

**SUGGESTIONS FOR AVOIDING
FALSE ACCUSATIONS
(DOCUMENT CREATED BY AZ EDUCATION ASSOCIATION)**

Touching Students: Factors to consider

Every parent knows that children benefit from gentle touches and hugs. Unfortunately, innocent gestures can be misinterpreted as inappropriate touching, excessive force, or even abuse. Touching children at school increases the risk that school employees will face these types of accusations. School employees must decide whether to touch and how to touch students. These are important decisions.

Here are some factors to consider:

AGE OF THE CHILD

Preschool through third grade:

Hugs and gentle touches are common during these grades, but are risky – especially for male teachers. Some teachers never initiate hugs and do not permit student-initiated hugs. Others permit student-initiated hugs only in plain sight of other adults and students. If children initiate a hug, try to position yourself so that the hug is “side-to-side.” Some teachers accept student-initiated hugs, but suggest to the children that they should ask first. (“Thanks for the hug, but please ask me next time. It is the polite thing to do.”) Other teachers occasionally initiate a hug, but make a verbal request first. (“You look sad. Do you want a hug?”) Accusations also occur when employees kiss students, help students use the bathroom, tuck in shirts, and take items out of pants pockets.

Middle grades (fourth through eighth grades):

Touching becomes less accepted and more risky. False accusations of improper touching are more frequent during grades four through eight, in part because some girls become preoccupied with their changing bodies and emerging sexuality. For example, girls may misinterpret an innocent touch on the shoulder as sexual in nature or accuse a teacher of “staring at my breasts.” Girls also can be very sensitive to innocent remarks about clothing and physical appearance. Accusations of improper touching also occur when teachers pat knees, put on their laps, snap bra straps, call students “pet” names, and discuss personal sexual information.

During junior high, some students become more aggressive. School employees should avoid using physical force for everyday disciplinary problems. During the rare instances when physical force is needed to prevent injury to students or employees, use the minimum force necessary to prevent harm and immediately call for help.

High school:

Very little touching is acceptable with this age group. Please note the problems listed above for middle grade students. In addition, school employees often get in trouble with this age group when they give gifts or loans to students and when they attempt to counsel troubled students about sexual or romantic matters.

EMPLOYEE’S GENDER

Male employees are perceived as physical and sexual aggressors and face a greater risk of false abuse allegations. Male employees should review their behavior very carefully.

CULTURAL/PERSONAL FACTORS

Some individuals and some cultures are uncomfortable with any sort of touching. Employees must be sensitive to these personal and cultural differences. If students indicate by word or action that they are not comfortable with touching, avoid all physical contact unless absolutely necessary for safety reasons. Previously abused children may be more likely to misinterpret a neutral touch as sexual or abusive.

Common Sense Suggestions for Avoiding False Abuse Accusations

School employees should use common sense to prevent false claims of abuse and inappropriate touching.

1. **Avoid being alone with a student of either sex.** Risky situations include keeping a student in for recess, make-up tests, counseling, tutoring, and after school detention. Arrange to have the activity within sight of another adult. Avoid repeated one-to-one contact with an individual student. For example, instead of assigning one child to help clean up after class, ask two students.
2. **Avoid physical contact with students which could be misunderstood as sexual in nature.** Whenever possible keep your own "personal space." If younger students hug you, tell them that it is polite to ask permission first. Whenever possible, ask permission before touching a student. Develop a repertoire for reinforcing student behavior and giving praise without touching students. Avoid lingering touches, such as shoulder massages. Avoid any touching except on the shoulders, back and arms. Even this may be risky, especially with girls in grades four through nine. Do not ask students to touch you or give you a back rub.
3. **Avoid using physical force to enforce discipline.** Use verbal commands and other disciplinary methods. Avoid grabbing students to move them in a particular direction or touching them to get their attention. On rare occasions, a school employee must use physical force in self-defense or briefly restrain a student to prevent injury to the student or others. Use the minimum force necessary to prevent harm, and immediately call for help. Ask your district for special training if you work with students who require frequent touching or restraints.
4. **Avoid sending written communications to students, giving gifts to students, or socializing with students in situations which could be misconstrued as personal or romantic.** Do not invite students to your home or the movies, unless it is a group activity with other adults present. If you reward students with a special out-of-school activity, notify an administrator and the parents in writing well in advance. Do not have students baby-sit for you and do not visit them while they baby-sit.
5. **Avoid off the cuff comments with suggestive or double entendre overtones.** Teasing or comments on a student's physical appearance may be unwelcome. Students may report your remarks in ways that distort your meaning.
6. **Do not be drawn into discussions of sexually explicit topics, such as tasteless jokes or suggestive song lyrics.** Discourage such conversations in your presence.
7. **If a student confides in you regarding a personal topic of a sexual nature, either invite another adult to join the conversation or report the conversation in writing to the school counselor immediately.**
8. **Avoid transporting students in your personal vehicle.** Being alone in a car with a student exposes you to accusations of misconduct in a situation where it is your word against the student's word. In addition, you may be liable for an accident.
9. **Avoid any romantic contact with current or former students, even if the students are over 18 years old.**