Policies Target Teacher-Student Cyber Talk

By Katie Ash

Teachers in Louisiana may soon think twice before sending a text message or e-mail to a student from a personal electronic device.

A new state law requires all Louisiana districts to implement policies requiring documentation of every electronic interaction between teachers and students through a nonschool-issued device, such as a personal cellphone or e-mail account, by Nov. 15. Parents also have the option of forbidding any communication between teachers and their child through personal electronic devices.

Similar policies exist in many school districts across the country, and at least one other state has considered such legislation in recent years. But critics question the measures, saying they will likely restrict appropriate communication between teachers and students and discourage the use of new technologies.

"The motivation for the bill was growing problems with [interactions] that started relatively innocently and escalated from there," said state Rep. Frank A. Hoffman, the Republican who wrote the bill, which Gov. Bobby Jindal signed into law in June. "It's to head something off before it ever gets started.

"We're not saying don't use [electronic devices], just that there should be a system of documentation," he said.

Determining what communications between teachers and students are appropriate, especially in the emerging fields of electronic devices and social-networking Web sites, is an issue that districts nationwide are navigating, with policies ranging from fairly permissive to more restrictive.

"We're at a point where [policies on this issue] are all over the map," said Ann Flynn, the director of education technology for the National School Boards Association, based in Alexandria, Va. "I think it is largely a local issue to be sorted out, ideally in a proactive [rather than reactive] way."

Unlike in Louisiana, such policies typically are determined locally, rather than at the state level, although similar legislation has appeared in the Missouri legislature, at least, but not been enacted.

'Chilling Effect'
Joyce P. Haynes, the president of the National Education Association, an affiliate of the American Federation of Teachers, said in an interview that the legislation could have a major chilling effect on teachers’ becoming mentors for students.

"I did not believe that this legislation would deter any teacher from having a sexual relationship with a student," he said. "In fact, I believe this legislation could have a major chilling effect on teachers’ becoming mentors for students."

For example, some teachers give out cellphone numbers to students who may have unstable home environments, Mr. Hines said. "Teachers [should be able to] give out their cellphone number," he said, "without any fear of unnecessary hassle or unintended consequences."

Ray Bernard, the child-welfare supervisor for the 15,000-student Lafourche Parish, La., public school system, believes the law provides enough flexibility to both protect students and keep legitimate teacher-student relationships intact.

The policy that his district will implement says that teachers, and all other school employees, must document any interaction through nonschool-issued electronic devices that happens with a student in that district, or any other district in the state, within 24 hours of the exchange.

The documentation consists of filling out an electronic form that explains the reason behind the interaction, which is then sent to the school administration. School employees are also expected to document occasions in which they are contacted by students through nonschool means. Those who violate the policy could be in danger of being fired, said Mr. Bernard.

"What we’re hoping is that once [school employees] see the hassle that they have to go through to use their own communication device, then they’ll ... do it selectively, at best," he said.

The district’s policy does not apply to one-way communication to groups of students regarding classroom assignments, such as a teacher posting homework instructions on a blog or Web page, Mr. Bernard said. The policy only refers to direct communication between individual students and school employees. The state law requires each school district to define electronic communication.

The Louisiana Association of Educators, an affiliate of the National Education Association, has released guidelines outlining what school policies on the matter could look like and how they should be carried out, said Louisiana Rep. Walker Hines, a Democrat, voted against the bill in his state.

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“We just see that it’s like a necessary evil,” she said of the new law’s requirements.

“Teachers jump through hoops all the time, and this is just another way of taking care of business.”

**Pulling Back**

In Texas, meanwhile, administrators in the 24,000-student McKinney Independent School District, north of Dallas, experienced an outcry from teachers, students, and parents after introducing a school policy that banned teacher-student communication through text messaging, e-mail, and social-networking Web sites.

The feedback “provided a lot of great examples of situations where [electronic exchanges like] texting became not only a valuable communication tool, but also sometimes a safety issue,” said Cody Cunningham, a spokesman for the district.

School tennis coaches, for example, contended that texting was a valuable way of quickly reaching players who might be spread out over many courts, he said. The district was also informed of teachers who were using social-networking sites to provide educational content.

“When those concerns were raised, ... we realized that maybe the decision to change our policy was done a little too quickly,” Mr. Cunningham said, “and we decided to take more time to research what’s an appropriate way to implement a policy that sets parameters, but also allows that opportunity for communication to occur.”

In the end, the McKinney district’s policy was revised to better reflect the needs of teachers and students, he said, by focusing more on a “professional code of ethics” than restrictions on specific technologies.

“I think the intentions were good, but there was just a lack of understanding of all the implications,” Mr. Cunningham said of the original policy.

The 8,600-student Lamar County school district in Purvis, Miss., received national attention when it implemented a policy last school year that prohibits teachers from posting documents or photos online that “might result in a disruption of classroom activity” or interacting with students on social-networking sites.

“We want to keep the relationship between the teacher and the student on a professional basis,” said Benjamin C. Burnett, the superintendent of the district. “We don’t want to keep our teachers from building positive relationships with kids, but we want to make sure it’s on an educational and professional level.”

Since the Lamar County school system put its policy in place, many school districts in the surrounding area, as well as across the country, have gotten in touch with district officials because they plan to adopt similar policies, Mr. Burnett said.

**Lack of Guidance**

Part of the challenge policymakers face when writing rules about teacher-student interactions through new technologies is the speed which with those technologies are emerging, said David S. Doty, the superintendent of the 33,000-student Canyons school district in Utah.

“Anybody dealing with young people will tell you that the law is not keeping pace with the evolution of technology, and the gap between those two seems to be getting bigger every year,” said Mr. Doty, who also worked for
15 years as a lawyer.

“It leaves school officials, frankly, dealing with a lot of this stuff on the fly,” he said. “It’s not because they’re not prepared, ... but because there really is not much formal guidance to help them.”

The administration in the Canyons district is discussing what its policy to address teacher-student communications through electronic devices should entail. It does not currently have one in place.

“At the end of the day, we depend on [teachers] to use good judgment,” said Mr. Doty. “I don’t think it’s very effective to bring down this laundry list of ‘thou shalt not.’ ”

In Utah, the state department of education requires each school district to have a policy, or have plans to implement a policy, that addresses teacher-student electronic communications, but it does not stipulate exactly what a policy should look like.

The department does provide two examples on its Web site of possible policies—one that is considered permissive, and one that is more restrictive.

Terri Miller, the president of the group Stop Educator Sexual Abuse, Misconduct, and Exploitation, based in Las Vegas, says policymakers should not enact “reactionary” legislation regarding contact between teachers and students.

“What they really need to focus on is training in proper boundaries,” Ms. Miller said. “You can pass laws ... that prohibit inappropriate behavior between students and teachers, but that’s not going to stop true predators.”
To TOntis

There are existing laws and regulations to address your situation. They should be covered in “School Law” and be part of the teacher preparation curriculum. I hope it could have been handled within the school system of discipline.

Jpatrick
Author, “Prelude to Chaos”

11/5/2009 7:04 AM EST on EdWeek

C. Proctor wrote:

Good grief! Contact that is inappropriate by electronic means is just as inappropriate by any other means. It’s the ethics of the people involved that needs to be addressed, not the means through which contact is made!

11/5/2009 1:04 PM EST on EdWeek