

POLICY

SOUTH ORANGE MAPLEWOOD BOARD OF EDUCATION

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ELECTRONIC COMMUNICATIONS BETWEEN SUPPORT STAFF MEMBERS AND STUDENTS AND FAMILIES

4283 ELECTRONIC COMMUNICATIONS BETWEEN SUPPORT STAFF MEMBERS AND STUDENTS (M)

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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 the vulnerabilities for support staff members can be vulnerable in electronic communications with students and families when using these tools.

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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. All devices and "apps" used for electronic communications between teaching staff and students will be considered an extension of any school owned devices used for teaching and communication and will be subject to review by administration. Staff members cannot assume that any personal device is outside the scope of this policy if it is used to communicate with other staff members, students or families.

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, apps, and communications made by means of an Internet website, including social media and social networking websites.

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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.



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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 **or frequency** 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, **regardless of the gender identity**, 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, **or marijuana**, 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 **or perceived relationships regardless of gender identity or sexual preference;**
4. Communications which include the use of profanities, obscene language, lewd comments, or pornography;
5. Communications that are harassing, intimidating, or bullying **, even if such communication does not constitute a violation of Policy 5512 Harassment, Intimidation and Bullying;**
6. Communications requesting or trying to establish a personal relationship with a student beyond the support staff member’s professional responsibilities;

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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. Teaching staff members shall not communicate with students via social media and/or messaging.
 - 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~~that their personal e-mail address shall not be used for any electronic communication between the support staff member and the student. If this happens a second time, then the teaching staff members shall correct the student a second time and copy their immediate supervisor.
 - c. If a support staff member communicates with a student via personal email, social media or text message, via app, phone or other device, in violation of this policy, the personal email, social media and/or phone is subject to review by authorized school district officials. 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 or in any communication with students.

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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.
 - (1) 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 field trip, athletic event, co-curricular activity, etc. Any such approval for cellular telephone communications shall not extend beyond the specific field trip, athletic event, co-curricular activity, etc. approved **in advance** 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.
 - (1) However, a support staff member may, with prior approval of the Principal or designee, text message students provided the need to text message is directly related to the support staff member's professional responsibilities regarding the student. Any such text message must be sent to every student in the class or every member of the co-curricular activity. Any such approval for text messaging shall not extend beyond the activity approved by the Principal or designee. **Any application ("app") that a support staff members uses shall be approved by their supervisor and the entire class or team shall have access to the communication (i.e., remind, teamsnap, etc.).**
4. Social Networking Websites and other Internet-Based Social Media Electronic Communications Between Support Staff Members and a Student

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- 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, the support staff member, they must permanently remove ~~them~~ the student from ~~their~~ the support staff member's list of contacts upon Board adoption of this Policy. Nothing in this policy requires a teaching staff member not to have public content on a personal social media page that students may "like." This policy does not prevent a teaching staff member from having public content on a social media page that a student may "like."
- 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; every member of the co-curricular activity and their parents/guardians; and the Principal or designee.

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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



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- a student where such communications are not approved by the Superintendent or designee may result in appropriate disciplinary action.
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, **or in response to any communication to the team or class mates,** the support staff member shall report the improper electronic communication to the Principal or designee **by the next school day.** 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.

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 A support staff member and student may be exempt from the provisions outlined in this Policy if a support staff member and student are relatives. The support staff member and the student's parent/guardian shall submit notification to the Principal of the student's school of **their the student's** family relationship and **their the student's** exemption from the provisions outlined in this Policy.

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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/guardians, students, and school employees either electronically or in school handbooks.

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

Adopted: 19 March 2018

-First Reading: November 15, 2021

Second Reading: December 20, 2021

Adopted:

