

## **Policy ~~3216~~ 542 – Student Supervision and Welfare by Professional Staff**

**Revised policy and repeal of Policy 4216 (Student Supervision by Staff) effective July 1, 2019**

*1<sup>st</sup> reading*      May 23, 2019

*2<sup>nd</sup> reading*

*3<sup>rd</sup> reading*

**Statutory authority**      West Virginia Board of Education Policy 4373

### **Administrative Guidelines**

(none)

~~Professional~~ Staff shall maintain a standard of care for the supervision, control, and protection of students commensurate with their certification, classification, assigned duties and/or responsibilities and are expected to establish and maintain professional staff/student boundaries that are consistent with their legal, professional and ethical duties of care for students.

The Superintendent shall maintain and enforce the following standards:

- A. A ~~professional~~ staff member who transports students in a private vehicle shall do so in accordance with Policy ~~8660~~ 360.
- B. A ~~professional~~ staff member shall report to a building administrator any accident, safety hazard, or other potentially harmful condition or situation s/he detects in a reasonably prompt manner.
- C. A ~~professional~~ staff member shall provide proper instruction in safety matters as presented in assigned course guides.
- D. Each ~~professional~~ staff member shall immediately report to a building administrator knowledge of threats of violence by students in a reasonably prompt manner.
- E. A ~~professional~~ staff member shall not send students on any personal errands for the benefit of the staff member or other school employees.
- F. A ~~professional~~ staff member shall not associate or fraternize with students at any time in any manner that may give the appearance of impropriety, including, but not limited to, the creation of, instigation, encouragement of, or participation in any situation or activity that could reasonably be considered abusive or sexually suggestive or involve harmful substances such as illegal drugs, alcohol or tobacco. Any romantic, sexual or other inappropriate conduct, including mere communication of such nature, with a student by any staff member will subject the offender to disciplinary action by the Board, up to and including termination of employment.
- G. If a student approaches a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, etc., the staff member may attempt to assist the student by facilitating contact with certified or licensed individuals in the County or community who specialize in the assessment, diagnosis, and treatment of the student's stated problem. However, under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to assess, diagnose, or treat the student's problem or behavior, nor should such staff member inappropriately disclose personally identifiable information concerning the student to third persons unless specifically authorized to do so by law. A report of the staff member's actions with regard to the student shall be made to the school principal or other appropriate supervisory person no later than the end of the

following school day.

- H. A student shall not be required to perform work or services that may be detrimental to his/her health.
- I. Professional Staff members are strongly discouraged from engaging students on interactive and/or social media sites, apps, and services, except those that are explicitly sanctioned by the Board for use in the conduct of regular school business, such as Facebook, Twitter, MySpace, YouTube, Skype, blogs, etc., except when such communication is directly related to curricular matters or co-curricular/extracurricular events or activities with prior approval of the principal.
- J. Professional Staff members are prohibited from electronically transmitting any personally identifiable image of a student(s), including video, photographs, streaming video, etc. via email, text message, or through the use of social media and/or online networking media, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc., unless such transmission has been made in connection with a pre-approved curricular matter or co-curricular/extracurricular event or activity such as a school-sponsored publication or production in accordance with Policy 5722.
- K. A service personnel staff member who witnesses a potential violation of the Student Code of Conduct shall report such conduct to a professional staff member and shall not intervene him / herself unless such conduct poses an imminent threat of physical or emotional injury, damage to property, or compromises the safety of students, staff, or others.

A professional staff member who has reasonable cause to suspect that a student is neglected or abused or observes the student being subjected to conditions that are likely to result in abuse or neglect, shall immediately, and not more than forty-eight (48) hours after suspecting this abuse, report the circumstances or cause a report to be made to the West Virginia Department of Health and Human Resources. ~~(Policy 8462)~~

~~West Virginia Board of Education policy 4350~~

~~West Virginia Board of Education policy 4336~~

~~WV Code 49-6A-2~~

#### *~~Student Supervision and Welfare by Service Personnel~~*

~~Service personnel shall maintain a standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities under West Virginia law and are expected to establish and maintain appropriate staff/student boundaries that are consistent with their legal, and ethical duties of care for students.~~

~~The Superintendent shall maintain and enforce the following standards:~~

- ~~A. An administrator who transports students in a private vehicle shall do so in accordance with Policy 8660.~~
- ~~B. A service personnel staff member shall report to a building administrator any accident, safety hazard, or other potentially harmful condition or situation s/he detects in a reasonably prompt manner.~~
- ~~C. A service personnel staff member shall immediately report to a building administrator any knowledge of threats of violence by students in a reasonably prompt manner.~~
- ~~D. A service personnel staff member shall not send students on any personal errands for the benefit of the staff member or other school employees.~~
- ~~E. A service personnel staff member shall not associate or fraternize with students at any time in any manner that may give the appearance of impropriety, including, but not limited to, the creation of or participation in any situation or activity that could reasonably be considered abusive or sexually suggestive or involve harmful substances such as illegal drugs, alcohol or tobacco. Any romantic, sexual or other inappropriate conduct, including mere communication of such nature, with a student by any staff member will subject the offender to disciplinary action by the Board up to and including termination of employment.~~

- F. ~~If a student approaches a service employee to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships etc., the service employee may attempt to assist the student by facilitating contact with certified or licensed individuals in the District or community who specialize in the assessment, diagnosis, and treatment of the student's stated problem. However, under no circumstances should a service employee attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior, nor should such classified staff member inappropriately disclose personally identifiable information concerning the student to third persons unless specifically authorized to do so by law. A report of the service employee's actions with regard to the student shall be made to the school principal or other appropriate supervisory person no later than the end of the following school day.~~
- G. ~~A student shall not be required to perform work or services that may be detrimental to his/her health.~~
- H. ~~Service personnel are strongly discouraged from engaging students on interactive media sites, such as Facebook, Twitter, MySpace, YouTube, Skype, blogs, etc. unless such communication has been specifically authorized by the student's principal.~~
- I. ~~Service personnel are prohibited from electronically transmitting any personally identifiable image of a student(s), including video, photographs, streaming video, etc. via email, texting, social media and/or online networking media, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc. unless such transmission has been made in connection with a pre-approved curricular matter or co-curricular/extracurricular event or activity such as a school-sponsored publication or production in accordance with Policy 5722.~~

Since most information concerning a child in school, other than directory information as described in West Virginia Department of Education policy 4350 and policy 8330, is confidential under Federal and State laws, any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse.

Service personnel who have reasonable cause to suspect that a student is neglected or abused or observes the student being subjected to conditions that are likely to result in abuse or neglect, shall immediately, and not more than forty-eight hours after suspecting this abuse or neglect, report the circumstances or cause a report to be made to the West Virginia Department of Health and Human Resources.