

Appendix O: Child Protection and Boundaries Policy

The following information on mandatory reporting and child protection policies is included in this appendix to inform parents/guardians and students of the policies in place as contained in the **2016-2017 Faculty and Staff Handbook (Section II. D, E, F)**. They are provided here to facilitate open communication on these important matters for the safety of all in our community.

Should any student, parent or caregiver have any concerns about a situation and the boundaries as noted below, they should immediately contact Fordham Prep's Principal or President at 718-367-7500. If the concern is about the Principal or President, they should immediately contact the Chair of the Fordham Prep Governance Committee via email at cfrederico@jesuits.org.

D. SAFETY OF STUDENTS

Mandatory Reporting To The New York State Hotline

Under Section 413 of the New York State Social Services Law, all school officials, including, but not limited to, administrators, faculty, guidance counselors, coaches and health care professionals employed by Fordham Prep are "mandated reporters" and have an affirmative duty to report when they have "reasonable cause to suspect" that a student has been abused or maltreated by a parent or legal guardian or someone else legally responsible for their care and such

information has come to the school official's attention in the course of his or her official or professional capacity.

"Mandated reporters," as defined above, must call the New York State Central Registry ("SCR") at 1- 800-635-1522 upon having such "reasonable cause." This is the personal duty of the person who has such reasonable cause and is not satisfied by telling a supervisor at Fordham Prep. Consulting with a Fordham Prep supervisor before making such a call, however, is allowable, and indeed advisable, but the consent or approval of such supervisor is never a requirement for making a call to the SCR.

This reporting duty applies to knowledge obtained during the course of any out-of-school activity, as well as when on school premises, and indeed to any knowledge of abuse or maltreatment of a student "coming before them in their official or professional capacity" at any time or place. Thus, even if a Fordham Prep faculty/staff member learns of reportable abuse or maltreatment while on a retreat or a trip, or anywhere else outside of the school, a report must be made to the SCR.

Fordham Prep faculty/staff members are reminded that administrators are always available to discuss such situations, offer advice and support, and be present should a call to the SCR need to be made.

Penalties for Failure to Report

Failure to report a suspected case of child abuse or maltreatment perpetrated upon a student by a parent, legal guardian, or someone else legally responsible for

the student's care, as defined in the New York State Family Court Act above, is a Class A misdemeanor punishable by up to a year in jail and/or a fine of \$1,000. In addition, it is a violation of Fordham Prep policy and is therefore an offense for which a faculty/staff member may be terminated.

Immunity from Liability for Mandated Reporters

Under New York State Social Services Law, any school employee who in good faith makes a report to the State hotline has immunity from liability, civil or criminal, which might otherwise result by reason of such action.

Reminder: Required Reporting to Fordham Prep Administration

In addition to the requirements of New York State law, as set out above, all Fordham Prep faculty/staff members have a duty to report immediately their suspicions of child abuse or maltreatment committed by anyone (not just a parent, guardian, or other person legally responsible for the student's care) to the President or Principal. This internal report must be made regardless of whether a call has already been made to the State Hotline listed above.

Reporting to State or Local Law Enforcement

While recognizing that Fordham Prep is under no legal duty to do so, if the President or the Principal has reasonable cause to suspect that a Fordham Prep faculty/staff member, employee of a contracted service provider, or any other adult at Fordham Prep has committed a physical or sexual assault, as defined by the New York State Penal Law, against a Fordham Prep student, the President or Principal will report this

information to State or Local law enforcement authorities.

E. ESTABLISHING AND MAINTAINING BOUNDARIES WITH STUDENTS

Faculty/staff are expected to maintain appropriate professional boundaries with all members of the Fordham Prep community, especially our students. While no list can be all inclusive as to what constitutes appropriate professional boundaries, below are some guidelines in this regard. Additional boundaries for Electronic Communications with Students and other minors can be found in Section F.

Discussion of Students

The obligation of faculty/staff is to the academic, moral, religious, and personal growth of its students. All our demands, expectations, efforts, and care should be directed to this end. As an individual, each student has a right to his privacy and good reputation. All should, therefore, be vigilant that careless discussion of a student's appearance, character or performance is avoided.

When discussion is in order, professionalism is expected at all times. Above all, discussions about his academic standing, disciplinary status, financial background, and so on should be limited to those with a clear need to know.

Other Boundaries

Time alone with Students: Fordham Prep faculty/staff should minimize time they spend alone with a student and should confine such time alone to professional, school-related purposes. Private meetings with students should occur with the door open. If the circumstances require the door to be closed because additional privacy is needed, the door should remain unlocked, and if there is a window in the door, it should never be covered. If such meetings must take place, it is recommended that the adult notify a supervisor or other appropriate colleague that the meeting is or has taken place. Being alone with a student-athlete is discouraged, especially when engaging in otherwise permitted physical contact, such as when teaching a skill, and a door should always be left open under these circumstances.

Transporting Students: Fordham Prep faculty/staff should not allow students to ride alone in the adults' personal, non-school owned cars. However, permissible exceptions would be if the faculty/staff member is driving a student in the adult's capacity as a parent, not as a faculty/staff member (e.g., driving carpool to school or to a weekend sporting event); or the faculty/staff member is driving the student in another legitimate personal capacity (e.g., designated emergency contact for a family/student; relative of the student), or the student is being accompanied to an urgent medical appointment, and even in such instances, only with the permission from

the student's parents. Fordham Prep faculty/staff should never ride in students' cars.

In addition, faculty/staff members should NOT:

- converse with students about their sexual lives except for an educational, health or safety-related purpose;
- reveal details of their own sex lives or romantic relationships to students in any medium;
- reveal inappropriate details about their personal lives to students. (For instance, revealing such things as the fact that they got "smashed" over the weekend);
- "hang out" with students alone outside of school or spend an inordinate amount of time "hanging out" with students alone, even inside the school, particularly with no educational purpose;
- have extended affectionate physical contact with a student. Any such contact should be limited to a quick hug, arm squeeze or pat on the back. Patting of the buttocks with a hand even in an athletic context is prohibited. Furthermore, all faculty/staff should note that physical touching of a student, even in the most innocuous way, is prone to being misconstrued by a student. Note: If a student engages in repeated and/or prolonged physical contact with

a faculty/staff member, the faculty/staff member should clearly and firmly discourage such behavior and if the student persists, the faculty/staff member should involve a supervisor to assist him or her in handling the situation;

- be present at a student's home without a student's parent or guardian being home;
- invite students to the faculty/staff member's home without approval from a department chairperson and even with approval, should never have only one student alone at their home. In addition, the school should require signed parental consent if a student is ever going to be allowed to go to a faculty/staff member's home;
- be alone with a student in his room during an overnight trip or invite a student into the faculty/staff member's sleeping room on any such trip;
- provide alcohol or drugs to a student, or permit one to drink or use drugs in their presence, except when part of religious observance (e.g., Holy Communion during Mass), or when medications have been prescribed.

Overnight Trips: Faculty/staff members should always keep in mind that they have a professional relationship with the students. The boundary of

professionalism is maintained by how they conduct themselves with the students as well as what they wear. This is a matter of professionalism, and is specifically covered in Fordham Prep's Faculty and Staff Handbook. Finally, with respect to appropriate attire, prior to accompanying students on trips, appropriate attire on the trip should be discussed with accompanying faculty/staff members. When the trip is over and everyone gets back to school, the faculty/staff need to command the same type of respect they had from the students as they had before they left. Professionalism must be maintained at all times.

Prior to going on overnight trips, appropriate attire should be discussed with the students as well as the faculty/staff chaperones. The students should be told that they should not walk around outside of their rooms in their underwear, boxer shorts or otherwise, and this should not just be a rule when there are female faculty/staff on the trip. This rule will help enforce appropriate boundaries between faculty/staff members and students. Faculty/staff members chaperoning school trips should never be alone with a student in students' rooms; nor should students be alone in a chaperone's room. Students should be awakened by a knock on the door. An exception to this is if a student is ill, or if chaperones believe a student is engaging in illegal or dangerous activity inside the room.

Additional notes: Otherwise unacceptable behavior does not become acceptable if it is done by a student to an adult. The faculty/staff member has the obligation to stop the conduct and counsel the student as to proper behavior. The faculty/staff member should also report any such incident to his/her supervisor, or the Principal or President.

Cultural customs, or the ordinary behavior of students towards their peers, do not give permission for otherwise inappropriate physical contact by faculty/staff members.

F. FACEBOOK, TWITTER, INSTAGRAM, MYSPACE, SNAPCHAT AND OTHER SOCIAL NETWORKING SITES

- Faculty/staff members should never give current students or parents of current students any access to their social networking sites.
 - Faculty/staff members should be very careful about giving recent alumni access to their social networking sites. Many of our young alumni still have younger friends or relatives of high school age.
 - Faculty/staff members should assume that anything viewed on a social networking site by a young alumnus will be shared with a current student.
 - Social networking sites have been used by teachers in other schools for appropriate,
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academic communication with and among students.

- Faculty/staff members must NOT use their personal social networking sites for academic purposes with their students. Social networking sites may be set up for a particular academic exercise or class, but faculty should be particularly careful in doing so and should investigate as to whether other programs can more safely and appropriately be used to communicate with students.
- Faculty/staff members are encouraged to set their privacy settings as high as possible on any social networking page they have created so that students will not gain any unintended access to faculty member's private information.
- Faculty/staff members should realize that anything posted on the internet, even when access is limited to only certain viewers, is public speech or public domain in the eyes of the law and Fordham Prep.
- Faculty/staff members should never access a social networking site (or any other recreational or professional site) during class time. Faculty should use their computers for instructional purposes only during class time, even if students are fully occupied in another task.

Cell phones and other electronic communication devices:

- Faculty/staff members should NOT give their personal cell phone numbers to students except in cases in which a specific student will need to communicate with the faculty member outside of school for a school matter. For example, a coach or a teacher leading a trip might give students his/her cell phone number.
- Faculty/staff members should NEVER have social communication with students via cell phone, texting, email, twitter, or other forms of electronic communication. If it is absolutely necessary to text, for example in an emergency, or on a school trip, it should only be for a professional, school-related purpose and should be done in a group text, not a text to an individual student.

Email:

- Faculty/staff members should only communicate with students via their school faculty email account.
- Faculty/staff members should never share any personal email address with a student.
- Faculty/staff members should only read or answer student emails that come from a student's school email account.

- Faculty/staff members should understand that the contents of their school email are not private. The school administration may view email communication of faculty and staff utilizing the school email at any time.

REQUIRED RESPONSE if a Fordham Prep Faculty/Staff member becomes aware that another adult working at the School has crossed a boundary guideline with a student:

Information that a boundary may have been crossed that comes to the attention of members of the Fordham Prep faculty/staff must be followed up upon whether that information comes to their attention as a result of a direct complaint made to them or is obtained in some other manner.

Often, boundaries are crossed inadvertently and require nothing more than a reminder to the offender to maintain such a boundary in the future. Other times, the crossing of a boundary is indicative of a more serious problem and indeed may indicate an inappropriate relationship. Thus, there is a need for Fordham Prep faculty/staff to always follow up upon hearing of the possible crossing of a boundary between a faculty/staff member and a student. The faculty/staff member should bring this information to the attention of the President or Principal who will then be responsible for addressing it with the faculty/staff member who was thought to have crossed the boundary. If the President or Principal is the person suspected of having crossed

the boundary, then the report should be made to the Board of Trustees.

These boundary guidelines are not applicable if the Fordham Prep faculty/staff member is the parent, guardian, or sibling of the student in question.

Finally, it should be acknowledged that there may be exceptional circumstances in which it would not be inappropriate to cross one of the boundary lines set out above. For example, such a situation can be imagined arising in a school counselor-student relationship. A student might be particularly troubled about something and ask to speak to school counselor outside the school at some private location.

Should any Fordham Prep faculty/staff member, whether they be a teacher, coach, clergy, school counselor, or otherwise, ever feel that a situation has arisen that calls for or justifies deviation from the boundaries set out above, he or she must bring the situation to the attention of the President or Principal and obtain permission from him or her before deviating from these guidelines.