

Policy Title:	ELECTRONIC COMMUNICATIONS BETWEEN EMPLOYEES AND STUDENTS	Policy ID:	
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I. Purpose of Policy

The Hartford School District recognizes that electronic communications and the use of social media outlets create new options for extending and enhancing the educational program of the school district. However, the District also recognizes employees and students can be vulnerable in electronic communications.

II. Policy Scope

This policy applies to all schools, facilities and programs in the Hartford School District and to all members of the Hartford School District including, but not limited to, students, staff, volunteers, visitors, and teachers.

III. Definitions. For purposes of this policy, the following definitions apply:

- A. **Electronic communication.** Electronic communication is any computer-mediated communication in which individuals exchange messages with others, either individually or in groups. Examples of electronic communication include, but are not limited to, email, text messages, instant messaging, voicemail, and image sharing and communications made by means of an internet site, including social media and social networking websites.
- B. **Social media.** Social media is any form of online publication or presence that allows interactive communication, including, but not limited to, social networks, blogs, websites and internet forums. Examples of social media include, but are not limited to, Facebook, Twitter, Instagram, YouTube, and Google+.
- C. **Employee.** Employee includes any person employed directly by or retained through a contract of employment the district, volunteers, an agent of the school, or a school board member.
- D. **Student.** Student means any person who attends school in any of the grades Prekindergarten through 12 operated by the district.

IV. Policy Statement

All communication between employees and students that is inappropriate in content is prohibited.

- A. **Inappropriate content of an electronic communication.** Inappropriate content of an electronic communication between an Employee and a Student includes, but is not limited to:
 - 1. Communications of a sexual nature, sexual 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 employees' 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 demeaning;
6. Communications requesting or trying to establish a personal relationship with a student beyond the employees' professional responsibilities;
7. Communications related to personal or confidential information regarding employee or student that isn't academically focused; and
8. Communications between an employee and a student between the hours of 10 p.m. and 6 a.m. An Employee may, however, make public posts to a social network site, blog or similar application at any time.

B. Procedures. The superintendent shall develop procedures for both the receipt and handling of reports filed under this policy (see IV.A. and B. below).

V. Enforcement Responsibilities

A. Student communications violation of this policy. In the event a student sends an electronic communication, that is inappropriate as defined in this policy the employee shall submit a written report of the inappropriate communication ("Report") to the principal or designee by the end of the next school day following the Employee becoming aware of such communication. The principal or designee will take appropriate action to have the student discontinue such improper electronic communications.

While the school district will seek to use such improper electronic communications by a student as a teaching and learning opportunity, student communications violation of this policy may subject a student to discipline. Any discipline imposed shall take into account the relevant surrounding facts and circumstances.

B. Employee communications violation of this policy. In the event an employee sends an electronic communication that is inappropriate as defined in this policy or that violates the procedures governing inappropriate forms of electronic communication to a student, the student shall or the student's parent or guardian may submit a written report of the inappropriate communication ("Report") to the principal and/or the person designated by the principal to receive complaints under this policy promptly. The report shall specify what type of inappropriate communication was sent by the employee and shall include a copy of the communication if possible.

Inappropriate electronic communications by an employee may result in appropriate disciplinary action.

C. Applicability. The provisions of this policy shall be applicable at all times while the employee is employed by the district and at all times the student is enrolled in the school district, including holiday and summer breaks.

VI. Reporting to Other Agencies

- A. **Reports to Department of Children and Families [DCF].** When behaviors violative of this policy include allegations of child abuse, any person responsible for reporting suspected child abuse under 33 V.S.A. §4911, et seq., must report the allegations to the Commissioner of DCF. If the victim is over the age of 18 and a report of abuse is warranted, the report shall be made to Adult Protective Services in accordance with 33 V.S.A. §6901 et seq.
- B. **Reports to Vermont Agency of Education [AOE].** If behaviors that violate this policy involve conduct by a licensed educator that might be grounds under Vermont law for licensing action, the principal shall report the alleged conduct to the superintendent and the superintendent shall report the alleged conduct to the AOE.
- C. **Reporting Incidents to the Police.** Nothing in this policy shall preclude persons from reporting to law enforcement any incidents and/or conduct that may be a criminal act.
- D. **Continuing Obligation to Investigate.** Reports made to either DCF or law enforcement shall not be considered to absolve the school administrators of their obligations under this or any other policy, such as the Policy on the Prevention of Harassment, Hazing and Bullying, to pursue and complete an investigation upon receipt of notice of conduct which may constitute a policy violation.

Legal Reference(s): 2018 Acts and Resolves No. 5 (located at <https://legislature.vermont.gov/Documents/2018.1/Docs/ACTS/ACT005/ACT005%20As%20Enacted.pdf>)

16 V.S.A. § 1698, 16 V.S.A. § 570

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