

## STAFF-STUDENT ELECTRONIC COMMUNICATIONS

**All electronic communications between an employee of the Board Special Schools (BSS) and a student enrolled at a BSS shall be strictly governed by this policy.**

### I. **Definitions**

- A. *BESE* is defined as the State Board of Elementary and Secondary Education.
- B. *Board Special Schools* is **Louisiana School for the Deaf (LSD)**, **Louisiana School for the Visually Impaired (LSVI)**, and the **Louisiana Special Education Center (LSEC)**.
- C. *Electronic communications* is defined as any and all electronic communications between a BSS employee and a BSS student, including but not limited to voice communications (phone conversations, voicemail, video phone, etc.), text-based telecommunications, computers, email, and all internet-based communications opportunities, including but not limited to social networks and chat rooms.
- D. *Employee* is defined as any full-time or part-time employee of BSS or a volunteer at a BSS.
- E. *Student* is defined as any student currently enrolled at a BSS.

II. All electronic communication by an employee to a student relative to the educational services provided to the student shall use a means provided by or otherwise made available by the BSS for this purpose. Employees are prohibited from the use of all such systems means to electronically communicate with a student for a purpose not related to such educational services except for communication with a student's immediate family member if the communication with the immediate family member is specifically authorized by BSS policy.

III. The occurrence of any electronic communication made by an employee to a student or an electronic communication that is received by an employee at a BSS from a student using a means other than one provided by or made available by a BSS shall be reported by the employee to the Superintendent, Board Special Schools. Other staff members who become aware of such communications are also required to report the communications.

- A. The report of a prohibited electronic communication must be made in writing, signed, and dated, and received by the Superintendent within 24 hours of receipt of such a communication.
- B. This written report may be accomplished by email or in a paper document.

IV. Records of any such reported communication shall be maintained by the Superintendent, Board Special Schools, for one year. The Superintendent, Board Special Schools, shall inform BESE of any such reported communications at the next BESE meeting. BESE also will maintain this information for one year. This information is deemed confidential pursuant to the *Family Educational Rights and Privacy Act (FERPA)* and shall remain confidential.

V. It is the duty of all employees to comply with this policy. Failure to comply may result in disciplinary action, and in extreme circumstances, may constitute willful neglect of duty. Consequences for a violation of this policy are as follows:

- A. Employee reprimand, to be made a permanent part of the employee's personnel file;
- B. Suspension without pay;
- C. Demotion; or
- D. Termination

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- VI.** Timelines for reporting and investigating an alleged failure by an employee to comply with this policy and for concluding such an investigation and resolving the allegation are as follows:
- A. Any knowledge or suspicion of an alleged failure to an employee to comply with this policy must be reported in writing to the Superintendent, Board Special Schools. The report must be signed and dated.
  - B. This report must be received by the BSS Superintendent within 24 hours of knowledge or suspicion of an alleged failure by an employee to comply with this policy.
  - C. The BSS Superintendent will undertake an investigation of any such allegation, and conclude the investigation within twenty (20) business days. The BSS Superintendent shall produce a written report of the investigation on or before the twentieth business day.
  - D. If the report concludes that no evidence exists to support the allegation, the BSS Superintendent shall close the file and maintain the records for one year.
  - E. If the report concludes that evidence supports the conclusion that an employee failed to comply with this policy, the BSS Superintendent immediately shall proceed with an action against the employee, as set out herein. The BSS Superintendent also will notify BESE of the incident and consequences at the next BESE meeting. This information is deemed confidential pursuant to FERPA and shall remain confidential.
- VII.** Any failure of an employee to comply with this policy which also may be a violation of state or federal law must be reported to the appropriate authorities, including but not limited to the Louisiana Office of Community Services, the appropriate local police or sheriff, and/or the Federal Bureau of Investigation (FBI).
- VIII.** BSS employees, both full-time and part-time, shall be notified of this policy and its possible consequences for failure to comply in the following manner:
- A. BSS Human Resources Department shall disseminate a copy of this policy to all current employees. Each employee is required to sign and date an acknowledgement of receipt. The Human Resources Department will place the signed acknowledgement of receipt in the employee's Human Resource file.
  - B. BSS Human Resources Department will give a copy of this notice to each employee hired after December 15, 2009, at the time of hiring. The employee shall be required to sign and date an acknowledgement of receipt. The Human Resources Department will place the signed acknowledgement of receipt in the employee's Human Resources file.
- IX.** Parents and other persons responsible for a student's school attendance will be fully informed of this policy in the following manner:
- A. BSS will send a copy of this policy to each student's parent(s) and other persons responsible for a student's school attendance. This mailing will be completed no later than December 15, 2009.
  - B. For students admitted to BSS after December 15, 2009, BSS will give a copy of this policy to the parent(s) or other persons responsible for each student's school attendance. The parent(s) or other persons responsible for each student's school attendance must sign an acknowledgement of receipt of this policy. The acknowledgement of receipt must be maintained in the student's cumulative folder.
- This notice will include an opportunity for parents and other persons responsible for a student's school attendance to request that the student not be contacted through electronic communication by any BSS employee unless the purpose for such communication is directly related to the student's education services and is sent to and received by more than one student at the school.

Effective: November  
15, 2009  
Revised:

REF: Act 214, Leg.Regular Session of 2009