



ADMINISTRATIVE PROCEDURE

INAPPROPRIATE INTERACTIONS AMONG STUDENTS AND EMPLOYEES, INDEPENDENT CONTRACTORS, AND VOLUNTEERS

4219

Procedure No.

August 8, 2017

Date

- I. **PURPOSE:** The purpose of this Procedure is to state a clear prohibition against inappropriate relationships and interactions between employees, independent contractors, volunteers and students. As provided below, this Procedure provides a framework of the types of conduct that is deemed inappropriate with students; an opportunity for employees, volunteers and contractors to recognize and correct problematic behavior; and consequences for failing to do so.

While some of the behavior targeted below may seem inadvertent or harmless when done by well-meaning adults, the same behavior has been used at times as a means of “grooming” students for sexual interactions and other illicit forms of abuse. Consequently, any disciplinary action imposed for violation of this procedure will take into account the totality of the circumstances specific to each case.

- II. **POLICY:** As reflected in Board Policy 4400, employees, independent contractors and volunteers in the Prince George’s County Public Schools (PGCPS) are expected to maintain courteous and professional relationships with students. They have a responsibility to provide an atmosphere conducive to learning through the maintenance of physical and emotional boundaries with students. These boundaries must be maintained regardless of the student's age, the student’s enrollment in our school system, the perceived consensual nature of the relationship, the location of the activity or whether the employee directly supervises the student.

In addition to disciplinary action, violation of Board Policy 4400 and this Procedure may also result in notification to Child Protective Services; a report to the local police; and a request to the State Superintendent of Schools to suspend or revoke the employee’s professional certificate, as appropriate. In addition, contractors and volunteers may be barred for being selected for future contracts and school volunteering, respectively.

- III. **DEFINITIONS:**

Employee, for purposes of this Administrative Procedure, shall include temporary workers, substitute teachers, independent contractors and volunteers.

- IV. **GENERAL PROCEDURES:**



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- A. PGCPS employees shall not engage in any of the prohibited interactions outlined in section V. below with any student, regardless of whether the student is enrolled in our school system or another. These boundaries must be maintained regardless of the student's age, the student's enrollment in our school system, the perceived consensual nature of the relationship, the location of the activity or whether the employee directly supervises the student.
- B. Employees should understand that the lists below are illustrative and not exhaustive of all examples of prohibited conduct.

V. PROHIBITED INTERACTIONS:

- A. ***Inappropriate relationship*** includes, but is not limited to, interactions(s) where professional physical and emotional boundaries are compromised by:
 - i. Being alone with a student in a windowless room with a closed or locked door;
 - ii. Being alone with a student in a room with the lights off on PGCPS property or any time the employee is serving in his or her capacity as an employee;
 - iii. Covering up the window in a door, unless for PARCC testing or a lockdown;
 - iv. Meeting students in non-work settings (e.g., the library, the mall, a coffee shop) absent another employee being present and without parent/guardian permission;
 - v. Using personal, non-PGCPS accounts or devices - such as cell phones, tablets and computers - to text, email or otherwise communicate with students without a supervisor or manager's prior approval and/or providing students with private cell phone numbers or email addresses.

Instead, employees should use "Remind 101" (www.remind.com) or another PGCPS-approved group application to communicate with students and parents via phone or email;



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- vi. Associating or participating with students in any setting or activity that involves the use of alcohol, tobacco or drugs;
 - vii. Sponsoring parties for students outside of school unless as part of an extracurricular activity that is appropriately supervised by additional staff members;
 - viii. Sending students on personal errands;
 - ix. Allowing students to drive the employee's personal or PGCPS-issued vehicle;
 - x. Allowing students to ride in the employee's personal or PGCPS-issued vehicle without prior supervisor and parent approval, with the exception of school transportation vehicles such as school buses;
 - xi. Buying gifts for or providing money to students without a supervisor or manager's prior approval;
 - xii. Allowing any student, without cause, under his/her charge to engage in behavior that would not be tolerated if done by other students;
 - xiii. Knowingly granting students access to any portion of the employee's personal social networking website or webpage that is not accessible to the general public (e.g., becoming a "friend" on Facebook, follower on Twitter, or similar access); or which includes discussion of the employee's private life that would be inappropriate to discuss with a student at school;
 - xiv. Using or entering student restrooms during the school day, subject to the exceptions outlined in Administrative Procedure 4219;
 - xv. Bullying, harassing and intimidating students.

B. *Inappropriate physical interactions* with students includes conduct such as:

- i. Hitting;



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- ii. Pulling and/or grabbing the student's clothing and/or backpack;
 - iii. Kicking the desk, throwing objects, or any other action that would physically or emotionally intimidate the students;
 - iv. Touching that results in bruise, scratching, etc.:
 - v. Tickling students;
 - vi. Kissing students;
 - vii. Any type of massage given by or to a student;
 - viii. Corporal punishment, or other inappropriate student disciplinary practices, such as shaking, slapping, shoving, pinching, ostracizing, or withholding food, light, or medical care, forcing the student to eat food they don't want, withholding bathroom privileges, excessive time out, excessive exercising, or locking the student out of the classroom or school; or
 - ix. Physical restraint or seclusion of students, except when consistent with PGCPS sponsored CPI training and the employee is trained and certified to use CPI.

C. ***Inappropriate verbal interactions*** with students includes conduct such as:

- i. Name-calling or using profanity;
- ii. Excessive yelling;
- iii. Discussing intimate details of one's personal life;
- iv. Encouraging students to keep secrets from other adults;
- v. Sexual or offensive humor;
- vi. Shaming, belittling, or derogatory/negative remarks about a student, including negative comments about the student's physique, body development, dress, family, or academic achievement; and



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vii. Harsh language that may threaten, degrade, or humiliate students.

D. Any other conduct specifically prohibited by law.

VI. **EXCEPTIONS:**

A. Certain reasonable touches may be appropriate in particular circumstances, such as a gentle pat on the back or shoulder, handshakes, high fives, or holding hand of younger children to guide or escort them.

B. Students receiving special education and related services:

i. O&M teachers working with visually impaired students may be required to drive in the car with a student as per Individualized Education Program (IEP).

ii. Psychologists, counselors, and other itinerant service providers may be required to work one-on-one with a student, as per the IEP.

iii. Students with IEPs, 504 plans, and behavior intervention plans (BIP) may require interventions that require one or more of the above interactions.

C. Students with personal care needs may need to be addressed as indicated in the Special Education Personal Care Guidelines.

D. In extenuating circumstances in which it may be necessary to transport a student home or buy a student lunch, if the employee has discussed the situation with his or her principal or immediate supervisor and has informed the student's parent.

VII. **TRAINING AND ENFORCEMENT:**

A. The Division of Human Resources and/or Principals/Supervisors shall review this Procedure with employees as part of the training provided at the beginning of each school year, or as part of the on-boarding process for those employees who start work after the beginning of the school year.



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- B. A violation of this Procedure will result in disciplinary action, which may include written reprimand, suspension, or dismissal. Additionally, if applicable, a request may be made to the Maryland State Department of Education to suspend or revoke the employee's professional certificate. Child Protective Services and local police shall be notified as appropriate.
- C. Any employee who possesses knowledge or evidence of possible violations of this Procedure must immediately inform his or her supervisor, school principal or appropriate school administrator. All employees who have reason to suspect child abuse shall immediately report the suspected abuse in accordance with Administrative Procedure 5145. Employees shall be disciplined for failing to make such reports.

VIII. **RELATED POLICY AND PROCEDURES:**

Board Policy 4400, Inappropriate Relationships between Students and Employees, Volunteers and Contractors.

Administrative Procedure 4218, Dating and Sexual Relationships Among Students and Employees, Independent Contractors and Volunteers;

Administrative Procedure 5145, Reporting Suspected Child Abuse and Neglect.

- IX. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** These procedures originate with the Office of General Counsel and will be updated as needed.

- X. **CANCELLATIONS AND SUPERSEDURES:** None. This is a new procedure.

- XI. **EFFECTIVE DATE:** August 8, 2017