Permitted in special education only as instructed under an IEP or 504 plan).
- Full frontal or rear hugs and lengthy embraces.
- Sitting students on one's lap (grades 3 and above).
- Touching buttocks, thighs, chest or genital area.
- Wrestling with students or other staff member except in the context of a formal wrestling program.
- Tickling or piggyback rides.
- Any form of sexual contact.
- Any type of unnecessary physical contact with a student in a private situation.
- Intentionally being alone with a student away from the school.
- Furnishing alcohol, tobacco products, or drugs or failing to report knowledge of such.
- "Dating" or "going out with" a student.

- Remarks about physical attributes or physiological development of anyone. This includes comments such as “Looking fine!” or “Check out that [body part].”
- Taking photographs or videos of students for personal use or posting online.
- Undressing in front of a student.
- Leaving campus alone with a student for lunch.
- Sharing a bed, mat, or sleeping bag with a student.
- Making or participating in sexually inappropriate comments.
- Sexual jokes, or jokes/comments with sexual overtones or double-entendres.
- 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 personal troubles or intimate issues with a student.
- Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.
- Giving students a ride to/from school or school activities without the express, advance written permission of the Principal/Superintendent and the student’s parent or legal guardian.
- Allowing students at your home and/or in rooms within your home without signed parental permission for a pre-planned and pre-communicated educational activity which must include another educator, parent, or designated school volunteer.
- Staff mirroring the immature behavior of minors.
- Sending emails, text messages, social media responses, making phone calls, or sending notes or letters to students if the content is not about school activities. Communication via private social media accounts is not acceptable.

Acceptable Behaviors

- Obtaining formal written pre-approval from the Principal/Superintendent to take students off school property for activities such as field trips or competitions, including parent/guardian written permission and waiver form for any sponsored after-school activity whether on or off campus.

- Touching face to check temperature, wipe away a tear, remove hair from face, or other similar types of contact.
- Placing TK through second grade students on one's lap for purposes of comforting the child for a short duration only.
- Holding hands while walking with small children or children with significant disabilities.
- Assisting with toileting of small or disabled children in view of another staff member.
- Touch required under an IEP or 504 Plan.
- Reasonable restraint of a violent person to protect self, others, or property.
- Emails, text-messages, phone conversations, and other communications to and with students, if permitted, must be professional and pertain to school activities or classes, and communication should be initiated via transparent (non-private) school-based technology and equipment.
- Keeping the door open when alone with a student.
- Keeping reasonable and appropriate space between you and the students.
- Stopping and correcting students if they cross your own personal boundaries, including touching legs or buttocks, frontal hugs, kissing, or caressing.
- Keeping parents/guardians informed when a significant issue develops about a student, such as a change in demeanor or uncharacteristic behavior.
- Keeping after-class discussions with a student professional and brief.
- Immediately asking for advice from senior staff or Principal/Superintendent if you find yourself in a difficult situation related to boundaries.
- Involving the Principal/Superintendent in discussion about boundaries situations that have the potential to become more severe (including but not limited to: grooming or other red flag behaviors observed in colleagues, written material that is disturbing, or a student's fixation on an adult).
- Making detailed notes about an incident that in your best judgment could evolve into a more serious situation later.
- Recognizing the responsibility to stop unacceptable behavior of students and/or coworkers.
- 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.
- Pats on the back, high fives and handshakes.
- Prioritizing professional behavior during all moments of student contact.
- Asking yourself if any of your actions, which are contrary to these provisions, are worth sacrificing your job and career.

This policy does not prevent: 1) touching a student for the purpose of guiding them along a physical path; 2) helping them up after a fall; or 3) engaging in a rescue or the application of Cardiopulmonary Resuscitation (CPR) or other emergency first-aid. Nor does it prohibit the use of reasonable force and touching in self-defense or in the defense of another. Restraining a child who is trying to engage in violent or inappropriate behavior is also allowed. Only such force as necessary to defend one's self, another person, or the child or to protect property is legally permitted. Excessive force is prohibited.

Boundaries Reporting

When any staff member, parent/guardian, or student becomes aware of ~~another~~ a staff member (or volunteer, guest, mentor) having crossed the boundaries specified in this policy, or has a strong suspicion of misconduct, he or she must report the suspicion of misconduct to the Principal/Superintendent promptly. Reasonable suspicion means something perceived in spite of inconclusive or slight evidence. It is based on facts that would lead a reasonable person to believe the conduct occurred. 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 ~~where~~ a student appears to be at risk for sexual abuse.

Child Abuse / Sexual Abuse Reporting (Mandatory Reporting)

If, within your professional capacity or within the scope of your employment, you observe or gain possession of knowledge that a child has been a victim of child abuse or sexual abuse, or you reasonably suspect it, California Penal Code Section 11166 requires you to immediately report this information or suspicion directly to a child protective agency or the police. The report shall be made by phone as soon as possible and a subsequent written report must be sent within 36 hours of your knowledge or suspicion of the abuse. Internal reporting to the Principal/Superintendent occurs after the phone-in report. Failure to meet these obligations can result in a monetary fine and/or jail.

Investigating

The Principal/Superintendent will promptly investigate and document the investigation of any allegation of sexual misconduct or inappropriate behavior, 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 administrator shall promptly notify the Governing Board in closed session of the existence and status of any investigations. Upon completion of any such investigations, the Principal/Superintendent shall report to the Governing Board any conclusions reached. The investigating administrator shall consult with legal counsel, as appropriate, 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.

Board Approved on October 23, 2018