

Maintaining Appropriate Boundaries with Students

Definitions

“District Adults” means all District employees, coaches of recognized club sports, volunteers, student teachers, and independent contractors, including the employees of independent contractors who interact with students or are present on District grounds. The term District Adults, as used in this Administrative Regulation and the accompanying Board Policy, does not include students who serve as a volunteer or on a compensated basis.

“District Employees” means all individuals employed by the District as well as those employed by or through a contractor or agency whose role or function involves providing services to the District.

“Electronic communication” means a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular telephone, computer, computer network, personal data assistant or pager. Electronic communications include, but are not limited to, emails, instant messages, text messages, and communications made by means of an internet website, including social media and other networking websites.

“Legitimate educational reasons” include matters or communications related to teaching, counseling, athletics, extracurricular activities, co-curricular activities, treatment of a student's physical injury or other medical needs, school administration or other purposes within the scope of the District Adult's job duties. Legitimate educational reasons must be justified entirely by professional interests, not personal or private interests.

“Personal” means of or concerning one’s private life, relationships and emotions, rather than matters connected with one’s public or professional career.

“Student” means a student enrolled in or attending Tredyffrin/Easttown School District schools.

Prohibited Conduct

Romantic or Sexual Interactions

District Adults shall be prohibited from entering into or attempting to form romantic or sexual interactions with any student enrolled in the District, regardless of the student's age. Students of any age are not legally capable of consenting to romantic or sexual interactions with District Adults as defined in this Regulation.

Romantic or sexual interactions involving students include, but are not limited to:

1. Dating,
2. Seeking the romantic affections of, or entering into or attempting to form a romantic or sexual relationship,
3. Sexual physical contact,

4. Romantic flirtation, propositions, or sexual remarks,
5. Sexualized dialogue,
6. Restricting a student's freedom of movement in a sexually intimidating or provocative manner, and
7. Displaying or transmitting sexual objects, pictures, or depictions.

Social Interactions

In order to maintain professional boundaries, District Adults shall ensure that their interactions with students are appropriate.

This section of the Regulation includes examples of conduct that could or may violate professional boundaries.

Examples of conduct that could or may violate professional boundaries include, but are not limited to:

1. Disclosing inappropriate personal, sexual, employment concerns or other private matters to one or more students;
2. Exchanging notes, emails, text messages, phone calls, photographs or other communications of a personal nature with a student without a legitimate educational reason;
3. Giving personal gifts, cards or letters to a student without a legitimate educational reason;
4. Singling out a particular student or students for personal attention or friendship beyond the ordinary professional District Adult-student relationship;
5. Taking a student out of class without a legitimate educational reason;
6. Being alone with a student behind closed doors without a legitimate educational reason;
7. Being alone with a student in a motor vehicle without a legitimate educational reason;
8. Initiating or extending contact with a student beyond the school day or outside of class times without a legitimate educational reason;
9. Inviting a student to a District Employee's home without express authorization from the District Employee's supervisor and the student's parent/guardian;
10. Going to a student's home without express authorization from the District Employee's supervisor, unless invited by the parent/guardian;
11. Taking a student on outings without prior notification to and approval from both the

parent/guardian and the student's building principal;

12. Giving a student a ride alone in a vehicle in a nonemergency situation without prior notification to and approval from both the parent/guardian and the student's building principal or supervisor. If circumstances are such that the parent/guardian is not available to request approval and a student has no other option to be transported, then the District Employee may provide a student a ride after notifying and receiving approval from the building principal or supervisor and notifying the parent/guardian after the fact;
13. Furnishing alcohol, illegal drugs or tobacco to a student or being present where any student is consuming these substances;
14. Leaving school premises with a student without a legitimate educational reason and approval from the parent/guardian and the student's building principal;
15. Eating a meal with and/or purchasing food or drink for a student, unless directly related to a pre-approved curricular activity or in connection with a legitimate educational activity approved in advance by the student's building principal; and
16. Engaging in harassing or discriminatory conduct prohibited by other District policies or by state or federal law and regulations.

Electronic Communications

Electronic communication with students shall be for legitimate educational reasons only.

As with other forms of communication, when communicating electronically, District Adults shall maintain professional boundaries with students. District Employees are prohibited from allowing a student to use their cell phone or other personal electronic device, except in an emergency situation. In an emergency situation where a student uses a District Employee's cell phone or other electronic device, the District Employee shall immediately, or as soon as is practicable thereafter, notify the building principal of such use.

When available, all District Employees, including extra-duty employees such as coaches and activity sponsors, shall use District-provided email or other District-provided communication devices when communicating electronically with students. The use of District-provided email or other District-provided communication devices shall be in accordance with District policies and procedures.

District Employees are prohibited from using personal email, text messaging, instant messaging, and social-networking accounts, websites, and any other applications for communicating with parents and students that are not specifically authorized. District Employees shall not follow or accept requests for current students to be friends or connections on personal social networking sites and shall not create any networking site for communication with students other than those provided by the District for this purpose, without the prior written approval of the building

principal. An example of allowable communications in this context includes where the adult is a family relative of the student.

Improper and/or inappropriate electronic communication between District Adults and students is prohibited, regardless of whether the District Adult or the student initiates the communication. Improper and/or inappropriate electronic communication includes but is not limited to any type of message that may be viewed as:

- Derogatory;
- Sexual, lewd, pornographic, or obscene in content;
- Offensive through the use of profanity;
- Threatening or harassing;
- Discriminatory;
- Facilitation of illegal activities;
- Having the purpose to assist personal causes or for-profit ends;
- Expression of political viewpoints;
- Unauthorized or illegal distribution, reproduction, or use of copyrighted materials;
- Fraternalization or otherwise crossing the line between professional and personal boundaries; and/or
- Suggestive in nature.

Group Messaging for Sports and Other Activities

The use of electronic or digital messages, including text messages, may be a form of electronic communication that is especially valuable in certain contexts when the possibility of immediate and/or urgent contact with students by District Employees is desirable. Such contexts include but are not limited to the following:

- District Employee coaches of District sports who need the ability to quickly reach student athletes and team members,
- District Employee advisors of extra-curricular programs or activities who need the ability to quickly reach student participants, and
- District Employees chaperoning District field trips who need the ability to monitor the locations of students.

If a District Employee plans to communicate with students through the use of electronic or digital messages, including text messages, the District Employee must obtain permission to do so from the student's parent/guardian and the building principal using the form attached as Attachment A.

All electronic communications from coaches and advisors to team or club members shall be sent in a single communication to all participating team or club members, except for communications concerning an individual student's medical or academic privacy matters, in which case the communications will be copied to the building principal. In the case of sports teams under the direction of the Athletic Director, such medical or academic communications shall also be copied to the Athletic Director.

Exceptions

An emergency situation or a legitimate educational reason may justify deviation from professional boundaries set out in this Regulation. The District Adult is expected to and shall be prepared to articulate the reason for any deviation from the requirements of this Regulation and must demonstrate that they have maintained an appropriate relationship with the student.

In any circumstance where a District Employee communicates with or receives communication from a student without having obtained the necessary permission(s) in advance, which shall be expected only in emergency or other infrequent circumstances supported by legitimate educational reasons, the District Employee initiating or receiving the communication must immediately, or as soon as is practicable thereafter, complete the reporting form attached hereto as Attachment B and submit such form to the building principal. Failure to complete and submit this form as required by this Regulation shall be considered a violation of this Regulation and will result in the application of appropriate discipline.

Under no circumstance will an educational or other reason justify deviation from the "Romantic and Sexual Interactions" section of this Regulation.

There will be circumstances where personal relationships exist or develop between a District Adult and a student's family, e.g. when their children become friends. This Regulation is not intended to interfere with such relationships or to limit activities that are normally consistent with such relationships. District Adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity. Additionally, where a personal or family friend-type relationship exists between a District Adult and a student or their family and the District Adult relies on the existence of such relationship to justify deviation from the professional boundaries set out in this Regulation, the District Adult has the burden, and is expected and shall be prepared to demonstrate that the student's parent/guardian had:

- (1) actual knowledge of personal/family-friend relationship;
- (2) actual knowledge of the conduct (including the scope and extent of the conduct) deviating from the professional boundaries set forth in this Regulation; and
- (3) consented to the conduct deviating from the professional boundaries detailed in this Regulation.

It is understood that many District Adults are involved in various other roles in the community through non-District-related civic, religious, athletic, scouting or other organizations and programs whose participants may include students. Such community involvement is commendable, and this Regulation is not intended to interfere with or restrict a District Adult's ability to serve in those roles. However, District Adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity with regard to all youth with whom they interact in the course of their community involvement.

Reporting Inappropriate or Suspicious Conduct

Any District Adult or student who is aware of or suspects a violation of this Regulation or the accompanying Board Policy or has concerns about or is uncomfortable with a relationship or interaction between a District Adult and a student, shall immediately, or as promptly as possible thereafter under the circumstances, notify the Superintendent, Title IX Coordinator, principal or other administrator.

The District's Title IX Coordinator is the Director of Equity and Public Programs. Contact information for the Director of Equity and Public Programs is outlined below.

Position: Director of Equity and Public Programs

Address: Tredyffrin/Easttown School District Administration Offices, 940 West Valley Road, Suite 1700, Wayne, PA 19087

Email: torreso@tesd.net

Phone: 610-240-1909

Individuals who make good faith reports of potential or actual violations of this Regulation shall not be subject to retaliation, discipline or other adverse action.

Any mandated reporter who has reasonable cause to suspect that a child is the victim of child abuse shall immediately report the suspected abuse, in accordance with Board Policy and Administrative Regulation 5436.

Any certified employee who knows of any action, inaction or conduct which constitutes sexual abuse or exploitation or sexual misconduct under the Educator Discipline Act shall report such misconduct in accordance with Board Policy and Administrative Regulation 5436. The employee must also promptly notify the Superintendent and the Title IX Coordinator.

If the Superintendent or designee reasonably suspects that conduct being reported involves an incident required to be reported under the Child Protective Services Law, the Educator Discipline Act or the Safe Schools Act, the Superintendent or designee shall make a report, in accordance with Board Policy and Administrative Regulation 5436.

It is a violation of this Regulation for a District Adult to retaliate against any person for reporting any action pursuant to this Regulation or for participating as a witness in any related investigation or hearing.

Investigation

Allegations of inappropriate conduct shall be promptly investigated in accordance with the procedures utilized for complaints of prohibited harassment of students as referenced below.

It is understood that some reports made pursuant to this Regulation will be based on rumors or misunderstandings; the mere fact that the reported District Adult is cleared of any wrongdoing shall not result in disciplinary action against the reporter or any witnesses. If as the result of an

investigation any individual, including the reported District Adult, the reporter, or a witness is found to have intentionally provided false information in making the report or during the investigation or hearings related to the report, or if any individual intentionally obstructs the investigation or hearings, this may be addressed as a violation of this Regulation and other applicable laws, regulations and District policies. Obstruction includes but is not limited to violation of "no contact" orders given to the reported District Adult, attempting to alter or influence witness testimony, and destruction of or hiding evidence.

Disciplinary Action

A District Employee who violates this Regulation may be subject to disciplinary action, up to and including termination, in accordance with all applicable District disciplinary policies and procedures.

A volunteer, student teacher, or independent contractor or an employee of an independent contractor who violates this Regulation may be prohibited from working or serving in District schools for a defined period of time or permanently, as determined by the Superintendent or designee.

The District shall make current and new District employees, volunteers and student teachers aware of the content of this Regulation.

The District, at its sole discretion, may require independent contractors and their employees who interact with students or are present on school grounds to receive training on this Regulation and related procedures.

Any person with questions or concerns regarding this Administrative Regulation or the accompanying Board Policy, including whether particular conduct or activity is permissible under this Administrative Regulation or the accompanying Board Policy, is encouraged to direct their concerns to the Director of Assessment and Accountability or the applicable building principal.

References:

Board Policy No. 4150 "Insurance Protection - Employees Using Their Own Automobiles"

Administrative Regulation No. 5420 "Harassment of Students by Nonstudents"

Board Policy and Administrative Regulation No. 5436 "Reporting Suspected Child Abuse"

School Code — 24 P.S. Sec. 510, 1302.1-A, 1303-A

State Board of Education Regulations — 22 PA Code Sec. 10.2, 10.21, 10.22 Educator Discipline Act — 24 P.S. Sec. 2070.1a et seq.

Pennsylvania's Code of Professional Practice and Conduct for Educators —22 PA Code Sec. 235.1 et seq.

Child Protective Services Law — 23 Pa. C.S.A. Sec. 6301 et seq.

Adopted: February 23, 2017
Revised: March 16, 2017
Revised: October 6, 2020
Revised: August 31, 2021

Tredyffrin/Easttown School District
Attachment A

**Consent and Approval Form for District Employee/Student Text Messaging
for Designated Activity**

This form provides you with written notice of the District's request to use text messaging with your child. Parental/guardian permission, as well as permission from the building principal, must be obtained in writing in order for a District Employee to communicate with your child via text messaging.

Student Name: _____

School: _____

Designated Activity (Extra-Curricular Activity/Club/Sport/Field Trip):

Expected Dates of Communication: _____

Check as many as are applicable

_____ I give my permission for my child's cell phone number to be shared with and used by the following District Employees in connection with the Designated Activity:

District Employees:

1. _____
2. _____
3. _____

_____ I give my permission for my child's cell phone number to be shared with other students and District Employees who are associated with the group-related activity.

Name of Parent or Guardian: _____
(please print)

Signature of Parent or Guardian: _____

Student's Cell Phone Number: _____

Date: _____

Approval of Building Principal: _____

Tredyffrin/Easttown School District
Attachment B

TREDYFFRIN/EASTTOWN SCHOOL DISTRICT
District Employee/Student Electronic Communication Reporting Form

Reporting District Employee: _____

School: _____

Date of Report: _____

INCIDENT:

Who initiated the electronic communication? _____ Employee _____ Student

Date of Communication: _____ Time of Communication: _____

Method of Communication:

- _____ District-Provided E-Mail
- _____ District-Sponsored Web Site (including school and teacher web pages)
- _____ Telephone
- _____ Text Message
- _____ Other: Specify _____

Specify E-Mail Address, Phone Number, Web Site, or Other Electronic Method Used by District Employee/Student for Electronic Communication:

District Employee(s) Name(s) Involved in Electronic Communication if Other Than Reporting District Employee:

Student(s) Name(s) Involved in Electronic Communication: Include School if Different from Reporter's School. (Add attachment if necessary.)

Content/Details of Electronic Communication:
