

SEXUAL MISCONDUCT

1. Sexual abuse of children is a significant moral and societal problem, which unfortunately exists within our school community. Therefore, **SEXUAL ABUSE (DEFINED HEREIN AS CONDUCT OR CONTACT OF ANY KIND, OR ANY ATTEMPT TO ENGAGE IN SEXUAL CONDUCT OR CONTACT OF ANY KIND) BY A STAFF MEMBER WITH ANY PEKIN PUBLIC SCHOOLS DISTRICT #108 STUDENT OF ANY AGE FOR THE SEXUAL GRATIFICATION OF EITHER IS STRICTLY PROHIBITED.**
2. “Staff member”, as used in this policy, refers to all employees of the District, contractors, and volunteers. The prohibition contained in this policy applies to all staff members who work in the District, paid or unpaid.
3. The persons protected by this policy are all students enrolled in the District, including enrolled students over the age of legal majority, eighteen (18) years of age. This policy also applies to students who are enrolled on a part-time basis and to non-enrolled minors present on school property for any reason, such as siblings of students and students from other school districts present on the property of Pekin Public Schools District #108.
4. At all times and places, all staff members are expected to maintain the highest standards in their school relationships, to demonstrate integrity and honesty, to be considerate and cooperative, and to maintain professional relationships and boundaries with students.
5. At all times and places, District staff members are expected to conduct themselves in accord with both the letter and the spirit of this policy. District staff are expected to avoid not only *actual* sexual abuse of a student, but situations that may give rise to *the appearance of or potential for* sexual abuse.
6. The District will not condone or protect a staff member who sexually abuses a student. Staff members who engage in sexual abuse of a Pekin Public Schools District #108 student, regardless of the student’s age, legal majority, purported consent by the student, or the staff member’s lack of intent to cause harm to the student, will be immediately reported to the Pekin Police and to the Illinois Department of Children and Family Services for investigation and possible criminal prosecution. The District may also conduct its own investigation of allegations of sexual abuse and will cooperate fully with the authorities in their respective investigations and prosecutions.
7. Staff members who engage in sexual abuse *or who attempt to engage* in sexual abuse of a student are subject to discipline up to and including dismissal and/or termination of employment.
8. In a staff dismissal or termination matter based on sexual abuse, it is not a defense: that the student initiated the misconduct, that the student was above the age of legal majority (18), that the student was above the legal age of consent for sexual intercourse (17), or that an attempt to commit sexual abuse of a student was not completed.
9. The Superintendent or his designee shall, by Administrative Procedure, define and train staff members about the professional boundaries which all District staff are required to observe at all times and all places between themselves and District students.
10. All staff in the District are “mandatory reporters” of suspected abuse and/or neglect of students under Illinois law. Any District staff member who learns of sexual abuse of a student by another staff member, but

fails to immediately report it to the DCFS Hotline and to his/her supervisor, is subject to discipline up to and including dismissal or termination.

CROSS REFERENCES: Policy 5:90 (“Abused and Neglected Child Reporting”)
Policy 5:120 (“Ethics”)
Policy 5:200 (“Terms and Conditions of Employment and Dismissal”)
Policy 5:290 (“Employment Termination and Suspensions”)
Policy 7:20 (“Harassment of Student Prohibited”)
Policy 7:180 (“Preventing Bullying, Intimidation, and Harassment”)

LEGAL REFERENCES: 720 ILCS 5/11-9.1 et seq. (“Vulnerable Victim Offenses”)
720 ILCS 5/11-1.10 et seq. (“Major Sex Offenses”)

Adopted by the Board of Education September 2020