

Approved by: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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### ***POLICY 219 - Sexual Misconduct***

Turquoise Trail Charter Elementary School will not tolerate sexual misconduct by any of its employees. All employees, as part of their regular duties, shall therefore be cognizant of their behavior, its intentions and how they may be perceived with respect to circumstances that suggest sexual misconduct against students. This policy also applies to non-employee volunteers, and to any other persons who work subject to the control of school authorities.

#### DEFINITIONS

*“Employee/employee”* - Sexual misconduct includes, but is not limited to, physical act(s) of aggression, force or threat against another employee of the same or opposite sex, threatening to force or coerce sexual acts, including the touching of private/intimate parts, and coercing, forcing or attempting to coerce or force sexual intercourse.

*“Employee/student”* - As used herein, sexual misconduct by employees against students means any sexual or romantic contact between any employee of the school and any student of the school.

#### DUTY TO REPORT INFORMATION

All employees of the school, including school counselors, shall report to the Head Administrator any information concerning sexual misconduct. In the event the employee implicated by the information is the Head Administrator, then such report shall be made to the Governance Council.

School personnel may have a direct obligation, imposed by state statute, to provide a report to social services or law enforcement agencies immediately upon knowledge or a reasonable suspicion that a child is abused or neglected. The duty to report imposed by this policy, however, is independent of, and in addition to any such statutory obligation.

#### FAILURE TO REPORT

Failure of an employee in possession of such information who does not promptly provide the report described above may result in discipline of that employee.

#### INVESTIGATION OF REPORTS

Upon receiving information regarding sexual misconduct by a school employee, the Head Administrator shall promptly and fully investigate all reported information concerning sexual misconduct. The Head Administrator, in consultation with legal counsel, shall oversee investigations conducted, including the initial determination as to whether a reasonable suspicion of sexual abuse by a school employee exists, and whether a full investigation should be conducted.

#### COOPERATION WITH INVESTIGATIONS

Non-administrative staff are neither authorized nor responsible for conducting investigations with respect to such information, but will be expected to cooperate in the School's investigation by providing information they have received.

Sexual misconduct can result in criminal prosecution by law enforcement authorities. Accordingly, the reporting and investigation procedures described herein are to be conducted by the school in addition to any criminal investigation that may be conducted by law enforcement authorities.