

Mandatory Reporting of Sexual Misconduct Against Students

All BVSD employees have a duty to know what sexual misconduct is, to discourage it at all times, and to report to their supervisors any reasonable cause to suspect that another adult (employee, volunteer or visitor) has engaged in sexual misconduct with a student.

Sexual misconduct is any verbal or physical conduct directed toward a student that is sexual in nature. Sexual misconduct will interfere with a student's educational performance and it creates an intimidating and hostile educational environment.

If the sexual misconduct includes **criminal behavior or child abuse** then immediate action in accordance with **Colorado's mandatory reporting law** and Board policy is required.

Sexual misconduct **may include grooming behavior** in which adults develop trust to break down a child's defenses so that the adult may engage the child in sexual conduct or sexual abuse.

Don't wait for absolute proof before you report suspected sexual misconduct. It is the District's responsibility to investigate and determine whether the conduct occurred.

An employee's failure to report sexual misconduct may result in disciplinary action.

What else can be done?

- ❖ **Create a culture** where **employees and volunteers** understand their duty to report sexual misconduct and feel safe doing so.
- ❖ **Create a culture** where **students and parents** feel safe to report sexual misconduct and know that immediate and appropriate corrective action will be implemented.
- ❖ Make sure **students know to whom they should report** – the School Principal or Assistant Principal.
- ❖ Understand that anyone who makes a report in good faith will be protected from retaliation.
- ❖ Understand that placing an employee on paid leave during an investigation is necessary to protect all persons involved and the integrity of the investigation.

Professional Boundaries Between Employees & Students

All employees are expected to observe and maintain professional boundaries between themselves and students. A professional relationship is one where the employee maintains the position of employee/student authority while expressing concern, empathy and encouragement for students. Personal contact between adults and students must always be nonsexual, appropriate to the circumstances and unambiguous in meaning.

A violation of professional boundaries will be regarded as a form of misconduct in violation of Board Policy and may result in disciplinary action and referral to law enforcement. Adherence to these guidelines will help protect employees from misunderstandings and false accusations.

In the absence of a legitimate health or educational purpose, the following behaviors are inappropriate, regardless of the student's gender:

- ❖ Engaging in sexual activity, a romantic relationship, or dating of a student.
- ❖ Making any sexual advance – verbal, written, or physical – towards a student.
- ❖ Showing pornography or suggestive photos to a student.
- ❖ Discussing with a student sexual topics that are not related to a specific curriculum.
- ❖ Telling sexual jokes to a student or engaging in talk containing sexual innuendo or banter with a student.
- ❖ Taking an undue interest in a student (i.e., having a "special" friend or a "special relationship" with a particular student).
- ❖ Invading a student's privacy (e.g., walking in on a student in a restroom or locker-room, asking about sexual experiences or fantasies).
- ❖ Hugging, back rubs or other "touchy" contact with a student that is initiated by the employee when the student does not seek or want this attention.
- ❖ Giving overly personal cards, notes or yearbook inscriptions.
- ❖ Videotaping or photographing a student in revealing or suggestive poses.
- ❖ Discussing with a student matters that normally would only be discussed with adults (e.g., marital problems, sexual issues).
- ❖ Having "secrets" with a student.
- ❖ Favoring certain students by giving them special privileges or allowing them to get away with inappropriate behavior.
- ❖ Being alone with a student behind closed doors or out of the view of others.
- ❖ Getting a student out of class for a "visit."
- ❖ Using pet names.
- ❖ Giving a student a ride in the employee's personal vehicle in a non-emergency situation or without administrator approval.
- ❖ Taking a student on personal outings even with the parents' permission.
- ❖ Inviting a student to the employee's home without prior express permission of the student's parent and school administrator.
- ❖ Going to a student's home without the student's parent or a proper chaperone present.
- ❖ Giving money or gifts of a personal nature to a student.
- ❖ Engaging in peer-like behavior with students (i.e., being like one of the kids).
- ❖ Giving out personal cell or home number or personal email address.
- ❖ Using email, texts, social networking (Instagram, Snapchat, Facebook, etc.) or other technology to send pictures or discuss personal interests with students; or the timing and frequency of communications are otherwise inappropriate.
- ❖ Socializing where students are consuming alcohol, drugs or tobacco.

This list is not exhaustive.

