

The relationship between staff and students should be one of cooperation, understanding and mutual respect. The staff has the responsibility to provide an atmosphere conducive to learning and to motivate each student to perform to his or her capacity. The staff is expected to model the behavior expected of students in staff-student relationships.

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

All employees should avoid appearances of impropriety in regards to their relationships with students. To that end, employees are prohibited from engaging in one-on-one electronic communications (including voice communications, email, texting, on-line chats, or any other form of one-on-one electronic communication) with any student in a manner when the communication results in a violation of this or any other Board policy. Furthermore, it is the policy of the Board of Education that one-on-one communications between an employee and a student are not an appropriate form of employee-student interaction and may provide a basis for disciplinary action under the circumstances unless one of the following exceptions apply:

- 1) The employee's direct supervisor and the student's parent/guardian are informed of the need for such communications and give their consent, in writing, prior to any such communications; or
- 2) Such communications are conducted through a school system-provided platform which archives all such communications for a period of at least three (3) years with advance notice to the employee's direct supervisor; or
- 3) The communication is copied to the employee's supervisor, or the supervisor's designee, and the parent/guardian, at their request; or
- 4) The communication occurs with parent or guardian knowledge and derives from a relationship or association outside of the school setting; or
- 5) In case of an emergency and the communication is disclosed to a parent or guardian as soon as the circumstances allow.

The Superintendent and/or Board of Education may consider several factors when determining whether an employee's electronic communication(s) with a student is inappropriate or otherwise a violation of Board policy, including:

- 1) The content, frequency, subject and timing of the communication(s);
- 2) Whether the communication(s) could be reasonably viewed as a solicitation of sexual contact or the courting of a romantic relationship, including grooming;
- 3) Whether there was an attempt to conceal the communication(s) from the employee's supervisor and/or the student's parent or guardian;
- 4) Whether the communication(s) created a disruption of the educational environment; and
- 5) Whether the communication(s) harmed the student in any manner.

It is the duty of every employee to notify their direct supervisor of any unsolicited one-on-one

communications from a student. School counselors are excluded from the requirements of this paragraph only to the extent that it conflicts with their professional duties.

Any employee who has reason to believe that another employee is inappropriately involved with a student or is in other violation of this policy, as described above, is required to report this information to the superintendent. An employee who fails to inform the superintendent of a suspected inappropriate relationship between an employee and a student may be subject to disciplinary action, up to and including dismissal.

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

Legal References: Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.*, 34 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 Education Policy TCP-C-014

Cross References: Governing Principle – Removal of Barriers (policy 1700), Prohibition Against Discrimination, Harassment and Bullying (policy 1710/4021/7230), Discrimination, Harassment and Bullying Complaint Procedure (policy 1720/4015/7225), Student and Parent Grievance Procedure (policy 1740/4010), Staff Responsibilities (policy 7300)

Adopted: September 13, 2012

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