

# ELECTRONIC COMMUNICATIONS BETWEEN EMPLOYEES AND STUDENTS POLICY

## PURPOSE:

This policy is intended to comply with all applicable State and Federal laws, including the most recent action taken in A 214 by the 2009 Louisiana Legislative Session, Louisiana Revised Statute 17:81(Q).

This policy also introduces and outlines guidelines to ensure that employees, parents, and students are aware of the expectations of the Iberia Parish School District with respect to proper use of electronic communication devices between its employees and students. The School System's approved electronic communications systems shall be utilized to promote appropriate student-staff relationships and educational excellence. This policy is not intended to limit the use of technology as an effective teaching tool.

## DEFINITIONS:

1. Electronic Communication - includes any direct communication facilitated by voice or text-based telecommunication devices, or both, computers, as well as those devices that facilitate indirect communication using an intermediate method, including, but not limited to Internet-based social networks. It shall also include the transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature, in whole or in part by wire, radio, electromagnetic, photoelectric, or photo-optical system and pertains to both personal and School Board-issued devices.
2. Educational Services – constitutes provision of direct and indirect classroom instruction, as well as extracurricular activities provided by the Iberia Parish School District.
3. Electronic mail – the transmission of text-based information or communication by use of the Internet, computers, a facsimile machine, a pager, a cellular telephone, a video recorder, or any other electronic device or means sent to a person identified by a unique address or address number and received by that person.
4. Computers - pertains to any and all computers.
5. Social networks – locations on the Internet where users may interact with other users -- examples are Facebook, MySpace, YouTube, and other social network sites available on the internet.
6. Improper or inappropriate communications – any communication between employee and student, regardless of who initiates the communication, that may be viewed as derogatory, sexual or lewd in content, threatening or harassing, discriminatory, simple fraternization, or suggestive in nature.

## POLICY GUIDELINES:

1. The Iberia Parish School District prohibits any type of close personal relationship between a school employee and a student that may be reasonably perceived as unprofessional, such as excessive personal attention outside of school. School employees shall not communicate with students, entertain students, socialize with students, or spend an excess amount of time with students in such a manner as to reasonably create the impression to other students, their parents, or the public that an improper relationship exists.
2. All electronic communication conducted by an employee with a student must be relative to the educational services provided to the student and shall be delivered by means provided by or otherwise made available by the School System for this purpose. Approved School System electronic communication methods are school system email, school-sponsored teacher websites, school websites, school-provided phones and other electronic communication that is approved by the Iberia Parish School System.

3. School system employees are prohibited from using any school system electronic communication with a student for a purpose not related to educational services, except for communication with an immediate family member, if such communication is specifically authorized by the School Board.
4. The occurrence of any electronic communication made by an employee with a student using means other than ones provided by or made available by the school system shall be reported by the employee to the site administrator prior to reassuming regular duties, but no later than 24 hours after the occurrence or knowledge of the occurrence, and a written report should be completed by the end of that working day. See Appendix A for a copy of the reporting form.
5. Student-initiated communication that may be construed as inappropriate in content, as defined in this policy, must be reported to the site administrator no later than 24 hours after the occurrence or knowledge of the occurrence, and a written report should be completed by the end of that working day. See Appendix A for a copy of the reporting form.
6. Records of any reported communication shall be maintained by the site administrator for a period of at least one year.
7. It is the duty of each school system employee to comply with this electronic communications policy. Failure to comply may result in disciplinary action, and, in extreme circumstances, may constitute willful neglect of duty.

#### **VIOLATIONS:**

1. Violations of this policy include, but are not limited to the following:
  - a. The employee's utilizing the school system or personal electronic communication system with a student for non-educational services.
  - b. The employee's failure to report an instance of communication using a non-school system electronic communication system.
  - c. The employee's contacting a student when the parents have opted out of individual communication with employees.
2. Responses to violations include, but are not limited to the following:
  - a. Any violations or suspected violations of this policy should be reported to the site administrator immediately. The site administrator will promptly, thoroughly and fairly investigate reports of an alleged failure by a school employee or student.
  - b. The investigation shall include dates, the name of the person reporting the allegation, and the specific allegation made.
  - c. The site administrator shall meet with the employee to document his/her response to the allegation. The employee shall be required to cooperate fully with the investigation.
  - d. All information from the investigation shall be provided to the Superintendent and the Personnel Director.
  - e. Appropriate action shall be taken that is consistent with the results of the investigation and the legal requirements afforded by law, e.g. tenure law, Student Code of Conduct. Violations of this policy or any implementing regulations or procedures may result in discipline of the employee/student up to and including termination of employment/suspension of the student or employee.

- f. Any alleged violation of the Board's Policy or these procedures and guidelines involving a school employee that may also be a violation of state or federal law shall be reported to the proper authorities. Some acts are considered criminal and may be subject to prosecution. The Board and School System will fully cooperate with law enforcement agencies and the District Attorney in investigating and prosecuting such criminal offenses.

**NOTIFICATION:**

1. All School System employees shall be informed of implementation, and upon entering into system service, about the policy and procedures and guidelines regarding electronic communication including the possible consequences for a failure to comply with the policy. The policy shall be posted on the School System website for reference.
2. A system-wide letter and/or telephone call will be disseminated to parents or legal guardians informing them of the policy regarding electronic communication by employees with students. Thereafter, parents and students will be notified as part of the Student Handbook and/or the Iberia Parish School District website.

**"OPT-OUT" PROCEDURE:**

1. A Parent or legal guardian has the option to submit written documentation to the school administrator reflecting the desire for his or her child not to be contacted individually through electronic communication from any school employee, group electronic communication exempted.

**SUMMARY:**

These procedures and guidelines discourage improper employee electronic communication with students at all system schools and improper interaction shall be handled following applicable laws and policies. However, the law clearly prohibits electronic communication by an employee to a student, unless proper procedures are followed in compliance with law and policy. The Iberia Parish School District shall not be civilly liable for any electronic communication by an employee with a student that is prohibited as provided in this policy.

**Employee/Student Electronic Communication Reporting Form**

Reporting Employee: \_\_\_\_\_

School: \_\_\_\_\_ Date of Report: \_\_\_\_\_

**INCIDENT:**

Who initiated the electronic communication? \_\_\_\_\_ Employee \_\_\_\_\_ Student

Date of Communication: \_\_\_\_\_ Time of Communication: \_\_\_\_\_

Method of Communication:

- E-Mail
- Text Message
- Telephone
- Facebook, MySpace, Social Networking sites, etc.
- Other : Specify \_\_\_\_\_

Specify E-mail Address, Phone Number, or Site Used By Employee/Student for Electronic Communication: \_\_\_\_\_

Employee(s) Names(s) Involved in Electronic Communication if Other Than Reporting Employee:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Student(s) Name(s) Involved in Electronic Communication: Include School if Different From Reporter's School. (Add attachment if necessary.)

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Content / Details of Electronic Communication:

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