

A. Misuse of Authority

Employees of the Pojoaque Valley School District are encouraged to take a sincere professional interest in the welfare of the students in the District. However, professional ethics require that employees avoid social situations in which they could exploit their positions of authority over students and other situations, which create the appearance of impropriety. Employees are prohibited from exercising influence or authority over students by soliciting personal favors from students in exchange for any promise of reward to the student, from dating students, and from participating in any act of moral turpitude involving a student.

B. Reporting Sexual Misconduct

As used in this policy, Sexual Misconduct includes, but is not limited to, criminal sexual contact, criminal sexual penetration, sexual exploitation, indecent exposure, sexual exploitation of a child, enticement of a child, and contributing to the delinquency of a minor as defined in state law, and any other conduct which tends to exploit the sexuality of a minor or constitutes an act of moral turpitude with a minor, including romantic contact and dating between any employee and any student of the district. Sexual misconduct with students by school employees damages or destroys the relationship of trust among teachers, parents, and students in the school community which forms the foundation of the educational process. Sexual misconduct is prohibited whether or not there is an independent criminal or civil proceeding involving the same factual allegations. Any employee who has a reasonable suspicion that another employee is engaging in sexual misconduct with a student shall promptly report such information initially to the Principal or Superintendent unless such person is the target of the report. In that event, the report shall be made to the Superintendent or the Board President, as the case may be. The Superintendent or the Board has the responsibility of investigating and resolving complaints of sexual misconduct.

C. Investigation; Disciplinary Action

The investigation will be conducted in confidentiality to the extent possible, consistent with the need to conduct an investigation and take remedial action. The good faith reporting of charges of sexual misconduct will not give rise to retaliation.

Any employee found to have engaged in sexual misconduct with a student will be recommended for discharge subject to applicable procedural safeguards and, if discharged for sexual misconduct, will be reported to the Public Education Department for separate proceedings on revocation of licensure.

**MISUSE OF AUTHORITY; REPORTING SEXUAL MISCONDUCT;
INVESTIGATION; DISCIPLINARY ACTION**

232

I have read the above Board Policy 232.000, Misuse of Authority; Reporting Sexual Misconduct; Investigation; Disciplinary Actions, and have been given the opportunity to discuss and ask questions. I fully understand that compliance with the terms of the policy is mandatory.

Employee Name (Printed)

Employee Signature

Date