



STUDENT/ADULT INTERACTION POLICY: APPROPRIATE BOUNDARIES

Board Approval June 20, 2019

Scope and Intent of Policy

Pursuant to **(1)** Article 1, Section 28 (c) of the California *Constitution* which requires that all students be provided with a safe and secure learning environment and **(2)** Title 2, Article 2, Section 44050 of the California *Education Code* which requires public schools to provide parents with information about those sections of their Employee Codes of Conduct which govern employees' interactions with pupils, **ICEF Public Schools** has adopted a Board Policy which governs student/adult interactions and reaffirms multiple student/adult boundaries designed to protect students.

Board Policy pertains to actions of all ICEF Public Schools' educators and educational support personnel and expresses our firm expectation that every member of the extended educational support staff (certificated and non-certificated staff, volunteers, chaperones and other individuals serving students, hereinafter referred to as educational support staff) shall act in an ethical, moral and professional manner in respect to students. The policy requires that appropriate boundaries between students and educational support personnel be thoughtfully set, overtly acknowledged in writing, and strictly adhered to without exception. Training and affirmation of this policy shall be conducted for all educational support staff upon hire or assignment to duties and periodically thereafter, as required by law and by applicable school policies and Administrative Regulations (AR's).

ICEF Public Schools' Student/Adult Boundaries policy has been adopted to provide clear guidelines for educational support staff that will result in the safest possible environment for students. Supporting AR's have been adopted with the full expectation that they will be clearly communicated to and adhered to by all educational support staff. The Governing Board of **ICEF Public Schools** recognizes that parental understanding and support of the boundaries cited in this Policy and enumerated in supporting AR's will be critically important for the protection of students as well as for the protection of educational support staff. Accordingly, the Board will encourage parental involvement and provide for age-appropriate student instruction related to

proper boundaries.

The AR's which support this Board Policy are broad in scope, encompassing multiple types of boundaries which define the inviolable personal rights of each child, e.g., physical and psychological. Boundaries are also prescribed to create and regulate appropriate school program structures and operations, both on-campus and off-campus, during regular school hours/programs, special "pull-out" programs, and programs administered outside of the normal school day. Boundaries prescribed also pertain to a host of potential cyber-communications between educational support staff and/or students. Appropriate procedures for reporting of specific incidents or suspicious behavior that violates or appears to violate this Boundaries Policy are delineated in the AR's which support this policy.

Ongoing mandated and recommended training programs for employees, parents, students and volunteers are established for program success as well as compliance with law, and these training protocols are delineated in the AR's which support this policy.

Consequences for Non-Compliance

Employee Non-Compliance

It is the policy of **ICEF Public Schools** that all employees shall be subject to discipline up to and including termination and/or legal action for non-compliance with Board Policy and its supporting AR's. Special legal reporting procedures pertain to failure to report child abuse or suspected child abuse. These requirements are based on the California **Penal Code**. Failure to comply with this code is likely to result in criminal and/or civil prosecution and/or credential revocation.

Non-Employee Compliance

Extended educational support staff are expected to comply with this Board Policy and AR's, and failure to do so may result in dismissal from school-related service. Certain groups of extended educational support staff are designated as mandated reporters under the California **Penal Code** and are subject to criminal and/or civil prosecution and licensure revocation for failure to report child abuse or suspected child abuse.

Of necessity, because of the broad scope and expansive protective intent of this policy, there is widespread overlap among many school policies and AR's that have been established to protect children, e.g., human resources hiring and background checking protocols; volunteer screening and management policies; child abuse prevention and incident reporting protocols (including mandated and non-mandated reporter provisions); volunteer selection and management policies; and supervision guidelines including field trip management, etc. Cross-references to interconnected policies and legal authorities are cited in AR's, as appropriate.

Legal References:

California *Constitution*, Article 1, Section 28 (c)

California Education Code, Title 2, Section 2, Section 44050

ICEF Public Schools Administrative Regulation #1

STUDENT/ADULT INTERACTIONS: APPROPRIATE BOUNDARIES

Administrative Regulation #1 (AR #1) is adopted to provide specific directions governing the behavior of all **ICEF Public Schools** extended educational support staff in respect to students. This “extended educational support staff” includes certificated and non-certificated employees, volunteers, and chaperones (hereinafter referred to as “educational support staff”) and all other individuals who have contact with students and other minors participating in **ICEF Public Schools** programs. AR #1 supports Board Policy on STUDENT/ADULT INTERACTION POLICY: APPROPRIATE BOUNDARIES, which delineates appropriate student/adult boundaries as provided for in the California State *Constitution* and *Education Code*.

Educational support staff are expected to treat students with dignity and respect, and all interactions with students should reflect the conviction that students have inviolable rights which include, but are not limited to, rights of physical safety, rights of psychological safety, rights of privacy, rights to be treated in a professional manner, and the right to be protected from harm in the educational environment. The last right includes the right to be protected from physical and psychological abuse, including sexual abuse, as well as bullying or abuse growing out of intimidation.

The following guidelines are illustrative of appropriate and inappropriate behavior, and examples are not meant to be exhaustive.

Physical Contact with Students

INAPPROPRIATE PHYSICAL CONTACT

The following physical contacts are inappropriate:

1. Any touching in a circumstance when child/parent has asked that a child not be touched, except for emergency conditions
2. Corporal punishment (the willful infliction of, or causing the infliction of, physical pain -on a pupil)
3. Any form of unwanted affection
4. Touching any part of the leg except as necessary to assist child or in self defense
5. Any form of sexual contact (touching buttocks, chest or genital areas)
6. Sitting students on lap
7. Pushing a student or a student’s body part, other than in self-defense or on a playground swing

8. Wrestling, bench-pressing, tickling, piggyback riding, massaging, poking fingers at a body part, etc.
9. Making unnecessary physical contact with a child in an isolated area of the campus
10. Inappropriate or lengthy embraces
11. Kissing, licking or sucking

Judgment must be used in applying the above standards. Touching a student to help after a fall, helping a student to maintain balance, applying CPR or emergency first aid, restraining a child in self-defense or the defense of another, or restraining a child trying to engage in violent behavior are permitted, provided that excessive force is not used.

Appropriate Physical Contact (unless physical contact has been prohibited by parent)

The types of touch listed below are illustrative of appropriate touching

1. Hugs initiated by student
2. Side hugs initiated by adult
3. Pats or touches on shoulder or back or arm around shoulder
4. Handshake or “high fives”
5. Knee pats (age appropriate)
6. Touching face to check temperature, wipe away a tear, or other similar purposes
7. Holding hands while walking with small child or disabled child

Verbal and Social Interaction Between Educational Support Staff and Student

Any of the behaviors cited below may be innocent and well-intended. However, many of these activities are frequently used by individuals who are in the process of “grooming” children and their parents in preparation for sexual abuse of a child. Accordingly, protective behaviors have been adopted to reduce the likelihood of child abuse and to prohibit what may become inappropriate behavior. Adoption of these boundaries serves to protect not only the student but also educational support staff.

Inappropriate or Inadvisable Behavior (Possible “Red-Flags Behaviors” to be reported)

1. Giving excessive attention to one child or a small group of children, frequently including off-hours attention such as on weekends
2. Giving gifts to a selected child or small group of children, including money, and especially gifts of a personal or intimate nature
3. Arranging to be alone with a student, particularly away from school
4. Listening to or telling sexual jokes/stories; sexual comments or innuendoes
5. Commenting on a student's physical attributes, physical development, or attractiveness
6. Adult discussing with a student either person's personal troubles or intimate issues in an attempt to gain their loyalty/support, or otherwise seeking overly close emotional involvement with a student
7. Becoming so involved with one student that reasonable suspicions by others may be aroused
8. Offering to give a student a ride to/from school or an activity without parental and administrative office permission
9. Intentionally and unnecessarily being alone with a student behind closed or locked doors
10. Inviting a student to your home without written parental permission granted for a pre-planned activity that includes other students and another educator/parent/responsible adult.
11. Sending emails, texts, or communicating through other social media with a student outside of the normal, approved school communication channels

Appropriate Behavior (Avoiding "Red-Flags")

1. Being mindful of your own personal boundaries, and stopping students if they cross your own boundaries (even if you think their actions are innocent)
2. Keeping appropriate physical space between you and students
3. Making sure that cyber and social media contacts are appropriate and limited to non-personal communication channels. Communications should focus on school assignments or activities and are to be conducted through school-based technology and equipment.

4. Meeting with students in an open/public area whenever possible, e.g., the library. If not possible, keeping the classroom door open when meeting alone with a student
5. Keeping after-class interactions with a student professional and brief
6. Asking another staff member to be present or within close distance if you must be alone with a student after regular school hours
7. Recognizing your responsibility to stop unacceptable behavior of students, or to question red-flag-type behavior of other educational support personnel, either directly, by contacting site administration, or through appropriate alternative channels. The need for transparency in this matter overrides concerns about reputation or causing another person to be offended.
8. Adhering to all rules/regulations pertaining to transportation of a student after school activities or on field trips and following protocols in emergency situations
9. Quickly involving/informing a staff member or administrator when you are uncomfortable about a “boundaries” issue or have had to violate a boundaries policy because of extenuating circumstances

Specific protocols and rules governing procedures and conduct are cited in the references below. If rules are not clear, contact your school site administrator for clarification.

References:

California ***Constitution***, Article 1, Section 28 (c)
Field Trip Authorization (BP & AR’s)
Reporting of Suspected Child Abuse (BP & AR’s); California Penal Code 11164, 11165 et. seq.
Transportation of Students (BP & AR’s)

ICEF Public Schools Administrative Regulation #2

BOUNDARIES FOR STRUCTURING PROGRAMS & ACTIVITIES

Administrative Regulation #2 is created to support the Board Policy which requires that appropriate Student/Adult Interaction Boundaries be established in order to provide students with a safe and secure learning environment. Carefully structuring on- site and off-site activities within and outside of the regular instructional program framework (e.g., pull-out, recreational or extra-curricular programs) is an integral part of creating protective boundaries likely to enhance student safety.

All of the types of programs described below are subject to Board Policy #100 which requires that Student/Adult Interactions be governed by the establishment of appropriate Boundaries. This Board Policy is supported by Administrative Regulation (AR) #1 which delineates appropriate physical, verbal, and social boundaries between students and adults and AR #2 which limits unauthorized access to students through physical plant design and the regulation of physical, visual and cyber access to students.

Appropriate Student/Student Boundaries are also delineated in AR #3 and pertain to all of the types of programs cited below. References to supporting Policies and Administrative Regulations (e.g., Cyber Access and Control, Volunteer Management, Employee Selection & Screening, etc.) appear at the end of each supporting or coordinating Policy/AR.

On-Site Instructional Programs – Isolation Boundaries & Supervision

Safe delivery of on-site instructional programs can best be achieved by preventing the isolation of students. To this end, the following guidelines should be followed insofar as is possible.

1. Minimized one-adult/one child situations. If an activity can take place in an other-than-private manner, a more public option should be selected.
2. If an activity must be a one-to-one activity, structure the interaction so that it is observable by another member of the educational support staff.
3. Programs should be subject to supervision by appropriate members of the educational support team
4. Program structure should provide for parental access when feasible
5. Programs which entail students individually helping educational support staff before or after school should be limited. If such programs are permitted, insure that two educational support personnel are present or in the vicinity or that the student's parent be present

6. Evaluate “pull-out” programs, especially those that entail one-student/one staff member contact. These programs are discouraged. If “pull-out” programs are deemed necessary:
 - a. Create a Board-adopted list of acceptable reasons for pulling a student out of the regular program
 - b. Create a list of individuals eligible to request a “pull-out” program
 - c. Delineate the frequency of “pull-out” programs and limit durations with “sunset provisions” so that periodic program review and approval occurs
 - d. Establish a visible site in which to conduct “pull-out” programs
 - e. Require written preauthorization of all “pull-out” activities at least two days in advance and require written parental and administrative approval
 - f. Require that such programs be subject to general supervision
7. As respects one-adult/one-child limitations in programs with very young children or children who are verbally limited, insist that two adults be present to observe private activities such as toileting
8. Provide for two members of the educational support staff to be present during potentially vulnerable times such as naptime and lights-out periods such as movies
9. Be especially mindful of bathroom activities
 - a. Provide for appropriate privacy for students such as stalls in bathrooms or low partitions and open entrances for very young children
 - b. Provide for monitoring of outside bathrooms to be sure that facilities are checked to ensure they are empty before students enter
 - c. Provide for adequate supervision so that monitoring is provided by a staff member who is visible to other staff or by two-adult educational support personnel
 - d. If adult supervision is not possible, institute a buddy system to monitor students’ bathroom activities, preferably using three children rather than two and insuring that there is not a significant age or power differential among the children which might provide a hierarchy that encourages intimidation.
10. Provide for campus rovers to observe and inspect activities involving students in “pull-out” programs. Supervision should occur on a consistent but random

On-Site Instructional Programs – Behavioral Boundaries

Student/Adult Behavior

As stated in this Board Policy which delineates appropriate Student/Adult Boundaries, all members of the educational support staff are required to behave in a professional manner and treat students with dignity and respect. Adherence to the boundaries delineated in this Administrative Regulation is intended to ensure that no inappropriate physical or psychological behavior will occur that will expose the student to abuse or serve as a “grooming mechanism.” In pertinent part, the following behaviors are prohibited:

1. Invasion of a child’s personal space or privacy
2. Inappropriate physical touching
3. Sexual discussions, jokes, or exposure of students to sexually explicit materials
4. Subjecting a student to threats, intimidation, coercion, vows of secrecy, or the threat of violence including the use of power that may result in psychological manipulation and which may increase the likelihood of the student’s succumbing to inappropriate behavior
5. Sharing of substances including prescription drugs, street drugs, alcohol, tobacco or like materials
6. Unauthorized physical examination or medical treatment by non-designated educational staff except in case of emergency
7. Participating in masking, blindfolding, bondage, scatting or like rituals
8. Disrobing or bathing of students and educational support staff in front of each other
9. Obscuring the visibility of actions such as putting hands in a student’s pocket or masking activity between staff and students by placement of screens, unnecessary darkening of the room, or meeting in isolated areas
10. Personally photographing students or sharing photographs of students through cyber or other channels unrelated to the school’s authorized marketing or promotional materials

Off-Hours Activities

Off-hours activities should be subject to the same behavioral boundaries cited above which pertain to physical, verbal and cyber activities as cited in Administrative Regulation #1: Student/Adult Interactions: Appropriate Boundaries.

1. Off-hours programs such as tutoring by a member of the educational support staff should be evaluated to determine if such activity could occur during the regular school hours. If off-hours tutoring is approved, tutoring should be conducted in a location that is visible to supervision. Written parental permission should be obtained prior to program commencement and should be reviewed periodically. Transportation provisions and authorization should be a part of the written parental approval process. (AR #2, Transportation of Students)
2. Regulations pertaining to communication between students/adults including communications by telephone or through the internet should be specified and monitored. (BP #100 & AR #3, Cyber Communication)
3. Off-hours activities that would provide a fertile ground for “grooming” of students or the students’ parents should be prohibited or conducted with special vigilance in regard to boundary setting protocols. Such activities may include babysitting, informal tutoring, sleep overs, staff visits to student’s home/student’s visit to staff home, or attendance at family gatherings such as birthday parties, etc. Special consideration should be given to whether the desired activity goals could essentially be achieved by alternative means. If an activity is approved, there should be strict adherence to the following guidelines:
 - a. No one-adult/one-student situations
 - b. No approval of isolated locations
 - c. No photography sharing
 - d. No unnecessary closeness or physical touching
4. Supervision and vigilance should be increased during off-hours activities

Off-Site Activities

Off-site curricular and extracurricular activities can be a valuable part of a student’s education and may supplement regular on-site programs. However, thoughtful consideration of such activities should be given, and such activities should be approved by the Governing Board and reviewed periodically to validate the programs’ value and ensure that no equivalent on-site activity can essentially achieve the same goal. To minimize risk and promote student safety, the following procedures should be followed:

1. Establish a list of pre-approved off-site activities and the places in which such activities may occur
2. Follow the sponsored, off-site activity permission process and ensure that each activity is approved by a parent in writing. Communication with parents should include very specific trip details and rules so as to constitute “informed consent.”
3. Determine appropriate staff supervision including the nature and requirements for chaperone supervision.
4. Provide for appropriate transportation.
5. Establish and communicate to educational support staff, parents and students appropriate Boundaries related to this activity, especially boundaries which maybe in addition to those applied to on-site activities
6. Address parameters for out-of-town activities

Student/Student Behavior

Recognizing that students may well be at peril because of the actions of other minors is an integral component of establishing appropriate boundaries to govern the interaction among age-diverse student populations. Recommendations for structuring the interactions among these groups are contained in the Isolation Boundaries & Supervision section above as well as in Administrative Regulation #1: Physical Contact with Students, Inappropriate Physical Contact.

In order to protect the physical and psychological safety of minors who may be harmed by older, stronger or more dominant minors, the following guidelines must be followed:

1. Programs and activities should be structured such that all children are fully visible to adult educational support staff and that no expectation of any duration of privacy is formed
2. Supervision should be more vigilant during times when visibility is limited, e.g., large play areas, naptime, or movie time.
3. Provisions should be made for the privacy of younger students, particularly in bathrooms and other situations where disrobing may occur. See Isolation Boundaries, #9, above.
4. Avoid creating a situation in which an older child may be able to inappropriately impose his/her will upon a younger child because of the creation of a power hierarchy. [Refer to your Bullying Prevention policy and regulations]

All educational support personnel are responsible for understanding and complying with **ICEF Public Schools’** Boundaries Policy and supporting Administrative Regulations. Consequences for

non-compliance with this Administrative Regulation are cited in the Board Policy. References to relevant School Policies and Administrative Regulations are cited below, and questions regarding this AR or any boundaries issue should be directed to [*Site Designee*] for clarification.

References

California ***Constitution***

Penal Code 11164 **et. seq.** Child Abuse and Neglect Reporting BP & AR

#, Bullying Prevention

BP & AR #, Cyber Communication Policy

BP & AR #, Field Trip Approval and Permission Forms; Supervision Staff & Ratios BP &

AR #'s, Progressive Discipline Policy

BP & AR#, Transportation of Students

ICEF Public Schools Administrative Regulation #3

PHYSICAL, VISUAL & CYBER BOUNDARIES: LIMITING ACCESS TO STUDENTS

Article 1, Section 28 (c) of the California *Constitution* and the California *Education Code* require that all students be provided with a safe and secure learning environment. In pertinent parts, these and other California codes and statutes require that to the maximum extent possible, students must be protected from all manners of harm in their educational environment. Of necessity, guarding students from the inherent threat presented by being accessible to individuals who might subject them to physical or psychological harm, including sexual abuse and assault, requires that measures be taken to limit access to students. This Administrative Regulation establishes both physical boundaries and access control mechanisms to promote student safety.

Access Control & Physical Plant Design

Access Control

Insofar as is possible, school sites should be configured so that physical access to the plant is through one or more controlled and monitored entrances in order to ensure that only appropriate individuals enter the premises on an as-needed basis.

All individuals authorized to enter school premises who may be in physical proximity to students shall be appropriately screened. Major groups of individuals typically permitted access to the school site include employees, volunteers, campus visitors, vendors, individuals authorized to pick up students, guest speakers and other contract personnel. **ICEF Public Schools** has adopted Policies and Administrative Regulations which govern the screening, access and activities of such individuals, and primary pertinent Policies and Administrative Regulations are cited below:

- Campus Visitor Access Policy
- Employment Hiring and Screening Policy
- Volunteer Selection and Management Policy
- Vendor Screening and Management Policy
- Student Release Policy

Careful adherence to the policies and guidelines contained in the above documents will ensure the likelihood of a safe campus environment for students and other minors participating in our programs. Questions pertaining to any of these procedures should be directed to the ICEF Human Resources Department at: HR@ICEFPS.org.

Physical and Visual Plant Design and Area Management

Plant design, including design of instructional and ancillary structures and outside areas, shall be configured so that visual access by appropriate authorized personnel to all student-occupied areas is possible. This will facilitate appropriate supervision and observation of instructional programs by authorized personnel and restrict visual access to the general public insofar as is feasible. The following considerations should govern the design of school facilities:

1. Instructional areas must be observable by authorized personnel.
2. Windows and other apertures designed for observation shall not be obstructed so as to prevent program observation, e.g., student art covering windows or door observation glass should not be permitted.
3. Areas designed for non-instructional purposes shall not be used for student-occupied activities. For example, the instrument storage area in the band room should not be occupied by students.
4. Access to non-observable areas should not be granted to students unless more than one student and more than one educational staff member is present, or within viewing range and on notice of the need to monitor the interaction.
5. Entries to instructional areas should not be locked during hours of operation such that entrance for the purpose of supervision and appropriate observation is not possible.
6. Facilities should be locked and secured after instructional hours.
7. Visual observation of student-occupied areas should not be obscured by landscape design, e.g. shrubbery.
8. Facilities should be designed to permit access and presence of parents, guardians or other authorized persons for observation purposes.
9. Casual observers or unauthorized persons should not have visual access to students, either in person or via photographs, video or posting on social media [BP & AR: Cyber-Policy].
10. Cyber access shall be governed by this policy.
11. Entrance to non-instructional areas, particularly isolated areas, should not be accessible to students, e.g., trash storage areas, areas behind buildings, and other unsupervised remote areas such as basements, sheds, sports fields.

12. All campus areas, insofar as is possible, should be subject to random supervision to reduce the likelihood that the areas are being accessed inappropriately.

Adherence to the above guidelines pertaining to physical plant design and management will likely increase appropriate visual supervision of instructional programs, limit inappropriate physical and visual access of unauthorized personnel, and increase the likelihood of creating a safe and secure environment for students.

References:

California Constitution, Article 1, Section 28 (c)

BP & AR: Campus Visitor Access Policy BP &

AR: Cyber Management Policy BP & AR:

Student Release Policy

BP & AR: Vendor Screening & Management Policy BP & AR:

Volunteer Screening & Management Policy