

POLICY

WASHINGTON TOWNSHIP BOARD OF EDUCATION

SUPPORT STAFF MEMBERS

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Electronic Communications Between Support Staff
Members and Students

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4283 ELECTRONIC COMMUNICATIONS BETWEEN SUPPORT STAFF MEMBERS AND STUDENTS

In accordance with the provisions of N.J.S.A. 18A:36-40, the Board of Education adopts this Policy to provide guidance and direction to support staff members to prevent improper electronic communications between support staff members and students. The Board of Education recognizes support staff members can be vulnerable in electronic communications with students.

The Board prohibits all electronic communications between a support staff member and a student. However, based on a support staff member's professional responsibilities electronic communications between a support staff member and a student may be permitted with written approval of the Superintendent or designee. The approval is only for the school year in which the approval is granted. If the Superintendent or designee approves electronic communications between a support staff member and a student, the support staff member shall be required to comply with all the provisions of this Policy.

The Commissioner of Education has determined inappropriate conduct may determine a school staff member unfit to discharge the duties and functions of their position. Improper electronic communications by school staff members may be determined to be inappropriate conduct.

For the purposes of this Policy, "electronic communication" means a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. "Electronic communications" include, but are not limited to, e-mails, text messages, instant messages, and communications made by means of an Internet website, including social media and social networking websites.

For the purposes of this Policy, "professional responsibility" means a support staff member's responsibilities assigned to the support staff member by the administration or Board of Education.

For the purposes of this Policy, "improper electronic communications" means an electronic communication between a support staff member and any student of the school district when:

1. The content of the communication is inappropriate as defined in this Policy; and/or
2. The manner in which the electronic communication is made is not in accordance with acceptable protocols for electronic communications between a support staff member and a student as defined in this Policy.

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Inappropriate content of an electronic communication between a support staff member, who has been approved by the Superintendent or designee to have electronic communications, and a student includes, but is not limited to:

1. Communications of a sexual nature, sexually oriented humor or language, sexual advances, or content with a sexual overtone;
2. Communications involving the use, encouraging the use, or promoting or advocating the use of alcohol or tobacco, the illegal use of prescription drugs or controlled dangerous substances, illegal gambling, or other illegal activities;
3. Communications regarding the support staff member's or student's past or current romantic relationships;
4. Communications which include the use of profanities, obscene language, lewd comments, or pornography;
5. Communications that are harassing, intimidating, or bullying;
6. Communications requesting or trying to establish a personal relationship with a student beyond the support staff member's professional responsibilities;
7. Communications related to personal or confidential information regarding another school staff member or student; and
8. Communications between the support staff member and a student that the Commissioner of Education would determine to be inappropriate in determining the support staff member is unfit to discharge the duties and functions of their position.

The following acceptable protocols for all electronic communications between a support staff member, who has been approved by the Superintendent or designee to have electronic communications, and a student shall be followed:

1. **E-Mail Electronic Communications Between a Support Staff Member and a Student**
 - a. All e-mails between a support staff member and a student must be sent or received through the school district's e-mail system. The content of all e-mails between a support staff member and a student shall be limited to the staff member's professional responsibilities regarding the student.

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- b. A support staff member shall not provide their personal e-mail address to any student. If a student sends an e-mail to a support staff member's personal e-mail address, the staff member shall respond to the e-mail through the school district e-mail system and inform the student his/her personal e-mail address shall not be used for any electronic communication between the support staff member and the student.
 - c. A support staff member's school district e-mail account is subject to review by authorized school district officials. Therefore, a support staff member shall have no expectation of privacy on the school district's e-mail system.
2. **Cellular Telephone** Electronic Communications Between a Support Staff Member and a Student
 - a. Communications between a support staff member and a student via a personal cellular telephone shall be prohibited except as follows:
 - (I) However, a support staff member may, with prior approval of the Principal or designee, communicate with a student using their personal cellular telephone if the need to communicate is directly related to the support staff member's professional responsibilities for a specific purpose such as a crisis (or potential crisis situation), field trip, athletic event, co-curricular activity, etc. Any such approval for cellular telephone communications shall not extend beyond the specific crisis (or potential crisis situation), field trip, athletic event, co-curricular activity, etc. approved by the Principal or designee.
3. **Text Messaging** Electronic Communications Between Support Staff Members and Students
 - a. Text messaging communications between a support staff member and an individual student are prohibited except as follows:
 - (I) However, a support staff may use technology applications (apps) that result in group text messages being authored and sent by the support staff member using a personal cellular telephone. Such applications or "apps" (i.e. the Remind Me app) are appropriate to use with students for the purpose of sending reminders and notifications that are within the scope of the teaching support staff member's job responsibilities. Communications "apps" are limited to those that do not reveal the children's nor the teacher's support staff member's cell phone numbers. When utilizing a cellular telephone application with students, the staff

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member must communicate the application's use to the students' parents/guardians and invite the parents/guardians to enlist as message recipients.

4. Social Networking Websites and other Internet-Based Social Media Electronic Communications Between Support Staff Members and a Student
 - a. A support staff member is prohibited from communicating with any student through the support staff member's personal social networking website or other Internet-based website. Communications on personal websites are not acceptable between a support staff member and a student.
 - b. A support staff member shall not accept "friend" requests from any student on their personal social networking website or other Internet-based social media website. Any communication sent by a student to a support staff member's personal social networking website or other Internet-based social media website shall not be responded to by the support staff member and shall be reported to the Principal or designee by the support staff member.
 - c. If a support staff member has a student(s) as a "friend" on their personal social networking website or other Internet-based social media website they must permanently remove them from their list of contacts upon Board adoption of this Policy.
 - d. Communication between a support staff member and a student through social networking websites or other Internet-based social media websites is only permitted provided the website has been approved by the Principal or designee and all communications or publications using such websites are available to: every student in the class and their parents/guardians; every member of the co-curricular activity and their parents/guardians; and the Principal or designee.

Reporting Responsibilities

1. In the event a student sends an electronic communication to a support staff member who has not been approved by the Superintendent or designee to have electronic communications, the support staff member shall report the communication to the Principal or designee. The Principal or designee will take appropriate action to have the student discontinue such electronic communications. Electronic communications by a support staff member or a student where such communications are not approved by the Superintendent or designee may result in appropriate disciplinary action.

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2. In the event a student sends an improper electronic communication, as defined in this Policy, to a support staff member who has been approved by the Superintendent or designee to receive electronic communications, the support staff member shall report the improper electronic communication to the Principal or designee. The Principal or designee will take appropriate action to have the student discontinue such improper electronic communications. Improper electronic communications by a support staff member or a student may result in appropriate disciplinary action.

Possible Exemptions:

1. Support Staff Members and Students Who are Related

A support staff member and student may be exempt from the provisions outlined in this Policy if support staff member and the student are relatives. To attain such an exemption, the support staff member and the student's parent shall submit notification to the Principal of the support staff member's school and to the Principal of the student's school (as applicable) using the form provided by the District. Exemptions for a support member with regard to their own child are automatic and need not be requested.

2. Exemption for After School Care

A support staff member who provides after school care to students of the school district may be exempt from the provisions outlined in this policy. The support staff member and the student's parent for whom such services are provided shall submit written notification of their after school care arrangement to the Principal of the support staff member's school and to the Principal of the student's school (as applicable) using the form provided by the District. The Principal will either approve or deny the request and inform the support staff member accordingly. This exemption shall only pertain to communications concerning the after school care of the student. Requests for this exemption, along with parental consent, shall be made by the support staff member and submitted to the Principal at the beginning of each school year or as soon as the after school care arrangement is known.

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3. Exemption - Friends of Own Child

An exemption may be permitted for a support staff member who may need to directly communicate with a student who is socializing with the support staff member's child outside of the school setting for reasons of safety and wellness. The support staff member and the student's parent shall submit a written request for this exemption to his or her Principal and to the Principal of the student's school (as applicable) using the form provided by the District. This exemption is limited solely for the purpose set forth in this provision. Requests for this exemption, along with parental consent, shall be made by the support staff member and submitted to the Principal at the beginning of each school year or as soon as the need for the exemption is known.

The provisions of this Policy shall be applicable at all times while the support staff member is employed in the school district and at all times the student is enrolled in the school district, including holiday and summer breaks.

A copy of this Policy will be made available on an annual basis, to all parents, students, and school employees either electronically or in school handbooks.

N.J.S.A. 18A:36-40

Adopted: October 7, 2014

Revised: February 3, 2015