

BP & AR 4119.26

Student & Staff Interaction

*(formerly known as
“Non-fraternization with Students”)*

Discussion

July 18, 2019, Board of Education Meeting



Why Changes to the Policy Are Necessary

- Sexual misconduct against students perpetrated by school employees has become a national problem.
- In most school cases, the offender is:
 - A teacher or coach
 - Twice as likely to be a male
 - In their mid-30s
- Most vulnerable students:
 - Come from low-income or troubled homes,
 - Have been or are currently being bullied or marginalized, and/or
 - Have disabilities.



Child Sexual Misconduct

■ Sexual Abuse

- May include sexual activities w/ a child that are considered crimes.

■ Sexual Misconduct

- Broader term; includes abuse; also encompasses improper acts that are not criminal, but might violate ethical codes & policy intended to safeguard student wellbeing
- Stages: selection, grooming, exploitation



Goals of the Proposed Changes

Prevent sexual misconduct and false accusations

- Sets clear behavioral **boundaries** when interacting with students
- Outlines clear responsibilities for **reporting** boundary violations and sexual misconduct
- Provides for employee **training** on policy objectives, responsibilities, and consequences for non-compliance



Replacing BP 4119.26

■ Clearly states purpose of policy:

- SMMUSD educators shall act in a professional, moral, and ethical manner and maintain an atmosphere conducive to learning
- Maintains integrity in teaching and public education
- Maintains public trust
- Protects employees from interactions that could arise in false allegations.

■ Clearly lists the desired behavior of district employees

- Communication and interactions with students, appropriate boundaries, limiting one-to-one engagement, mandated reporter responsibilities, etc.



New AR 4119.26

- Defines who is included in the term “employee” for this purpose
- Goes into greater detail re: maintaining appropriate boundaries with students
- Explains Mandated Reporter responsibilities and the investigation process
- Lists repercussions for non-compliance
- Assures confidentiality of reporters and prohibits retaliation against reporters



Policy Development Process

- ASCIP constituted a focus group comprised of HR and Risk Management professionals from local school districts and from resource organizations, which produce a model BP and AR.
- A subcommittee of the District Safety Committee met to review the model BP and AR in detail and to make revisions that better serve the needs of SMMUSD.
- Subcommittee members:
 - Dr. Mark Kelly, Tara Brown, Francis Costanzo, Sarah Braff, Keryl Cartee-McNeely, Catherine Baxter, Lora Morn, and Gary Bradbury



Questions?