

# EDUCATIONAL INSTITUTIONS



RISK MANAGEMENT ALERT

# Texting in schools: Proactive steps to help protect your district

Texting between school staff members and students happens in most school districts. The majority of these messages are likely school related and appropriate. But what are you doing to protect your district in the event of something inappropriate?

Staff-to-student texting is largely uncontrolled. Although most schools are aware that some staff members text students, they aren't certain who is texting or how frequently. There are often no formal rules other than a general "don't do anything inappropriate" conversation once a year, and there is usually no documentation of the activities.

The most common reason that schools give for why staff members text students is athletics. For example, what if practice is being cancelled or changed in some way, and the coaches will not be supervising the children at the expected times? Shouldn't the district alert the parents or guardians ahead of time rather than waiting for the student to say something after the fact?

#### Recommendations

An alternative to texting is the use of phone apps such as Remind. They allow for two-way messaging without the exchange of contact information, and all messages are digitally saved. However, these apps also allow for one-on-one messaging, so they aren't the final solution.

Adopt a formal requirement in which any teacher or coach who wants to communicate with a student via text must obtain a signed permission slip from the child's parent or guardian. On the permission slip, the parent or guardian would sign their approval (or not). He or she would also have the option to include his or her own cell phone number, with the stipulation that any message sent to the student from the teacher or coach must also be sent to the parent or guardian. The parent or guardian could also have the ability to allow just the child to receive the communication.

## Benefits of having a policy/permission slip

For parents and guardians

A parent or guardian is not only aware of the communication but has expressly approved it. This places the additional responsibility on himself or herself to keep an eye out for anything that he or she wasn't copied in.

### For staff members:

- Unless there is a signed permission slip from the parent or guardian, any text sent to a student would be a violation of school policy and subject to disciplinary action.
- If there is a signed permission slip and the parent or guardian wants to be included, any text sent to that student without also being sent to the parent or guardian would be a violation of school policy and subject to disciplinary action.
- This should help to decrease "openers." These are messages that may not be explicitly inappropriate but have no educational purpose.

The information provided in this article is intended for general informational purposes and should not be considered as all encompassing, suitable for all situations, in compliance with all laws and regulations or legal advice.

Consult an attorney or other specialist to obtain advice with respect to any particular issue or problem.

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#### Prevention and defense

Having strict procedures for how teachers and coaches communicate with students may prevent an incident from taking place. An inappropriate message that might have otherwise been sent may not be now if the parent or guardian must be included, especially if the teacher or coach knows that any message sent to a student without a permission slip and/or without copying in the parent or guardian is a violation of school policy and subject to disciplinary action. Having formal policies/procedures in place, along with a signed permission slip, provides evidence of the proactive and good faith effort that the district is making.

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