

POLICY

**PATERSON
BOARD OF EDUCATION**

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3281 INAPPROPRIATE STAFF CONDUCT

The Board of Education recognizes its responsibility to protect the health, safety and welfare of all pupils within this school district. Furthermore, the Board recognizes there exists a professional responsibility for all school staff to protect a pupil's health, safety and welfare. The Board strongly believes that school staff members have the public's trust and confidence to protect the well-being of all pupils attending the school district.

In support of this Board's strong commitment to the public's trust and confidence of school staff, the Board of Education holds all school staff to the highest level of professional responsibility in their conduct with all pupils. Inappropriate conduct and conduct unbecoming a school staff member will not be tolerated in this school district.

The Board recognizes and appreciates the staff-pupil professional relationship that exists in a school district's educational environment. This Policy has been developed and adopted by this Board to provide guidance and direction to avoid actual and/or the appearance of inappropriate staff conduct and conduct unbecoming a school staff member toward pupils.

School staff's conduct in completing their professional responsibilities shall be appropriate at all times. School staff shall not make inappropriate comments to pupils or about pupils and shall not engage in inappropriate language or expression in the presence of pupils. School staff shall not engage in inappropriate conduct toward or with pupils. School staff shall not engage or seek to be in the presence of a pupil beyond the staff member's professional responsibilities. School staff shall not provide transportation to a pupil in their private vehicle or permit a pupil into their private vehicle unless there is an emergency or a special circumstance that has been approved in advance by the Building Principal/immediate supervisor and the parent/legal guardian.



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The Commissioner of Education has determined inappropriate conduct by a school staff member outside their professional responsibilities may be considered conduct unbecoming a staff member. Therefore, school staff members are advised to be concerned with such conduct which may include, but are not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other medium that is directed and/or available to pupils or for public display.

The Superintendent or designees will periodically conduct internet searches to see if teachers have posted inappropriate materials on-line. When inappropriate use of computers and websites is discovered, the School Principals and Superintendent will download the offensive material and promptly bring that misconduct to the attention of the Board's Personnel Committee for review.

Cell Phones

School staff shall not contact parents'/guardians' or students' cell phones unless directed to do so by the parent/guardian or student. School district personnel shall limit cell phone interaction with students to contact that pertains to legitimate school business. Legitimate school business includes:

- A. Answering academic inquiries regarding homework, other classroom work or assignments;
- B. Scheduling appointments for school related conferences and/or extra help;
- C. Clarifying classroom expectations and/or assignments;
- D. Notifications related to classroom, club or sports schedules, events, trips, assignments; deadlines.



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Cell phone contact with students shall be as brief and direct as possible. When brief contact is not sufficient and/or feasible to resolve the matter, teachers shall schedule face to face conferences during regular classroom and extra-help periods to confer with the student. No contact shall exceed three replies.

Text Messages

No staff member, coach or volunteer shall text message any student individually. All text messages to students shall be sent to the class, team, club or organization.

Staff shall not send messages that contain material that may be defined by a reasonable person as profane or obscene; messages that are racist, sexist or promote illicit, illegal or unethical activity; or messages:

- A. That violate the district's affirmative action policy;
- B. That are personal in nature and not related to the business of the district;
- C. That can be interpreted as provocative, flirtatious or sexual in nature;
- D. That contain confidential information to persons not authorized to receive that information

Computer Communication

School district personnel shall adhere to the following guidelines when sending or receiving messages via internal or external E-mail:

- A. All messages shall pertain to legitimate school business
- B. Personnel shall not reveal passwords to others. If a staff



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- member believes that a password has been lost or stolen, or that E-mail has been accessed by someone without authorization, he/she should contact the Help Desk immediately. E-mail windows should not be left open on the screen when the computer is unattended.
- C. Messages and E-mail files shall be deleted in a timely manner. The network system operator will delete messages that are retained after 90 days unless other arrangements are approved by the assistant superintendent for personnel and technology.
- D. To ensure that federal copyright laws are not violated, staff shall not send messages that contain text without the author's permission.
- E. Staff shall not send messages that contain material that may be defined by a reasonable person as obscene; messages that are racist, sexist or promote illegal or unethical activity; or messages:
1. That violate the district's affirmative action policy;
 2. That are personal in nature and not related to the business of the district;
 3. That are broadcast to a large group of other personnel without supervisory permission;
 4. That contain confidential information to persons not authorized to receive that information.
- F. Personnel shall become familiar with the district's policies and regulation on staff and student access to networked information resources before initiating E-mail use.
- G. Employees learning of any misuse of the E-mail systems shall notify the assistant superintendent for personnel and technology immediately.



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Support staff must abide by additional guidelines and standards of conduct for the Acceptable Use of Technology and Social Media that are set forth in Regulation and Policy 2361.

A school staff member is always expected to maintain a professional relationship with pupils and protect the health, safety and welfare of school pupils. A staff member's conduct will be held to the professional standards established by the New Jersey State Board of Education and the New Jersey Commissioner of Education. Inappropriate conduct or conduct unbecoming a staff member may also include conduct not specifically listed in this Policy, but conduct determined by the New Jersey State Board of Education, the New Jersey Commissioner of Education and/or appropriate courts to be inappropriate or conduct unbecoming a school staff member.

School personnel, compensated and uncompensated (volunteers), are required to report to their immediate supervisor or Building Principal any possible violations of this Policy. In the event the report alleges conduct by the Building Principal or the immediate supervisor, the school staff member may report the incident directly to the Director of Human Resources/Personnel. In addition, school personnel having reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 are required to immediately report to the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.1 et seq. and inform the Building Principal or immediate supervisor after making such report. However, notice to the Building Principal or designee need not be given when the school staff member believes such notice would likely endanger the referrer or child(ren) involved or when the staff member believes that such disclosure would likely result in retaliation against the child or in discrimination against the referrer with respect to his/her employment. The Building Principal or designee will be notified unless the referrer has reason to believe that the Principal or designee is involved or have conflict of interest in the matter.



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Reports must be made in writing. The immediate supervisor or Building Principal will notify the Director of Human Resources/Personnel of all reports, including anonymous reports. The Director of Human Resources/Personnel will investigate all reports with a final report to the Superintendent of Schools. Once the Superintendent is in receipt of an anonymous report, the targeted individual will be notified of the accusation(s), as long as the Superintendent deems it appropriate to do so and notification does not conflict with any law or statute. The Director of Human Resources/Personnel upon reviewing an initial report or the Superintendent, upon reviewing the Director of Human Resources/Personnel investigation report, may take such appropriate action as necessary and as provided for in the law. This may include, but is not limited to, notifying law enforcement, notifying the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.2 et seq., and/or any other measure provided for in the law.

This Policy will be distributed to all school staff and provided to staff members upon adoption.

N.J.S.A. 18A:28-5 et seq.
N.J.A.C. 6A:16-10.1 et seq.

Adopted: 19 March 2008
Revised: 16 September 2009
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