

Helix High School
A California Charter School

BP: 4400

Employee/Student Interaction Policy

Adopted: July 21, 2009; Adopted by GUHSD October 8, 2009

Under California law it is a crime for an adult to have any sexual relationship with a minor. In addition, California law requires “mandated reporters” to report to Child Protective Services or to law enforcement any suspected sexual assault or sexual exploitation of a minor. This includes any known sexual relationship between an adult and a minor. Therefore, any district employee who reasonably suspects that an adult is having a sexual relationship with a student must report the suspicion to Child Protective Services or law enforcement immediately. Immediate reporting is crucial for the protection of the students and the community as a whole.

I. Purpose

It is the policy of Helix Charter High School that all employees conduct themselves at all times in a manner that reflects the standards consistent with the law and the Policies of the school. It is the purpose of this policy to make sure all Helix employees understand and demonstrate proper judgment observing the prohibitions in behavior which must govern their conduct; and recognize the responsibility to respond appropriately to unacceptable behavior of students and/or co-workers. Further, this policy will specify boundaries related to potentially sexual situations and conduct which is contrary to accepted behavior and in conflict with the duties and responsibilities of Helix employees. In addition, this policy will alert all Helix employees about sensitive problematic matters involved in employee/student relationships, provide guidance for employees in conducting themselves in a manner that reflects high standards of professionalism; and to give notice that potential improper action may have significant consequences. It is the intent and purpose of this policy to establish guidelines which should be followed by all Helix employees when interacting with a student.

- School instructions, counseling and other administrative tasks relating to students, which require the presence of students, should be accomplished on school premises within the normal school day.
- Whenever it becomes necessary for a Helix employee to meet with a student outside the normal school day, or to conduct instruction or participate in school-related extracurricular activities outside of the school premises, such activities should be accompanied with the written approval of the school’s executive director and the students’ parent/guardian.
- Helix employees should only be alone with a single student as authorized by the employee’s administrator, if it is educationally necessary, or is a requirement of that employee’s position.

- In the event a school activity requires traveling and a Helix employee is called upon to drive or otherwise provide transportation, the activity and transportation must be first approved in writing by the school's executive director and the students' parent/guardian, per GUHSD AR 3541.1
- Helix employees should only travel alone with a single student, after acquiring written permission from the executive director and the student's parent/guardian, per GUHSD AR 3541.1

II. Examples of Inappropriate Behavior

Not all examples of inappropriate situations can be addressed in the Policy.

The focus of these examples is to establish general knowledge among all Helix employees showing that trespassing beyond the boundaries of a student/employee relationship is deemed an abuse of power and a betrayal of public trust. While some situations may seem innocent, they can be perceived as flirtation or sexual insinuation from a student or parental/guardian point of view. The purpose of the following examples of unacceptable behaviors is not to restrain positive relationships between Helix employees and students but to prevent relationships that could lead to, or may be perceived as, sexual misconduct.

Unacceptable Behaviors

1. Making, or participating in, sexually inappropriate comments.
 - Sexual jokes, or jokes/comments with sexual double-entendre;
 - Kissing of ANY kids;
 - Listening to or telling stories that are sexually oriented;
 - Inappropriate physical contact with a student.
2. Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.
 - Intentionally being alone with a student away from the school
 - Except for extremely rare emergency situations, giving students a ride to/from school or school activities without written approval from the executive director and the students' parent/guardian and without another parent, guardian or other responsible adult present per GUHSD AR 3541.1;
 - Giving gifts to an individual student that are of a personal and/or intimate nature;
 - Seeking emotional involvement (which can include intimate attachment) with a student beyond the normative care and concern required of an educator;
 - Being alone in a room with a student on district property with the door closed unless authorized by the employee's administrator, is educationally necessary, or is a requirement of the employee's position;
 - Excessive non-educational attention toward a particular student;
 - Remarks about the physical attributes or physiological development of anyone;

- Allowing students in your home without written approval from the executive director and the students' parent/guardian and without another parent, guardian or other responsible adult present;
- Sending students inappropriate e-mails, text messages, or responses from social networking websites such as MySpace, Facebook, etc.

III. Consequences of Inappropriate Behavior

Occurrences of sexual misconduct with a student by an employee member harms the student victim, disrupts the education of other students, sidetracks the instructional focus of the school, and harms the schools' reputation. Therefore, it is of significant importance for all Helix employees to learn the Policy thoroughly and behave in ways to avoid even the appearance of misconduct. A Helix employee who violates this Policy will be subject to appropriate disciplinary action. Therefore, a Helix employee who is accused of sexual misconduct with a student becomes at risk for loss of job as well as for criminal and/or civil legal actions.

This Policy will be presented and signed by all Helix Charter High School employees as part of their initial employment and, on an annual basis, as part of an on-going training.

Legal Reference:

PENAL CODE

11164; *Child Abuse and Neglect Reporting*

GUHSD

AR 3541.1 *Transportation for School-Related Trips*

TO: All Employees and Applicants for Employment
FROM: Administration
SUBJECT: Child Abuse and Neglect Reporting Requirements
Ref: Article 11166-California Penal Code

All individuals employed by Helix Charter High School must read and execute this document.

My signature below signifies that I am aware and will conform to the requirements of reporting known or suspected instances of child abuse or neglect as outlined in Penal Code section 11166. Every mandated reporter must report suspected child abuse or neglect immediately or as soon as practically possible by telephone to CPS and/or law enforcement; and prepare and send a written report within 36 hours of receiving the information concerning the incident. Failure to make such a report is a misdemeanor under California Penal Code section 11166.5. I understand that failure to follow these procedures may subject me to discipline. I further understand that under the provisions of the Penal Code, I am not civilly or criminally liable for any report required or authorized by the Code.

My signature also signifies that I have received a copy of and agree to abide by Board Policy 4400 Employee/Student Interaction Policy.

Signature

Date

Print Name