

Santa Barbara School Districts

Board Policy

All Personnel

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INAPPROPRIATE EMPLOYMENT BEHAVIOR AND INAPPROPRIATE SOCIALIZATION WITH STUDENTS POLICY

The Governing Board requires all individuals employed by the district, whether classified or certificated, including volunteers and employees of contractors or agencies and independent contractors (collectively, “Staff Members”), to maintain the highest professional, moral and ethical standards in their conduct with students. Staff Members must establish appropriate personal boundaries with students and may not engage in any behavior that could reasonably lead to even the appearance of impropriety.

Inappropriate employment behavior includes, but is not limited to: flirting; making suggestive comments; dating; requests for sexual activity; inappropriate displays of affection or inappropriate physical contact; giving inappropriate personal gifts; frequent personal oral or written communication with a student (including, but not limited to phone, e-mail, text messages, chat rooms, websites, social media sites, dating sites, dating applications, letters, notes, etc.) unrelated to coursework or official district matters; fostering, encouraging or participating in inappropriate emotionally or socially intimate relationships with students; providing alcohol or drugs (except for those prescription drugs provided in accordance with Board policy on medication administration) to students; permitting and/or being in the presence of alcohol or drug use by students; inappropriate touching; and engaging in sexual contact and/or sexual relations (collectively, “Inappropriate Employment Behavior”). Inappropriate Employment Behavior is prohibited wherever occurring, whether on or off school property, and whenever occurring, whether during or outside of school hours.

Even if a student participates “willingly” in the prohibited activity (regardless of the student’s age), Inappropriate Employment Behavior occurring between a Staff Member and student is against district policy and may be in violation of state law. Inappropriate Employment Behavior need not rise to the level of criminal activity for such conduct to be in violation of district rules and subject to sanction.

Reporting Procedures

Duty to Report

Any Staff Member with knowledge or suspicion of Inappropriate Employment Behavior occurring between a Staff Member and a student must immediately report the conduct to school administration officials. Any Staff Member who has knowledge of but fails to report Inappropriate Employment Behavior may be subject to discipline in accordance with legal guidelines, district

policy and regulation, and any applicable collective bargaining agreement. Nothing in this policy is intended to relieve mandated reporters of their obligations under state and local law.

Investigation

Reports of Inappropriate Employment Behavior shall be promptly investigated in accordance with applicable Board policy and collective bargaining agreements.

Prohibition of Retaliation

The Governing Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of alleged Inappropriate Employment Behavior occurring between a Staff Member and student. Any act of retaliation is subject to appropriate disciplinary action by the district.

Sanctions

Any Staff Member who engages in Inappropriate Employment Behavior with a student shall be subject to appropriate disciplinary action up to and including termination of employment in accordance with legal guidelines, district policy and regulation, and any applicable collective bargaining agreement. A violation of this policy may also subject the employee to criminal and/or civil sanctions and, in the case of a certificated employee, to a report to the Commission on Teacher Credentialing.

SANTA BARBARA SCHOOL DISTRICTS
Santa Barbara, California

September 10, 2019