



THE NEWARK PUBLIC SCHOOLS
Newark, New Jersey
POLICY



FILE CODE: 4119.26/4219.26

ELECTRONIC COMMUNICATION BY SCHOOL STAFF

1 The District shall strive to create a 21st century learning experience to prepare its students for college and their career. As such, the State District Superintendent encourages the use of electronic communications by and between students and employees to enhance the nature of teaching and learning as well as to improve productivity and efficiency within the District. However, students and employees are responsible for using electronic communications in a manner that is legal, ethical, and in accordance with all District policies, including but not limited to anti-harassment, pupil relationships, conduct, professional communication, and confidentiality. Misuse or unlawful use of electronic communication can be the basis for discipline, termination of employment, civil liability, and/or criminal prosecution. Use of District-issued electronic devices and District computer network is limited to appropriate educational purposes and official business.

2 While NPS respects the right of and encourages employees to use electronic communication, employee conduct, including electronic communication, is held to a higher standard than the general public. Employees must set appropriate boundaries between their public, personal, and professional online activity, understanding that what is private in the digital world often has the possibility of becoming public even without their knowledge or consent. Employees who post or publish images, photographs, or comments on social networking sites, blogs, or other forms of electronic communication shall ensure their use, postings, or publications are professional and appropriate for a school district employee. Employees are strongly encouraged to carefully review the privacy settings on their social networking accounts and exercise good judgment when posting or otherwise transmitting electronic communication.

3 “Electronic communications,” for the purpose of this policy, means a communication transmitted by means of an electronic device including, but not limited to, a telephone, pager, mobile phone, computer, computer network, or other electronic device. Electronic communications include any transmission of data, including but not limited to e-mail, instant message, text messages, searches, or any message made through online forums/chats, social media, or other social networking websites.

When engaging in electronic communication, employees are expected to adhere to the following guidelines:

- 4**
- A. Employees are prohibited from communicating with current students using the employee’s personal email address or personal social media account. Employees who engage in electronic communication with current students must use the **District-issued email address**. Employees must use the District-issued email address when communicating with students, parents, and engaging in official business. Employees shall not “friend” or “follow” current students on personal social networking sites. Employees who engage in social media activities with students must create a professional social media account that is completely separate from their personal social media accounts and activity;
 - B. Educators and/or schools that create a social media account should submit this information along with the authorized user accounts that can post content to the State Superintendent or designee and maintain this contact accurate on an ongoing basis;
 - C. All electronic communication by coaches and extracurricular advisors with team members and members of extracurricular activities shall, as a general rule, be sent to all team members and activity participants;

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- D. Employees should not give out their personal email address, private cell phone, or home phone numbers to students without prior approval of the Principal;
- E. The following is a non-exhaustive list of prohibited electronic communications. Employees shall not send messages that contain material that:
 - 1. May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
 - 2. Violates District policies and procedures;
 - 3. Is personal in nature and not related to the business of the District or significantly affects the employee's ability to perform his/her job or disrupts the educational environment;
 - 4. Can be interpreted as provocative, flirtatious or sexual in nature;
 - 5. Is confidential and not authorized for distribution;
 - 6. Violates District Harassment, Intimidation and Bullying policies.
- F. Employees have no expectation of privacy when using District technology, the District network, public social media sites, and/or transmitting any electronic communication (unless subject to a legally recognized evidentiary privilege or confidentiality);
- G. The administration shall monitor and may investigate an employee's electronic communication and use of District-issued devices and District computer network for improper or illegal use;
- H. Employees shall be informed of the consequences that may result from inappropriate electronic communications up to and including dismissal from employment.

When inappropriate use of computers and internet websites is discovered, the appropriate administrator shall seek to preserve the problematic or offensive material, and shall maintain storage and chain of custody of the evidence. The appropriate administrator shall promptly bring that alleged misconduct to the attention of the Office of General Counsel and Office of Security Services.

Electronic Communication

Electronic Communication such as email, web sites, and social media can serve as a powerful tool to enhance education, communication, and learning. This technology can provide both educational and professional benefits, including preparing students to succeed in their educational and career endeavors. The District shall strive to create professional social media environments that mirror the academically supportive environments of our schools. Employees shall adhere to the following guidelines when sending or receiving messages:

- A. All messages shall pertain to legitimate school business. Legitimate school business includes, but is not limited to:
 - 1. Answering academic inquiries regarding homework, other classroom work or assignments;
 - 2. Scheduling appointments for school related conferences and/or extra help;
 - 3. Clarifying classroom expectations and/or assignments;
 - 4. Notifications related to classroom, club or sports schedules, events, trips, assignments, and deadlines;
 - 5. Creation of a teacher or class web site to publish projects, homework assignments, and student electronic portfolio;
 - 6. Posting of student work to school web sites as long as no personal identifiable information about the student is published. Employees shall **not** "tag" or publish photos of other employees or volunteers, or students without the prior permission of the individuals being tagged. Employees shall **not** "tag" or publish photos of students without the appropriate NJDOE photo release form signed;

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- B. Personnel shall not reveal District issued passwords to others. If a staff member believes that a password has been lost or stolen, or that email has been accessed by someone without authorization, he/she must contact the Office of Information Services/Instructional Technology;
- C. District administrators shall have access to the employee's password or passwords for all District-owned or -issued devices and the use of the District computer network;
- D. Employees shall not send messages that contain material that:
 - 1. May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
 - 2. Violates District policies and procedures;
 - 3. Is personal in nature and not related to the business of the District;
 - 4. Can be interpreted as provocative, flirtatious or sexual in nature;
 - 5. Is confidential and not authorized for distribution;
 - 6. Violates District Harassment, Intimidation and Bullying policies.
- E. Employees shall become familiar with the District's policies on staff and student access to networked information resources and acceptable use of technology (6142.10 Technology) before initiating email use;

Authorized Text Messaging Using District-Issued Mobile Phones

As a general rule, employees shall not contact (call or text message) students' cell phones unless authorized to do so by the parent/guardian and the Principal. When mobile phone interaction has been authorized, any text messages shall, as a general rule, be sent to the entire class, team, club or organization and not to any student individually. Exceptions may include situations involving confidential medical issues, emergencies or individual issues not involving the entire group.

If previously authorized, employees shall limit mobile phone interaction with students to contact that pertains to legitimate school business. Contact with students should be as brief and direct as possible. When brief electronic communication is not sufficient and/or feasible to address the matter, where appropriate, teachers shall schedule face-to-face conferences during regular classroom and extra-help periods to confer with the student.

Employees shall not send messages containing material that:

- 1. May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
- 2. Violates District policies and procedures;
- 3. Is personal in nature and not related to the business of the District;
- 4. Can be interpreted as provocative, flirtatious or sexual in nature;
- 5. Is confidential and not authorized for distribution;
- 6. Violates District Harassment, Intimidation and Bullying policies.

Online Education

An online classroom is still a classroom. Though courses and/or assigned programs of home instruction may be online, appropriate classroom behavior is still mandatory. Respect for the participants is essential for learning and student achievement. Staff communications with students during online education will be limited to legitimate school business as set forth under cell phones, text messages and electronic communication, above. Professional standards and etiquette shall be observed at all times.

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Adopted by State District Superintendent: November 25, 2014

NJSBA Review/Update:

Readopted by State District Superintendent:

Key Words

Employee Conduct, Cell Phones, Text Messaging, E-Mail, Electronic Communication

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| <u>Legal References:</u> | <u>N.J.S.A. 2A:38A-1 et seq.</u> | Computer System |
| | <u>N.J.S.A. 18A:6-10</u> | Dismissal and reduction in compensation of persons under tenure in public school system |
| | <u>N.J.S.A. 18A:11-1</u> | General mandatory powers and duties |
| | <u>N.J.S.A. 18A:27-4</u> | Power of boards of education to make rules governing employment of teacher, etc. |
| | <u>N.J.S.A. 18A:36-35</u> | Disclosure of certain student information on Internet prohibited without parental consent |
| | <u>N.J.S.A. 18A:37-13 et seq.</u> | Anti-Bullying Bill of Rights Act |
| | <u>N.J.S.A. 18A:54-20</u> | Powers of board (county vocational schools) |
| | <u>N.J.S.A. 47:3-15 et seq.</u> | Destruction of Public Records Law |
| | <u>N.J.A.C. 6A:9-3.3</u> | Professional standards for teachers |
| | <u>N.J.A.C. 6A:9B-4.5</u> | Grounds for revocation and suspension of certification |

In the Matter of Certificate of Weidemoyer, Exam 2010 April 29.

In the Matter of Certificates of Stenz, Exam 2010: March 25.

In the Matter of the Certificates of Alan Chadrijian, Exam 2011: July 28.

In the Matter of Rhaney, Exam 2011: June 16.

In the Matter of Young, Exam: 2011: Sept 22.

In Re Cluggish, Exam 2011, Dec 16.

Possible

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| <u>Cross References:</u> | *2224 | Nondiscrimination/affirmative action |
| | *3570 | District records |
| | *4111.1 | Nondiscrimination/affirmative action |
| | 4117.50 | Standards for staff discipline |
| | *4119.21 | Conflict of interest |
| | *4119.22 | Conduct and dress |
| | *4119.23 | Employee substance abuse |
| | 4119.24 | Staff/pupil relations |
| | *4131/4131.1 | Staff development, inservice education, visitation, conferences |
| | *4211.1 | Nondiscrimination/affirmative action |
| | *4219.21 | Conflict of interest |
| | *4219.22 | Conduct and dress |
| | *4219.23 | Employee substance abuse |
| | 4219.24 | Staff/pupil relations |
| | *4231/4231.1 | Staff development, inservice education, visitation, conferences |
| | *5125 | Student records |
| | *5131 | Conduct and discipline |

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| *5131.1 | Harassment, intimidation and bullying |
| *6121 | Nondiscrimination/affirmative action |
| *6142.10 | Internet safety and technology |
| *6144 | Controversial issues |
| *6173 | Home instruction |

*Indicates policy is included in the Critical Policy Reference Manual.