

ELECTRONIC COMMUNICATIONS BETWEEN EMPLOYEES AND STUDENTS

[B8]

I. PURPOSE

This policy is adopted to provide guidance and direction to Thetford Academy employees in order to prevent improper electronic communications between employees and students.

II. DEFINITIONS

For the purposes of this policy, the following definitions apply:

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.

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, and YouTube.

Employee:

Employee includes any person employed directly by or retained through a contract of employment with the school, or an agent of the school.

Student:

Student means any person who attends school in any of the grades operated by the school.

III. POLICY

Thetford Academy recognizes that electronic communications and the use of social media outlets create new options for extending and enhancing the educational program of the school. Electronic communications and the use of social media can help students and employees communicate regarding the following: questions during non-school hours about homework or other assignments; scheduling issues for school-related co-curricular and interscholastic athletic activities; schoolwork to be completed during a student's extended absence; distance-learning opportunities; and other professional communications between employees and students that can enhance teaching and learning opportunities. However, Thetford Academy recognizes that employees and students can be vulnerable in electronic communications.

It is the policy of Thetford Academy that all communication between employees and students shall be professional and appropriate. The use of electronic communication that is inappropriate in content is prohibited.

IV. COMPONENTS OF POLICY

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, the following:

- (i) Communications of a sexual nature, sexual-oriented humor or language, sexual advances, or content with a sexual overtone;
- (ii) 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;
- (iii) Communications regarding the employee's or student's past or current romantic relationships;
- (iv) Communications which include the use of profanities, obscene language, lewd comments, or pornography;
- (v) Communications that are harassing, intimidating, or demeaning;
- (vi) Communications requesting or trying to establish a personal relationship with a student beyond the employee's professional responsibilities; and
- (vii) Communications related to personal or confidential information regarding the employee or student that isn't academically focused.

B. Procedures

The Head of School shall develop procedures for both the receipt and handling of reports filed under this policy (see Section C, parts 1 and 2, below).

C. Enforcement responsibilities

1. Student communications violation of this policy

In the event a student sends an electronic communication that is inappropriate as defined in this policy or that violates the procedures governing inappropriate forms of electronic communication to an employee, the employee shall submit a written report of the inappropriate communication ("report") to the Head of School or the Head of School's designee by the end of the next school day following actual receipt

by the employee of such communication. The Head of School or their designee will take appropriate action to have the student discontinue such improper electronic communications.

While the school 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.

2. Employee communications violation of this policy

In the event that 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 promptly a written report of the inappropriate communication ("report") to the Head of School and/or to the person designated by the Head of School to receive complaints under this policy. The report shall specify what type of inappropriate communication was sent by the employee, with a copy of the communication if possible.

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

Inappropriate electronic communications to a student by an individual who was previously employed at TA on a seasonal or temporary basis (for example, to coach a team or to help with drama productions or special projects) may render that individual ineligible for rehire and may be reported to other agencies as described in Section D of this policy

3. Applicability

The provisions of this policy shall be applicable at all times while an employee is employed by the school and at all times while a student is enrolled in the school, including holiday and summer breaks. An employee is not subject to these provisions to the extent that the employee has a family relationship with a student (e.g., parent/child, niece, nephew, grandchild, etc.).

4. Other school policies

Improper electronic communications that may also constitute violations of other policies of the school (e.g., unwelcome sexual conduct) may also constitute a violation of the school's separate policy on the Prevention of Harassment, Hazing, and Bullying of Students. Complaints regarding such behavior should be directed as set forth in the school's Procedures on the Prevention of Harassment, Hazing and Bullying of Students.

D. Reporting to other agencies

1. 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.*

2. Reports to Vermont Agency of Education (AOE)

Accordingly, if behaviors violative of this policy involve conduct by a licensed educator that might be grounds under Vermont law for licensing action, the Head of School shall report the alleged conduct to the AOE.

3. 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.

4. 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.

Adopted: January 6, 2022