



Professional Boundaries:

A Guideline for Queensland Teachers

August 2019

Teacher Registration in Queensland

Queensland was the first state in Australia to establish a system of registration for teachers in both public and private schools. Registration was initially voluntary in 1973, and became mandatory in 1975.

Teacher registration protects the public and the profession from unqualified and, in certain cases, unsuitable, persons seeking to teach. It serves as a means of ensuring the requisite standards for entry to and ongoing practice in the profession are met.

The Queensland College of Teachers' (QCT) registration framework is among the most progressive in Australia. Queensland teachers are held in high esteem world wide, due to the registration requirements they must satisfy to be admitted to the profession by the QCT.

The *Education (Queensland College of Teachers) Act 2005* and the *Education (Queensland College of Teachers) Regulation 2016* provide the legislative framework for regulating the teaching profession in Queensland.

The QCT

The QCT is the regulatory body for the teaching profession in Queensland. It is principally funded by Queensland teachers. The QCT works in the best interests of schools, the public and the profession. It protects students by ensuring teachers approved to teach in Queensland schools are qualified, current in their practice and suitable to teach.

The main functions of the QCT are:

- accrediting and monitoring initial teacher education programs
- granting teacher registration or permission to teach to eligible persons
- developing and applying professional standards for entry to, and continuing membership of, the teaching profession
- keeping a register of, and records relating to, approved teachers and providing data from the register to other persons, as required or permitted under the Act
- undertaking and supporting reviews and research relevant to the regulating of the teaching profession, including reviews and research commissioned and funded by the Minister
- promoting the teaching profession.

Our Vision

Quality Regulation – Quality Teachers

Our Purpose

- Uphold the standards of the teaching profession
- Maintain public confidence in the teaching profession
- Protect the public & the profession

Acknowledgement

The *Professional Boundaries: A Guideline for Queensland Teachers* has been adapted from the *Managing Professional Boundaries: Guidelines for Teachers* created by the Australasian Teacher Regulatory Authorities (ATRA). The QCT acknowledges the work of ATRA and thanks ATRA for allowing their publication to be used as the basis for developing this guideline for teachers in Queensland.

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Introduction

The Queensland College of Teachers (QCT) is the regulatory authority for teachers in Queensland. Its role is to maintain and enhance teaching standards and promote and regulate the teaching profession in the State. The QCT has a duty to regulate teachers in the public interest, and, in so doing, is accountable to the public and the profession for maintaining standards and ensuring that teachers are suitable to teach.

The protection of children and their educational wellbeing, along with the reputation of, and the public's trust in, the teaching profession lies at the heart of teacher regulation.

The Guideline – its purpose, scope and status

Purpose

The Guideline is designed to be read in conjunction with the QCT *Code of Ethics for Teachers in Queensland* and to provide a more detailed understanding and discussion in relation to the sometimes challenging area of managing professional relationships with students.

Principles underlying the Guideline include the values identified in the QCT *Code of Ethics for Teachers in Queensland* – integrity, dignity, responsibility, respect, justice and care – as well as the ethics principles of impartiality, promotion of the public good, accountability and transparency.

The Guideline cannot address all possible circumstances teachers might find themselves in. It is therefore not intended to be an exhaustive list of unacceptable, unwise or 'at risk' behaviours which breach the teacher-student professional relationship, but rather it is designed to provide guidance and raise awareness of issues and situations which can arise.

Teachers who are unsure how to act or respond in a particular situation should consult a trusted supervisor or their principal, or contact the QCT. The QCT website also provides access to further resources and information on this area.

This Guideline is intended to be a 'living' document and will be reviewed and updated periodically to ensure it remains current (e.g. with regard to legislation, case outcomes and examples of behaviours).

Scope

The Guideline provides guidance not only to all Queensland approved teachers (i.e. registered teachers and those with permission to teach in a Queensland school) but also to pre-service teachers undertaking the professional experience component of the initial teacher education program. The Guideline can also be used by the public, including parents, carers, school students and non-teacher professionals, to inform and guide them about appropriate teacher-student relationships.

Status

This Guideline is not a statutory code. Therefore teachers must use their own judgement and common sense in applying the principles to the various situations in which they find themselves.

The Guideline reflects the position of the QCT on professional boundaries breaches; it does not replace the QCT's *Code of Ethics for Teachers in Queensland* and must be read and interpreted in conjunction with that Code.

The Guideline should also be read and understood in conjunction with the code of conduct (or similar document) of the teacher's employer. However, teachers must be aware that just because a certain behaviour is not specifically proscribed by an employer does not mean it is ethical or may not lead to disciplinary action through the QCT. Behaviour which is not consistent with the QCT Guideline may lead to disciplinary action and an adverse finding on a teacher's suitability to teach. Such a consequence can be far more serious than the dismissal from employment that may result from contravention of an employer's code of conduct. Criminal action could also be the outcome for behaviour which is not consistent with this Guideline and employer codes, policies and the like.

Professional boundaries

Teachers must act professionally at all times in their relationship with students.

The teacher-student relationship is not equal. Teachers are in a unique position of trust, care, authority and influence with their students, which means that there is always an inherent power imbalance between teachers and students.

There is no definitive source on where professional boundaries lie in regard to the teacher-student relationship. Professional boundaries are breached when a teacher misuses the power imbalance in the teacher-student relationship such that the student's welfare is compromised.¹

Some conduct will clearly breach those boundaries, as most teachers will recognise.

While there may be some 'grey areas' around professional boundaries, teachers must take responsibility for establishing and maintaining appropriate professional boundaries with their students. When interacting with students, teachers must use good judgement and think very carefully of the implications and potential consequences of engaging in certain behaviours with students.

When teachers become confidants, friends or counsellors of students (where counselling is not a part of the teacher's legitimate role in the school), a dual relationship is created which may create an ambiguity or blurring of the teacher-student relationship where the role becomes less defined. These interactions help to foster inappropriate relationships with students.

For inexperienced teachers, this ambiguity or blurring can sometimes be difficult to recognize. In some cases, an inexperienced teacher may be just a few years older than their students and may mistakenly view them as peers. They may share common interests, the same musical tastes, and possibly even an overlapping circle of friends. Moreover, because of the demanding nature of the first years of teaching, an inexperienced teacher may spend less time with his or her family and may begin to seek students as a support system.

In addition, teachers also bring their own unique vulnerabilities to work. Teachers who experience difficulties in their personal lives or are socially or emotionally immature may be particularly susceptible to engaging in 'at risk' conduct with students. The attention, admiration and sometimes adoration bestowed by students on a teacher can be overwhelming, particularly when a teacher is emotionally vulnerable. Typical vulnerabilities may include viewing students as peers, suffering from adult relationship issues, immaturity, need for attention, absence of a developed personal moral compass and lack of personal crisis management skills. Learning to recognize one's own vulnerabilities is the first step in avoiding breaching professional boundaries with students.

It can be easy for teachers in some cases to convince themselves that the student wants or needs a close relationship or that a relationship apparently initiated by the student is therefore acceptable. Teachers need to recognize that teenage students are often becoming aware of their own sexuality and may deliberately flirt with teachers. Teachers who find themselves in this position need to tactfully guide the student toward more appropriate conduct.

"Every decision made by a teacher with respect to his or her students should be prefaced with the question: Whose needs are being met by my course of action? There can only be one acceptable, honest answer to this question: the needs of the student. Betraying the trust of students, parents, the profession and the community is never acceptable"² and will have serious disciplinary repercussions and other potential legal repercussions for the teacher.

What are your obligations as a professional?

Teachers owe a high duty of care to their students. Teachers must act to ensure that the physical and emotional wellbeing of students is safeguarded at all times, and that their own behaviour is guided by this duty of care.

There are also legal requirements to report harm/abuse of students and children. There may be instances where the suspected conduct of a teacher may not trigger a mandated legal report but may be concerning to other teachers.

As professionals, teachers must:

- understand that tolerance of the behaviour by others is not relevant
- be aware of the teacher who may be too close to one student
- be aware of the teacher who shows too much attention towards a student or who is too solicitous towards a student
- be prepared to consult a trusted supervisor or colleague about concerning conduct/behaviour of colleagues
- maintain an up-to-date knowledge and understanding of, implement and comply with, student protection policies as they apply in their workplace
- be prepared to report any apparent boundaries violations by teachers to their principal, the police, their local human services department and/or the QCT, as the case may require.

Breaches of teacher-student professional boundaries

In Queensland there have been a number of cases where findings of misconduct, serious misconduct and/or a lack of suitability to teach have been made against approved teachers due to professional boundaries between teachers and students being blurred or transgressed. For the more serious breaches, there are many instances where teachers' registration has been suspended and/or cancelled.

The table below illustrates behaviours which may be classed as crossing boundaries and may result in disciplinary action against a teacher.³

Type of professional boundaries breach	Example
Emotional	<ul style="list-style-type: none"> • Showing preferential treatment to students without legitimate reason • Using subtle forms of control to allow a student to develop an emotional dependency on the teacher in order to later foster an inappropriate/sexual relationship with the student • Failure to recognise the role of a teacher is not to be a 'friend', 'personal counsellor' or 'parent' of the student
Relationship	<ul style="list-style-type: none"> • Intimate relationships with students: engaging in a romantic and/or sexual relationship with a student (current or former*) • Flirtatious behaviour/intimate gestures directed towards a student • Expressing romantic feelings towards a student in written or other form • Planned meetings with the student alone outside of school without a valid context • Taking the student alone for an unauthorised outing, e.g. coffee, the movies or other social events
Power	<ul style="list-style-type: none"> • Privately giving a student money, credit for a mobile phone or a gift • Exploiting position for financial gain • Implying that a student's grades will be affected if the student does not comply with the teacher's request • Withholding information about academic performance to manipulate 'alonetime' or opportunities with a student
Communication	<ul style="list-style-type: none"> • Talking with a student about highly personal and/or sexually inappropriate matters that do not benefit the student • Using social media to interact with a student about personal/sexual matters without a valid context • Offering advice on personal matters to a student • Asking a student questions about personal/sexual matters • Refusing to stop discussions of a personal/sexual nature when asked by the student

* For comments on relationships with former students, see section below on 'Romantic/sexual relationships where a teacher-student relationship once existed'.

There will be instances where some of the above behaviours or actions may be undertaken by teachers quite legitimately and for laudable reasons. For example, a teacher may provide breakfast for a student from a highly disadvantaged background or may assist a student who seeks their advice on a personal matter because the student has no other trusted adult to turn to. However, any such activity by the teacher should be undertaken as transparently as possible and with the knowledge and consent of the teacher's principal or supervisor.

- incorporate social media as part of their professional practice with students
- have a 'dual' personal/professional relationship with the student outside of school, including, for example, being the student's sports coach or instructor in other extra-curricular activities that the student may be involved in.

Guidance for teachers in maintaining appropriate conduct in 'at risk' situations

Teachers are always in a professional relationship with their students, whether in school or non-school settings. Although certain behaviours, when first commenced, may not breach the boundaries of a professional teacher-student relationship, these behaviours may progress incrementally to a point that could result in a breach of professional boundaries. This can be a particular risk for teachers who:

- work in close-knit regional or rural communities who may for instance unavoidably interact with students within that community outside of school

Grooming behaviour

'Grooming' of children (actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child, to lower the child's inhibitions in order to sexually abuse the child) is a criminal offence in Queensland. Some behaviour which may not amount to criminal behaviour may, however, be a ground for disciplinary action. Such behaviour may appear to constitute legitimate interactions with a student but may mask unacceptable behaviour.

"Grooming is a very deliberate and calculated process, although it can sometimes begin innocently enough if a teacher is conflicted about his or her role. A teacher may develop a relationship with a student with the best of intentions, yet the teacher may become predatory and victimize the student to meet the teacher's own needs. Once this stage is reached, the goal of the groomer is always very specific: to create a strong emotional connection with a child as a way of gaining that child's trust prior to initiating a sexual relationship."⁴

Identifying the warning signs

In addition to the behaviours identified in the table above, often a variety of signals, patterns of behaviour and warning signs are present which may indicate the teacher has crossed professional boundaries and is grooming the student. Such behaviours may include:

- making the student feel special – for example, spending extra time with the student, arranging to drive the student home, buying the student lunch or asking the student to be a special helper in the class
- targeting students who are emotionally vulnerable – such as students who are struggling academically or are having problems with their parents at home
- using gifts to bribe the student into silence about the teacher's inappropriate conduct
- gaining the trust of the student's family and friends as a way of further integrating themselves into the student's life,⁵ such as accepting an invitation to dinner with a student's family or inviting the student and their family to attend a teacher's holiday home
- using social media without valid educational context to foster an inappropriate relationship with a student.

Romantic/sexual relationships where a teacher-student relationship once existed

Romantic/sexual relationships with recent former students may breach teacher-student professional boundaries.

Where there is a reasonable belief that the emotional intimacy of the relationship developed while the teacher-student relationship existed, a judgement that the teacher abused their position is likely.

A significant factor in teacher-student relationships is the difference in power and authority between the two parties and the usually high level of trust the student and their family places in the teacher. These differences do not suddenly disappear at a specific point in time. They linger as an imbalance between the two individuals and as a potential impediment to their capacity to make decisions in their own

and others' best interests.

Consequently, teachers cannot assume that they will be protected from disciplinary action by claiming a relationship began only after the school term concluded or after exams finished. Teachers should be wary of entering such a relationship with any young adult who was formerly a student of theirs, particularly in the first year or two after the cessation of the teacher-student relationship.

The length of time between the conclusion of the teacher-student relationship and the beginning of an intimate relationship is only one of a number of critical factors that regulatory authorities will take into consideration when judging the appropriateness of a teacher's conduct in these circumstances. Other factors that teacher regulatory authorities may take into account include:

- the age difference between the student and the teacher
- the emotional/social maturity of the student
- the vulnerability of the student
- evidence of the nature of the teacher-student relationship, including the closeness, dependence, significance and length of the relationship at school
- any misconduct of the teacher during the professional relationship with the student.⁶

Recognising potential breaches

The following questions may assist teachers in recognising when professional and/or legal boundaries are at risk of being crossed:⁷

- Am I dealing with a particular student differently from the way I deal with other students under the same circumstances?
- Am I behaving in a way that puts my own emotional needs above the student's needs or welfare?
- Am I providing career/professional counselling or personal counselling?
- Am I sharing information with a student because I think it will help the student or because I need to be liked?
- Am I interacting with the student in an 'online environment' consistently with how I would act with that student in class or at school?
- Am I engaging in behaviours and discussions either personally or 'online' that are beyond the realm of children or teenagers?
- Is my dress, availability, language or demeanour different from the normal with a particular student?
- Would I modify my behaviour with a student if a colleague were present?
- Would I judge my conduct negatively if I observed it in another teacher?
- Is it possible that the consequences of my actions will have negative outcomes for the student?
- Is it possible that the consequences of my actions will negatively affect people's confidence in my suitability to teach and work with children?
- Would my actions bring the teaching profession into disrepute?
- How would I feel explaining my actions to the QCT?

A guide for ethical decision making

The Australian Public Service Commission has developed a decision making model in the form of the easy-to-remember acronym REFLECT.⁸ Teachers and others may find this helpful in evaluating and dealing appropriately with any teacher conduct that is a concern to them.

ETHICAL
Decision-making model

R	<p>REcognise a potential issue or problem Recognise a potential issue. What is the issue or problem with this behaviour? Examine the situation. Is there more than one obvious problem with this behaviour, or is there more I need to consider? What is the context of the situation?</p>
E	
F	<p>Find relevant information Find facts and gather evidence. What does the Code of Conduct say? Do I need to find out more information?</p>
L	<p>Liaise and consult Liaise and consult with peers and supervisors. Should I talk to someone about this? What behaviour is expected of me? Has this been done before?</p>
E	<p>Evaluate the options Evaluate the options. What is the best thing to do based on the information I've found? What are the risks? If someone finds out about my decision, what will they think?</p>
C	<p>Come to a decision Come to a decision. Do I need to get permission to do what I want to do? Have I recorded my actions?</p>
T	<p>Take time to reflect Take time to reflect. Am I happy with my decision? Would I do the same thing next time?</p>

Q & A: Professional boundaries

Is it acceptable for a teacher to have students as 'friends' on Facebook?

For some teachers, Facebook is an essential tool that enables them to provide their students with links to education resources, post homework assignments, monitor a discussion forum on topics related to the curriculum or answer specific questions.

However, there needs to be a clear distinction between the professional and the private when using Facebook as Facebook exposes both teachers and students to fairly significant risk when it comes to respecting the boundaries between teacher and student.⁹

"The blurring of lines between one's public and private lives has always been a key concern for professionals who are entrusted by the public to provide a service. A teacher's responsibilities as a professional extend beyond the end of the day when his or her duties as an employee are over. Teachers have always keenly understood that their responsibilities to ensure the wellbeing of students and children reach far beyond the classroom.

Breaking down the walls between a teacher's personal and professional lives can undermine a teacher's authority and create a significant danger zone for both teacher and student. A teacher's ability to maintain boundaries within the professional relationship ensures safe communications based on the student's needs. A safe relationship is threatened when the boundaries become blurred or ambiguous, particularly when dual relationships are created. In these cases, the teacher moves the professional relationship into the personal realm.

Facebook makes it much easier for dual relationships to thrive. Teachers who would never engage in potential boundaries violations like taking a student to lunch or offering to drive a student home may not even hesitate to add a student as a 'friend' on Facebook, exposing the student to personal information that the teacher would never consider sharing in a classroom setting."¹⁰

Teachers should avoid making their students 'friends' online. Teachers would not normally consider students to be their friends in the real world and should not do so in the virtual world either. Teachers should not engage in online discussions with their students that are not directly related to their professional duties, without the express permission of their supervisor/principal and the students' parents/carers. Teachers should also avoid unauthorised contact with students through other popular forms of social media such as Instagram, Snapchat and other applications.

If a teacher's employer allows them to communicate with students via Facebook, teachers should set up a separate professional account and keep their communications with students focused solely on educational issues, so that there is no perceived or actual ambiguity between a teacher's work as a professional and their personal life.

Cases of technology-related boundaries crossing that come before the QCT are those where teachers are unable to maintain an appropriate professional relationship, either by inadvertently

allowing students to access personal information or photos or by communicating with students in a way that does not maintain the professional nature of the teacher-student relationship. This is more likely to occur when teachers have one Facebook account that is used to both communicate with friends and family and also communicate with students.

If they wish to use Facebook or other online tools as part of their professional practice, teachers should ask themselves:

- How can I use these online tools appropriately?
- What are the risks?
- What are the benefits?
- What protocols/permissions need to be considered?

What if a teacher lives in a small community? Is it ever ok for them to socialise with students?

"Teachers working in small communities face additional challenges in managing professional boundaries. They are more likely to have social relationships with the parents of the students and young people with whom they work through shared interests in social and sporting events or memberships at various clubs or associations.

This means they will have legitimate reasons, on occasions, to attend social events with the students they teach, to visit their homes or to be visited by them in the company of their parents/carers. These social engagements are an important part of community life and a positive contribution to the wellbeing of teachers working in small communities. The recommendations below may assist teachers to enjoy these social engagements without compromising their professional responsibilities:

- Social contact should be generated via the relationship the teacher has with the parents/carers of students or via the event organisers.
- Teachers should avoid being alone with their students in these situations.
- Teachers should conduct themselves in a way that will not give others reason to question their suitability to teach and that will not create discomfort for students in their learning relationships with them.
- Consuming alcohol or drugs in these situations may lessen a teacher's capacity to judge when professional boundaries are at risk.
- Teachers should politely avoid discussing matters relating to the workplace and should not discuss students' learning or social progress other than at times specifically set aside for that purpose.
- Any concern a teacher has about whether or not a situation may be compromising or breaching a professional relationship should be discussed with a senior/supervising colleague or their principal and an approved plan of action followed."¹¹

What are some acceptable professional boundaries for teachers who work with students on an individual basis?¹²

The following suggestions may assist teachers to maintain professional boundaries with students when providing one-to-one learning assistance/feedback, assessment or pastoral care.

Make it purposeful	<ul style="list-style-type: none">• Consider whether it is essential to meet with the student one-to-one
Make it public	<ul style="list-style-type: none">• The more visible, public and busy the location the better• Use the school's authorised IT systems. Do not use personal email or website to communicate with students
Make it authorised	<ul style="list-style-type: none">• Parents/carers should be informed about and give consent for such individual assistance• Have the activity authorised by the school principal or a supervising colleague
Make it timely	<ul style="list-style-type: none">• As far as possible, provide support during normal work hours and do not conduct excessively long sessions

How should a teacher manage a private or other professional relationship with the student outside of school, including, for example, where the teacher may also be the student's sports coach or instructor or be involved in other extra-curricular activities with the student outside of the school environment or is, or becomes, a family friend?

Teachers are always in a position of trust and authority with their students, whether they are involved with the students in or outside of the school setting.

The way a teacher behaves towards a student in the sphere of their private life, or in another professional (non-teaching) capacity, is relevant to the professional standards and responsibilities of a teacher. If there is no recognition of appropriate boundaries in a teacher's private or other professional relationships with children, it is reasonable to infer that appropriate boundaries in professional teacher-student relationships may also be unrecognised and appropriate standards transgressed in a school setting.

Cases where teachers have behaved inappropriately towards students and children in their private life, or in another professional (non-teaching) capacity, have been the subject of teacher practice and conduct proceedings in relation to their fitness and suitability to teach.

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For more information and resources on this topic please visit the Professional Standards and Conduct area of the QCT website: www.qct.edu.au .



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