

EDUCATOR SEXUAL MISCONDUCT

Educator sexual misconduct is also prohibited. Educator sexual misconduct is defined as any “behavior of a sexual nature which may constitute professional misconduct.” Included in this broad listing are several types of conduct including overt and covert actions:

- Any conduct that would amount to sexual harassment, discrimination, bullying and retaliation under Title IX of the (U.S.) Education Amendments of 1972.
- Any conduct that would amount to sexual abuse of a minor person under state criminal codes.
- Any sexual relationship by an educator with a student, regardless of the student’s age; with a former student under 18; with a former student (regardless of age) who suffers from a disability that would prevent consent in a relationship. All students enrolled in the school and in any organization in which the educator holds a position of trust and responsibility are included.
- Any activity directed toward establishing a sexual relationship such as sending intimate letters; engaging in sexualized dialogue in person, via the Internet, in writing or by phone; making suggestive comments; dating a student.

This definition includes criminal, civil, and professional codes of conduct and responds to the missing elements in much of the literature on child sexual abuse. This definition covers what is also commonly referred to as sexual abuse and/or sexual harassment of children. For the purposes of this policy, Educator includes all paid and volunteer employees or appointees of the District.

Adoption date: March 23, 2006