

BP 5141.42 PROFESSIONAL BOUNDARIES OF STAFF WITH STUDENTS

Purpose

The District is committed to protecting children from inappropriate conduct by adults, including school staff and volunteers. The purpose of this policy is to provide all staff, students, volunteers and community members with information about their role in protecting children. This policy applies to all district staff and volunteers. For purposes of this policy and its administrative regulation, the terms “district staff,” “staff member(s),” and “staff” also includes volunteers.

General Standards

Maintain professional boundaries: The board expects all staff to maintain the highest professional standards when they interact with students. District staff are required to maintain an atmosphere conducive to learning by consistently maintaining professional boundaries with students.

The interactions and relationships between district staff and students should be based upon mutual respect and trust, an understanding of the appropriate boundaries between adults and students in and outside of the educational setting, and consistency with the district’s educational mission.

District staff will not intrude on a student’s physical and/or emotional boundaries unless the intrusion is necessary to serve a bona fide health, safety, or educational purpose. An educational purpose is one that relates to the staff member’s duties as an educator. Additionally, staff members are expected to avoid any appearance of impropriety in their conduct when interacting with students.

Report violations of professional boundaries: Whenever a staff member observes another staff member engaging in inappropriate boundary invasions with a student, they must report what they have observed to administration. ***When in doubt, report it out.***

Preexisting, outside relationships with students: The board recognizes that staff may have familial and pre-existing social relationships with parents/guardians/caretakers of students and students. This could create dual relationships with students. Staff members should use sound professional judgment when they have a dual relationship with students to avoid violating this policy. In all such relationships staff should avoid any appearance of impropriety with any student and any appearance of favoritism toward any student.

Staff members shall pro-actively discuss dual relationship circumstances with their building administrator or supervisor. Regardless of any preexisting relationship with students outside of work, when on the job as an educator, staff shall abide by this policy and its accompanying administrative regulations.

Use of technology: The board supports the use of technology to communicate for educational purposes. However, unless the student is the staff member’s own child, staff are prohibited from communicating privately with students on-line or from engaging in any conduct on social networking websites that violates the law, district policies or procedures, or other generally recognized professional standards.

Staff whose conduct violates this policy may face disciplinary and/or termination consistent with the district’s policies and procedures, acceptable use agreement, and collective bargaining agreements, as applicable.

Training: The Superintendent or Superintendent’s designee will develop staff training relating to this policy, including protocols for reporting and investigating allegations and develop procedures and training to accompany this policy.

(cf. [4131](#) – Staff development)
(cf. [5131.43](#) – Harassment, intimidation and bullying)
(cf. [5137](#) – Positive school climate)
(cf. [5141.4](#) – Child abuse and neglect)
(cf. [6161.4](#) – Internet)
cf. [6161.5](#) – Web sites)

ALASKA STATUTES

[11.61.120](#) Harassment in the second degree
[14.08.111](#) Duties
[14.14.090](#) Duties of School Boards
[14.30.355](#) Sexual abuse and sexual assault awareness and prevention
[14.30.360](#) Curriculum (health and safety education)
[14.33.200](#) Harassment, intimidation and bullying
[14.33.210](#) Reporting of incidents of harassment, intimidation and bullying
[14.33.220](#) Reporting no reprisals
[14.33.240](#) Immunity from suit
[14.33.250](#) Definitions
[47.14.300](#) Multidisciplinary Child protection teams
[47.17.010](#) Child protection
[47.17.020](#) Persons required to report
[47.17.022](#) Training

AR 5141.42 PROFESSIONAL BOUNDARIES OF STAFF WITH STUDENTS

Boundary Invasions

School employees and volunteers are professionally and ethically obligated to maintain professional boundaries with students when working in an educator's professional role. Staff is defined as school employees and volunteers. In any staff-student relationship, staff is expected to maintain professional boundaries with students and avoid any boundary invasion which does not have a legitimate health, safety, or educational reason.

Schools must pay attention to boundary invasions and unprofessionalism because inappropriate boundary invasions by staff can morph into sexual grooming of students. If there is no legitimate health, safety, or educational reason for such boundary invasions, such boundary invasions are unwise and prohibited. Curtailing inappropriate boundary invasions reduces the opportunity for sexual grooming.

Inappropriate Boundary Invasion Examples

Examples of possible inappropriate boundary invasions by staff members include, but are not limited to, the following:

Taking an undue interest in a Particular Student:

1. Having a "special friend or a "special relationship" with a particular student.
2. Favoring certain students by giving them special privileges.
3. Favoring certain students, inviting them to come to the classroom at non-class times.
4. Getting a particular student out of class to visit the teacher during the teacher's prep period.
5. Engaging in peer-like behavior with students including rough-housing.

Using poor judgment in relation to a particular student:

1. Allowing a particular student to get away with inappropriate behavior.
2. Being alone with the student behind closed doors at school.
3. Giving gifts or money to the student.
4. Being overly "touchy" with certain students.
5. Touching students for no educational or health reason.
6. Giving students rides in the educator's personal vehicle, especially alone.
7. Frequent electronic communication or phone contacts with a particular student.

Becoming involved in the student's private life:

1. Talking to the student about the educator's personal problems.
2. Talking to the student about the student's personal problems to the extent that the adult becomes a confidant of the student when it is not the adult's job role to do so.
3. Initiating or extending contact with students beyond the school day in a private or non-group setting.
4. Taking a particular student on personal outings, away from protective adults.
5. Using email, text-messaging, instant messaging, or social networking to discuss personal topics or interests with students.
- 6.

Not respecting normal boundaries:

1. Invading the student's physical privacy (i.e., walking in on the student in the bathroom).

2. Inviting students to the educator's home.
3. Visiting the student's home.
4. Asking the student to keep certain things secret from his/her parents.
- 5.

Sexually related conduct:

1. Engaging in sex talk with students (sexual innuendo, sexual banter, or sexual jokes).
2. Talking with a student about sexual topics that are not related to a specific curriculum.
3. Showing pornography to the student.
4. Hugging, kissing, or other affectionate physical contact with a student.
- 5.

Reporting Violations and Administrative Follow Up

Reporting: Staff members must promptly report to the principal or administrative supervisor of any employee or volunteer suspected of engaging in inappropriate boundary invasions they become aware. Do not inform the employee or volunteer suspected of engaging in appropriate boundary invasions that a report has been made.

Students and their parents/guardians are strongly encouraged to notify the principal (or other administrator) if they believe a staff member may be engaging in conduct that violates this policy or procedure.

Administrative Follow Up: The administrator to whom a boundary invasion concern is initially reported must document the concern and promptly provide a copy of that documentation to the Superintendent or Superintendent's designee. The Superintendent or Superintendent's designee shall see to it that (a) the alleged conduct is investigated, (b) any students involved are protected, (c) parents are informed, (d) where appropriate Office of Children's Services (OCS) and/or law enforcement are contacted, and (e) where appropriate, remedial and/or disciplinary action is taken.

Reporting Sexual Abuse

[A.S. 47.17.020](#) and Board Policy require that persons who are mandatory reporters who, in the performance of their occupational duties have reasonable cause to suspect that a child has suffered harm as a result of **child abuse** or **neglect**, shall immediately report the harm to OCS or to a peace officer if OCS cannot be reached and immediate action is necessary for the well-being of the child. If there is reasonable cause to suspect sexual abuse, a report must be promptly made to OCS. Any situation where a school employee or volunteer is believed to have engaged in sexual abuse of a student should also be reported to law enforcement.

Disciplinary Action

Staff violations of this policy may result in disciplinary action up to and including dismissal.

Training

Staff (including volunteers) will receive training on professional boundaries, inappropriate boundary invasions, and the relationship of inappropriate boundary invasions to sexual grooming. Such training shall take place at least every three years. All new employees and volunteers will receive such training within three months of employment or service. Such training will cover the information included in the training handout, [E 5141.42-1](#), "School Guidelines for Preventing Sexual Abuse Against Students."

Dissemination of Policy and Reporting Protocols

This policy and procedure will be included on the district website and in all employee, student, and volunteer handbooks.

Business and Noninstructional Operations

MAINTENANCE

BP 3510

Note: In order to qualify for a capital improvement project grant or debt reimbursement under AS 14.11.011 or AS 14.11.100, a school district must have in effect a preventive maintenance plan. This plan: 1) must include a computerized maintenance management program, cardex system, or other formal systematic means of tracking the timing and costs associated with planned and completed maintenance activities, including scheduled preventive maintenance; 2) must address energy management for buildings owned or operated by the district; 3) must include a regular custodial care program for buildings owned and operated by the district; 4) must include preventive maintenance training for facility managers and maintenance employees; and 5) must include renewal and replacement schedules for electrical, mechanical, structural, and other components of facilities owned and operated by the district. Additionally, the district must be adequately adhering to the preventive maintenance plan.

The School Board recognizes the importance of timely maintenance and repair of district facilities, property and equipment in ensuring the safety of students and employees, in protecting state and local investment, in providing necessary loss control, and in helping to ensure the availability of capital funding. A preventive maintenance plan shall be in effect which includes custodial care, scheduled preventive maintenance, commissioning, and energy management for district buildings. The Superintendent or designee shall ensure a systematic means of tracking the timing and costs associated with maintenance activities; shall direct the preparation of renewal and replacement schedules for electrical, mechanical, structural, and other components of district facilities; and shall provide for preventive maintenance training for facility managers and maintenance employees.

(cf. 3511 - Energy Conservation)

(cf. 3514 - Environmental Safety)

(cf. 3515 - School Safety and Security)

(cf. 5142 - Safety)

All school buildings and equipment shall be regularly inspected to assure that all are maintained at the highest level of safety. Employees are responsible for promptly reporting to their supervisor any damage to district property or equipment.

Legal Reference:

ALASKA STATUTES

14.11.011 Grant applications

14.11.100 State aid for costs of school construction debt

4 AAC 31.013 Preventive maintenance and facility management

Revised 4/2020

**ALL PERSONNEL
EMERGENCY COVID-19 SICK AND FAMILY LEAVE**

AR 4161/4261/4361 (a)

Note: The following AR implements the federal Families First Coronavirus Response Act, which is in effect from April 1, 2020 through December 31, 2020, unless extended by Congress.

As a result of the 2020 COVID-19 pandemic, employees may have additional rights to sick leave and family leave under the provisions below.

I. Sick Leave for COVID-19 Qualifying Reasons

Employees are entitled to additional paid sick leave if the employee is unable to work (or unable to telework) due to a need for leave because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) above, or self-quarantine as described in (2) above;
5. is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19; or
6. is experiencing any other substantially-similar condition as specified by the United States Department of Health and Human Services.

Duration of COVID-19 Sick Leave

A full-time employee is eligible for up to 80 hours of COVID-19 sick leave. A part-time employee is eligible for the number of hours of leave that the employee works on average over a two-week period.

Calculation of Sick Leave Rate of Pay

For leave reasons (1), (2), or (3), above: employees taking leave shall be paid at their regular rate of pay, up to \$511 per day and \$5,110 in the aggregate (over a 2-week period).

For leave reasons (4), (5), or (6), above: employees taking leave shall be paid at 2/3 their regular rate, up to \$200 per day and \$2,000 in the aggregate (over a 2-week period).

Procedure for Requesting Leave

Employees must notify their supervisor of the need and specific reason for leave under this policy. Employees should make the request for leave as soon as practically possible. Verbal notice will otherwise be accepted until written notice can be provided.

Employees are required to provide documentation to confirm the type of COVID-19 leave for which they are eligible.

**ALL PERSONNEL
EMERGENCY COVID SICK AND FAMILY LEAVE**

AR 4161/4261/4361 (b)

Interaction with Other Paid Leave

The employee may use COVID-19 paid sick leave under this policy before using any other accrued sick leave, family leave, annual leave, or donated leave. COVID-19 sick leave does not carry over to 2021. COVID-19 sick leave cannot be cashed out.

All other policies and procedures for use of sick leave remain applicable, except as specifically modified by this AR and the federal Families First Coronavirus Response Act.

(cf. 4161.1 – Sick Leave)

(cf. 4161.2 - Personal Leaves)

II. Family and Medical Leave Act Expansion to Care for Children due to COVID-19

The qualifying reasons for taking family and medical leave (“FMLA Leave”) have been expanded to provide leave for employees unable to work because they must care for a child whose school or place of childcare is closed (or child care provider is unavailable) for reasons related to COVID-19. This is a new qualifying reason for taking leave under the Family and Medical Leave Act. It is not an expansion of the total amount of leave availability under FMLA. Employees must have been employed for at least 30 days to be eligible for expanded FMLA leave.

(cf. 4161.4/4261.1/4361.4 – Family and Medical Leave))

Duration of Expanded Childcare FMLA Leave

Full-time employees are eligible for up to 12 weeks of leave at 40 hours a week, assuming the employees have FMLA Leave available. Part-time employees are eligible for leave for the number of hours they are normally scheduled to work over that period, again assuming leave is available. Employees are only entitled to 12 weeks of annual FMLA leave, regardless of the reason.

Rate of Pay for Expanded Childcare FMLA Leave

The first ten days of expanded childcare FMLA leave is unpaid. However, employees may take the COVID-19 paid sick leave during this time or substitute any accrued paid leave. Alternatively, the District may require that COVID-19 paid sick leave be used during the first 10 days of normally unpaid FMLA leave.

After the first ten days of expanded childcare FMLA leave, employees taking leave shall be paid at 2/3 their regular rate, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period—two weeks of paid sick leave followed by up to 10 weeks of paid expanded family and medical leave under the Family and Medical Leave Act).

**ALL PERSONNEL
EMERGENCY COVID SICK AND FAMILY LEAVE**

AR 4161/4261/4361 (c)

Note: The above provisions for paid leave under FMLA are only applicable when leave is taken because the employee must care for a child whose school or place of care is closed due to COVID-19 related reasons. FMLA has not been expanded to provide for paid leave for other qualifying reasons, such as personal illness of the employee or family member.

Procedure for Requesting Leave

Employees must follow the existing procedures for taking and requesting family and medical leave. Employees are required to provide documentation to confirm eligibility for expanded childcare FMLA leave.

(cf. 0400 - Personnel)

Legal Reference:

Public Law No: 116-127 (03/18/2020)

Added 4/2020