

1 The Board expects all employees to maintain the highest professional, moral, and ethical
2 standards in their interactions with students. Employees are required to provide an atmosphere
3 conducive to learning through consistently and fairly applied discipline and established and
4 maintained professional boundaries. Employees are expected to motivate each student to
5 perform to his or her capacity while modeling the behavior expected of students in staff-student
6 relationships.

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8 The interactions and relationships between staff and students should be based upon cooperation,
9 mutual respect, and an understanding of the appropriate boundaries between adults and students
10 in and outside of the educational setting. Employees are also expected to be sensitive to the
11 appearance of impropriety in their own conduct and in the conduct of others when interacting
12 with students. Employees shall consult their supervisor any time they suspect or are unsure
13 whether conduct is inappropriate or otherwise constitutes a violation of this or other Board
14 policy.

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16 For the purposes of this policy, the terms “staff” and “employees” includes independent
17 contractors and school safety officers but does not include student employees.

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19 **A. ROMANTIC AND SEXUAL RELATIONSHIPS PROHIBITED**

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21 All employees are prohibited from dating, courting or entering into a romantic or sexual
22 relationship with any student enrolled in the school system regardless of the student's age.
23 Employees engaging in such inappropriate conduct will be subject to disciplinary action,
24 up to and including dismissal, and may be subject to criminal action as provided in G.S.
25 14-202.4 and 14-27.7.

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27 **B. RESTRICTIONS ON ELECTRONIC COMMUNICATIONS**

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29 1. In accordance with policy 7335, Employee Use of Social Media, employees are
30 prohibited from communicating with students through non-school-controlled
31 social media except to the extent that the employee and student have an
32 appropriate relationship which originated outside of the school setting. Any
33 communication authorized under policy 7335 must meet the professional
34 standards established in this policy and must otherwise be consistent with law and
35 all other Board policy.
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37 2. Instant messages shall be treated as a form of communication through social
38 media subject to the terms of policy 7335 and subsection B.1 above, regardless of
39 whether the messaging service is actually provided through a social media service
40 or otherwise.
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42 3. Except as provided below, employees are also prohibited from engaging in other
43 forms of one-to-one electronic communications (e.g., voice, email, texting, and

44 photo or video transmission) with students without written prior approval of the
45 employee's supervisor and the student's parent.

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47 This rule shall not apply in any of the following circumstances:

- 48
49 a. When the communication is for an educational purpose, is conducted
50 through a school system-provided platform which archives all such
51 communications for a period of at least three years if in writing, and the
52 employee has given prior notice to his or her supervisor or designee that
53 such written or oral communications will occur; or
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55 b. When the communication serves an educational purpose and is
56 simultaneously copied or transmitted to the employee's supervisor or
57 designee, and, upon request, to the parent or guardian; or
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59 c. In a bona fide emergency, provided the communication is disclosed to the
60 supervisor and parent or guardian as soon as reasonably possible; or
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62 d. When the communication derives from a relationship or association
63 outside of the school setting and occurs with the consent of the parent or
64 guardian, provided such communication does not otherwise violate this or
65 other Board policy.
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67 Any one-to-one electronic communication permitted by this subsection must meet
68 the professional standards established in this policy and must otherwise be
69 consistent with law and all other Board policy.
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- 71 4. It is the duty of every employee to notify his or her supervisor of any unsolicited
72 one-to-one communications in any form, electronic or otherwise, received from a
73 student when the communication lacks a clear educational purpose. School
74 counselors are excluded from this requirement only to the extent that it conflicts
75 with their professional duties.
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77 5. Violations of this section shall be considered unprofessional behavior subject to
78 discipline, up to and including dismissal. Factors that may be relevant to the
79 determination of an appropriate disciplinary response to unauthorized
80 communications with students include, but are not limited to:
81
82 a. The content, frequency, subject, and timing of the communications(s);
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84 b. Whether the communications(s) were age and/or student maturity-level
85 appropriate;
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- 89 c. Whether the communication(s) could reasonably be viewed as a
- 90 solicitation of sexual contact or the courting of a romantic relationship,
- 91 including sexual grooming;
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- 93 d. Whether the communication(s) created a disruption of the educational
- 94 environment; and
- 95
- 96 e. Whether the communication(s) harmed the student in any manner.

97 **C. REPORTING INAPPROPRIATE CONDUCT**

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99 **1. Reporting by Employees**

100 Any employee who has reason to believe any of the following shall immediately

101 report that information to the Superintendent or designee:

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- 104 a. That another employee is inappropriately involved in a romantic or sexual
- 105 relationship with a student;
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- 107 b. That another employee has engaged in other behavior prohibited by this
- 108 policy; and
- 109
- 110 c. That the employee has witnessed behavior by another employee that has
- 111 the appearance of impropriety, whether or not the behavior has, or may
- 112 have, a valid educational or health purpose.
- 113

114 An employee who fails to inform the Superintendent or designee as provided in

115 this section may be subject to disciplinary action, up to and including dismissal.

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117 **2. Reporting by Students**

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119 Any student who believes that he or she has been subject to misconduct that

120 violates this policy should immediately report the situation to the principal, school

121 counselor, or the Title IX coordinator designated in policy 1720/4015/7225,

122 Discrimination, Harassment, and Bullying Complaint Procedure.

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124 **3. Report of Criminal Misconduct**

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126 Any principal who has reason to believe that a student has been the victim of

127 criminal conduct shall report the incident in accordance with policy 4335,

128 Criminal Behavior.

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130 Legal References: Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.*, 34
131 C.F.R. pt. 106; G.S. 14-27.7, -202.4; 115C-47(18); 16 N.C.A.C. 6C.0601, .0602; State Board of
132 Education Policy TCP-C-014.

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134 Cross References: Governing Principle – Removal of Barriers (policy 1700), Prohibition
135 Against Discrimination, Harassment, and Bullying (policy 1710/4021/7230), Discrimination,
136 Harassment, and Bullying Complaint Procedure (policy 1720/4015/7225), Student and Parent
137 Grievance Procedure (policy 1740/4010), Staff Responsibilities (policy 7300), Employee Use of
138 Social Media (policy 7335)

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140 ADOPTED:

NEW