

Guidelines for the Prevention of Sexual Misconduct and Abuse

Sample extracted from Al Fatih Academy Staff Handbook

Introduction

Responsibility for protecting students from sexual misconduct and abuse is shared by the school board, administrators, teachers, staff, school volunteers, and parents. These guidelines are in place to provide accountability, prevent misconduct and appearances of impropriety with students, and establish clear and reasonable boundaries for interactions among students and teachers, school board members, and adult volunteers.

School Board Responsibilities

The school board and administration demonstrate their commitment to protecting students from sexual misconduct and abuse through:

1. Compliance with all state and local laws and regulations related to the screening of prospective employees for the conviction of barrier crimes and founded cases of child abuse and neglect;
2. Compliance with all state laws related to the reporting of suspected child abuse and neglect;
3. Compliance with all state laws and regulations related to reporting to the Virginia Department of Education of resignations and dismissals of licensed employees related to convictions of barrier crimes and founded cases of abuse and neglect;
4. The development, effective implementation and enforcement of clear and reasonable policies governing the interaction of students and school board employees and volunteers;
5. The establishment of channels for reporting by students and parents of suspected misconduct and abuse, and the prompt notification of law enforcement when criminal activity is alleged or suspected; and
6. Disclosure of formal reprimands and dismissals for violating school board policies on sexual misconduct and abuse prevention to school divisions seeking references.

Guidance on Communication and Interaction

Educators and other employees can protect themselves from misunderstandings and false accusations by adhering to school policies.

In-Person Communication and Interaction

Employees and volunteers should avoid appearances of impropriety when interacting with students. Educators, other employees and volunteers should be aware of behaviors often associated with inappropriate conduct that can create an appearance of impropriety, including:

- Conducting ongoing, private, conversations with individual students that are unrelated to school activities or the well-being of the student and that take place in locations inaccessible to others. Examples of inaccessible locations include:
 - A room with a door that is fully closed without any viewing access for onlookers through a window
 - A secluded area of staircase
 - Bathroom
- Inviting a student or students for home visits without informing parents;
- Visiting the homes of students without the knowledge of parents;

- Inviting students for social contact off school grounds without the permission or knowledge of parents; and
- Transporting students in personal vehicles without the knowledge of parents or administration.
- Using inappropriate language that makes others uncomfortable
- Being in the student bathroom to help a student – if a student needs help, always call another adult to be present – this method protects you and the student from any misunderstanding

Personal contact between adults and students must always be nonsexual, appropriate to the circumstances and unambiguous in meaning. Employees and volunteers should respect boundaries consistent with their roles as educators, mentors and caregivers. Violations of these boundaries include:

- Physical contact with a student that could be reasonably interpreted as constituting sexual harassment;
- Showing pornography to a student;
- Unnecessarily invading a student's personal privacy or belongings;
- Singling out a particular student or group of students for personal attention and friendship beyond the bounds of an appropriate educator/mentor-student relationship;
- Conversation of a sexual nature with students not related to the employee's professional responsibilities; and
- A flirtatious, romantic or sexual relationship with a student.
- Sharing unnecessary, personal information with a student such as pictures, personal stories, etc.
- Asking a student to do some of your work for you i.e. carrying/transporting your personal things, allowing a student to use your phone for the timer app, etc.
- Being physically close to a student unless you are helping them with a classroom task
- Giving extra compliments to specific student(s) and spending more time than needed with them

Electronic Communication

Digital technology and social networking provide multiple means for educators and other school board employees to communicate with students and personalize learning. Local policies should ensure that electronic and online communications between employees, volunteers and individual students are transparent, accessible to administrators and parents, and professional in content and tone.

As with in-person communications, educators and volunteers should avoid appearances of impropriety and refrain from inappropriate electronic communications with students. Factors that may be considered in determining whether an electronic communication is inappropriate include, but are not limited to:

- The subject, content, purpose, authorization, timing and frequency of the communication;
- Whether there was an attempt to conceal the communication from administration and/or parents;
- Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship; and
- Whether the communication was sexually explicit.

Best Practices

All school board members, administrators, teachers, staff, school volunteers, and parents are expected to follow these guidelines and best practices when interacting with students:

- Meeting with students in a space that is not fully enclosed
- Meeting space must have viewing access for onlookers either through a glass window or a partially opened door
- If helping a student in a bathroom situation, there must be two adults present
- Keeping a gap of at least 2 feet between student and adult
- Responding to a student for help i.e. helping an elementary-grade student tie their shoelaces in a location visible to others (playground, classroom with door open, etc.)
- Using language that promotes kindness, support, beneficial information that is given at the appropriate time and place. For example: if a student wants to know more about a personal issue such as menstruation, only provide information that is age-appropriate; a six-year old does not need details about menstruation, instead the adult can ask the student about what they already know about it and then kindly advise them to ask their grown up at home; if an older student who is over 10, it is appropriate to only give scientific information and always advise them to speak with a trusted adult at home; it's best practice to ask the student what they already know about the topic and then continue from there. If you are unsure of how you should respond, it's best practice to send them to another trusted adult in the building. Sensitive conversations should take place in a space away from other students, but should still be accessible/visible by others.

Channel of Reporting

Any staff or stakeholder that suspects sexual misconduct should immediately report it to Admin or to the Board via phone or email.

- School Number:
- Head of School/Principal email:
- Board Chair email:
- Vice Chair email:

Response to Reporting:

The administrator/ board chair & vice chair will immediately respond to the report. All or some of the following steps may be taken:

- Identify the nature of the misconduct
- Notify the school board members of the report
- Follow up with all parties
- Consult with local law enforcement/CPS
- Communicate with parties directly impacted (parents, child, etc)
- Communicate with larger stakeholder community
- Remove the individual that has been reported from the classroom/office/school

RESOURCE ARTICLE:

<https://filestore.scouting.org/filestore/nyps/2013/pdf/Shakeshaft-Kappan20138.full.pdf>

Credits: Adapted from Virginia Department of Education & Know the warning signs of educator sexual misconduct by
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