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**PREVENTING CHILD SEXUAL ABUSE IN
PITTSFIELD SCHOOLS:
A Code of Conduct for Employees**

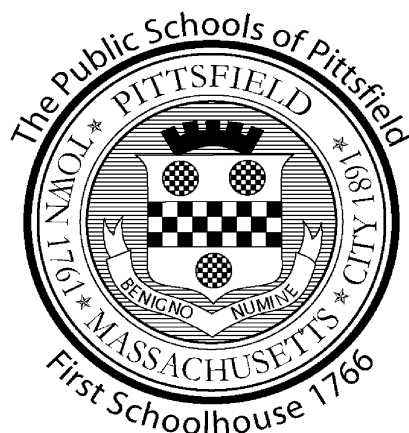


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INTRODUCTION

A report commissioned in 2004 by 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 12th 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 prevention policies for Pittsfield Schools, we can protect our students from inappropriate boundary-violating behaviors by adults that could lead to sexual misconduct, whether it be physical, verbal or visual. These policies also protect school employees by making them more aware of their own boundaries and how these might be perceived as sexually motivated when they are not.

The prevention policies contained herein are a critical supplement to the *“Pittsfield Employee Handbook”* because they can:

- ✓ 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 as we continue to work to make Pittsfield 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.

Joseph Curtis, Superintendent
Pittsfield Schools

Date

CODE OF CONDUCT

I. STATEMENT OF COMMITMENT

Pittsfield Schools are 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 reduce proactively 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 nonsexual 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 policy 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 policy, 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 his or her privacy. A video camera in the room that is monitored elsewhere and focused on the set location of the adult can ensure the safety of the student and professional.

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 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 face counts or 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. 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 that students do not have access to.

c. Restrooms, Locker Rooms, Changing Areas

Ideally, school employees should not have access to student restrooms. In the event that they must, staff must use enclosed single stall units whenever possible, using a student multi-stall bathroom only when they have ascertained, by calling into the restroom, that it is free of students. In such cases, staff will report to other staff that they are using a student bathroom and will alert students by affixing signage outside the bathroom that indicates: "Adult using bathroom, no students allowed." Once the adult has left the restroom, s/he will remove the sign. While an adult is using a student bathroom, students will wait until the adult is out, or use another unoccupied bathroom in the school.

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 during pass periods as they travel throughout the school.

If necessary, school employees may be assigned "bathroom monitor" duty, in which a staff member will be assigned to sit outside the restroom for one period, 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 and ask them to return to class.

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. For example, monitoring activity within shower rooms would require being within hearing range. Monitoring changing of costumes backstage in a theatrical performance would be within visual range.

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 a written permission signed by the Principal. The permission shall indicate the purpose for removal of the student from their appointed activity and the estimated duration of the removal.

The administrator, school employee or volunteer who initiated removal of the student will accompany the student back to their original location. 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 return to the administrator, school employee or volunteer who will then return the completed permission slip to the Principal.

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 scan public restrooms for other people before sending in groups of students. If the public restroom is empty, staff will wait outside and send in one student for every open stall or urinal. As they exit, more students will be sent in. If people unaffiliated with the school are present in a multi-stall restroom, two staff will enter the restroom with the students to ensure each student maintains complete privacy in their own stall.
- Separate quarters will be provided for boys and girls on overnight field trips.
- At least two staff (including volunteers) of the same gender will stay overnight in rooms near but separate from the students.
- 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. 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. 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 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, Twitter, Instagram, Snapchat, TiKToK, Pinterest, Reddit, Tumblr, etc.

The School recognizes that social media and electronic communication have great value both in and outside of the classroom. This policy 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 organizations. Staff members are role models, not students’ friends, and should always conduct themselves in accordance with this understanding.

a. Prohibited Conduct

Restrictions and what are allowed online 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 cell phone numbers, private photos and pictures, and private email addresses are also prohibited.
- 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. To support the privacy of staff members, schools should not expect staff to provide their personal contact information, such as cellular and home telephone numbers, to students for school-related purposes.

To facilitate ease of communication between staff, students and their parents during outings and overnight trips, schools should consider purchasing and maintaining a cell phone to be used

exclusively by staff during these times. To protect student safety during travel, students may provide their personal cell phone numbers to staff leading such trips.

In the event that certain circumstances require the exchange of personal contact information between student and staff, the same offline rules apply. For example, following the rule of three, when emailing or texting a student, include parents in that exchange.

In the event that the school is unable to purchase a cell phone for staff to use during field trips:

- i. Prior to providing any student with his/her home and/or personal cell phone number, a staff member shall inform the school's principal or his/her designee and obtain prior authorization.
- ii. Staff members shall communicate to students and their parents 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. Staff members who provide students with personal contact information shall report any unauthorized use of this information by students to the principal or his/her 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, 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 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, email address or cell phone 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 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 school or school 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 given permission for 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 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 provide the web address of his/her page to the principal or his/her designee before disseminating the address to students, along with all usernames and passwords that permit private or administrative access to the page/site.
- iii. 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 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.).

- iv. 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.

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 school 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
- Holding hands (with smaller children in escorting situations)
- 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
- Following the school's policy 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 should 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 of a student athlete in sports without another adult staff present
- Doing things of a personal nature that students can do for themselves, e.g. combing hair, providing bathroom assistance
- Making sexual comments, jokes, suggestive gestures, or engaging in flirtatious behavior
- Remarking on a student's physical attributes or development
- Showering with students after athletic practices or events
- Picking up a student, holding a student, or letting a student sit on a staff member's lap
- 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
- 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
- Giving a student a ride in your car or allowing a student to borrow your car
- Violating student drop-off and pick-up policies
- 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 activities

- Inviting or allowing students to visit the staff member's home
- Visiting a student's home or other locations for non-school-related purposes
- 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)
- 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
- Engaging in any other conduct that fails to maintain professional staff/student boundaries or any conduct that may convey the appearance of impropriety

V. DEFINITIONS OF CHILD SEXUAL ABUSE/MISCONDUCT/HARASSMENT

"Child Sexual Abuse" means an act involving an adult and child, or a child and another child that constitutes a sexual offense under State 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. These regulations according to the U.S. Department of Education, Office of Civil Rights (OCR) were issued with the intention of *“tackling the tragic rise of sexual misconduct complaints in our nation’s K-12 campuses.”* (Note that Title IX 2024 Regulations were vacated by a federal court on January 9, 2025 and that the 2020 Regulations are now in effect.)

School district administrators and leaders are directed to incorporate these regulations in new or revised school policies. The following steps are suggested to ensure Title IX compliance:

- Review your school’s or school district’s current Title IX policy and identify who is currently responsible for implementing Title IX and responding to incidents.
- Make sure that your Title IX policy is compliant with the new directives.
- Identify a Title IX Coordinator and clearly define their role and whether other personnel may be needed to effectively implement the Title IX policy and procedures.
- Notify all parents or guardians of students, students and employees about the Title IX Coordinator and how to report an incident of sexual misconduct in a program or activity the school operates.
- Understand what the Department defines as *actual* knowledge of a Title IX incident that triggers K-12 personnel’s duty to report to the Title IX Coordinator.
- Distribute and conspicuously post information and conduct training regarding the district’s approved Title IX policy and procedures.
- Ensure a prompt and equitable grievance process that complies with all Department directives.
- Ensure effective documentation procedures are in place for how the school or school district receives and maintains information.

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.

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
- 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

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, e.g. children who are D/deaf are two to three times more likely to be sexually abused than their non-hearing-impaired 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. For example, children with Down Syndrome often seek and welcome physical contact, whereas those on the autism spectrum can be tactile defensive, to the point that caregivers must never approach them from the side or behind but always directly so as not to startle. Many are averse to any physical contact at all, and can have significant fight, flight or freeze reactions when touched. It should be noted that this also holds true for children who are not disabled but who have been affected by PTSD caused by previous trauma, including sexual abuse.

Schools should make their staff aware of the special boundaries and vulnerabilities of these students and adopt practices to ensure they are protected and empowered without jeopardizing their opportunities for growth and development.

Individualized Education Program (I.E.P) 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, staff must be made aware that 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, be direct with him or her 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 policies.

If the student continues to express these thoughts and actions:

- 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 can help create a culture of safety, watch out for each other, and be a reminder when a staff person crosses a boundary or forgets about a specific Code policy. "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 School District Superintendent or his/her 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 school 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 his/her 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
- 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.

g. Criminal Educator Sexual Misconduct Statutes

In addition to child abuse reporting laws, more than 50% of states have passed what are referred to as “**Educator-Specific Sexual Misconduct**” statutes. These are intended to prohibit a school employee who has supervisory responsibilities or is in a position of authority over students, e.g. teacher, coach, counselor, bus driver, etc., from engaging in any sexual behavior with a student, *irrespective of that state's age of consent law*. In Massachusetts, 16 is the legal age of consent.

Legislation introduced in Massachusetts in the 2025/26 Legislative Session would specifically criminalize educator sexual misconduct. The proposed bill defines the position of trust, authority or supervision over a child to include: *“a teacher, substitute teacher, coach, tutor, special educator, paraprofessional, mentor or other paid staff or volunteer providing instruction or educational services to a child in a private or public school; or an instructor, tutor or coach of any athletic, artistic, or academic club, team, institution or organization, or an individual tutor or coach.”* It also includes: *“a parent, stepparent, adoptive parent, legal guardian, foster parent, or any person with custodial authority or supervision of a child; or a babysitter, child care provider, or child care aide or volunteer; or any other person who because of that person’s familial relationship, profession, employment, vocation, avocation or volunteer service has regular direct contact with a child or children.”*

According to the proposed bill, *“a person who commits indecent assault and battery on a child 14 to 18 years of age shall be punished by imprisonment not to exceed 10 years. Whoever unlawfully has sexual intercourse with and abuses a child 16 to under the age of 18 or a child under 14, shall be imprisoned from life to no less than 10 years. Age of consent is not a defense, as a child under the age of 18 would be deemed incapable of consenting to any such conduct for which a defendant is being prosecuted.”*

X. DISSEMINATION OF POLICY 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 apply the policies to their work and conduct within the school. The signed statement will be kept in the employee’s personnel file.

This Code of Conduct will be posted on the Pittsfield Schools website and included as a supplement to the Pittsfield Public Schools “Employee Handbook.” Annually, all administrators and staff will receive a copy of these prevention policies, 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 *(insert name and contact information)* 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!**

EMPLOYEE ACKNOWLEDGEMENT AND STATEMENT OF RESPONSIBILITY

I have read "Preventing Child Sexual Abuse in Pittsfield Schools" 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.
- ☐ 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: _____

Date: _____

CODE OF CONDUCT CHECKLIST

- ☐ A Statement of Commitment

- ☐ The Rule of Three Criteria
- ☐ Visual and Physical Access Rules
- ☐ Restroom, Locker Room, Changing Area Rules
- ☐ Protocols for Removing a Student from a Classroom, Gym Class or Other School Activity
- ☐ Outings and Oversight Trip Protocols
- ☐ Communications via Cellular Telephones and Text Messaging
- ☐ Email Communication Procedures
- ☐ Use of Photographs and Videos
- ☐ Social Media Prohibitions
- ☐ Use of Blogs, Wikis, Class Pages
- ☐ Video Calling and Remote Learning Practices
- ☐ Promotion of Behaviors Consistent with the Code of Conduct
- ☐ Prohibition of Sexual Abuse, Sexual Misconduct and Sexual Harassment
- ☐ Prohibition of Hazing Behaviors
- ☐ Protections for Students with Disabilities
- ☐ Support for Students with Concerning Behaviors
- ☐ Monitoring Staff Interactions
- ☐ Responding to Boundary Violations
- ☐ Reporting Sexual Abuse and Sexual Misconduct
- ☐ Whistleblower Protection Policy
- ☐ Educating Employees About Penalties for Failure to Report and False Reports
- ☐ Educating Employees About Criminal Educator Sexual Misconduct Statutes
- ☐ Regular Reinforcement of Code of Conduct Policies
- ☐ Signing of Employee Acknowledgement Form by All Staff and Volunteers
- ☐ Posting of Code of Conduct on the School Website