

Navigating Student Communications under KRS 160.145 (HB 67)

In 2025, SB 181 established strict rules for electronic communications with students. Effective immediately, House Bill 67 has amended those rules (KRS 160.145) to provide more specific definitions, new exceptions for common community interactions and updated reporting procedures. Please use this document as your primary reference for maintaining professional boundaries and legal compliance. If you have any questions about this revised legislation, please contact your principal or department supervisor.

1. PROFESSIONAL SCOPE: WHO DOES THIS APPLY TO?

HB 67 provides clear definitions for those responsible for following these communication protocols:

- **School District Employee:** This includes all school administrators, certified teachers, and classified staff. It also now explicitly includes contractors hired by the district to provide direct services to students.
- **Qualified School Volunteer:** This includes student teachers, non-faculty coaches (whether paid or unpaid), extracurricular sponsors, and school-sponsored academic tutors.

2. SOCIAL MEDIA & GROUP COMMUNICATION

A social media account or group chat operated by an employee/volunteer for a team or club (e.g., a private Instagram, Facebook page/group) meets the legal definition of electronic communication. These accounts are prohibited unless one of the following conditions is met:

1. **District Approval:** The platform is officially designated by the district as a traceable communication system. In HCPS those approved platforms are: Google classroom, IC email, SportsYou and Dojo/Remind.
2. **The Multi-Party Rule:** The communication includes two or more employees/volunteers and one or more students, and is directly related to a school activity.
3. **Parental Participation:** The parent(s) of the student are included as recipients or active participants in the message or group.
4. **Written Consent:** The parent has submitted a specific waiver authorizing communication through that specific social media account.

3. UPDATED FAMILY MEMBER DEFINITIONS

You may communicate freely with students who qualify as "Family Members." HB 67 expands this circle to include:

- **By Relation:** Parents, siblings, children, aunts, uncles, cousins, nephews, nieces and grandparents (related by blood, marriage or adoption).
- **By Household: NEW!** Any adult who resides in the same household as the student.
- **By Responsibility:** The definition of "Parent" now explicitly includes foster parents, foreign exchange host parents, and stepparents responsible for the student.

4. NEW EXCEPTIONS TO PRIVATE COMMUNICATION

While the rule remains that communication should be through traceable platforms (SportsYou, Remind/Dojo, etc), HB 67 adds these specific legal exceptions where private communication is now permitted:

- **Emergencies:** When you reasonably believe an imminent risk to a person or property exists.
- **School-Sanctioned Field Trips:** During the duration of a trip for which the student has parental consent.

- **Work-Based Learning:** Communications directly related to a student's work placement or internship.
- **Multi-Party School Communications:** Group messages involving two or more staff/volunteers and one or more students for academic or athletic purposes.
- **Parent-Inclusive Messaging:** Any electronic communication where the student's parent is a recipient or participant in the message.

5. COMMERCIAL & LOCAL GOVERNMENT AFFILIATIONS

This is a significant change for staff who have second lives in the community (e.g., real estate agents, city council members, or small business owners).

- **The Rule:** If you have a commercial or local government affiliation (ownership, employment, or client relationship), you may now communicate privately with students regarding that specific business/activity.
- **Requirement:** You **must** submit a written disclosure to the district notifying us of this affiliation. Once filed, communications directly related to that business are permissible. Notification must be made via email to your principal, and/or supervisor, and the Director of Human Resources.

6. COMMUNITY GROUPS (CHURCH, SCOUTS, ETC.)

KRS 160.145 **still applies** to staff who lead external youth groups. If a student in your district is in your scouting troop or youth group:

- You must communicate through the parent; OR
- You must include the parent as a recipient of the electronic message; OR
- You must have a signed parental consent form on file with the district; OR
- You must use a district-approved traceable system.

7. PARENTAL CONSENT (WAIVERS) & REVOCATION

- **One-to-One:** Each consent form must designate a specific employee or volunteer.
- **Revocation:** HB 67 clarifies that a written consent form can **only** be revoked by the parent who originally filed the consent.
- **Participation:** You cannot require a waiver as a condition for a student to participate in any school activity.

8. REPORTING, INVESTIGATIONS, AND DISCIPLINE

HB 67 mandates a high level of transparency with parents regarding alleged violations:

- **Staff Reporting:** If you receive a report or believe a colleague is engaging in unauthorized communication, you must notify your principal or supervisor immediately.
- **Parental Updates:** If an investigation is launched, the district must:
 - Immediately notify the parents of all students involved.
 - Provide the parents with updates at each phase of the investigation.
 - Provide the parents with a written summary of the results and the final outcome of any disciplinary action.
- **Disciplinary Standard:** The law now states that an educator "**may**" be subject to disciplinary action for violations (changing from the previous "shall" requirement). However, the district maintains the right to take action per local policy and EPSB reporting requirements.