

**PROHIBITING CHILD SEXUAL ABUSE  
IN THE MOHAWK TRAIL  
REGIONAL SCHOOL DISTRICT  
A Code of Conduct for Staff**



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## INTRODUCTION

A report commissioned in 2004 by the U.S. Department of Education confirmed the startling fact that “**more than 4.5 million students or 1 in 10 are subject to sexual misconduct by an employee of a school sometime between Kindergarten and 12<sup>th</sup> grade.**” (Shakeshaft, 2004. Educator Sexual Misconduct: A Synthesis of Existing Literature PPSS 2004-09. US Department of Education.) A survey of recently graduated high school students indicates the figure may be even higher at nearly 12% or 1 in 8.5 students (Jeglic, 2023. The Nature and Scope of Educator Sexual Misconduct in K-12.)

By adopting comprehensive child sexual abuse prohibition protocols for the Mohawk Trail Regional School District, we seek to help protect our students from inappropriate boundary-violating behaviors by adults that could lead to sexual misconduct, whether it be physical, verbal or visual. This Code of Conduct is also designed to make school employees more aware of their own boundaries and how these might be perceived as sexually motivated when they are not.

The protocols contained herein supplement our current policies for employees and are designed to:

- ✓ Protect children from sexual misconduct/abuse and its devastating impact on their physical and mental health, social/emotional learning and academic achievement;
- ✓ Protect employees, contractors and volunteers by increasing their self-awareness of, and ability to, correct behaviors that might violate safe boundaries;
- ✓ Protect the school, its staff and students from the trauma, negative publicity, and potential legal liability that can result from incidents of sexual abuse.

We welcome and encourage the input of staff, volunteers, our students, and their parents/caregivers as we continue to work to make our District’s schools safe havens where all our students can learn, play and grow safely without the threat of sexual abuse and its significant impact on their well-being.

Sheryl Stanton, Superintendent  
Mohawk Trail and Hawlemont  
Regional School Districts

Date

## I. STATEMENT OF COMMITMENT

The Mohawk Trail Regional School District is committed to the safety and well-being of all the children and youth we serve. We are taking steps to educate our staff and volunteers about child sexual abuse and its prevention, about their ethical responsibility to report boundary-violating behaviors that violate this Code of Conduct, and about their legal responsibility to report suspected abuse and any incidents disclosed to them by students. We are committed to strengthening our policies and practices to proactively reduce the risks of sexual misconduct and abuse in our school community.

## II. OUR STANDARDS

All school staff and volunteers are required to maintain the highest professional, ethical and legal standards when interacting with students. Interactions and relationships between school staff and students should be based upon mutual respect and trust, and an understanding of the appropriate boundaries between adults and students. These standards are critical to foster healthy child development and ensure an environment where students are free to learn and be supported by all school employees.

To that end, personal contact between adults and students must always be non-sexual in nature, appropriate to the circumstances, and unambiguous in meaning. School staff shall not intrude on a student's physical and emotional boundaries and should ensure that all interactions are *observable and interruptible*. Additionally, staff members should be aware of any appearance of impropriety in their own conduct and the conduct of other staff when interacting with students. School staff shall discuss issues with the administrator/designee whenever they have questions about a particular behavior that may violate the Code of Conduct or could result in the appearance of impropriety.

School staff may have familial and pre-existing social relationships with parents or guardians and students. Staff should use appropriate professional judgment when they have a dual relationship to students so as to avoid violating this Code of Conduct or creating the appearance of impropriety or of favoritism. Where possible, staff members should limit the circumstances of a dual relationship and/or proactively discuss these circumstances with the administrator/designee.

### a. "Three is NOT a Crowd" Safety Rule

The isolation of one adult and one child can create a situation that elevates the risk for inappropriate conduct and potential abuse. When it comes to child safety the "Three is NOT a Crowd" safety rule can protect children from inappropriate staff-student interactions, as well as protect adults from any allegations of abuse or the appearance of impropriety. This Code of Conduct, therefore, requires that at least two adults (which may include one volunteer) must be present with a child at all times. Two children and one adult does not, however, meet The Rule of Three criteria.

When a one-on-one interaction between a child and an adult is necessary, e.g. private tutoring, music lessons, dance instruction, sports lessons, or a disciplinary situation, The Rule of Three can

be satisfied by having that interaction occur, for its entire duration, in full view of at least one other adult. If visual line of sight or hearing range with another adult is not possible, the staff member shall inform others that s/he will be alone with one child, and request that another staff member or members monitor the situation, including randomly dropping in. In cases of mentoring, increased supervision and accountability for the adult and opportunities for mentored children to provide feedback about their experiences can increase the safety around a child.

Rooms in which children are counseled by guidance counselors, social workers, psychologists, etc. should be arranged so that the adult can be visible through the unobstructed window of the closed door while the student is seated so as to protect the student's privacy.

Specific protocols for school nurses and counseling staff should be age-appropriate, balance student privacy and safety, and adhere to the ethical standards of their respective national licensing bodies.

The rule of three shall apply to all interactions in the educational setting and during all school activities and field trips, including but not limited to, before and after school care, school lunch, recess, open recreation periods, and organized extracurricular activities.

Staff shall know the whereabouts of students in their care at all times, utilizing head counts, attendance, roster lists and the rule of three.

## **b. Visual and Physical Access**

In order to ensure that interactions are observable and interruptible, windows and classroom doors will always be unobstructed. Doors to rooms without windows will remain open while students are inside to maintain visual access to staff-student interactions.

Staff will be made aware of areas with decreased visibility within the facility and on the school property where inappropriate behaviors could occur. These include but are not limited to: side hallways, library, storage closets, basement, bathrooms, kitchen, playgrounds, playing fields, and outdoor structures. Staff will regularly check those areas and alert a supervisor to any safety issues, e.g. burnt out lights, broken locks, etc.

Bright lighting will be present in all areas of the building, except when showing films or projections, which require low-light conditions for proper viewing. Never should all the lights be turned off in a room, unless for a specific educational purpose and there are two or more staff members present.

All doors to rooms that students enter shall remain unlocked at all times, except in emergency and/or lock down situations. Areas not used for routine educational purposes such as janitorial closets, storerooms, boiler/HVAC rooms, and access to roofs will remain locked while children are at school. A designated employee, e.g. custodian, security staff, should routinely check that closets and storerooms are locked and that keys to these rooms are kept in a secure place to which students do not have access.

### **c. Restrooms, Locker Rooms, Changing Areas**

Generally, school employees should not have access to student restrooms during the school day. In the event that they must, staff must use enclosed single stall units whenever possible. If staff must use a multi-stall student bathroom, staff will wait for students to exit multi-stall bathrooms before entering.

In the case of maintenance during the school day, maintenance workers will also verify before entering that the bathroom is empty, then place a sign indicating: "Maintenance in progress, please use other restrooms" until the maintenance is complete.

Additionally, restroom use should be monitored to prevent inappropriate staff-to-student and student-to-student interactions. All staff, including security personnel, should routinely check bathrooms and announce their presence in ways that are developmentally appropriate for the students in their school.

If necessary, school employees may be assigned "bathroom monitor" duty, in which a staff member will be assigned to sit outside the restroom, and have students sign in to the bathroom. If students remain in the bathroom longer than necessary, or always visit the bathroom at a certain day and time to meet with other students, the staff member can intervene.

Co-supervision by two adult staff of restrooms, locker rooms, shower rooms and changing areas can reduce opportunities for sexual misconduct or abuse, whether by staff or other students, and also protect staff from any behaviors that might be perceived as improper. To strike the balance between ensuring security and respecting student privacy, supervising staff can use their discretion to be either within visual or hearing range of activities occurring in these settings.

Cell phone use or the taking of photos with cell phones, still cameras, video cameras or voice recordings by staff or students is prohibited in these locations. Showering with students ~~after athletic practices or events~~ is strictly prohibited.

### **d. Removing a Student from a Classroom, Gym Class or Other School Activity**

No child may be removed from a classroom, gym class or other school activity by any administrator, school employee or volunteer without being given a written permission slip unless there is an emergency and/or safety situation. The permission slip shall indicate the purpose for removal of the student from their appointed activity and the estimated duration of the removal. This will not apply to students who have an alternate schedule that removes them from a classroom on a regular basis. This will not limit a school employee from asking a student into the hall to problem solve or discuss an issue privately.

The administrator, school employee or volunteer who initiated removal of the student will accompany the student back to their original location whenever possible. The classroom teacher, gym teacher or other activity supervisor to whom the student is returned will indicate on the permission slip the time the student was returned, sign the slip and bring the slip to the main office before the end of the day.

### **e. Outings/Overnight Trips**

Extracurricular activities and field trips present unique risks for the safety of children. It is important to be aware of these risks and take measures to minimize them, especially ensuring that The Rule of Three is followed consistently. To this end, the following will be done:

- The school will provide all parents with written information prior to extracurricular activities stating details regarding how the Rule of Three will be kept.
- Students will be required to use a buddy system whenever on field trips off school property. At no time should an individual student be allowed to remain alone.
- Students and staff will remain visible during off-site field trips at all times, except during their own personal restroom use.
- Staff (including volunteers) will remain in line-of-sight of other staff throughout extracurricular activities or field trips or when working directly with children.
- Staff will monitor all students using public restrooms, identifying that all students are accounted for before leaving the area.
- Separate quarters will be provided for boys and girls (reflecting a student's gender identity and expression) on overnight field trips.
- Staff (including volunteers) will stay overnight in rooms near but separate from the students. There are trips such as Nature's Classroom where students and adults are housed together in bunk rooms and this will be allowed.
- Staff shall conduct hotel room checks to help ensure that students remain in their rooms overnight.
- Students transported by school bus to off-campus or out-of-town school functions, sporting events, etc. must return back to school by school bus or their parent/caregiver. No school employee or volunteer shall offer or provide a ride in their personal vehicle to such a student after such an event.
- Staff or chaperones should not sit in the same bus seat next to a student, unless otherwise dictated by an Individualized Education Program (IEP) or 504 plan. Students should sit with other students.
- Staff, bus drivers, and volunteers serving as chaperones must immediately interrupt, and then report by phone to a supervisor, any inappropriate actions they witness of a sexual nature involving staff and/or student(s).
- If the school allows a school employee or authorized volunteer to carpool a group of students to an off-campus event, these students must return in the same group with the same employee or volunteer after such an event.

### **III. SOCIAL MEDIA AND ELECTRONIC COMMUNICATION**

For purposes of this Code of Conduct, "electronic communication" includes email, text messaging, and online messaging. "Social media" means any website or application used for sharing and interacting with others electronically, including but not limited to Facebook, X, Instagram, Snapchat, TiKToK, Pinterest, Reddit, Tumblr, etc.

The District recognizes that social media and electronic communication have value both in and outside of the classroom. This Code of Conduct is not intended to limit any staff member's right to speak publicly as a citizen on matters of public concern, or to communicate with fellow union members on workplace issues, so long as such communication does not interfere with the performance of job duties, disrupt the educational environment, or oppose the values and principles of the District. Staff members are role models, not students' friends, and should always conduct themselves in accordance with this understanding.

#### **a. Prohibited Conduct**

What is allowed or not allowed in online communications should follow the same principles held for offline communications. The following types of prohibited conduct are examples and not intended to be all inclusive.

- Staff may not invite/accept students as "friends" or "followers" on their personal social media accounts.
- Group participation on educational websites or professional pages for instructional purposes is only permitted with prior approval of the supervisor or administrator.
- Electronic communication to students of verbal or pictorial sexual content, content advocating the illegal use of alcohol, drugs, and/or other illicit or illegal activities between students, or content encouraging or constituting hazing or bullying is prohibited.
- Electronic communication of private information regarding students or other staff, including, but not limited to, student record information, private photos and pictures, personal email addresses and, except as provided below, personal cell phone numbers.
- Electronic communications should generally occur during the hours of 8AM and 5 PM. Late night or middle-of-the-night communications are not permitted.

#### **b. Cellular Telephones and Text Messaging**

In general, communications related to academic issues should occur in class or through school-provided email addresses. Staff are prohibited from providing their personal contact information, such as cellular and home telephone numbers, to students except as provided below:

- i. Prior to providing any student with a home and/or personal cell phone number, a staff member shall inform the school's principal or designee and obtain prior authorization.
- ii. Staff members shall communicate to students and their parents/ caregivers that the staff member's personal cell phone number is being provided and will only be used for educational, informational, or safety purposes, e.g. the student has not returned to a bus on a field trip.
- iii. A parent/caregiver will be copied on all texting or other electronic communication with a student.
- iv. Staff members who provide students with personal contact information shall report any unauthorized use of this information by students to the principal or designee immediately,



e.g., a student contacts the staff member's personal cell phone to discuss non-school related issues.

**c. Email Communication Procedures**

- i. Staff may communicate with students, staff, parents, caregivers, PTOs and members of the community through school- or district-owned email addresses regarding school-related issues. All email communication is to remain professional in nature at all times.
- ii. Staff shall not provide their personal email addresses to students.
- iii. Staff shall not request students' personal email addresses, nor shall they direct any communications to personal email addresses provided by students. All email communication between staff and students shall be directed through school- or district-owned email addresses.
- iv. In the event that students are provided with school email addresses as part of the curriculum, parents/ caregivers must be informed and must provide consent for their child to use the email address assigned. School email accounts for students are only to be used to communicate with staff and students and not with the public at large.
- v. All email communication through a school- or district-owned computer, network, or email address may be monitored by the school or school district for any reason without notice. Users of these email addresses should have no expectation of privacy in the content of communications.
- vi. In general, communications sent or received by a school- or district-owned email address are public records subject to disclosure upon request. Certain types of email communications are exempt from the definition of public records, including but not limited to communications that constitute student records or personnel records.
- vii. Staff shall be aware that the District may include computer software that detects sexually explicit or foul language, and that communications may be randomly reviewed by the administrator or IT designee.

**d. Use of Photographs**

- i. Photos and videos of students may be used only with prior District approval, for school-related purposes, and only with confirmation that the parent(s) or legal guardian(s) have not objected to the release of photos or videos of their child(ren).
- ii. Staff shall not use, copy, disseminate or share in any manner, including via social media, photos or videos of students for personal purposes.
- iii. Staff must keep in mind that videos and images of students may constitute "student records" within the meaning of federal and state law.
- iv. Staff shall not identify students by their full name in any photograph at any time.

**e. Social Media**

- i. Staff shall not "friend," follow, message, or engage students in any way on social media websites via their personal accounts.

- ii. Staff shall not communicate with students via the direct/private messaging feature of any social media site, but rather only through school- or district-owned email accounts or through social media posts that are publicly accessible on a school Facebook page or other school social media account.
- iii. Sports, theater and other student groups may have student- or staff-administered Facebook pages to organize practices and events. These pages must be moderated for inappropriate content and requests to join them must be approved by a moderator to ensure that no one outside the school community joins. Staff and students do not need to “friend” each other in order for students to join these groups or “like” these pages.
- iv. Staff shall report any inappropriate use of these sites by students or by fellow staff members to their district administrator immediately.
- v. Staff must cite links to all sources of information from third parties posted on professional social media webpages.
- vi. Staff must notify parents/ caregivers of the use of Facebook pages or any other social media sites being used for official school purposes, and provide students who are unable to access content hosted on these sites with the relevant information necessary for participation in the class through other means.

**f. Blogs, Wikis, Class Pages, etc.**

- i. Staff may use blogs, wikis, or any other website for instructional purposes, including but not limited to homework pages and blog pages.
- ii. Staff shall comply with all school and district policies regarding the identification of students by their first names on these pages. Staff must notify parents/ caregivers of the use of these pages, and provide students who are unable to access content on social media sites with the relevant information necessary for participation in the class through other means (i.e. hand-outs, email, etc.).
- iii. Staff shall cite all sources of content they provide on these pages and comply with applicable copyright laws and other applicable intellectual property laws.

**g. Video Calling and Remote Learning**

Any video calls between teachers or students necessary during remote learning should be on the school’s official video conferencing platform and be in the teacher’s “office hours” link where other students or colleagues could join.

Staff should ensure that the visual background of any remote learning class is appropriate for student viewing and that staff adhere to the same professional dress code as would be followed at school.

Any school employee, student or volunteer who witnesses or learns about any violation of electronic communication or social media use is required to notify immediately the school principal or other person(s) designated to receive such reports. Covering up incidents or failing to

report them is a clear violation of this Code of Conduct and could result in disciplinary actions, including dismissal.

## IV. BOUNDARY VIOLATIONS

Boundary-violating behaviors include a range of verbal, nonverbal, written or electronic communications, or physical activities that the school has deemed inappropriate, between a staff member and student, regardless of whether the behaviors are sexually motivated. Staff can protect the children they care for by maintaining clear boundaries for everyone. Staff can also protect themselves and the District from misunderstandings and false accusations in staff-student interactions by maintaining clear and consistent professional boundaries.

### 1. Examples of Behaviors Consistent with the Code of Conduct

Many behaviors are considered appropriate to the staff-student relationship, and require no review or action. Examples of healthy behaviors include:

- Respect for personal space;
- Reasonable eye contact;
- Getting down to the child's eye level when comforting a child;
- Handshakes, hand slapping, fist bumps;
- Appropriate comments regarding academic and social environment;
- Verbal encouragement and appropriate praise;
- Conversations that support learning and growth;
- Active listening;
- The use of student conferences in a manner consistent with educational purposes;
- Staff-student interactions centered on school events and activities;
- Fair and equitable treatment of all students;
- Student-teacher communication appropriate by general community standards;
- Referring students with serious problems to guidance counselor or school psychologist;
- Informing and regularly updating a supervisor, counseling staff or principal when a student seeks and receives special support from a teacher because of a trusted relationship;
- Following the school's policy for physically handling or restraining a student engaged in belligerent or violent behavior that could harm another student or themselves; and
- Following the school's policy and procedures for providing extra support for students with physical or developmental disabilities.

### 2. Examples of Boundary Violations

Boundary violations should be interrupted by the person observing the behavior, *if they can do so safely*. The staff person must immediately inform their supervisor or administrator about the concerning behavior. Examples of boundary violations by staff members include, but are not limited to:

- Engaging in rough physical contact or provocative games with students, e.g. horseplay, wrestling, tickling, or in inappropriate touching, e.g. stroking a student's hair, rubbing their shoulders/back, patting their backside, massaging their shoulders;
- Massaging of a student athlete or any other student;
- Doing things of a personal nature that students can do for themselves, e.g. combing hair, providing bathroom assistance (unless developmentally needed);
- Making sexual comments, jokes, suggestive gestures, or engaging in flirtatious behavior;
- Remarking on a student's physical attributes or development;
- Showering with students;
- Picking up a student, holding a student, or letting a student sit on a staff member's lap when developmentally not appropriate;
- Providing alcohol, drugs or tobacco products to a student;
- Taking photos of students or using cell phones, still or video cameras in restrooms, locker rooms or changing rooms;
- Addressing students or permitting students to address staff members with personalized terms of endearment, pet names, or otherwise in an overly familiar manner;
- Delegating to a student a specific task that is the teacher's appropriate role, e.g. taking attendance, thus assigning special status to that student (this does not preclude teachers assigning classroom tasks to students as part of classroom management where all students participate in the tasks);
- Encouraging students to compete with each other for "teacher's favorite" status;
- Improving grades or test scores as a way to establish a special staff/student relationship;
- Closing or locking doors when meeting with a student or covering classroom and office windows so that interactions with students will not be observable and interruptible;
- Singling out a particular student or students for personal attention and friendship, or for censure or reprimand, beyond the professional staff/student relationship;
- Giving money or gifts to selected students or violating the school's policies on giving and receiving gifts;
- Allowing a student to sit in your car, giving a student a ride in your car, or allowing a student to borrow your car;
- Violating student drop-off and pick-up procedures;
- Sending students on personal errands unrelated to any educational purpose;
- Soliciting phone, email, text messages or other forms of written or electronic communication from students unrelated to legitimate school business;
- Maintaining personal, non-school related contact with a student outside of school by phone, email, social media, letters, cards or notes;
- Socializing or spending time with students, including but not limited to: going out for beverages, meals, movies, shopping, traveling, and recreational activities outside of school-sponsored events, except as participants in organized community and/or family activities;
- Inviting or allowing students to visit the staff member's home outside of an organized community or family activity;
- Visiting a student's home or other locations for non-school-related purposes outside of an organized community or family activity;
- Violating a student's physical or psychological privacy (e.g., walking in on the student in the bathroom, soliciting information about the student's girlfriend or boyfriend);

- Staring at student's bodies and/or making comments regarding their bodies;
- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- Dating a student or engaging in any sexual contact with a student, *even if* the student has reached the legal age of consent established by State law;
- Engaging in any type of inappropriate physical contact with a student or any other conduct that might be considered sexual harassment under the District's and State's policies; or
- Engaging in any other conduct that fails to maintain professional staff/student boundaries; or any conduct that may convey the appearance of impropriety.

Any school employee, student or volunteer that witnesses or learns about any boundary-violating behavior is required to notify immediately the school principal or other person(s) designated to receive such reports. Covering up incidents or failing to report them is a clear violation of this Code of Conduct and could result in disciplinary actions, including dismissal.

## V. DEFINITIONS OF CHILD SEXUAL ABUSE/MISCONDUCT/HARASSMENT

**"Child Sexual Abuse"** includes any act involving an adult and child, or a child and another child that constitutes a sexual offense under Massachusetts laws. It can include, but is not limited to:

- Penetration of the oral, genital, and anal areas; intercourse; and forcible rape;
- Intentional physical conduct that is sexual in nature, including having a child or teen touch the genitals of an adult or having a youth(s) masturbate in front of the adult; other conduct such as pinching, patting, brushing, massaging, and/or fondling over or under clothing is prohibited;
- Sexual advances, gestures, electronic communications or messages (e.g., email, text, social media, voicemail), leering, stalking or invasion of privacy, obscene phone calls, exhibitionism, or allowing children to witness sexual activity;
- Sexual contact whether accomplished by force, threat of force, or no force;
- Online sexual exploitation, solicitation, enticement, or sextortion of a child by an adult;
- Providing students with sexually explicit materials;
- Using a child to solicit another child to engage in sexual behavior;
- Taking explicit photos or videos of youth or showing explicit images or videos to youth;
- Asking a child/teen to take explicit photos or videos of themselves to share.

**"Sexual Misconduct"** means any act, including, but not limited to, any verbal, nonverbal, written or electronic communication or physical activity, directed toward or with a child, regardless of the age of the child, that is designed to promote a romantic or sexual relationship with the child. Such acts include, but are not limited to:

- Sexual or romantic invitation
- Engaging in romantic dialogue
- Self-disclosure or physical exposure of a sexual, romantic or erotic nature
- Making sexually suggestive comments, innuendoes, jokes

- Dating or soliciting dates with a student or engaging in any sexual contact with a student, even if the student has reached the legal age of consent established by State law
- Any sexual, indecent, romantic or erotic contact with a student

**“Sexual Harassment”** according to Title IX regulations effective August 14, 2020, includes: any of three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect: (1) quid pro quo harassment by a school's employee; (2) any unwelcome conduct that a reasonable person would find so severe, pervasive, and offensive that it denies a person equal educational access; (3) any instance of sexual assault, dating violence, domestic violence, or stalking.

Mohawk Trail Regional School District maintains several policies prohibiting all forms of discrimination and sexual harassment::

[AC Non-discrimination Including Harassment and Retaliation 2024-10.pdf](#)

[AC-P Non-discrimination Including Harassment and Retaliation Procedure 2024-10.pdf](#)

[ACA-P Non-discrimination on the Basis of Sex Under Title IX Including Sex-based Harassment Procedure 2024-10.pdf](#)

[ACAB Sexual Harrassment 2024-10.pdf](#)

[JICFB Bullying Prevention 2024-08.pdf](#)

## VI. HAZING

Hazing can be defined as any action expected of a student joining a class, club, sports team, etc., or any action a student is expected to perform to remain in good standing with that group, that causes physical or emotional harm or that is humiliating or denigrating to the student, to others in the group or to others outside the group. Hazing is a form of harassment that can take place in one-on-one situations or in a group. It can occur in the classroom, on a playing field, in locker rooms, on the telephone, online, or through social media. Hazing is prohibited by law (M.G.L. c. 269, s. 17-19).

Examples of hazing can include a student or school employee requiring someone to:

- Submit to embarrassing, hurtful, or demeaning conduct as part of an initiation into the club, team, or other activity;
- Suffer pranks continually aimed at one particular member of a club, team, or other activity;
- Ingest alcohol;
- Submit to physical striking, beating, scratching, burning, branding or to engage in self-mutilation, or requiring one to commit such acts upon another;
- Submit to acts of sexual abuse/assault;
- Suffer abusive and demeaning speech;
- Engage in acts of personal servitude;
- Proceed through a gauntlet, e.g., on a bus or in a locker room;
- Suffer sleep deprivation;
- Restrict his/her personal hygiene;
- Wear humiliating attire in public;
- Appear in public in humiliating forms of undress;

- Engage in indecent exposure;
- Engage in illegal activity;
- Engage in physical activity that is dangerous;
- Submit to being tied up or abducted, or requiring one to do the same to another;
- Expose his or herself to extreme weather conditions without appropriate protection;
- Consume vile substances or allow such substances to be smeared on the body; or
- Engage in any degrading or humiliating act.

Any school employee, student or volunteer that witnesses or learns about any hazing incident is required to notify immediately the school principal or other person(s) designated to receive such reports. Covering up hazing incidents or failing to report them is a clear violation of this Code of Conduct and could result in disciplinary actions, including dismissal.

## **VII. STUDENTS WITH DISABILITIES**

MTRSD will make all staff aware of the special boundaries and vulnerabilities of any students with disabilities and adopt practices to ensure they are protected and empowered without jeopardizing their opportunities for growth and development.

Over 13% of students enrolled in public schools have some type of physical, developmental, or behavioral disability. Some adults may engage in sexual misconduct with these children believing they can be easily manipulated, less likely to disclose abuse, and/or to be believed if they tell. Research confirms that children and youth with disabilities are at seven to ten times greater risk of being victims of sexual abuse or misconduct than their peers.

It should be noted that some physical, developmental or behavioral disabilities of children can have an impact on these students' responses to physical interactions.

Individualized Education Program (I.E.P), 504, and medical plans, should include any specific interactions that may be necessary for personal assistants to support the student, especially any interactions that otherwise would be considered a violation of the Code of Conduct. For example, some students with disabilities may need help with personal activities such as toileting, and if so, that should be stated in the I.E.P.

## **VIII. STUDENTS WITH CONCERNING BEHAVIORS**

All children at our school are valued and treated with equal respect. However, students with certain histories or problems with personal boundaries may pose a risk of inappropriate behavior, including sexual misconduct or abuse. Recognizing these behaviors can help these children receive the support or counseling they need.



Avoid any behavior with a student that you believe other colleagues or employees would see as inappropriate, confusing or questionable.

Stay firmly in your role as a teacher or school employee and establish clear boundaries for yourself and for students.

Remove yourself immediately from any situation that does not seem right.

If a student appears to be attracted to you, or speaks or behaves in a way intended to encourage a romantic or sexual relationship, in addition to notifying administration, be direct with the student and remind them that:

- It is inappropriate and illegal for a teacher or school employee and student to be engaged in a sexual or romantic relationship.
- Teachers or school employees who engage with students this way can lose their job, teachers can lose their license, and could face arrest.
- The school has policies that strictly prohibit such adult/student relationships.
- You are required to document and share with your supervisor any conversations or actions on the part of a student that violate those protocols.

If the student continues to express these thoughts and actions, inform administration, and follow the steps below:

- Distance yourself from the student. If a teacher, work with the school administrator/ designee to have the student transferred to another class.
- Redefine your role or secure additional staff supervision when engaged in activities in which the student participates.
- Document the what, where, and when of the behavior and inform the administrator/ designee, who will consider how to address the situation, including referring the student to school counseling staff, and monitoring the situation to support appropriate handling by staff.

## **IX. MONITORING AND REPORTING**

### **a. Monitoring Boundary Violations**

All staff must help create a culture of safety, watch out for each other, and remind a staff person who crosses a boundary. "Monitoring" or observing interactions of others and responding appropriately to boundary-violating behaviors is critical to avoid interactions that could escalate to serious, illegal and reportable offenses. Staff should be prepared to respond immediately to such interactions they witness by interrupting them, if they can do so safely, e.g. *"You are the last ones in the building, so I will stay until you and your student leave."* Staff must also then notify their supervisor about the concerning behavior.

### **b. Responding to Boundary Violations**



Supervisors play an important role in creating a culture of safety by providing opportunities during supervision meetings for staff to discuss concerning behaviors either by others or themselves that they wish to address.

School staff or volunteers shall immediately notify the administrator/designee if they witness any behavior that constitutes a violation of boundaries according to the Code of Conduct. Students and their parents/guardians and visitors are strongly encouraged also to notify the administrator/designee of violations. If violations involve the administrator/designee, the Superintendent or designee shall be notified and appropriate action taken. (If the violation rises to the level of an illegal sexual offense, a report shall be made to police and/or child protective services.)

The administrator/designee who is notified about boundary violations must document in writing for the record, the alleged violation, a summary of the meeting(s) during which the violation was addressed with the person alleged to have engaged in the violation, the person's response to the alleged violation, and the course of action taken to address the violation.

The administrator/designee will be trained to implement protocols adopted by the District for the handling of boundary violations that do not rise to the level of an illegal sexual offense, and be responsible for the implementation and monitoring of the plan accepted by the employee and the school to address such violations.

### **c. Reporting Sexual Abuse**

Massachusetts law requires mandated reporters to immediately make an oral report to the Department for Children and Families (DCF) or law enforcement when they have reasonable cause to believe that a child under the age of 18 is suffering from abuse or neglect. A written report must be submitted within 48 hours. Reporters who are staff members of schools or other public or private institutions, may either notify DCF directly or notify the person in charge of the institution, school or facility, or their designee, who then becomes responsible for filing the report. Should the school or institution fail to file a report, the staff member retains the right to report to DCF directly and to notify local police or the Office of the Child Advocate. (Ch. 119, § 51A) Under the law, mandated reporters are protected from liability in any civil or criminal action and from any discriminatory or retaliatory actions by an employer if they choose to report.

Among the 40 types of mandated reporters in Massachusetts include:

- Teachers, administrators, social workers, psychologists, counselors, early education, preschool and after-school program staff; and
- Any person paid to care for, or work with, a child in any public or private facility, home or program funded or licensed by the Commonwealth of Massachusetts to provide child care or residential services.

Please note that it is not the role of staff, supervisor, administrator, trustee, or any other representative of the school to investigate or evaluate the credibility of allegations of abuse, including sexual abuse, to determine if a report is required. Such investigations are the legal responsibility and duty of DCF and/or law enforcement.

#### **d. Whistleblower Protection**

Anyone who in good faith reports misconduct or possible misconduct will be protected from any retaliations or reprisals that might arise by any school employee, parent/guardian, volunteer or visitor. Furthermore, it must be emphatically stated that any retaliatory actions by school employees may themselves lead to disciplinary actions up to and including dismissal.

#### **e. Penalties for Failure to Report**

Any mandated reporter in Massachusetts who fails to make required oral and written reports can be punished by a fine of up to \$1,000. Any mandated reporter who willfully fails to report child abuse and/or neglect that resulted in serious bodily injury or death can be punished by a fine of up to \$5,000 and up to 2½ years in jail, and be reported to the person's professional licensing authority.

#### **f. Penalties for False Reporting**

All mandated reporters in Massachusetts who knowingly and willfully file a frivolous report of child abuse and/or neglect can be punished by a fine of up to \$2,000 for the first offense, up to 6 months in jail for a second offense, and up to 2½ years in jail for a third offense.

### **X. DISSEMINATION OF CODE OF CONDUCT AND REPORTING PROTOCOLS**

Staff will receive regular training by qualified content specialists or through online training resources about how to maintain appropriate boundaries in staff-student relationships and how to report suspected cases of abuse. This information will be reinforced throughout the year at staff meetings, supervisory meetings or other appropriate venues.

All employees and volunteers will sign the Employee Acknowledgement on the following page and confirm their obligation to follow this Code of Conduct while working in the District. The signed statement will be kept in the employee's personnel file.

This Code of Conduct will be posted on the District website. Annually, all administrators and staff will receive a copy of this Code of Conduct, which will be reviewed regularly, and, if necessary, revised. Any revisions will be distributed to all administrators and school employees.

School employees, parents and students are encouraged to contact Sheryl Stanton, Superintendent, [sstanton@mtrsd.org](mailto:sstanton@mtrsd.org) with comments/suggestions about how this Code of Conduct can be improved.

**We extend our sincere thanks to everyone for all their efforts  
to keep our students and staff safe and our schools strong!**

~ **DISCLAIMER** ~

There are no fail-safe protocols that can guarantee the prevention of every occurrence of sexual misconduct, sexual abuse or sexual harassment. However, by educating our staff and community and following the Code of Conduct, we can minimize the risks of such incidents occurring.

**EMPLOYEE ACKNOWLEDGEMENT  
AND STATEMENT OF RESPONSIBILITY**

I have read the “Code of Conduct for Staff” and understand my role in protecting students from unsafe or concerning conduct by adult staff/volunteers.

Specifically, I will:

Conduct myself in accordance with the positive behaviors spelled out in the Code.

Respect the boundaries between staff and students, refraining from any behavior that may convey the appearance of an inappropriate relationship.

Abide by the “Rule of Three.”

Act to maintain visual and physical access throughout the school, e.g. classroom door left open.

Follow the social media/technology policies.

Follow policies regarding outings/field trips/overnight activities.

Refer students with problematic or concerning sexual behaviors to appropriate staff.

Be observant of the behavior of other staff/students/volunteers, interrupt boundary violations, sexual misconduct, sexual abuse and hazing if I can do so safely, and immediately notify the supervisor or administrator/designee of any concerning behaviors I witness or learn about.

Report suspected or disclosed cases of child abuse, including child sexual abuse, to the administrator/designee and, if legally required, directly to DCF or law enforcement.

**Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Position:** \_\_\_\_\_

**School:** \_\_\_\_\_

**Date:** \_\_\_\_\_