

CHESTER COUNTY INTERMEDIATE UNIT 24

SECTION: EMPLOYEES
TITLE: STAFF – STUDENT COMMUNICATION
ADOPTED: APRIL 27, 2011
REVISED: OCTOBER 21, 2020

317.1 STAFF – STUDENT COMMUNICATION

<u>Policy Section</u>	Policy Details
1. Purpose	The Board adopts this policy to establish procedures for staff and student interaction and communication in and out of the school setting, in person, and via correspondence including but not limited to telephone, e-mail, “texting”, and the Internet.
2. Authority	The Board requires all Intermediate Unit employees, independent contractors and volunteers communicate with students only in a manner that is professional and respects the proper bounds between students and staff.
3. Guidelines	<p>Employees, independent contractors, and volunteers may not:</p> <p>Communicate with students as if the employee and student were peers, such as writing personal letters or e-mails, texting, or direct messaging students.</p> <ol style="list-style-type: none"> 1. Calling students on cell phones or allowing students to make personal calls to them unrelated to homework, class work and Intermediate Unit-sponsored or sanctioned student activities. 2. Sending electronic messages via text messaging, social media platforms or other means to students that are unrelated to homework, class work and Intermediate Unit-sponsored or sanctioned student activities. 3. Sending lewd, vulgar or profane pictures, depictions or graphics to students. 4. Discussing or revealing to students personal matters about their private lives or inviting students to do the same (other than professional counseling by a school counselor). Engaging in sexualized dialogue, whether in person, by phone, via the Internet, other electronic means, or in writing. <p>Communicating with students via social media about non-school matters. Such electronic communication may cross professional boundaries in violation of the Pennsylvania Code of Professional Practice and Conduct for Educators, and the Educator Discipline Act.</p> <p><u>Electronic Communication</u></p> <p>All electronic communications conducted by an employee with a student shall relate directly to educational or extracurricular programs or activities of the CCIU.</p> <p>Cell phone contact with students is strongly discouraged. Calling or texting students’ personal</p>

cell phones shall only occur in emergency or time sensitive circumstances, or if the student is in an online program and that is the only means of reaching the student and/or if all other methods of contacting the student have failed.

Employees are prohibited from using any authorized electronic communication methods with students for purposes not related to educational or extracurricular programs or activities of the district except as specifically authorized by school administration or in the event that an employee and a student are immediate family members or close relatives. Employees may receive authorization for such electronic communication for other purposes such as attending the same religious institution as a student, engaging in a community club or event that the student also participates in, or for other non-educational activities not related to CCIU business.

Employees are prohibited from using any unauthorized electronic communication methods with students for any purpose, including school-related communications, other than an emergency or in the event an employee and a student are immediate family members or close relatives. Employees may also receive authorization for such electronic communication for other purposes such as attending the same religious institution as a student, engaging in a community club or event that the student also participates in, or for other non-educational activities not related to CCIU business.

Text messaging may be a form of electronic communication that is valuable when emergency or time sensitive contact with students by employees is necessary. Text messaging in these contexts should be conducted via authorized text messaging methods, including official school email accounts and/or messaging accounts owned and registered to the CCIU, and operated by the CCIU information technology and/or communications divisions.

Employees who anticipate the need for emergency or time sensitive contact with students by text message shall make administration, and parents/guardians aware at the beginning of the school year/athletic season that they may use texting to communicate with students, and the method of the messaging.

Employees may utilize, with administrative oversight and approval of the Director of Information Technology, an electronic/Internet resource, app, or other similar resource, where messages are uploaded by the employee to the site; that message is then texted out to students so that there is no direct texting between employees and students, and there is no access to employee or student phone numbers, provided also the usage otherwise complies with the requirements of this policy, and parents/guardians are notified at the beginning of the school year that the Internet resource may be utilized.

Social Media

Employees who post information on social media that include inappropriate personal information such as but not limited to provocative photographs, sexually explicit messages, use of alcohol, drugs or anything students are prohibited from doing must understand that if

students, parents/guardians or other employees obtain access to such information, their cases will be investigated by Intermediate Unit officials and, if warranted, may result in disciplinary action, up to and including termination, depending upon the severity of the offense.

The Executive Director or designee reserves the right to periodically conduct social media searches to determine if employees have posted inappropriate materials. If inappropriate use of computers and/or other electronic devices is discovered, the Executive Director's designee will promptly bring that misconduct to the attention of the Executive Director for review and possible disciplinary action.

Employees engaging in inappropriate communication with students will be investigated by school officials and, if warranted, will be disciplined, up to and including termination. Depending upon the nature or severity of the offense, the Intermediate Unit may notify the proper authorities, including the Pennsylvania Department of Education, local police and child welfare agencies for further investigation.

Title IX Sexual Harassment and Other Discrimination

Whenever the allegations underlying a report of educator misconduct include conduct that appears to constitute harassment or other discrimination, including Title IX sexual harassment, subject to policies and procedures specific to such conduct, the Title IX Coordinator shall be promptly notified and shall respond to such allegations as provided in the applicable Board policies. Whenever an investigation by the Intermediate Unit of educator misconduct reveals indications of conduct by any person that appears to constitute harassment or other discrimination, including Title IX sexual harassment, the Title IX Coordinator shall be promptly notified and shall respond to such allegations as provided in policies specific to such discrimination. To the extent feasible, investigations pursuant to discrimination policies shall be conducted jointly with investigations by the Intermediate Unit of educator misconduct.[11][12]

Confidentiality Agreements

The Intermediate Unit shall not enter into confidentiality or other agreements that interfere with the mandatory reporting requirement.[10]

Confidentiality

Except as otherwise provided in the Educator Discipline Act, all information related to any complaint, any complainant, or any proceeding related to discipline **under the Educator**

Discipline Act shall remain confidential unless or until public discipline is imposed.[13]

Immunity

Any person who, in good faith, files a complaint or report, or who provides information or cooperates with the Pennsylvania Department of Education or Professional Standards and Practices Commission in an investigation or proceeding shall be immune from civil liability. The Intermediate Unit also is immune from civil liability for the disclosure of information

about the professional conduct of a former or current employee to a prospective employer of that employee.[\[14\]](#)

Reporting

An educator who knows of any action, inaction or conduct which constitutes sexual abuse or exploitation or sexual misconduct under the Educator Discipline Act shall report such misconduct to the Pennsylvania Department of Education on the required form, and shall report such misconduct to the Executive Director and his/her immediate supervisor, within 24 hours of discovery of such misconduct.[\[5\]](#)

All reports submitted to the Pennsylvania Department of Education shall include an inventory of all information, including: documentary and physical evidence in possession or control of the school relating to the misconduct resulting in the report.

Employees shall report to the building principal/program supervisor or his/her designee any student or teacher initiated electronic communication that violates the terms of this administrative procedure.

Records of any reported improper and/or inappropriate electronic communications shall be maintained by the building principal/program supervisor in accordance with the CCIU’s records retention schedule.

Any suspected violation of this policy shall be investigated by the employee's building principal/supervisor or designee, and reported to the appropriate state agencies.

Violations

Employees shall be required to comply with all Board policies regarding communications with students. Any failure to do so may constitute cause for disciplinary action, up to and including termination from employment. Should an employee's failure to comply also violate state or federal law, the Superintendent or his/her designee shall report such violation to the proper authorities.

Employees who have used their personal cell phones to text students will be required to allow IU officials to review the text message(s) sent to the student. Employees who refuse may be suspended with or without pay pending the outcome of the investigation, and depending upon the nature of the alleged text messaging.

Employees engaging in communications with students in violation of Board policy or this administrative regulation will be investigated by CCIU officials and, if warranted, will be disciplined, up to and including termination. Depending upon the nature or severity of the offense, the Intermediate Unit may notify the proper authorities, including the Pennsylvania Department of Education, local police and child welfare agencies for further investigation.
School Code – 24 P.S. Sec. 914-A, 915-A

Legal
References

Professional Educator Discipline Act – 24 P. S. Sec. 2070.1a et seq.

<p>Code of Professional Practice and Conduct for Educators – 22 PA Code Sec. 235.1 et seq. Board Policy – 317, 806, 815, 815.1</p>
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