

CLARK COUNTY SCHOOL DISTRICT REGULATION

R-4100

RELATIONSHIPS, INTERACTIONS, AND COMMUNICATIONS BETWEEN DISTRICT EMPLOYEES/REPRESENTATIVES AND STUDENTS

The Clark County School District is committed to ensuring that all relationships, interactions, and communications between CCSD employees/representatives and students, regardless of age, are appropriate by establishing clear procedures for all employees and representatives, defining appropriate and inappropriate conduct, mandating the reporting of inappropriate conduct, cooperating with law enforcement, and ensuring compliance with applicable laws.

- I. Background Checks and CCSD Badges
 - A. All CCSD employees must pass a background check, which includes fingerprinting, and be issued a CCSD badge before they may contact, interact, or communicate with students.
 - B. All representatives who will or may have unsupervised, direct contact with or access to students, such as volunteers, coaches, contracted vendors, and athletic trainers, must pass a background check, which includes fingerprinting, and be issued a CCSD badge before participating in any CCSD activity, event, program, or other business, or contacting, interacting, or communicating with any student. The CCSD-issued badge must be worn at all times while on CCSD property and while participating in CCSD activities, events, programs, or other business.
 - C. All representatives who will never have unsupervised, direct contact with or access to students, and will always be in the presence of a CCSD employee, such as ticket takers, concession stand volunteers, or classroom helpers are not required to go through a background check but must sign a CCSD Representative Form acknowledging CCSD expectations.
 - D. Administrators who allow persons who do not have a CCSD-issued badge to have unsupervised, direct contact with students shall be subject to discipline.
- II. Appropriate Relationships, Interactions, and Communications with Students
 - A. CCSD employees and representatives must ensure that all relationships, interactions, and communications with students are honest, professional,

respectful, and restricted to education-related matters or other age-appropriate topics.

- B. If a student approaches a CCSD employee or representative with a question or problem relating to, or to discuss, a personal matter or issue, the employee or representative should be sensitive and, if the employee feels the student needs assistance, must redirect the student to a school administrator or counselor.

III. Electronic Communication between CCSD Employees/Representatives and Students about Education-Related Matters

- A. All schools are required to provide parents with an Electronic Communications Notification Letter in their back-to-school packets.
- B. A CCSD employee or representative who wants to communicate through an electronic system with a student about an education-related matter, which includes athletic and extracurricular matters, may only use approved systems, unless a demonstrable emergency or urgent circumstance requires otherwise.
 - 1. A list of approved electronic systems for communication with students shall be established, posted and reviewed/revised annually.
 - 2. Upon request and if determined to be necessary, an administrator may grant temporary approval of an electronic system that is not on the list.
- C. When communicating with students through approved electronic systems, CCSD employees and representatives must use “professional” accounts that are separate from their personal accounts.
 - 1. Professional accounts must be tied to a CCSD email address.
 - 2. Personal accounts may not be tied to CCSD email addresses.
 - 3. CCSD employees and representatives may not use personal accounts to communicate with students over whom they have direct contact, impact or control.
- D. CCSD employees and representatives are obligated to adhere to the Family Educational Rights and Privacy Act (FERPA) in all electronic communications, and may not share any personally identifiable information

about students, share any information from any student's educational records, or use a student's photos without the approval of an administrator.

- E. Text messaging between CCSD employees/representatives and individual students is prohibited, unless a demonstrable emergency or urgent circumstance requires otherwise, in which case the employee/representative shall notify his/her supervisor of the contact as soon as possible.
 - F. Electronic communications, including text messages, with groups of students is permissible, and is a preferred method of communication, whenever possible.
 - G. Electronic communications, including text messages, with students may not take place between the hours of 10:00 p.m. and 5:00 a.m., unless a demonstrable emergency or urgent circumstance requires otherwise.
 - H. CCSD employees and representatives may not engage in any electronic communications that can reasonably be construed as harassing, threatening, or bullying to a student or other CCSD employee or representative.
 - I. CCSD employees and representatives who engage in electronic communications with students should provide students with information about responsible digital citizenship, such as not posting inappropriate remarks about other students, CCSD employees or representatives, or associated persons.
 - J. CCSD employees and representatives who use personal social media should use appropriate privacy settings to control access to their personal social media sites. If a CCSD employee's or representative's off-duty conduct interferes with CCSD's operations or a student's education, or is otherwise sufficiently connected to CCSD, such conduct may be addressed by CCSD, which may result in discipline.
- IV. Definition of Inappropriate Relationships, Interactions, and Communications between CCSD Employee/Representatives and Students
- A. It is inappropriate for any CCSD employee or representative to have a relationship, interaction, or communication with a student that is sexual, romantic, or intimate in nature, or is otherwise overly affectionate, friendly, or personal. CCSD employees and representatives should be sensitive to an supportive of students, but should not be friends with students. A professional boundary must be maintained.

B. Sexual misconduct between CCSD employees/representatives and students is defined to include:

1. Any lewd act committed upon or with the body of a student which would include any sexually oriented touching such as kissing or otherwise caressing or penetrating the body of either the student or District employee or representative.
2. Grooming of a student with an intent to engage in inappropriate sexual conduct including: showing unusual interest in the private life of a child, making lewd comments about the child's body or appearance, asking students about their romantic lives, sharing stories about an adult's own sex life, inappropriate touching, or any sexualized conversation designed to gauge a student's vulnerability or willingness to engage in inappropriate behavior. This applies to all communications in and outside of school, including electronic communications.
3. Unlawful contact with a student which includes engaging in a course of conduct that reasonably causes a student to feel terrorized, frightened, intimidated or harassed.
4. Encouraging a student to go to a location, and/or taking a student to a location, other than school property, without the verified permission of the student's parent or guardian, or causing a student to go and/or taking a student to any location with the intent to commit any of the acts detailed in Section IV, B, 1-3 above.

V. Reporting Inappropriate Conduct

- A. All CCSD employees and representatives are required to immediately report to CCSD School Police and their supervising administrator any actual, suspected, possible, or potential sexual misconduct or trafficking, as well as any inappropriate relationship, interaction, or communication between CCSD employees/representatives and students. If the conduct also constitutes child abuse or neglect, the requirements of Regulation 5152 also apply.
- B. When a report of actual, suspected, possible, or potential sexual abuse or sexual misconduct is reported to CCSD School Police, CCSD employees and representatives should not conduct any type of investigation, including interviewing the student. The police must be allowed to be the first responders and conduct the investigation.

- C. If a student discloses to any CCSD employee or representative any potential sexual abuse or misconduct (inside or outside of the school setting), the student should not be questioned further, as this might hinder a proper investigation. The CCSD employee or representative should report the concern as required and should not have additional conversations with the student, or notify the victim's family or the alleged perpetrator. The police must be allowed to be the first responders and conduct the investigation.
- D. Students, parents/guardians, and community members who suspect potential sexual abuse or misconduct, or any inappropriate relationship, interaction, or communication between CCSD employees/representatives and students are strongly encouraged to contact School Police at 702-799-5411.

VI. Cooperation with Law Enforcement and Discipline

CCSD employees/representatives in violation of the acts described in this Regulation above shall be investigated by law enforcement for criminal prosecution. CCSD will cooperate with the law enforcement investigation to the extent permitted by law. CCSD employees may be subject to discipline, up to and including dismissal or non-renewal. Other representatives may be subject to revocation or termination of their ability to have access to students.

Legal Reference: NRS Chapter 200.310, NRS Chapter 201.520,
NRS Chapter 201.540, NRS Chapter 207.260,
NRS Chapter 432B
Review Responsibility: Human Resources
Adopted: [XXXX: X/XX/17]

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