



### Policy Prohibiting Sexual Misconduct and Guidance on Employees' Interactions with Students

Assembly Bill 500 (AB500), effective January 1, 2018, adds section 44050 of the California Education Code, which requires schools to provide the section on employee interactions with students in its code of conduct, to parents and guardians of enrolled students on the School's website. This section from our employee handbook is published here in compliance with California AB 500.

#### **I. Professional Relationships With Students**

Lydian Academy encourages close, warm relationships between students and the faculty and staff. At the same time, the Academy requires that each employee's conduct is at all times professional. Further, employees must maintain appropriate boundaries between themselves and students to ensure that their relationship with the students remains professional at all times while being supportive of the students' needs. Consequently, Lydian Academy advises its employees to refrain from engaging in certain types of conduct which may be perceived as or may be unprofessional and inappropriate conduct. The list of unacceptable, unprofessional conduct includes but is not limited to:

#### *Unacceptable, Unprofessional Conduct*

- Discussing an employee's own personal troubles or intimate issues with a student;
- Becoming involved with a student so that a reasonable person may suspect inappropriate behavior;
- Inappropriate use of social media with or about students;
- Excessive attention toward a particular student;
- Texting with students;
- Using personal email or social media to communicate with students rather than using school email;
- Sending communications to students of a personal nature if the content is not about or connected to school activities;
- Failing to keep the appropriate administrator informed when a significant issue develops about a student; or

- Swearing or using inappropriate language in the presence of students.

Engaging in unacceptable, unprofessional conduct may lead to discipline, up to and including termination from employment.

## II. **Prohibited Sexual Misconduct**

Lydian Academy will not tolerate sexual misconduct on the part of any employee toward a student or the student's family member. Sexual misconduct is conduct that is unwelcome and offensive behavior that is based on sex or of a sexual nature and may be severe or pervasive. Sexual misconduct can also be based on any conduct of a sexual nature which is professional misconduct. Examples, in their most severe form, include but are not limited to, sexual abuse of a minor under California criminal laws or engaging in a sexual relationship with a student regardless of the student's age or with a former student who cannot consent to the relationship by law. The list of prohibited conduct may also include, but is not limited to:

### *Prohibited Conduct*

- Giving gifts to an individual student that are of a personal or intimate nature;
- Repeated or inappropriate physical contact with a student in either a public or private situation;
- Intentionally being alone with a student on campus or away from the school without parent or supervisor knowledge or permission;
- Making, or participating in sexually inappropriate comments;
- Sexual jokes, stories, or jokes/comments with sexual innuendo; or
- Seeking emotional involvement with a student for an employee's benefit.

Engaging in conduct prohibited by this policy may lead to discipline, up to and including termination from employment.

## III. **Employees' Duty to Report**

If an employee finds him or herself in a difficult situation related to boundaries with respect to any student (former or current), the employee is required to bring the situation to the attention of the Principal of Lydian Academy. When any employee becomes aware of another employee crossing appropriate boundaries with a student or other suspected violation of this policy, the employee also must report the matter to the Principal. In some circumstances, employees may also have the duty to report such conduct in accordance with the mandated reporter requirements.

#### IV. **Complaint Procedure**

Any person (for example, an employee, a staff member, a parent of a former or current student, or a current or former student) has the right to report suspected violations of this policy to the Principal. The Academy will promptly undertake an effective, independent investigation. An impartial, qualified individual will conduct the investigation. The investigation will be fair and thorough and will provide all parties with an opportunity to be heard. Accordingly, during the investigation, the complainant will be asked to describe the alleged misconduct and/or circumstances surrounding the alleged misconduct and to identify the names of all individuals involved and any witnesses. The investigator will maintain records of the investigation and will make reasonable conclusions based on all evidence collected. The Academy will investigate in as discreet and confidential a fashion as possible.

The Academy will take appropriate corrective action where warranted and any action required will be taken promptly. Any employee violating this policy will be subject to discipline, up to and including termination of employment. The form of corrective action will be decided by the Academy. The Academy will document any actions taken and will advise the complainant of the nature of the action taken. Governmental authorities may be notified where appropriate.

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Parent/Guardian Name - Please Print

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Parent/Guardian Signature

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Date