

# Employee-Student Relations and Communications Policy

## **Introduction**

Public school district employees, while engaged in work-related activities for educational purposes or work-related district sponsored extra-curricular activities, shall at all times maintain appropriate professional conduct and demeanor with students in all interactions, electronic communications, activities, and conduct with students pursuant to the standards of their profession, the code of ethics in their professional associations, and in compliance with all local, state, and federal ordinances, statutes, and regulations.

## **Part 1: Work-Related Conduct and Communications**

Employees' work-related conduct and communications in all forms shall be appropriate, maintain proper boundaries with students, and be compliant with existing relevant local, state and federal ordinances and laws. Existing laws include, but are not limited to, those regulating: termination of employment for cause for educator employees under contract; criminal conduct and investigations and procedures; civil litigation; Department of Elementary and Secondary Education licensing and discipline regulations and procedures; and the Department of Social Services child protection and welfare regulation and procedures.

### **Part 1.A: Electronic Communications**

The [School District] Board of Education recognizes that electronic resources and communications of all types are a vital part of a modern and competitive education for our students in the 21st century. [School District] supports providing access to these resources for our students and staff. Its goal in providing access to these resources is to promote educational excellence in our schools by facilitating resource sharing, innovation and communication to prepare our students to become technologically literate citizens.

Electronic information research skills are now fundamental to the preparation of students as citizens and future employees and employers. Access to the new technologies enables students to experience educational opportunities which were unimaginable a short time ago and which are changing continually. The District expects that faculty will blend thoughtful use of the new technologies throughout the curriculum and will provide guidance and instruction to students in its use. Access from school to electronic resources and the new technologies should be structured in ways that direct students to those resources which have been evaluated prior to use, and are in conformance with the district's own educational mission, goals, and objectives.

District employees utilizing electronic communications and new technologies are responsible for appropriate behavior in their use, just as they are in the classrooms or other areas of their educational duties, as governed by local, state, and federal ordinances, statutes, and regulations.

#### **Part 1.A.1: Student Training and Guidelines**

Students utilizing District approved electronic communications and new technologies must first have the permission of their parents or legal guardians and must be trained and supervised by the [SCHOOL DISTRICT]'s professional staff. Students utilizing electronic communications and new technologies are responsible for good behavior in their use just as they are in a classroom or other areas of the school. The same general rules for behavior and communications apply. Access to the District's approved electronic communications systems and new technologies is a privilege, and not a right.

#### **Part 1.A.2: Acceptable Use**

Access to the District's approved electronic communications systems and new technologies as they develop and are approved, shall be made available to students and employees exclusively for instructional and administrative purposes in accordance with a [School Board] appointed Electronic Communication and New Technology Resources Committee. The majority of the committee shall consist of certified staff. Members shall be comprised of: teachers and technology specialists with specific knowledge and understanding of the application of new educational resources and the functions of the platforms of communication, and who have varied subject matter and grade level

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backgrounds; other educators who are not required by the State to be certified teachers; and administrators. The Board shall appoint new members to the Committee as it determines it to be timely and efficient. The Committee shall meet at least twice a year to evaluate new programs and methodologies and shall report directly to the school board. The committee's recommendations, if approved by the Board, shall apply to electronic communications and new technologies that continue to be resources that promote educational excellence in our schools. The Committee shall have an ongoing obligation to select resources that also require maintenance of their high standards of professional behavior as stated in the Introduction portion of this policy. Both the Committee's selections and the Committee members' individual professional behavior shall be in conformity with existing local, state, and federal ordinances, statutes, and DESE and DSS regulations.

Electronic mail transmissions and other uses of electronic communications and new technology systems by students and employees on work-related equipment or work-related activities shall not be considered confidential and may be monitored at any time by designated staff to ensure appropriate educational or administrative use. Users of the District's approved electronic communications systems and new technologies must report all inappropriate use of the communications to a designated School Compliance Coordinator for review and possible confidential investigation or referral.

### **Part 2: Non-Work-Related Communications**

The [School District] shall not implement any policies regarding non-work-related employee communications conducted by its employees in general, or which allow exclusive access with current and former students. It shall not prohibit employees of the district from engaging in any non-work-related activities or using non-work-related electronic communications or new technology platforms. The balancing of the individual employee's Constitutional rights to freedom of speech, association, and religion outweigh the interests of the school district in the non-work-related activities of its employees, subject to conduct and communications already regulated by local, state and federal law.

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Revised Statutes of Missouri including, but not limited to, Sections 566.032 (Statutory rape and attempt, 1<sup>st</sup> degree), 566.034 (Statutory rape, 2d degree), 566.032, 566.034, 566.062, 566.064, 566.067 (Child Molestation, 1st degree), 566.068 (Child Molestation, 2d degree), 566.083 (Sexual misconduct involving a child), 566.086 (Sexual contact with a student), 566.151 (Enticement of child using electronic communication), 168.114 (Board may terminate, grounds for), 168.071 (Revocation, suspension or refusal of certificate or license, grounds), 210.115 (Reports of abuse, neglect, and under age 18 deaths – mandatory reporting by school personnel).

Missouri State Teachers Association v. State of Missouri et al., Case Number 11AC-CC00553, Preliminary Injunction Issued,  
<http://colecourtscourts.org/Missouri%20State%20Teachers%20vs%20Missouri.pdf>

MSTA Code of Professional Ethics, <http://www.msta.org/about/ethics.aspx>

MSTA 2011 Adopted Resolutions

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