

STAFF-STUDENT RELATIONS (ANTI-FRATERNIZATION)

The Board of Education requires that all School employees maintain a professional, ethical relationship with students that is conducive to an effective, safe learning environment, and that staff members act as role models for students at all times, whether on or off school property and both during and outside of school hours. Staff must establish and at all times maintain appropriate personal boundaries with students and not engage in any behavior that could reasonably lead to even the appearance of impropriety.

Staff members are prohibited, under any circumstances, to date or engage in undue familiarity or any grooming behaviors with students, regardless of the student's age and/or regardless of whether or not the student may have "consented" to such conduct. For purposes of this policy a student is deemed not capable of consenting to any prohibited conduct regardless of the student's age. Employees shall **not** engage in improper fraternization with students (i.e., entertain students or socialize with students in such a manner as to create the perception that a dating relationship exists). Similarly, any action or comment by a staff member which invites romantic or sexual involvement with a student is considered highly unethical, in violation of District policy, and may result in the notification of law enforcement officials and the filing of criminal charges and/or disciplinary action by the District up to and including termination of employment. Improper fraternization of staff with students does not need to rise to the level of criminal activity for such conduct to be in violation of District Policy and to subject an employee to disciplinary sanctions.

Improper fraternization includes, but is not limited to, flirting; making suggestive comments; dating; requests for sexual activity; physical displays of affection (e.g., kissing, caressing of the face or body, and massages); giving inappropriate personal gifts; frequent communication with a student unrelated to course work or official school matters (whether in person, by phone, by email, by text messaging, through social media sites, or otherwise); providing alcohol or drugs to students or permitting students to drink alcohol or take illegal drugs in the presence of the employee; inappropriate touching; inviting a student to go somewhere alone with the employee; promoting, providing access to and/or sharing pornographic material including, but not limited to, viewing pornographic movies, videos, pictures, magazines, and/or web sites; and engaging in sexual contact or relations.

Grooming includes any behavior or conduct used to gain a student's and/or student's parents' trust and compliance, provide the individual with the opportunity to engage the student in inappropriate activities, and maintain secrecy and avoid being reported or discovered. Grooming behaviors may include by way of example, but are not limited to, developing "special" relationships with students; giving students extra privileges; sharing personal information with students and giving advice on non-school related issues (e.g. marriage, boyfriends/girlfriends, sex, mental health, suicide); engaging in private communications on non-school related issues (e.g. via text, cell phone, social media, greeting cards, letters, e-mails, instant messages, etc.); transporting students alone in a private vehicle; treating students as peers as opposed to maintaining appropriate student-staff boundaries; developing relationships with parents to facilitate greater access to students; encouraging or otherwise fostering secrecy over any aspect of the relationship; and failing to promptly refer students to appropriate resources within the school for serious issues.

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(ANTI-FRATERNIZATION), Con't.**

Any student who believes that he/she has been subjected to inappropriate staff behavior as enumerated in this policy, as well as any other staff member or individual who has knowledge of or witnesses any occurrence of staff-student relations which they believe to be improper, should report the incident to the building principal or the District's designated Complaint Officer. (Staff members must follow the procedures for reporting child abuse in an educational setting when they have knowledge of or reasonable suspicion that another employee may have engaged in inappropriate conduct with a student that may constitute child abuse.) In all events such reports shall be forwarded to the designated Complaint Officer for further investigation. Anonymous complaints of inappropriate fraternization of staff members with students shall also be investigated by the District. The District shall promptly investigate all complaints of inappropriate staff-student relations, and take prompt corrective action to stop such conduct if it occurs. Investigations shall follow the procedures utilized for complaints of harassment within the District. Allegations of inappropriate staff-student behavior shall be treated as confidential to the extent possible within legal constraints.

A staff member who believes a student has initiated inappropriate behavior toward him/her, shall document the incident and report the inappropriate behavior in detail in writing to his/her building principal as soon as possible, but should not be more than three (3) calendar days after the behavior has occurred.

The Board of Education prohibits any retaliatory behavior directed against complainants, victims, witnesses, siblings, and/or any other individuals who participate in the investigation of allegations of inappropriate staff/student relations. Follow-up inquiries and/or appropriate monitoring shall be made to ensure that the alleged conduct has not resumed and that those involved in the investigation are not being retaliated against. Any act of retaliation is subject to disciplinary action by the District.

Ref Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.
 Education Law Article 23-B
 Social Services Law Sections 411-428
 8 New York Code of Rules and Regulations (NYCRR) Part 83
 Executive Law 296
 Dignity for All Students Act
 Education Amendments of 1972, Title IX, 20 U.S.C. §1681 *et seq.*
 Education Law §§1125-1133
 Penal Law §§130, 235, 263

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