

( ) Required  
(X) Local  
( ) Notice

## SEXUAL MISCONDUCT

The Board of Education requires that the relationship between employees, volunteers and students to be based upon mutual respect and professionalism. All employees and volunteers are expected to exercise good judgment and maintain professional boundaries when interacting with students, in all curricular and extra-curricular activities, both on and off school property.

Any behavior of a sexual nature which may constitute professional misconduct and is a violation of criminal or civil statutes, professional codes of ethics, or board policy is strictly prohibited. Such behavior includes, but is not limited to, the following:

- Any conduct that would amount to sexual harassment, discrimination, or retaliation under Title IX of the Education Amendments of 1972. [See policy 0110 for guidance on sexual harassment complaints.]
- Any conduct that would constitute sexual abuse of a minor under the New York State Penal Law (e.g., rape, forcible touching, sexual intercourse, aggravated sexual conduct, etc.). [See policy 9620 for guidance on reporting child abuse in the educational setting.]
- Any sexual relationship by an employee or volunteer with (1) any K-12 student in the district, regardless of the student's age, or (2) a former student under age 18.
- Any activity directed toward establishing a sexual relationship such as dating, sending intimate communications; and/or engaging in sexualized dialogue whether in person, by phone, via the Internet, or in writing.

Individuals who are aware of any sexual misconduct by an administrator, employee or volunteer of the district shall report such action to the Title IX Officer, the Building Principal, or the Superintendent of Schools.

After a thorough investigation and depending on the nature of charges, the district will take appropriate disciplinary action in accordance with district policy, collective bargaining agreements and appropriate criminal and civil statutes. Where appropriate, such disciplinary penalties might involve seeking revocation of certification and/or reporting such activity to appropriate law enforcement officials.

Cross-ref: 0110, Sexual Harassment  
9620, Child Abuse in an Educational Setting

Ref: Education Amendments of 1972, Title IX, 20 U.S.C. §1681 *et seq.*  
Education Law §§1125-1133  
Penal Law §§130, 235, 263

**Adoption date:** May 16, 2022