

Policy 4319.23: Unauthorized Release Of Confidential/Privileged Information

Status: DRAFT

Original Adopted Date: Pending

The Governing Board desires to provide a positive school environment that protects the safety and well-being of district students. The Board expects all adults with whom students may interact at school or in school-related activities, including employees, independent contractors, and volunteers, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting. Such adults shall not engage in unlawful or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety.

Employees are prohibited from entering into or attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature.

Adults shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Superintendent or designee shall protect anyone who reports a violation from retaliation. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. The Superintendent or designee may also notify law enforcement as appropriate.

The district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district web sites. (Education Code 44050)

Inappropriate Conduct

Employees shall remain vigilant of their position of authority and not abuse it when relating with students. Examples of employee conduct that can undermine professional adult-student interactions or create the appearance of impropriety include, but are not limited to:

1. Initiating inappropriate physical contact
2. Being alone with a student outside of the view of others
3. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent
4. Maintaining personal contact with a student that has no legitimate educational purpose, by phone, letter, electronic communications, or other means, without including the student's parent/guardian or the principal

When communicating electronically with students, employees shall use district equipment or technological resources when available. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent.

5. Creating or participating in social networking sites for communication with students, other than those created by the district, without the prior written approval of the principal or designee

6. **Inviting or accepting requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business**
7. **Singling out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students**
8. **Addressing a student in an overly familiar manner, such as by using a term of endearment**
9. **Socializing or spending time with students outside of school-sponsored events, except as participants in community activities**
10. **Sending or accompanying students on personal errands unrelated to any legitimate educational purpose**
11. **Transporting a student in a personal vehicle without prior authorization**
12. **Encouraging students to confide their personal or family problems and/or relationships**
13. **Disclosing personal, family, or other private matters to students or sharing personal secrets with students**

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
Ed. Code 35010	Control of district; prescription and enforcement of rules
Ed. Code 35146	Closed sessions regarding suspensions
Ed. Code 35160	Authority of governing boards
Ed. Code 44932	Grounds for dismissal of permanent employees
Ed. Code 44933	Other grounds for dismissal
Ed. Code 45113	Notification of charges; classified employees
Ed. Code 49060-49079	Student records
Gov. Code 1098	Disclosure of confidential information
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 6250-6270	California Public Records Act

Federal References

	Description
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974

Management Resources References

	Description
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==

Cross References

Description

0450 Comprehensive Safety Plan -
<https://simbli.eboardsolutions.com/SU/XVeModcEEplusmIKmIViNyG8g==>

0450 Comprehensive Safety Plan -
<https://simbli.eboardsolutions.com/SU/vQZUWC8qslshfqZpV1MmtaRBg==>

1112 Media Relations -
<https://simbli.eboardsolutions.com/SU/3IHEaJYmsnDktqG0qiC94Q==>

1113-E(1) District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/oJaE6pBfeb1TIUhdIbjlHA==>

1113 District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==>

1113 District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/LkplusM8wFuCjC9T99n32Hnw==>

1113-E PDF(1) District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhw==>

1114 District-Sponsored Social Media -
<https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvFeyCOp9Cgiw==>

1114 District-Sponsored Social Media -
<https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWyv0docA==>

1312.3 Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/CfApluscpxRIZplusOj2lmuhfqbA==>

1312.3 Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/NaAoUplustL0gdMDg4YyrqkSQ==>

1312.3-E PDF(1) Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/CGtJ1bS0fJ2qqnQzzY5qbQ==>

1312.3-E PDF(2) Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/hYsgaF9LHjplus4tINfVHZyg==>

1340 Access To District Records -
<https://simbli.eboardsolutions.com/SU/ilradJh510f82Bjhbu4vRw==>

1340 Access To District Records -
<https://simbli.eboardsolutions.com/SU/zrxxplusFTeTpg8XDnadUSA6Q==>

3250 Transportation Fees -
<https://simbli.eboardsolutions.com/SU/vf84VAxplusDuYw5y4CCT3VHw==>

3250 Transportation Fees -
<https://simbli.eboardsolutions.com/SU/jVD1YBochBcslshJHSVHUrcoA==>

3400 Management Of District Assets/Accounts -
<https://simbli.eboardsolutions.com/SU/lquTQBlymztolslshn5MKew7w==>

3400 Management Of District Assets/Accounts -
<https://simbli.eboardsolutions.com/SU/8TrCdaxJyMGDCoGDI8wO9g==>

3553 Free And Reduced Price Meals -
<https://simbli.eboardsolutions.com/SU/veLi3k2THgU0fAplusDEpluskdyw==>

3553 Free And Reduced Price Meals -
<https://simbli.eboardsolutions.com/SU/bJft7yoiEWomeYDx1LdKBg==>

4030 Nondiscrimination In Employment -
<https://simbli.eboardsolutions.com/SU/japlusF1fDZLwk4z1txs8TVw==>

4030 Nondiscrimination In Employment -
<https://simbli.eboardsolutions.com/SU/1hR1nwwQdqhZCpluskl91M7LA==>

4040 Employee Use Of Technology -
<https://simbli.eboardsolutions.com/SU/pCyVFWhxjPMeQ9hSFguPfw==>

4040-E PDF(1) Employee Use Of Technology -
<https://simbli.eboardsolutions.com/SU/SHiUEWDyslshNbm0aZ0gplusTpfw==>

4112.41 Employee Drug Testing -
<https://simbli.eboardsolutions.com/SU/slshxWc7zKFP9LhPijHzE6Oog==>

4112.41 Employee Drug Testing -
<https://simbli.eboardsolutions.com/SU/WdEhMAREY52FewQdK0pSNQ==>

4112.5 Criminal Record Check -
<https://simbli.eboardsolutions.com/SU/k3JxZLYs4Qu9bUOSH7p5dg==>

4112.6 Personnel Files -
<https://simbli.eboardsolutions.com/SU/ZbKyC91DY3CsgslshTWWChauQ==>

4118 Dismissal/Suspension/Disciplinary Action -
<https://simbli.eboardsolutions.com/SU/zZ8ALG9AVGufbVzECQB8Tw==>

4118 Dismissal/Suspension/Disciplinary Action -
<https://simbli.eboardsolutions.com/SU/rOKplusxHxHkrEBT6aplusTWhislshQ==>

4119.1 Civil And Legal Rights -
<https://simbli.eboardsolutions.com/SU/24DUL3dM9A2IUAAoqbi3Og==>

4119.21 Professional Standards -
<https://simbli.eboardsolutions.com/SU/UTGFaZorslshLeTKDloySlfQ==>

4119.21-E PDF(1) Professional Standards -
<https://simbli.eboardsolutions.com/SU/mGplusvfwZSZeWEomplumBplusTJTg==>

4119.42-E PDF(1) Exposure Control Plan For Bloodborne Pathogens -
<https://simbli.eboardsolutions.com/SU/nwgsduSvv7hZn4b4C22Sdw==>

4144 Complaints -
<https://simbli.eboardsolutions.com/SU/KyKD8LDxrB2PwRRY0z7CWA==>

4212.41 Employee Drug Testing -
<https://simbli.eboardsolutions.com/SU/ONXwUHbIKplusdn8d0BHAtFfA==>

4212.5 Criminal Record Check -
<https://simbli.eboardsolutions.com/SU/AeBTEtGslshWKpwxQnauieuqQ==>

4212.6 Personnel Files -
<https://simbli.eboardsolutions.com/SU/6Sms9Cslshckj3AxFvijVLwg==>

4218 Dismissal/Suspension/Disciplinary Action -
<https://simbli.eboardsolutions.com/SU/9plusE9V6WiAoDtbVijXcJb8Q==>

4218 Dismissal/Suspension/Disciplinary Action -
<https://simbli.eboardsolutions.com/SU/WSdW3plusnjP9wlvJpaJpqnSA==>

4219.1 Civil And Legal Rights -
<https://simbli.eboardsolutions.com/SU/NNHd7ATUG21WUZfMslshC2esw==>

4219.21 Professional Standards -
<https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrw==>

4219.21-E PDF(1) Professional Standards - Code Of Ethics Classified Employees -
<https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSBsWF3lvpkIQ==>

4219.42-E PDF(1) Exposure Control Plan for Bloodborne Pathogens -
<https://simbli.eboardsolutions.com/SU/l0CS8XxwoZ1xrnJ1vkVpNg==>

4312.41 Employee Drug Testing -
<https://simbli.eboardsolutions.com/SU/0z43bunUpWERwRfDslsh1UBgw==>

4312.6 Personnel Files -
<https://simbli.eboardsolutions.com/SU/c66XSPEsGJAEqplus435ncEpw==>

4319.1 Civil And Legal Rights -
<https://simbli.eboardsolutions.com/SU/S3pluswdN4h3ZfGQBHYZ4pWXg==>

4319.21 Professional Standards -
<https://simbli.eboardsolutions.com/SU/aVzvR2gnF6PxyE8OYijAPA==>

4319.21-E PDF(1) Professional Standards -
<https://simbli.eboardsolutions.com/SU/sVVtgfkApXmtRMQLIsMRyQ==>

4319.42-E PDF(1)	Exposure Control Plan for Bloodborne Pathogens - https://simbli.eboardsolutions.com/SU/zYI6hVUZLGYtQWKHMrEaslshw==
4344	Complaints - https://simbli.eboardsolutions.com/SU/qGrsXimwkCHTw02tO8UC4Q==
5125	Student Records - https://simbli.eboardsolutions.com/SU/tWHWUiPwslshr1YYPUplusvwMslshmq==
5125	Student Records - https://simbli.eboardsolutions.com/SU/Arf4lGHplusjQnGslsh3Sd1slshP0Hw==
5125.1	Release Of Directory Information - https://simbli.eboardsolutions.com/SU/OgZNdnsk7slshO1pm7w6dgQMw==
5125.1	Release Of Directory Information - https://simbli.eboardsolutions.com/SU/dcEuGdmEtIMdCslshRYKeLLrA==
5125.1-E PDF(1)	Release Of Directory Information - https://simbli.eboardsolutions.com/SU/OLSr2W5pluszBu048bHf3MxfQ==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/fofkG2y9KkyVyTef5VpjPQ==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/SSzp7t1kSjfizyfJoaeq7A==
5141.4	Child Abuse Prevention And Reporting - https://simbli.eboardsolutions.com/SU/tfJUzlZ5lk5USth1slshchO1g==
5141.4	Child Abuse Prevention And Reporting - https://simbli.eboardsolutions.com/SU/gYslshHHnEDM0tHaXoDoUSGsw==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/Xtm3uqHMol1KAP4CIBOS3g==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/Rx7eYWCQJQxyhVGfnTMQBQ==
6164.2	Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/g7bp9zAL1gyQwbRj6etZMQ==
9011	Disclosure Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/RXe8Xj7wrVHXZFRVqhX3OA==
9321-E PDF(1)	Closed Session - https://simbli.eboardsolutions.com/SU/JouF3slshhdp1t8S6jR9jTrVg==
9321-E PDF(2)	Closed Session - https://simbli.eboardsolutions.com/SU/R7DIbslsh4Z8zkiT8c3evrPAg==
9321	Closed Session - https://simbli.eboardsolutions.com/SU/eQxvTE4sunzJru8wB8gc1g==