

*A separate policy addressing medical marijuana use, applicable to students and staff, to consider.*

## **Personnel-Certified/Non-Certified**

### **Medical (Palliative) Use of Marijuana**

This policy sets forth the prohibited use of medical marijuana (palliative use) in the District's schools and on its property.

#### **Definitions**

**“Palliative use”** means the acquisition, distribution, transfer, possession or transportation of marijuana or paraphernalia relating to marijuana, including the transfer of marijuana and paraphernalia relating to marijuana from the patient's primary caregiver to the qualifying patient, to alleviate a qualifying patient's symptoms of a debilitating medical condition or the effects of such symptoms, but does not include any such use of marijuana by any person other than the qualifying patient.

**“Qualifying patient”** means a person who is a resident of Connecticut, has been diagnosed by a physician as having a debilitating medical condition, and is eighteen years of age or older, is an emancipated minor, or has written consent from a custodial parent/guardian or other person having legal custody of such person that indicates that such person has permission from such parent, guardian or other person for the palliative use of marijuana for a debilitating medical condition and that such parent, guardian or other person will serve as a primary caregiver for the qualifying patient and control the acquisition and possession of marijuana and any related paraphernalia for palliative use on behalf of such person.

**“Primary caregiver”** means a person, other than the qualifying patient and the qualifying patient's physician, who is eighteen years of age or older and has agreed to undertake the responsibility for managing the well-being of the qualifying patient with respect to the palliative use of marijuana, provided in the case of a qualifying patient under eighteen years of age and not an emancipated minor or otherwise lacking legal capacity, such person shall be a parent, guardian or person having legal custody of such qualifying patient and in the case of a qualifying patient eighteen years of age or older or an emancipated minor, the need for such person shall be evaluated by the qualifying patient's physician and such need shall be documented in the written certification, issued by a physician (does not include a physician assistant).

**“Debilitating medical condition”** means cancer, glaucoma, positive status for human immunodeficiency virus or acquired immune deficiency syndrome, Parkinson's Disease, multiple sclerosis, damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity, epilepsy, or uncontrolled intractable seizure disorder, cachexia, wasting syndrome, Crohn's disease, post-traumatic stress disorder, irreversible spinal cord injury with objective neurological indication of intractable spasticity, cerebral palsy, cystic fibrosis or terminal illness requiring end-of-life care, except, if the qualifying patient is under eighteen years of age. “debilitating medical condition” means terminal illness requiring end-of-life care, irreversible spinal cord injury with objective neurological indication of intractable spasticity, cerebral palsy, cystic fibrosis, severe epilepsy or uncontrollable seizure disorder.

## **Personnel-Certified/Non-Certified**

### **Medical (Palliative) Use of Marijuana**

#### **Definitions** (continued)

**“Research program”** means a study approved by the Department of Consumer Protection (DEP) and undertaken to increase information or knowledge regarding the growth, processing, medical attributes, dosage forms, administration or use of marijuana to treat or alleviate symptoms of any medical conditions or the effects of such symptoms.

Although possession and use of marijuana for certain medical conditions is permitted in Connecticut, the Board of Education (Board) recognizes that the possession and use of marijuana remains illegal under federal law. Consistent with federal law, including the Controlled Substances Act and the Drug Free Schools and Communities Act, the use and/or possession of marijuana continues to be prohibited while a student or employee is on campus, riding a school bus or at school-sponsored activities.

To qualify for medical marijuana use, an unemancipated minor must have written consent from a custodial parent/guardian or other person with legal custody, indicating that the person has given permission for the minor to use marijuana for a debilitating condition, as defined. The written consent must state that the person will serve as the minor’s primary caregiver and control the acquisition and possession of marijuana and any related paraphernalia on the minor’s behalf.

The unemancipated minor via the person with legal custody, must provide DEP with a letter from the minor’s primary care provider in addition to another letter from a physician certified in an area involved in the treatment of the minor’s debilitating condition. Such written certification shall not be for marijuana in a dosage form that requires that the marijuana be smoked, inhaled, or vaporized.

The protections provided to patients, both adult and minors, utilizing medical marijuana is prescribed in state statute, do not apply if the patient ingests marijuana in certain settings such as at work, at school, or in public.

It is the Board’s intent, via this policy to maintain compliance with state and federal laws with regard to the prohibited use of marijuana in the schools, on school property and at school-related activities. This policy is also intended to maintain compliance with the afore-mentioned federal legislation. The Board directs the Superintendent and staff to continue to enforce its current policies regarding controlled substances. Any student or employee who violate District policies prohibiting the manufacture, distribution, dispensation, possession or use of illegal drugs in District schools, on District property or as part of any District activities will be subject to disciplinary and criminal action, up to and including suspension, expulsion or termination of employment.

## **Personnel-Certified/Non-Certified**

### **Medical (Palliative) Use of Marijuana**

No District school may refuse to enroll any person or discriminate against any student solely on the basis of such person's or student's status as a qualifying patient or primary caregiver, per sections 1 to 15, inclusive, of P.A. 12-55, as amended by P.A. 16-23.

The District shall not refuse to hire a person nor discharge, penalize, or threaten an employee solely on the basis of such person's or employee's status as a qualifying patient or primary caregiver, as described in P.A. 12-55, as amended. However, the Board retains its ability to prohibit the use of intoxicating substances during work hours and its ability to discipline an employee or student for being under the influence of intoxicating substances during work hours, while on school property or at a school-sponsored activity.

#### **Notes:**

- 1. The use of marijuana, including for palliative (medical) uses in schools, on school grounds and at school activities violates drug abuse laws, is educationally disruptive and violates the spirit of the drug, alcohol and tobacco free campus.*
- 2. The District needs to notify applicants/staff of the medical marijuana policy and what constitutes disciplinary action. If the staff member is involved in a safety-related position, the policy must be very strict.*
- 3. The District should place its focus on impairment and performance issues, due to the fact that the statute specifically prohibits the use of medical marijuana in the schools and school buses.*
- 4. The District has the right and responsibility to maintain a drug-free workplace, protecting the safety of all employees and students.*
- 5. The law provides no protection for the use of medical marijuana on the job or in the school setting.*

(cf. 4118.231/4218.231 – Alcohol, Drugs and Tobacco)

(cf. 4118.232/4218.232 – Drug-Free Workplace)

(cf. 4118.235/4218.235 – Medical Marijuana Standards)

(cf. 5114 – Suspension/Expulsion)

(cf. 5131 – Conduct)

(cf. 5131.61 – Inhalant Abuse)

(cf. 5131.62 – Steroid Use)

(cf. 5131.612 – Surrender of Physical Evidence Obtained from Students)

(cf. 5131.8 – Out of School Grounds Misconduct)

(cf. 5131.92 – Corporal Punishment)

(cf. 5144 – Discipline/Punishment)

(cf. 5145.12 – Search and Seizure)

(cf. 5145.121 – Vehicle Searches on School Grounds)

(cf. 5145.122 – Use of Dogs to Search School Property)

(cf. 5145.124 – Breathalyzer Testing)

(cf. 5145.125 – Drug Testing-Extracurricular Activities)

(cf. 6164.11 – Drugs, Alcohol, Tobacco)

## Personnel-Certified/Non-Certified

### Medical (Palliative) Use of Marijuana (continued)

Legal Reference: Connecticut General Statutes  
1-21b Smoking prohibited in certain places.  
10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.  
10-154a Professional communications between teacher or nurse and student. Surrender or physical evidence obtained from students.  
10-220b Policy statement on drugs.  
10-221(d) Boards of education to prescribe rules, policies and procedures re sale or possession of alcohol or controlled drugs.  
21a-240 Definitions dependency producing drugs.  
21a-240(8) Definitions “Controlled Drugs,” dependency producing drugs.  
21a-240(9) Definitions “controlled substance.”  
21a-243 Regulation re schedules of controlled substances.  
21a-408 Palliative Use of Marijuana (as amended by P.A. 16-23)  
53-198 Smoking in motor buses, railroad cars and school buses.  
P.A. 11-73 An Act Regulating the Sale and Possession of Synthetic Marijuana and Salvia Divinorum.  
P.A. 12-55 An Act Concerning the Palliative Use of Marijuana.  
P.A. 16-23 An Act Concerning the Palliative Use of Marijuana.  
Federal Regulation 34 CFR Part 85 Drug-free Schools & Communities Act.  
20 U.S.C. Section 7181 et. seq., No Child Left Behind Act.  
Synthetic Drug Abuse Prevention Act of 2012. (part of s.3187, the Food and Drug Administration Safety and Innovation Act).  
*New Jersey v. T.L.O.*, 469 U.S. 325 (1985).  
*Veronia School District 47J v. Acton*, 515 U.S. 646. (1995).  
*Board of Education of Independent School District No 92 of Pottawatomie County v. Earls* 01-332 U.S. (2002).

Policy adopted:

cps 1/13  
rev 6/16

*Suggested replacement for existing policy, number 4118.24/4218.24 adopted 6/10/02, which does not reflect legislative modifications. A sample regulation follows for consideration*

## **Personnel – Certified/Non-Certified**

### **Staff/Student Non-Fraternization**

~~**Version #1:** Staff members shall maintain professional relationships with students which are conducive to an effective educational environment. Staff members shall not have any interaction of a sexual nature with any student at any time regardless of the student's age, status or consent.~~

~~**Version #2:** Any action or comment by a member of the school staff which involves romantic or sexual involvement with a student is considered to be highly unethical and is unacceptable to the Board. This includes, but is not limited to, inappropriate conversation, inappropriate touching, dating, cohabitation, and engaging in immoral conduct.~~

~~**Version #3:** All school system personnel shall maintain a professional, ethical relationship with students and refrain from improper fraternization or undue familiarity with students. Dating and sexual conduct between teachers, staff members and students are prohibited.~~

~~It is the responsibility of the Principal of each school to emphasize the requirements of this policy and to provide appropriate follow up on any complaint or evidence of failure to follow the policy and related regulations.~~

~~**Version #4:** The Board of Education requires all employees to conduct themselves in a manner which will maintain the authority and respect necessary in the educational setting. Therefore, any dating relationships or other social relationships which may reasonably be perceived to be dating between any staff member and any student of this school district is expressly prohibited. Employees shall not entertain students or socialize with students in such a manner as to reasonably create to students, parents, or the public that a dating relationship exists. While the Board encourages employees to be warm and supporting of students, personnel may not allow students to regard them as peers.~~

**Version #5:** The relationship between the teacher and the student should be one of cooperation, understanding and mutual respect. The teacher has the responsibility to provide an atmosphere conducive to learning and to motivate each student to perform to his/her capacity.

Staff members are expected to regard each student as an individual and to accord each the rights and respect due to any individual. Neither insults, disparaging names, nor sarcasm shall be used as a way of forcing compliance with a staff member's requirements or expectations.

The Board believes that students and staff members should interact with each other in a warm, open, and positive fashion. However, there must be maintained a certain distance in order to preserve the businesslike atmosphere that is necessary to achieve the educational mission of the school. In recognition of the fact that sexual harassment, whether verbal or physical, may create a psychological harmful atmosphere, inhibit performance, undermine the integrity of the staff-student relationship and constitute a form of illegal sex discrimination, the Board prohibits all forms of sexual remarks or conduct between staff and students of the **District school**.

## **Personnel – Certified/Non-Certified**

### **Staff/Student Non-Fraternization**

~~**Version #6:** Adults who have contact with children and adolescents through school activities have the responsibility not to betray or misuse their privileged position. Students develop a special trust in school staff by virtue of the school system's authority and the important role the schools play in their lives. Adults must never take advantage of students' vulnerability or of their confidence that adults in school will behave appropriately in relationships with them.~~

~~It is the policy of the Board of Education to prohibit any sexual relationship, contact or sexually nuanced behavior or communication (verbal or non-verbal) between a staff member and a student, while the student is enrolled in the school system. The prohibition extends to students of the opposite sex or the same sex as the staff member, and applies regardless of whether the student or the staff member is the initiator of the behavior and whether or not the student welcomes or reciprocates the attention.~~

### **Language to be added to any version to comply with federal law:**

Further, school system personnel (employees, contractors, and agents of the school system, shall provide no assistance to an employee in finding another job, beyond the routine transmittal of personnel or administrative files, if the employee engaged in sexual misconduct with a minor or student in violation of the law (ESEA, 20 U.S.C. 7926(a)).

(cf. 4118.112/4218.112 – Sexual Harassment)

(cf. 4118.23/4218.23 – Conduct)

(cf. 5141.4 – Child Abuse/Neglect)

Legal Reference: Connecticut General Statutes  
10-53a-71 Sexual assault in the second degree: Class C or B felony.  
10-151 Employment of teachers. Definitions. Notice and hearing on failure to renew or termination of contract. Appeal  
PA 15-205 An Act Protecting School Children.  
17a-106 Cooperation in relation to prevention, identification, and treatment of child abuse/neglect.  
Elementary and Secondary Education Act (ESEA), as amended by ESSA, 20 U.S.C. 7926(a), Prohibition on aiding and abetting sexual abuse (aka “don’t pass the trash”)

Policy adopted:

cps 10/03  
rev 3/17

*A sample regulation to consider.*

## **Personnel – Certified/Non-Certified**

### **Staff/Student Non-Fraternization**

Staff members are expected to use good judgment in their relationships with students both inside and outside of the school context including, but not limited to, the following guidelines:

1. Staff members shall not make derogatory comments to students regarding the school and/or staff.
2. The exchange of purchased gifts between staff members and students is discouraged.
3. Staff-sponsored parties, at which students are in attendance, unless they are a part of the school's extracurricular program and are properly supervised, are prohibited.
4. Staff members shall not fraternize, written or verbally, with students except on matters that pertain to school-related issues.
5. Staff members shall not associate with students at any time in any situation or activity which could be considered sexually suggestive or involve the presence or use of tobacco, alcohol or drugs.
6. Dating between staff members and students is prohibited.
7. Staff members shall not use insults or sarcasm against students as a method of forcing compliance with requirements or expectations.
8. Staff members shall maintain a reasonable standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities.
9. Staff members shall not send students on personal errands.
10. Staff members shall, pursuant to law and Board policy, immediately report any suspected signs of child abuse or neglect.
11. Staff members shall not attempt to counsel, assess, diagnose or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but instead, should refer the student to the appropriate individual or agency for assistance.
12. Staff members shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health and/or family background.
13. Sexual relations with students, regardless of age and/or consent, is prohibited and will result in dismissal.

Regulation approved:

cps 10/03

*Existing policy, number 4118.3 adopted 5/15/17, appropriate as written.*

## **Personnel -- Certified**

### **Duties of Personnel**

All employees of the school district are subject to the policies of the Sharon Board of Education, applicable laws, and current employee agreements.

Job descriptions shall include the following:

1. Job title.
2. Duties to be performed.
3. Type and extent of training required.
4. Degree of responsibility assumed.
5. Other related factors.

Job descriptions for all employees shall be provided by the Superintendent and maintained in a separate manual.

Policy adopted:

SHARON PUBLIC SCHOOLS  
Sharon, Connecticut

*Existing policy, number 4118.4/4218.4 adopted 2/11/04, appropriate as written, except for update to legal reference.*

## **Personnel - Certified/Non-Certified**

### **Rights, Responsibilities and Duties**

#### **Electronic Mail**

Electronic mail is an electronic message that is transmitted between two or more computers or electronic terminals, whether or not the message is converted to hard copy format after receipt and whether or not the message is viewed upon transmission through a local, regional, or global computer network.

The **Sharon** Board of Education encourages the use of electronic mail to share information, to improve communication and to exchange ideas for school related business.

Electronic mail confidentiality cannot be ensured. Users, therefore, should exercise extreme caution in using electronic mail to communicate confidential or sensitive matters. Keep passwords private and sign off from the email account when the computer is unattended.

Users of ~~district~~ school electronic mail systems are responsible for their appropriate use. Communications over the network are often public in nature; therefore, general rules and standards for professional behavior and communications will apply. All illegal and improper uses of the electronic mail system, including but not limited to pornography, obscenity, harassment, solicitation, gambling and violating copyright or intellectual property rights are prohibited.

School and network administrators may review electronic messages to maintain system integrity and to ensure that staff members are using the system responsibly. Users should not expect that files stored on the ~~district~~ school servers will be private.

All district employees should be aware that electronic mail can be retrieved even if they have been deleted and that statements made in electronic mail communications can form the basis of various legal claims against the individual author or the ~~district~~ school.

Electronic mail sent or received by the Board, the ~~district~~ school or the ~~district's~~ school's employees may be considered a public record subject to public disclosure or inspection. All Board and ~~district~~ school electronic mail communications may be monitored.

The Principal will ensure that all ~~district~~ school employees have notice of this policy. Each ~~district~~ school employee is given an acknowledgement form to sign stating they have received and read the policy. The acknowledgement form will be maintained on file.

**Personnel - Certified/Non-Certified**

**Rights, Responsibilities and Duties**

**Electronic Mail**

Legal Reference: Connecticut General Statutes

The Freedom of Information Act.

31-48d Employers engaged in electronic monitoring required to give prior notice to employees.

Policy adopted:

SHARON PUBLIC SCHOOLS  
Sharon, Connecticut

*Existing policy, number 4118.5/4218.5 adopted 4/5/04, appropriate as written, except for update to legal reference.*

## **Personnel - Certified-Non-Certified**

### **Rights, Responsibilities and Duties**

#### **Acceptable Computer Network Use**

The Sharon Board of Education provides computers, networks, and Internet access to support the educational mission of the schools and to enhance the curriculum and learning opportunities for students and school staff.

Employees are to utilize the school's computers, networks, and Internet services for school-related purposes and performance of job duties. Incidental personal use of school computers is permitted as long as such use does not interfere with the employee's job duties and performance, with system operations, or other system users. Employees are reminded that personal use must comply with this policy and all other applicable policies, procedures and rules.

Any employee who violates this policy and/or any rules governing use of the school's computers will be subject to disciplinary action, up to and including discharge. Illegal uses of the school computers will also result in referral to law enforcement authorities.

All school computers remain under the control, custody and supervision of the school. The school reserves the right to monitor all computer and Internet activity by employees. Employees have no expectation of privacy in their use of school computers.

Each employee authorized to access the school's computers, networks and Internet services is required to sign an acknowledgment form stating that they have read this policy, and any accompanying regulations. The acknowledgment form will be retained on file.

The ~~Superintendent~~ **Principal** or his/her designee shall be responsible for overseeing the implementation of this policy and the accompanying rules and for advising the Board of the need for any future amendments or revisions to the policy/regulations. The ~~Superintendent~~ **Principal** or his/her designee may develop additional administrative procedures/rules governing the day-to-day management and operations of the school's computer system as long as they are consistent with the Board's policy/rules. ~~The Superintendent may delegate specific responsibilities to building principals and others as he/she deems appropriate.~~

Legal References:     Connecticut General Statutes

                          The Freedom of Information Act.

                          31-48d Employers engaged in electronic monitoring required to give prior notice to employees. Exceptions. Civil penalty.

**Personnel - Certified-Non-Certified**

**Rights, Responsibilities and Duties**

**Acceptable Computer Network Use**

Legal References: Connecticut General Statutes (continued)

53a-182 Disorderly conduct; Class C misdemeanor.

53a-182b Harassment in the first degree.

53a-183 Harassment in the second degree.

53a-250 Computer-related Offenses: Definitions.

Electronics Communication Privacy Act, 28 U.S.C. §2510 through 2520.

Policy adopted:

SHARON PUBLIC SCHOOLS  
Sharon, Connecticut

*Existing regulation, number 4118.5/4218.5 approved 4/5/04, appropriate as written.*

## **Personnel - Certified-Non-Certified**

### **Rights, Responsibilities and Duties**

#### **Acceptable Computer Network Use**

The intent of these administrative regulations rules is to provide employees with general requirements for utilizing the school's computers, networks and Internet services. The administrative regulations may be supplemented by more specific administrative procedures and rules governing day-to-day management and operation of the computer system.

These rules provide general guidelines and examples of prohibited uses for illustrative purposes but do not attempt to state all required or prohibited activities by users. Employees who have questions regarding whether a particular activity or use is acceptable should seek further guidance from the system administrator or Principal.

#### **A. Access to School Computers, Networks and Internet Services**

The level of access that employees have to school computers, networks and Internet services is based upon specific employee job requirements and needs.

#### **B. Acceptable Use**

Employee access to the school's computers, networks and Internet services is provided for administrative, educational, communication and research purposes consistent with the school's educational mission, curriculum and instructional goals. General rules and expectations for professional behavior and communication apply to use of the school's computers, networks and Internet services.

#### **C. Prohibited Use**

The employee is responsible for his/her actions and activities involving school's computers, networks and Internet services and for his/her computer files, passwords and accounts. General examples of unacceptable uses, which are expressly prohibited, include but are not limited to the following:

1. Any use that is illegal or in violation of other Board policies, including harassing, discriminatory or threatening communications and behavior, violations of copyright laws, etc.;
2. Any use involving materials that are obscene, pornographic, sexually explicit or sexually suggestive;
3. Any inappropriate communications with students or minors;
4. Any use for private financial gain, or commercial, advertising or solicitation purposes;

## **Personnel - Certified-Non-Certified**

### **Rights, Responsibilities and Duties**

#### **Acceptable Computer Network Use**

##### **C. Prohibited Use (continued)**

5. Any use as a forum for communicating by e-mail or any other medium with other school users or outside parties to solicit, proselytize, advocate or communicate the views of an individual or non-school-sponsored organization; to solicit membership in or support of any non-school-sponsored organization; or to raise funds for any non-school-sponsored purpose, whether for-profit or not-for-profit. No employee shall knowingly provide school e-mail addresses to outside parties whose intent is to communicate with school employees, students and/or their families for non-school purposes. Employees who are uncertain as to whether particular activities are acceptable should seek further guidance from the building Principal or appropriate administrator.
6. Downloading or loading software or applications without permission from the system administrator;
7. Any malicious use or disruption of the school's computers, networks and Internet services or breach of security features;
8. Any misuse or intentional damage to the school's computer equipment;
9. Misuse of the computer passwords or accounts; ~~∇~~
10. Any communications that are in violation of generally accepted rules of network etiquette and/or professional conduct;
11. Any attempt to access unauthorized sites;
12. Failing to report a known breach of computer security to the system administrator;
13. Using school computers, networks and Internet services after such access has been denied or revoked; and
14. Any attempt to delete, erase or otherwise conceal any information stored on a school computer that violates these rules.

##### **D. No Expectation of Privacy**

The school retains, control, custody and supervision of all computers, networks and Internet services owned or leased by the school. The school reserves the right to monitor all computer and Internet activity by employees and other system users. Employees have no expectation of privacy in their use of school computers, including e-mail messages and stored files.

**Personnel - Certified-Non-Certified**

**Rights, Responsibilities and Duties**

**Acceptable Computer Network Use (continued)**

**E. Confidentiality of Information**

Employees are expected to use appropriate judgment and caution in communications concerning students and staff to ensure that personally identifiable information remains confidential.

**F. Staff Responsibilities to Students**

Teachers, staff members, and volunteers who utilize school computers for instructional purposes with students have a duty of care to supervise such use. Teachers, staff members and volunteers are expected to be familiar with the school's policies and rules concerning student computer and Internet use and to enforce them. When, in the course of their duties, employees or volunteers become aware of student violations, they are expected to stop the activity and inform the building Principal.

**G. Compensation for Losses, Costs and/or Damages**

The employee may be responsible for any losses, costs or damages incurred by the school related to violations of these policies and/or these procedures/regulations.

**H. School Assumes No Responsibility for Unauthorized Charges, Costs or illegal Use**

The school assumes no responsibility for any unauthorized charges made by employees including but not limited to credit card charges, subscriptions, long distance telephone charges, equipment and line costs, or for any illegal use of its computers such as copyright violations.

**I. Employee Acknowledgment Required**

Each employee authorized to access the school's computers, networks and Internet services is required to sign an acknowledgment form stating that they have read these policies and these regulations. The acknowledgment form will be retained on file.

Regulation approved:

SHARON PUBLIC SCHOOLS  
Sharon, Connecticut

**SHARON CENTER SCHOOL  
Sharon, Connecticut**

**EMPLOYEE ACCEPTABLE COMPUTER NETWORK USE  
ACKNOWLEDGMENT FORM**

I have read Sharon Center School's Acceptable Computer Network Use and its Administrative Regulations – Acceptable Computer Network Use and understand their terms and conditions.

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Signature

Date

*A sample policy to consider.*

## **Personnel – Certified/Non-Certified**

### **Rights, Responsibilities and Duties**

#### **Social Networking**

The **Sharon** Board of Education (Board) has a strong commitment to quality education and the well-being of all students, as well as the preservation of the school district's reputation. The Board believes staff members must establish and maintain public trust and confidence and be committed to protecting all students attending the school district. In support of the Board's strong commitment to the public's trust and confidence, the Board holds all staff members to the highest level of professional responsibility.

Inappropriate conduct outside a staff member's professional responsibilities may determine them as unfit to discharge the duties and functions of their position. Staff members should be advised communications, publications, photographs, and other information appearing on social networking sites deemed inappropriate by the Board could be cause for discipline up to and including termination of employment consistent with state and federal law.

Staff members are advised to be concerned and aware such conduct deemed inappropriate may include, but is not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other form of electronic communication that is directed and/or available to students or for public display or publication.

While the Board respects the right of staff members to use social networking sites, staff members should recognize they are held to a higher standard than the general public with regard to standards of conduct and ethics. It is important that a staff member's use of these sites does not damage the reputation of the school district, employees, students, or their families. Staff members who utilize, post or publish images, photographs, or comments on social networking sites, blogs, or other forms or electronic communication outside their professional responsibilities shall ensure their use, postings, or publications are done with an appropriate level of professionalism and are appropriate conduct for a school staff member. Staff members should exercise care in setting appropriate boundaries between their personal and public online behavior, understanding that what is private in the digital world often has the possibility of becoming public even without their knowledge or consent.

The school district strongly encourages all staff members to carefully review the privacy settings on social networking sites they use and exercise care and good judgement when posting content and information on such sites. Staff members should adhere to the following guidelines, which are consistent with the ~~District's~~ school's workplace standards on harassment, student relationships, conduct, professional communication, and confidentiality.

When using personal social networking sites, school staff members:

1. Should not make statements that would violate any of the district's policies, including its policies concerning discrimination or harassment;

## **Personnel – Certified/Non-Certified**

### **Rights, Responsibilities and Duties**

#### **Social Networking** (continued)

2. Must uphold the ~~district's~~ school's value of respect for the individual and avoid making defamatory statements about the school district, employees, students, or their families;
3. May not disclose any confidential information about the school district or confidential information obtained during the course of his/her employment, about any individual(s) or organization, including students and/or their families;
4. Shall not use social networking sites to post any materials of a sexually graphic nature;
5. Shall not use social networking sites to post any materials which promote violence;
6. Shall not use social networking sites which would be detrimental to the mission and function of the School;
7. Are prohibited from using their school district title as well as adding references to the ~~District~~ school in any correspondence including, but not limited to, e-mails, postings, blogs, and social networking sites unless the communication is of an official nature and is serving the mission of the district school. This prohibition also includes signature lines and personal e-mail accounts;
8. Shall not post updates to their status on any social networking sites during normal working hours including posting of statements or comments on the social networking sites of others during school time unless it involves a school project. Employees must seek approval from the Superintendent of Schools or his/her designee for such use; and
9. Shall not post or publish any information the Superintendent would deem to be inappropriate conduct by a school staff member.

The Policy of this district is to maintain a level of professionalism both during and after the school day. Any publication through any means of electronic communication which is potentially adverse to the operation, morale, or efficiency of the ~~District~~ school, will be deemed a violation of this Policy. If the Board or Superintendent believes that a staff member's activity on any social networking site violates the ~~District's~~ school's policies, the Board or Superintendent may request that the employee cease such activity. Depending on the severity of the incident, the staff member may be subject to disciplinary action.

This Policy has been developed and adopted by this Board to provide guidance and direction to staff members on how to avoid actual and/or the appearance of inappropriate conduct toward students and/or the community while using social networking sites.

## **Personnel – Certified/Non-Certified**

### **Rights, Responsibilities and Duties**

#### **Social Networking** (continued)

- (cf. 4118.24/4218.24 – Staff/Student Non-Fraternization)
- (cf. 4118.4/4218.4 – E-Mail – Electronic Monitoring)
- (cf. 4118.5/4218.5 – Acceptable Computer Network Use)
- (cf. 4131 – Staff Development)
- (cf. 5125 – Student Records)
- (cf. 6141.32 – Computer Literacy)
- (cf. 6141.321 – Student Acceptable Use of the Internet)
- (cf. 6141.322 – Websites/Pages)
- (cf. 6141.323 – Internet Safety Policy/Filtering)

- Legal References:
- Connecticut General Statutes
  - The Freedom of Information Act
  - 53A-182B Harassment in the first degree.
  - 31-48d Employees engaged in electronic monitoring required to give prior notice to employees. Exceptions. Civil penalty.
  - United States Code, Title 20
  - 675 1-6777 Enhancing Education Through Technology Act, Title II, Part D, especially: 6777 Internet safety
  - United States Code, Title 47
  - 254 Universal service discounts (E-rate)
  - Code of Federal Regulations, Title 47
  - 54.520 Internet safety policy and technology protection measures, E-rate discounts
  - U.S. Constitution, 1<sup>st</sup> Amendment
  - Connecticut Constitution, Article 1, Sections 3, 4, 14

Policy adopted:

cps 4/16

*A sample administrative regulation to consider.*

## **Personnel-Certified/Non Certified**

### **Rights, Responsibilities and Duties**

#### **Social Media**

The **Sharon** Board of Education recognizes the importance and utility of social media and networks for its employees. The laws regarding social media continue to evolve and change. Nothing in the Board's policy or these administrative regulations is intended to limit an employee's right to use social media under applicable law, as it may evolve. The Board acknowledges that its employees have the right under the First Amendment in certain circumstances to speak on matters of public concern. However, the Board will regulate the use of social media by employees, including employees' personal use of social media, regardless of whether or not the technology used belongs to the **District school**, when such use:

1. Interferes, disrupts or undermines the educational process;
2. Engages in harassing, defamatory, obscene, abuse, discriminatory or threatening or similarity inappropriate;
3. Breaches confidentiality obligations of school ~~district~~ **school** employees;
4. Creates a hostile work environment;
5. Violates the law, Board policies and/or other school rules and regulations;
6. Disparages the reputation of the school ~~district~~ or ~~district~~ **school** employee; or
7. Is inconsistent with professional codes of conduct.

The **Sharon** Board of Education, therefore, adopts the following guidelines for the use of social media by Board employees.

#### **Definitions**

**Administration** includes the Superintendent or designee;

**Social Media** includes a variety of online tools and services that allow users to publish content and interact with their audiences. For the purpose of this policy, the terms "social software" and "social media" may be used interchangeably. The rapid growth of technology continuously evolves and it makes it difficult to identify all types of social media.

## **Personnel-Certified/Non Certified**

### **Social Media**

#### **Definitions** (continued)

Examples are social networking sites such as Facebook, Linked In, Google +; blogs and micro-blogs such as Twitter and Tumbler; content sharing sites such as Scribd, SlideShare; and image sharing and videos having sites such as Flickr, YouTube, Instagram, Vine, and Pinterest.

**Board of Education** includes all names, logos, buildings, images and entities under the authority of the Board of Education.

#### **Guidelines Concerning Social Media Activity Sponsored by District Schools**

If an employee wishes to use social media sites for instruction to communicate meetings, activities, games, responsibilities, announcements, etc., for a school-based club or a school-based activity, or an official school-based organization, or for an official sports team, regardless of whether or not the technology used belongs to the ~~District~~ school, the employee must also comply with the following rules:

- The employee must seek and obtain the permission of his/her administrator prior to setting up the site.
- The employee must set up the club, etc., as a group, accessible by all members of the school community. The employee will assume full responsibility for monitoring the social media site. Any changes from the original approved proposal must receive prior approval of the employee's administrator.
- Parents must be permitted to access any pages that their child has been invited to join.
- In the event that the social media site is no longer being utilized, the site manager must close it.
- Access to the site may only be permitted for educational purposes related to instruction, the club, activity, organization, or team.
- The employee's supervisor shall be permitted access to any site established by the employee for a school-related purpose.
- Employees are required to maintain appropriate professional boundaries in the establishment and maintenance of all such district-sponsored social media activity.
- The ~~District~~ school reserves the right to direct the employee to close the site in the event of mismanagement, misconduct, misuse or any other behavior addressed by this policy.
- In the event that the employee becomes aware of mismanagement or misuse of the site, he/she will immediately close the site and report the incident to his/her administrator.
- Employees may not link a district-sponsored social media page to any personal social media site or sites not sponsored by the ~~District~~ school.

## **Personnel-Certified/Non Certified**

### **Social Media**

#### **Guidelines Concerning Social Media Activity Sponsored by District Schools (continued)**

- An employee may not use district-sponsored social media communications for private financial gain, political, commercial, advertisement, proselytizing or solicitation purposes.
- An employee may not use district-sponsored social media communications in a manner that misrepresents personal views as those of the Board of Education, individual school or school district or in a manner that could be construed as such.

#### **In addition to the above Guidelines Concerning Social Media Activity Sponsored by the District, the following guidelines apply to Personal Social Media Activity:**

1. The lines between public and private, personal and professional are blurred in the digital world. While online and by virtue of being a **District school** employee, the employee may be connected to colleagues, students, parents and the school community. Therefore, you must ensure that content associated with **him/her them** is consistent with the work **he/she they does** in District in accordance with the Connecticut Code of Professional Responsibilities for Educators. Employees must also ensure their profile and related content is consistent with how they wish to present themselves with colleagues, parents, and students. Employees must remember that how they represent themselves online should be comparable to how they represent themselves as a professional person.
2. Employees are required to comply with all Board policies and procedures with respect to the use of computer equipment, networks, or electronic devices when accessing social media sites while on school property. Any access to personal social media activities while on school property or using school district equipment must comply with those policies and may not interfere with an employee's duties and work.
3. The Administration has the right to monitor all employee use of **district school** computers and other **district school** electronic devices, including employee blogging and social networking activity. An employee should have no expectation of personal privacy in any personal communication or post made through social media while using **district school** computers, **district school** cellular telephones or other **district school** information technology, as noted in the Acceptable Use Agreement. All posts on personal social media must comply with Board policies concerning confidentiality, including the confidentiality of student information. If an employee is unsure about the confidential nature of information he/she is considering posting, the employee shall consult with his/her supervisor prior to making the post.

## **Personnel-Certified/Non Certified**

### **Social Media**

#### **Guidelines Concerning Social Media Activity Sponsored by District Schools (continued)**

4. Employees are required to maintain professional boundaries with students, parents and colleagues. ~~It is not appropriate for a staff member to “friend” a student or his/her guardian or to establish special relationships with selected students through personal social media and it is not appropriate for an employee to give students or parents access to personal postings unrelated to school.~~

### **Disciplinary Consequences**

Violation of this policy, or these administrative regulations, may lead to discipline up to and including the termination of employment consistent with State and federal law.

(cf. 6141.2 - Computer Acceptable Use Policy)

Legal Reference: Connecticut General Statutes

- 1-19(b)(11) Access to public records. Exempt records
- 10-15b Access of parent and guardians to student’s records
- 10-184 Duties of parents
- 10-209 Records not to be public
- 10-220 Duties of Boards of Education
- 11-8a Retention, destruction and transfer of documents
- 11-8b Transfer or disposal of public records; State Library Board to adopt Regulations
- Section 46b-56(e) Access to Records of Minors
- 31-48d Employees engaged in electronic monitoring required to give prior notice to employees
- Section 53a-182b through Section 53a-183, Computer Related Offenses, as amended by Public Act 95-143, An Act Concerning harassment by Computer and Possession of Child Pornography
- Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of PL 93-568, codified at 20 U.S.C. 1232g.)

## **Personnel-Certified/Non Certified**

### **Social Media**

Legal Reference: Connecticut General Statutes (continued)

Dept. of Education 34 CFR Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Education Provisions Act (20 U.S.C. 1232g)-parent and student privacy and other rights with respect to educational records, as amended 11/21/96.

Children's Internet Protection Act of 2000 (HR 4577, P.L.106-554) Communications Act of 1934, as amended (47 U.S.C. 254[h],[I])

Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 6801 et seq., Part F)

Public Law 94-553, the Copyright Act of 1976, 17 U.S.C. 101 et. seq.

Regulation approved:

cps 4/16

*A revised sample policy to consider.*

## **Personnel – Certified/Non-Certified**

### **Cellular Telephones/District Issued Communication Devices**

The Board recognizes that the use of cellular telephones and other communication devices may be appropriate to provide for the effective and efficient operation of the ~~District school~~ and to help ensure safety and security of ~~District school~~ property, staff and others while on ~~District school~~ property or engaged in ~~District school~~-sponsored activities. To this end, the Board authorizes the purchase and employee use of cellular telephones, as deemed appropriate by the ~~Superintendent Principal~~. Communication devices issued by the ~~District school~~ may include cellular telephones, walkie-talkies, personal digital assistants (PDAs) or laptop computer with “beaming capabilities,” citizen band radios and pagers/beepers.

~~District owned cellular telephones/communication devices shall be used for authorized District business purposes, consistent with the District's mission and goals. Personal use of such equipment is prohibited except in emergency situations. Any expenses incurred for such personal use shall be reimbursed to the District.~~

Use of cellular telephones/communication devices in violation of Board policies, administrative regulations, and/or state/federal laws will result in discipline up to and including dismissal and referral to law enforcement officials, as appropriate.

The ~~Superintendent Principal~~ is directed to develop administrative regulations for the implementation of this policy, including a uniform and controlled system for identifying employee cellular telephone needs, monitoring use and reimbursement. Provisions may also be included for staff use of privately owned cellular telephones/communication devices for authorized ~~District school~~ business.

#### ***Optional language:***

~~Students and staff are encouraged to use any available cellular telephone/communication device in the event of an emergency that threatens the safety of students, staff or other individuals. A school bus driver is prohibited from operating a school bus while using a cellular telephone except: (1) during an emergency situation, (2) to call for assistance if there is a mechanical breakdown or other mechanical problem, and (3) when the school bus is parked.~~

(cf. 5131.81 - Use of Beepers - Paging Devices/Cellular Telephones)

Policy adopted:

cps 3/03

Sample policies are distributed for demonstration purposes only. Unless so noted, contents do not necessarily reflect official policies of the Connecticut Association of Boards of Education, Inc.