

TULARE COUNTY OFFICE OF EDUCATION

Superintendent Policy

Personnel

SP 4119.24, 4219.24, 4319.24

Maintaining Appropriate Adult-Student Interactions

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For purposes of this policy employees include interns, volunteers, contractors, and other persons with an employment relationship with the Tulare County Office of Education.

The County Superintendent desires to provide a positive school environment that protects the learning, engagement, safety and well-being of students. The County Superintendent expects all adults with whom students may interact at school or in school-related activities, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting, in accordance with this policy and Board Policy 4119.21/4219.21/4319.21 - Professional Standards. Such adults shall not engage in threatening, unsafe, unlawful or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety.

Adults shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.

The county office's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or county office web sites. (Education Code 44050)

Inappropriate Conduct

Employees shall remain vigilant of their position of authority and not abuse it when relating with students.

The County Superintendent prohibits inappropriate conduct between employees and students. (Education Code 32100)

Inappropriate employee conduct includes, but is not limited to:

1. Initiating inappropriate physical contact
2. Attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature

3. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
4. Being alone with a student outside of the view of others
5. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent
6. Maintaining personal contact with a student during or outside the school day that has no legitimate educational purpose, by phone, letter, text message, social media internet platforms, electronic communications, or other means, without including the student's parent/guardian

When communicating electronically with students, employees shall use county office equipment or technological resources when available. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The County Superintendent or designee may monitor employee usage of county office technology at any time without advance notice or consent.

7. Creating or participating in social networking sites for communication with students, other than those created by the county office, without the prior written approval of the principal or designee
8. Inviting or accepting requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business
9. Singling out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students
10. Addressing a student in an overly familiar manner, such as by using a term of endearment
11. Socializing or spending time with students outside of school-sponsored events, except as participants in community activities
12. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose
13. Transporting a student in a personal vehicle without prior authorization
14. Encouraging students to confide their personal or family problems and/or relationships
15. Disclosing personal, family, or other private matters to students or sharing personal secrets with students
16. Engaging in any conduct that endangers or threatens to endanger students, including, but not limited to, physical violence or threats of violence
17. Engaging in harassing or discriminatory behavior towards students, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed

18. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
19. Using profane, obscene, or abusive language against students

Violations of Policy

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the County Superintendent or designee and appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the County Superintendent or designee. The County Superintendent prohibits retaliation against anyone who reports a violation of this policy. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. Additionally, the County Superintendent or designee may also notify law enforcement as appropriate.

Legal Reference:

EDUCATION CODE

44030.5 – Employment status reports

44050 – Employee code of conduct; employee interactions with students

44242.5 – Reports and review of alleged misconduct

44940 – Sex offenses and narcotic offences; compulsory leave of absence

48980 – Parental notifications

PENAL CODE

11164-11174.3 – Child Abuse and Neglect Reporting Act

CODE OF REGULATIONS, TITLE 5

80303 – Reports of change in employment status, alleged misconduct

80304 – Notice of sexual misconduct

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Tulare County Superintendent of Schools
Visalia, California