

ABINGTON SCHOOL DISTRICT  
ABINGTON, PENNSYLVANIA

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SUPERINTENDENT'S  
ADMINISTRATIVE PROCEDURE

REGARDING: **Maintaining Appropriate  
Boundaries with Students**

Section: **Human Resources**

Effective Date: March 27, 2018

Reissued: 8/28/20, 1/10/24,  
1/23/24

See Also: Related Board Policy; Policy and  
SAP Re: Student Abuse and  
Mistreatment by School Employee  
or Other Adult; 24 P.S. Sec. 510,  
1302.1-A, 1303-A; 22 PA Code  
Sec.10.2, 10.21,10.22; 24 P.S.  
Sec. 2070.1a et seq.; 22 PA Code  
Sec. 235.1 et seq.; 23 Pa. C.S.A.  
Sec. 6301 et seq.

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Definitions

“District Adults” means all District employees, coaches of recognized club sports, volunteers, student teachers, independent contractors, including the employees of independent contractors, and vendors/contractors who interact with students or are present on District grounds. The term District Adults, as used in this Superintendent’s Administrative Procedure and the accompanying Board Policy, does not include students who serve as a volunteer or on a compensated basis.

“District Employees” means all individuals employed by the District as well as those employed by or through a contractor or agency whose role or function involves providing services to the District.

“Electronic communication” means a communication transmitted by means of an electronic device, including, but not limited to, a telephone, mobile telephone, computer, computer network, personal data assistant or pager. Electronic communications include, but are not limited to, emails, instant messages, text messages, and communications made by means of an internet website, including social media and other networking websites.

“Legitimate educational reasons” include matters or communications related to teaching, counseling, athletics, extracurricular activities, co-curricular activities, treatment of a student's physical injury or other medical needs, school administration or other purposes within the scope of the District Adult's job duties. Legitimate educational reasons must be justified entirely by professional interests, not personal or private interests.

“Personal” means of or concerning one’s private life, relationships and emotions, rather than matters connected with one’s public or professional career.

“Student” means a student enrolled in or attending Abington School District schools.

## Prohibited Conduct

### *Romantic or Sexual Interactions*

District Adults shall be prohibited from entering into or attempting to form romantic or sexual interactions with any student enrolled in the District, regardless of the student's age. Students of any age are not legally capable of consenting to romantic or sexual interactions with District Adults as defined in this Superintendent's Administrative Procedure.

Romantic or sexual interactions involving students include, but are not limited to:

- Dating
- Seeking the romantic affections of, or entering into or attempting to form a romantic or sexual relationship
- Sexual physical contact
- Romantic flirtation, propositions, or sexual remarks
- Sexualized dialogue
- Restricting a student's freedom of movement in a sexually intimidating or provocative manner
- Displaying or transmitting sexual objects, pictures, or depictions

### *Social Interactions*

In order to maintain professional boundaries, District Adults shall ensure that their interactions with students are appropriate.

This section of the Superintendent's Administrative Procedure includes examples of conduct that could or may violate professional boundaries.

Examples of conduct that could or may violate professional boundaries include, but are not limited to:

- Disclosing inappropriate personal, sexual, employment or other private matters to one or more students
- Exchanging notes, emails, text messages, phone calls, photographs or other communications of a personal nature with a student without a legitimate educational reason
- Giving personal gifts, cards or letters to a student without a legitimate educational reason
- Touching students without a legitimate educational reason
- Singling out a particular student or students for personal attention or friendship beyond the ordinary professional District Adult-student relationship
- Taking a student out of class without a legitimate educational reason
- Being alone with a student behind closed doors without a legitimate educational reason
- Being alone with a student in a motor vehicle without a legitimate educational reason
- Initiating or extending contact with a student beyond the school day or outside of class times without a legitimate educational reason

- Inviting a student to a District Employee's home without express authorization from the District Employee's supervisor and the student's parent/guardian
- Going to a student's home without express authorization from the District Employee's supervisor, unless invited by the parent/guardian
- Taking a student on outings without prior notification to and approval from both the parent/guardian and the student's building principal/supervisor
- Giving a student a ride alone in a vehicle in a nonemergency situation without prior notification to and approval from both the parent/guardian and the student's building principal or supervisor. If circumstances are such that the parent/guardian is not available to request approval and a student has no other option to be transported, then the District Employee may provide a student a ride after notifying and receiving approval from the building principal/supervisor and notifying the parent/guardian after the fact
- Furnishing alcohol, illegal drugs or tobacco to a student or being present where any student is consuming these substances
- Leaving school premises with a student without a legitimate educational reason and approval from the parent/guardian and the student's building principal/supervisor
- Eating a meal with and/or purchasing food or drink for a student, unless directly related to a pre-approved curricular activity or in connection with a legitimate educational activity approved in advance by the student's building principal/supervisor
- Engaging in harassing or discriminatory conduct prohibited by other District policies or by state or federal law and regulations

### Exceptions

An emergency situation or a legitimate educational reason may justify deviation from the rules outlined above. The District Adult shall be prepared to articulate the reason for any deviation from such rules and must demonstrate that they maintained an appropriate relationship with the student.

Under no circumstances will an educational or other reason justify deviation from the "Romantic or Sexual Interactions" section of this SAP.

It is understood that many District Adults are involved in various other roles in the community through non-district-related civic, religious, athletic, or other organizations and programs whose participants may include District students. Neither this SAP nor the accompanying Board Policy are intended to interfere with or redistrict a District Adult's ability to serve in those roles; however, District Adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity with regard to all youth with whom they interact in the course of their community involvement.

### Reporting Inappropriate or Suspicious Conduct

Any District Adults and students who are aware of or suspects a violation of this Superintendent's Administrative Procedure or the accompanying Board Policy or have concerns about or are uncomfortable with a relationship or interaction between a District Adult and a student, shall immediately, or as promptly as possible thereafter under the circumstances, notify the Superintendent, Title IX Coordinator, principal or other administrator.

Individuals who make good faith reports of potential or actual violations of this Superintendent's Administrative Procedure shall not be subject to retaliation, discipline or other adverse action.

Any mandated reporter who has reasonable cause to suspect that a child is the victim of child abuse shall immediately report the suspected abuse, in accordance with Board Policy and the Superintendent's Administrative Procedure regarding Student Abuse and Mistreatment by School Employee or Other Adult.

Any certified employee who knows of any action, inaction or conduct which constitutes sexual abuse or exploitation or sexual misconduct under the Educator Discipline Act shall report such misconduct in accordance with Board Policy and the Superintendent's Administrative Procedure regarding Student Abuse and Mistreatment by School Employee or Other Adult.

If the Superintendent or designee reasonably suspects that conduct being reported involves an incident required to be reported under the Child Protective Services Law, the Educator Discipline Act or the Safe Schools Act, the Superintendent or designee shall make a report, in accordance with Board Policy and the Superintendent's Administrative Procedure regarding Student Abuse and Mistreatment by School Employee or Other Adult. The employee must also promptly notify the Superintendent and a Title IX Coordinator.

It is a violation of this Superintendent's Administrative Procedure for a District Adult to retaliate against any person for reporting any action pursuant to this Superintendent's Administrative Procedure or for participating as a witness in any related investigation or hearing.

### Investigation

A Title IX Coordinator shall promptly assess and address allegations of inappropriate conduct in accordance with the procedures for reports or discrimination or Title IX sexual harassment.

It is understood that some reports made pursuant to this Superintendent's Administrative Procedure will be based on rumors or misunderstandings; the mere fact that the reported District Adult is cleared of any wrongdoing shall not result in disciplinary action against the reporter or any witnesses. If, as the result of an investigation, any individual, including the reported District Adult, the reporter, or a witness is found to have intentionally provided false information in making the report or during the investigation or hearings related to the report, or if any individual intentionally obstructs the investigation or hearing, this may be addressed as a violation of this Superintendent's Administrative Procedure and other applicable laws, regulations and District policies. Obstruction includes but is not limited to violation of "no contact" orders given to the reported District Adult, attempting to alter or influence witness testimony, and destruction of or hiding evidence.

### Disciplinary Action

A District Employee who violates this Superintendent's Administrative Procedure or the accompanying Board Policy may be subject to disciplinary action, up to and including termination, in accordance with all applicable District disciplinary policies and procedures.

A volunteer, student teacher, or independent contractor or an employee of an independent contractor who violates this Superintendent's Administrative Procedure or the accompanying Board Policy may be prohibited from working or serving in District schools for a defined period

of time or permanently, as determined by the Superintendent or designee.

The District shall make current and new District employees, volunteers and student teachers aware of the content of this Superintendent's Administrative Procedure and the accompanying Board Policy.

The District, at its sole discretion, may require independent contractors and their employees who interact with students or are present on school grounds to receive training on this Superintendent's Administrative Procedure, the accompanying Board Policy, and related procedures.

Any person with questions or concerns regarding this Superintendent's Administrative Procedure or the accompanying Board Policy, including whether particular conduct or activity is permissible, is encouraged to direct their concerns to the Assistant Superintendent or the applicable building principal.