

Question:

You are looking for state policy solutions that address inappropriate teacher/student relationships. Specifically, you wanted to know more about digital solutions to this issue.

Response:

Responses to cases of misconduct involve a complex coordination of state and local education, legal, and human services agencies. States have developed a number of different ways to respond to this issue.

The balance of this response will highlight some of the more noteworthy state policy responses to inappropriate teacher/student relationships. Our response will then discuss policies states have implemented to manage digital communications while maintaining a safe learning environment.

State Policy Responses to Misconduct

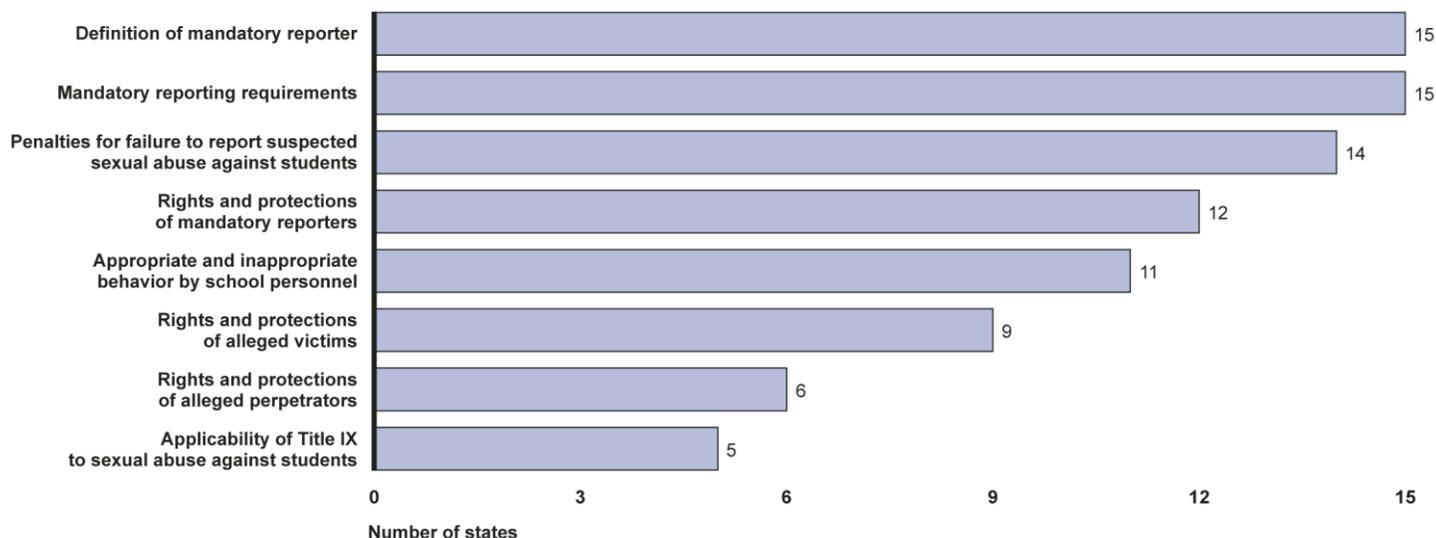
States have been proactive in addressing sexual misconduct by school personnel. According to the [GAO](#), 46 states and Washington D.C. have a policy that requires prospective school employees to undergo a background check. Likewise, of the 42 states that have professional codes of conduct, and 22 of those states” included information on appropriate boundaries between personnel and students.”

Some approaches developed by policymakers to addressing this issue include revising criminal statutes, creating training programs and improving licensing requirements and procedures among others. Several recent examples of state policies include:

- [California](#) (2015) – Refining previous laws requiring districts and local education agencies to develop practices and procedures for training, identifying, and reporting abuse, this law mandates the State Department of Education establish best practices for schools in the state.
- [Iowa](#) (2014) – Requires state board to adopt a professional code of ethic and gives the board the authority to take disciplinary action when licensees engage in relationships with students.
- [Florida](#) (2014) – Expanded the definition of “authority figure” to include anyone over the age of 18 working, contracting or volunteering with a school. Also reclassified and enhanced sentencing guidelines for authority figures.
- [Utah](#) (2014) – Outlines licensing, reporting and disciplinary policies directly targeting educator abuse of students.

Figure 1 from [GAO](#) highlights the areas addressed in state reporting guidelines.

Figure 1: Number of States Requiring Awareness and Prevention Training on Sexual Abuse of Students by School Personnel, by Topic



Source: GAO analysis of state survey data.

States have also extended awareness programs to students in order to increase reporting of incidences and educate students on certain types of behaviors. These laws are broadly labeled “Erin’s Laws” and have been adopted by 26 states. A full list of Erin’s Laws adopters can be found [here](#).

Digital Solutions to Inappropriate Teacher/Student Relationships

Using technology to address this area typically involves two areas. First, improvements in criminal background check, which will, in theory, result from increases in available data and improved reporting by states. Reporting of disciplinary actions against educators is already collected by the [National Association of State Directors of Teacher Education and Certification](#).

Some states have experimented with monitoring social media by developing guidelines for communications between teachers and students. [Louisiana](#) first adopted this law in 2009 (statute found [here](#)). Missouri also adopted this type of law. However, the original form of the law was found to be too intrusive to teachers and later repealed and replaced with less [restrictive language](#). [New Jersey](#) is the only other state ECS is aware of that has a statewide communications policy for teachers. Restrictions of teacher usage of social media raise questions of constitutionality and spurred a legal debate (scholarly work on this area can be found [here](#), [here](#), [here](#) and [here](#)).

If you need more information on this policy area, feel free to check out ECS’ [state policy database](#) for a more complete look at school safety practices.