



Long Valley Charter School

A Non-Profit Public Benefit Corporation

Student Safety and Professional Boundaries

Approved by: Board of Directors

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Long Valley Charter School (LVCS) is a nonprofit public benefit corporation and operates two individual charter schools: Long Valley School and Thompson Peak Charter School. This policy applies to both schools equally.

Long Valley Charter School (“School”) is committed to providing every student with a safe, supportive, and appropriately supervised learning environment. This policy establishes the School’s standards for professional boundaries between adults and students, limits on electronic and social media communication, mandated reporting obligations, and related safeguards against child abuse and misconduct.

This policy applies to all School employees, volunteers, contractors, and governing Board (“Board”) members (collectively referred to as “adults” herein).

The school recognizes its responsibility to make and enforce all rules and regulations governing student and adult behavior to bring about the safest and most learning-conducive environment possible. This policy is available on the School’s website.

STUDENT/ADULT PROFESSIONAL BOUNDARIES

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student.

For purposes of this policy, corporal punishment does not include an individual’s use of force that is reasonable and necessary to protect the individual, students, staff or other persons or to prevent damage to property.

For clarification purposes, the following examples are offered for direction and guidance of School employees, volunteers, contractors, and Board members.

A. Examples of permitted actions (i.e., not corporal punishment)

1. Stopping a student from fighting with another student;
2. Preventing a pupil from committing an act of vandalism;
3. Defending yourself from physical injury or assault by a student;
4. Forcing a pupil to give up a weapon or dangerous object;

5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.

B. Examples of prohibited actions (i.e., corporal punishment)

1. Hitting, shoving, pushing, or physically restraining a student as a means of control;
2. Making unruly students do push-ups, run laps, or perform other physical acts that cause pain or discomfort as a form of punishment;
3. Paddling, swatting, slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

Acceptable and Unacceptable Adult/Student Behavior

This policy is intended to guide adults in conducting themselves in a way that reflects the high standards of behavior and professionalism required of them and to specify the boundaries between such adults and students.

Although this policy gives specific, clear direction, it is each adult's obligation to avoid situations that could prompt suspicion by parents/guardians, students, colleagues, or School leaders. One viable standard that can be quickly applied, when you are unsure if certain conduct is acceptable, is to ask yourself, "Would I be engaged in this conduct if my family or colleagues were standing next to me?"

For the purposes of this policy, the term "boundaries" is defined as acceptable professional behavior by an adult while interacting with a student, whether during school hours or outside of school hours, including through social media platforms, text messaging, and other forms of communication that do not otherwise include a student's parent/guardian. Trespassing the boundaries of a student/adult relationship is deemed an abuse of power and betrayal of public trust.

Professional boundaries apply not only between students and staff, volunteers, and contractors, and Board members, but also among and between students, and among and between adults employed, volunteering, or under contract with the School. All members of the School community are expected to maintain professional conduct that models appropriate behavior and fosters a safe and respectful learning environment. Additionally, all facilities/areas under School control shall be effectively supervised to promote a safe environment for students and individuals performing services on behalf of the School.

Some activities may seem innocent from an adult's perspective but may be perceived as flirtation or sexual insinuation from a student's or parent/guardian point of view. The purpose of the following lists of unacceptable and acceptable behaviors is not to restrain innocent, positive relationships between adults and students, but to prevent relationships that could lead to or may be perceived as inappropriate, or sexual misconduct, or "grooming." Grooming is defined as an act or series of acts by a sexual predator to gain physical and/or emotional control by gaining trust (of staff and/or family and a minor) and desensitizing the minor to various forms of touching and other intimate interaction.

Adults must understand their own responsibilities for ensuring that they do not cross the boundaries as written in this policy. Violations could subject the teacher or staff member to discipline up to and including termination. *Disagreeing with the wording or intent of these established boundaries will be considered irrelevant for any required disciplinary purposes*. Thus, it is critical that all adults study this policy thoroughly and apply its spirit and intent in their daily activities. Although sincere, competent interaction

with students certainly fosters learning, adult/student/ interactions must have boundaries surrounding potential activities, locations and intentions.

Examples of Specific Behaviors

The following examples are not an exhaustive list and apply equally during and outside of the regular school day:

Unacceptable Adult/Student Behaviors (Violations of this Policy)

- (a) Giving gifts to an individual student that are of a personal and intimate nature.
- (b) Kissing of any kind.
- (c) Any type of unnecessary physical contact with a student in a private situation.
- (d) Intentionally being alone with a student away from the school.
- (e) Making or participating in sexually inappropriate comments.
- (f) Sexual jokes.
- (g) Seeking emotional involvement with a student for your benefit.
- (h) Listening to or telling stories that are sexually oriented.
- (i) Discussing inappropriate personal troubles or intimate issues with a student.
- (j) Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.
- (k) Communication with students via an employee's personal accounts such as email, text message/direct message, and/or social media.
- (l) Engaging in any electronic, digital, or social media communication with a student that is not School-related.
- (m) Any form of grooming behavior, including conduct designed to build secrecy or inappropriate trust.

Unacceptable Adult/Student Behaviors without Parent and Supervisor Permission

(These behaviors should only be exercised when adults have parent/guardian and supervisor permission.)

- (a) Giving students a ride to/from school or school activities.
- (b) Being alone in a room with a student at school with the door closed.
- (c) Allowing students in your home.

Cautionary Adults/Student Behaviors

(These behaviors should only be exercised when a reasonable and prudent person is prevented from using a better practice or behavior. Adults must inform a school administrator of the circumstance and occurrence prior to or immediately after the occurrence)

- (a) Remarks about the physical attributes or development of anyone.
- (b) Excessive attention toward a particular student.

- (c) Sending emails, text messages/direct messages or letters to students if the content is not about school activities.
- (d) Sending emails, text messages/direct messages or letters to a student regarding academic, disciplinary, or other School-related matters without including the student's parent or guardian on the communication.

Acceptable and Recommended Adult/Student Behaviors

- (a) Getting parents' written consent for any after-school activity.
- (b) Obtaining formal approval to take students off school property for activities such as field trips or competitions.
- (c) Emails, text/direct messages, phone and instant messages to students within School provided platforms must be professional and pertain to school activities or classes (Communication should be limited to school technology).
- (d) Keeping the door open when alone with a student.
- (e) Keeping reasonable space between you and your students.
- (f) Stopping and correcting students if they cross your own personal boundaries.
- (g) Keeping parents informed when a significant issue develops about a student.
- (h) Keeping after-class discussions with a student professional and brief.
- (i) Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries.
- (j) Involving your supervisor if conflict arises with the student.
- (k) Informing the administration about situations that have the potential to become more severe.
- (l) Making detailed notes about an incident that could evolve into a more serious situation later.
- (m) Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- (n) Asking another adult to be present if you will be alone with any student with special needs.
- (o) Asking another adult to be present when you must be alone with a student after regular school hours.
- (p) Giving students praise and recognition without touching them.
- (q) Pats on the back, high fives, and handshakes are acceptable.
- (r) Keeping your professional conduct a high priority.
- (s) Asking yourself if your actions are worth your job and career.
- (t) Documenting any interaction with a student that may be crossing boundaries set forth in this policy, including any electronic communication.

PROFESSIONAL BOUNDARIES AMONG ADULTS

All adults covered by this Policy are expected to interact with one another in a manner that is professional, respectful, and consistent with the School's workplace conduct standards. Adults in positions of supervisory authority shall not use that authority to coerce, manipulate, or exploit other adults in the School community. Conduct among adults that creates a hostile work environment, involves sexual harassment, or otherwise violates applicable law or School policy is prohibited and must be reported consistent with the School's applicable reporting procedures. School leadership is responsible for modeling appropriate professional relationships and for addressing complaints of adult-to-adult misconduct promptly and consistently.

MANDATED REPORTING OBLIGATIONS

All of the following persons associated with the School are mandated reporters of known or reasonably suspected child abuse or neglect:

- All employees, regardless of role or frequency of student contact.
- All contractors whose duties require contact with or supervision of students.
- All board members.
- All volunteers who interact with students outside of the immediate supervision and control of the student's parent or guardian or a School employee.

A mandated reporter is not required to investigate, confirm, or seek corroboration before making a report. The obligation to report arises from reasonable suspicion, not certainty. Each mandated reporter has an independent, personal obligation to make a report to a child protective agency or law enforcement when that individual knows of or reasonably suspects that a child has been the victim of abuse or neglect.

Reports must be made immediately or as soon as practically possible by phone, and a written follow-up report must be submitted within 36 hours. While internal reporting to a supervisor or administrator is encouraged for operational awareness, the duty to report is not discharged by notifying a supervisor or by assuming that another person has made the report. No administrator may impede or inhibit a mandated reporter from filing a report.

Failure to make a required report is a misdemeanor under California law and may result in disciplinary action up to and including termination.

ANNUAL TRAINING REQUIREMENTS

The School shall provide annual training to all employees, contractors, board members, and volunteers on the following topics:

- Mandated reporting requirements under the California Child Abuse and Neglect Reporting Act, including which persons are mandated reporters, what must be reported, how to make a report, and the legal consequences of failing to report.
- Prevention of child abuse, including sexual abuse, in the school environment, including recognition of grooming behaviors, boundary violations, and other indicators of adult-to-student misconduct.
- The professional boundary standards and electronic communication requirements set forth in this Policy.

- The School's procedures for reporting concerns about staff conduct to administration.

All covered individuals must complete training within the first six weeks of each school year or within the first six weeks of hire, assignment, or commencement of volunteer services, whichever is earlier.

The School shall maintain a record of training completion dates for each individual. Training must be completed using the State Department of Social Services' online training module or an alternative module approved by the School's joint powers authority or insurance provider.

The governing board shall receive annual training on its obligations under SB 848, including with respect to the statewide reporting database once operational.

SCHOOL SAFETY PLAN

The School's comprehensive school safety plan shall include procedures specifically designed to address the supervision and protection of students from child abuse, neglect, and sex offenses.

The safety plan shall also address child neglect and include procedures for reporting all crimes occurring on campus or at campus-related activities, and classroom and non-classroom environments in a manner that promotes safe, easily supervised spaces for student learning and engagement

All School personnel shall receive training on the comprehensive school safety plan consistent with the requirements of SB 848.

For a copy of the complete school safety plan, please contact the main office.

DUTY TO REPORT SUSPECTED MISCONDUCT

When any adult reasonably suspects or believes that another individual may have crossed the boundaries specified in this policy, he or she must immediately report the matter to a School administrator. All reports shall be confidential as possible under the circumstances. It is the administrator's duty to investigate and thoroughly report the situation. Adults must also report to the administration any awareness or concern of student behavior that crosses boundaries or where a student appears to be at risk for sexual abuse.

The school shall investigate all credible reports of policy violations or misconduct promptly and shall take appropriate corrective action. The school shall not retaliate against any person who, in good faith, reports a concern under this Policy.

Child Abuse / Sexual Abuse Reporting

If, within your professional capacity or within the scope of your employment, you observe or gain possession of knowledge that a child has been a victim of child abuse or sexual abuse, or you reasonably suspect it, California Penal Code Section 11166 requires you to immediately report this information or suspicion to a child protective agency or the police. The report shall be made by phone as soon as possible and a subsequent written report must be sent within 36 hours of your knowledge or suspicion of the abuse. Internal reporting to the Executive Director occurs after the phone-in report. Failure to meet these obligations can result in a monetary fine and/or jail.

Investigating

The HR Manager or Executive Director will promptly investigate and document the investigation of any allegation of sexual misconduct or inappropriate behavior by a staff member, using such support staff or outside assistance, as he or she deems necessary and appropriate under the circumstances. Throughout this fact-finding process, the investigating administrator, and all others privy to the investigation, shall protect the privacy interests of any affected student(s) and/or staff member(s) including any potential

witnesses, as much as possible. The investigating administrator shall promptly notify the Governing Board in closed session of the existence and status of any investigations. Upon completion of any such investigations, the Executive Director shall report to the Governing Board any conclusions reached. The investigating administrator shall consult with legal counsel, as appropriate, prior to, during, and after conducting any investigation.

Consequences

Staff members who have violated this policy will be subject to appropriate disciplinary action, and where appropriate, will be reported to authorities for potential legal action.

SOCIAL MEDIA

Long Valley Charter School has adopted the following policy with regard to employees' behavior on social networking sites including but not limited to Facebook, Twitter, LinkedIn, Pinterest, Instagram, SnapChat and YouTube. If you wish to use networking protocols or set up a social media site as a part of the educational process, please work with your administrator and technology staff to identify and use a restricted, school-endorsed networking platform. Such sites will be the property of LVCS who will have unrestricted access to, and control of, such sites.

Employees shall not accept students as friends on any **personal** social networking sites and are to decline any student-initiated friend requests. Employees must delete any students already on their personal "friends" list immediately. It is recommended that the employee set up a professional profile in which to accept "friendships" with students and parents. Teachers are not to initiate "friendships" with students or parents.

With regard to social networking content, employees should not use commentary deemed to be defamatory, obscene, proprietary, or libelous with regard to any school-related business or policy, employee, student, or parent. Additionally, employees should exercise caution with regards to exaggeration, obscenity, copyrighted materials, legal conclusions, and derogatory remarks or characterizations. Employees should weigh whether a particular posting puts his/her effectiveness as an LVCS employee at risk. LVCS encourages employees to post only what they want the world to see. Imagine that students, their parents, or administrators will visit your site as most information is available to the general public even after it is removed from the site. Employees may not discuss students nor post images that include students.

Personal or Professional Blogs

If you are developing a website or writing a blog that will mention LVCS or its charters, you must identify that you are an employee of the organization and that the views expressed on the blog or web site are yours alone and do not represent the views of LVCS or one of its charters. Unless given permission by the Executive Director/ Superintendent, you are not authorized to speak on behalf of LVCS or its charters or to represent that you do so. If you are developing a site or writing a blog that will mention LVCS or its charters as a courtesy to the organization, please let the Executive Director/ Superintendent know in advance of publication. The Executive Director/ Superintendent may choose to visit your blog or social networking site from time to time.

You may not share information that is confidential and proprietary with regard to LVCS or its charters. This includes, but is not limited to, information about curriculum, school dynamics, school programs, future goals, or current challenges within the organization. These are given as examples only and do not cover the range of what LVCS considers confidential and proprietary. If you have any questions about whether information has been released publicly or doubts of any kind, speak with the Executive Director/ Superintendent.

When writing a blog or participating in any other social networking site, employees should speak respectfully about LVCS or its charters and our current and potential employees, students, parents, and competitors. Name-calling or behavior that will reflect negatively on the organization's reputation is discouraged. Note that the use of copyrighted materials, unfounded, harassing, libelous, or derogatory statements, or misrepresentation is not viewed favorably by LVCS and can result in disciplinary action, up to, and including termination.

All employees who engage in social networking are legally liable for anything he/she writes or presents online. Employees can be disciplined by LVCS for commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create an unlawful hostile work environment. You can also be sued by LVCS's employees, competitors, and any individual or company that views your commentary, content, or images as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment.

This policy should not be construed, and will not be applied, in a manner that violates employee rights under the National Labor Relations Act.

Employees may not comment on a student's blog or a student's other social networking commentaries.

Employees may not use trade names, or logos belonging to the School without express written permission of the Executive Director/ Superintendent.

Failure to comply with LVCS's social medial policy will result in disciplinary action, up to, and including, immediate termination.