



Book	Policy Manual
Section	Special Update Nov. 2019 for board approval
Title	Revised Policy - Special Update - Social Media - November 2019 - DEFINITIONS
Code	po0100
Status	
Adopted	May 28, 1996
Last Revised	September 11, 2017

#### 0100 - DEFINITIONS

As used in the School Board's ~~( )~~ bylaws and policies **(x)** bylaws and policies and the Superintendent's administrative guidelines **[END OF OPTION]**, the following terms shall have the meaning set forth below:

##### **Administrative Guideline**

A written statement adopted and approved by the Superintendent which is consistent with Board policy to outline and prescribe procedures to be used in implementing Board policy.

##### **Apps and Web-Services**

Apps and ~~web-services~~ are software (i.e., computer programs) that support the interaction of personal communication devices (as defined below) over a network or client-server applications in which the user interface runs in a web browser. Apps and ~~web-services~~ are used to communicate or transfer information or data that allow students to perform actions or tasks that assist them in attaining educational achievement goals and objectives, enable staff to monitor and assess their students' progress, and allow staff to perform other tasks related to their employment. Apps and ~~web-services~~ also are used to facilitate communication to, from, and among and between staff, students, ~~and parents~~, Board members, and/or other stakeholders and members of the community.

##### **Board**

The Board of School Trustees (or Education), which is the governing body of the Corporation as defined in I.C. 20-18-2-5.

##### **Bylaw**

A rule of the Board for its own governance adopted by a Board vote at a meeting.

##### **Certificated Employee**

An employee of the Board in a position that requires a license or permit from the Division of Professional Standards of the Indiana Department of Education. See Indiana Code 20-29-2-4. The term includes teachers, and all administrators in positions requiring a license or permit from the Division of Professional Standards of the Indiana Department of Education.

##### **Classified Employee**

A non-certificated employee as defined in these definitions. Synonymous with "support" and "non-professional."

##### **Corporation**

The South Spencer County School Corporation. **[Insert name of Corporation.]**

**Due Process**

Procedural due process requires an established rule or standard, notice of facts of an alleged violation and the applicable rule or standard (accusation), and an opportunity to respond before a decision is made.

**Full Board**

All members of the Board.

**Individualized Education Program or IEP**

"Individualized education program" or "IEP" means a written document, developed, reviewed, and revised by the case conference committee ("CCC") in accordance with Title 511, Article 7 of the Indiana Administrative Code that describes the following:

- A. How a student will access the general education curriculum, if appropriate.
- B. The special education and related services needed to participate in the educational environment.

The required components of an IEP are contained in 511 IAC 7-42-6.

A transition IEP is an IEP that is:

- A. developed in accordance with 511 IAC 7-43-4; and
- B. in effect when the student enters into grade 9 or becomes fourteen (14) years of age, whichever occurs first, or earlier if determined appropriate by the CCC.

**Information Resources**

The Board defines Information Resources to include any data or information in electronic, audio-visual or physical form, or any hardware or software that makes possible the storage and use of data or information. This definition includes but is not limited to electronic mail, voice mail, social media, text messages, databases, CD-ROMs, DVDs, web sites, motion picture film, recorded magnetic media, photographs, digitized information, or microfilm. This also includes any equipment, computer facilities, or online services used in accessing, storing, transmitting or retrieving electronic communications.

**May**

A statement providing that an action is permitted but not required.

**Meeting**

A gathering of the majority of the members of the Board for the purpose of taking "official action" on "public business" of the Corporation. See Indiana Code 5-14-1.5-2(c), (d), and (e).

**Non-Certificated Employee**

An employee of the Board employed in a position that does not require a permit or license issued by the Division of Professional Standards of the Indiana Department of Education. See Indiana Code 20-29-2-11. Synonymous with "classified employee" and "support employee".

**Official Action**

Board action to receive information, deliberate, make recommendations, establish policy, make decisions, or take final action. See Indiana Code 5-14-1.5-2(d).

**Parent**

The natural or adoptive parent(s) or the party designated by a court as the legal guardian or custodian of a student. Both parents will be considered to have equal rights unless a court terminates or otherwise limits parental rights.

**Personal Communication Devices**



Personal communication devices ("PCDs") include computers, laptops, tablets, e-readers, cellular or mobile phones, smartphones, ( ) telephone paging devices (e.g., beepers or pagers), **[END OF OPTIONS]** and/or other web-enabled devices of any type.

## **Policy**

A general, written statement approved by the Board which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.

## **President**

The chief executive officer of the Board of School Trustees (or Education) (see Bylaw 0170).

## **Principal**

A professional employee who is assigned to be the educational leader and head administrator of one or more Corporation schools. The term is synonymous with the building administrator in charge of a facility. The use of the term includes a delegate unless the law, policy or guideline specifically prohibits delegation. "Vice Principal" or "Assistant Principal" means an administrator assisting a Principal with the performance of all or a portion of the duties assigned to the Principal.

## **Professional Employee or Professional Staff Member**

An employee of the Board in a position that requires a license or permit from the Division of Professional Standards of the Indiana Department of Education. See Indiana Code 20-29-2-4. The term includes teachers, and all administrators in positions requiring a license or permit from the Department of Professional Standards of the Indiana Department of Education. Synonymous with "certificated employee."

## **Public Business**

The performance by the Board of a function upon which it is specifically authorized to take official action, or not statutorily prohibited from performing. See Indiana Code 5-14-1.5-2(e), Indiana Code 20-26-3, and Indiana Code 20-26-5-4.

## **Relative**

The mother, father, sister, brother, spouse, child, parent of spouse, grandparents, grandchild, or dependent residing in the immediate household of a person.

## **Secretary**

An officer of the Board of School Trustees (or Education) responsible for preparation of minutes of Board meetings and custody of the Records of the Board (see Bylaw 0170).

## **Shall**

Expressing non-discretionary required action or action, synonymous with "will" or "must".

## **Social Media**

Social media are online platforms where users engage one another and/or share information and ideas through text, video, or pictures. Social media consists of any form of online publication or presence that allows interactive communication, including but not limited to text messaging, instant messaging, websites, weblogs ("blogs"), wikis, online forums (e.g., chat rooms), virtual worlds, and social networks. Examples of social media include but are not limited to Facebook, Facebook Messenger, Google Hangouts, Twitter, LinkedIn, YouTube, Flickr, Instagram, Pinterest, Skype, and Facetime. Social media does not include sending or receiving e-mail through the use of Corporation-issued e-mail accounts. Apps and services shall not be considered social media unless they are listed on the Corporation's website as Corporation-approved social media platforms/sites.

## **State-Mandated Assessment**

Assessments (including but not limited to ILEARN, I AM, ISTEP+ Grade 10, IREAD-3, End of Course Assessments, and WIDA) for which the participation of all Indiana students is required.

## **Student**

A person who is officially enrolled in a school or program of the Corporation.

## **Superintendent**

The chief executive officer of the Corporation. The use of the term includes a delegate unless the law, policy or guideline specifically prohibits delegation.

## **Support Employee**

A non-certificated employee as the term is used in Indiana Code 20-29-2- 11, and as defined in these definitions.

## **Teacher**

A professional person whose position in a school corporation requires certain educational preparation and licensing and whose primary responsibility is the instruction of students. The term includes a superintendent who holds a license under I.C. 20-28-5, a principal, a teacher, a librarian, school psychologist and a school counselor. See I.C. 20-18-2-22

## **Technology Resources**

The Board defines Technology Resources to include computers, laptops, tablets, e-readers, cellular or mobile telephones, smartphones, web-enabled devices, video and/or audio recording equipment, SLR and DSLR cameras, projectors, software and operating systems that work on any device, copy machines, printers and scanners, information storage devices (including mobile or portable storage devices, such as external hard drives, CDs, DVDs, USB thumb drives and memory chips), the computer network, Internet connection, and online educational services and apps.

## **Vice-President**

The Vice-President of the Board of School Trustees (or Education) (see Bylaw 0170).

## **Voting**

An action by which a member of the Board indicates approval or rejection of a motion by a Board member that has been seconded by another Board member at a meeting convened in compliance with all applicable laws including the Indiana Open Door Law (Indiana Code 5-14-1.5). Also see Bylaw 0167.1.

## **Using Citations to Indiana and Federal Statutes, Rules and Cases**

### **Citations to Indiana Law, Rules and Court Decisions**

Citations to the Indiana Code are shown as I.C. or Ind. Code. The numbers which follow I.C. or Ind. Code separated by a hyphen state the title, article, chapter, section, and subsection of an Indiana statute. So Ind. Code 5-14-1.5-6.1(a) is found at title 5, article 14, chapter 1.5, section 6.1, subsection (a).

Citations to the Indiana Administrative Code ("IAC" or "I.A.C.") are prefaced by a title and followed by an article, rule, and section number. So 511 I.A.C. 6-5-1 identifies title 511, article 6, rule 5, section 1.

Citations to Indiana cases begin with a citation to a volume and page in ~~Thompson West Northeast Reporter Series~~ Thompson Reuters North Eastern Reporter Series. So a citation to 545 N.E.2d 341 (Ind. 1997) is a cite to volume 545, page 341 of the ~~Northeast North Eastern Reporter~~, Second Series. The "(Ind. 1997)" tells the reader the case cited is an Indiana Supreme Court decision issued in 1997.

### **Citations to Federal Laws, Rules and Court Decisions**

Citations to the United States Code ("USC" or "U.S.C.") are preceded by a title number and followed by a section number. So 20 USC 1232g refers to title 20 of the United States Code section 1232g.

Citations to the Code of Federal Regulations ("C.F.R." or "CFR") are identified by a citation similar to the Indiana Administrative Code. The citation to the title precedes CFR, and the section number follows.

Federal cases are cited in much the same way as Indiana cases. Trial court decisions are reported in the Federal Supplement as "F. Supp." followed by the series number, such as "F. Supp.2d" for the second series of the Federal Supplement. Appellate decisions are published in the Federal Reporter, which is now in its third series. Citations in both the Federal Supplement and the Federal Reporter follow the same format. A volume number precedes the name of the volume, and a page number in that volume follows the volume number. So a cite to 406 F.3d 500 (7<sup>th</sup> Cir. 2005) directs the reader to volume 406 of the Federal Reporter Third Series, page 500.

The (7<sup>th</sup> Cir. 2005) tells the reader that the case was issued by the Seventh Circuit Court of Appeals in 2005.



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Book	Policy Manual
Section	Drug Testing for Students for Board Approval
Title	DRUG TESTING
Code	po5530.01
Status	
Legal	I.C. 20-26-3 I.C. 20-26-5-4 I.C. 20-30-15-6 Linke v. Northwestern School Corporation (763 N.E. 2nd 972)

#### 5530.01 - DRUG TESTING

The Board recognizes the importance of providing learning opportunities for students through involvement in athletics and other extra-curricular activities. The Board also recognizes and accepts its responsibility to take a stand against the use of unauthorized and illegal drugs or substances by students at any time.

##### Option #1

[ ☒ ] The Board requires that each student participating in one of the Corporation's interscholastic athletic programs, extra-curricular programs, or driving to school agrees to the following conditions:

- A. ~~( ) Each student and his/her parents, upon enrollment in the program, provide evidence from a certified physician or health care facility that the student is free of the presence of any drug as defined in Policy 5530. The cost for this drug test is to be the responsibility of ( ) the parents. ( ) the School Corporation.~~
- B. ( ☒ ) The student and his/her parents sign an enrollment application form on which they agree that the student will participate in a random drug testing program, conducted and paid for by the Corporation at any time during the school year, during the term of the program in which the student is participating.

##### Option #2

~~[ ] The Board requires that each student participating in one of the Corporation's interscholastic athletic programs, extra-curricular programs, or driving to school, sign an enrollment application agreeing that the student will participate in a random drug testing program, conducted and paid for by the Corporation, during the term in which the student will be participating.~~

##### [END OF OPTIONS]

The Corporation's drug-testing program may include urinalysis tests, saliva screening and/or breathalyzer to determine if the Student Code of Conduct has been violated. The Corporation will also see that:

- A. testing is administered randomly;
- B. tests will produce consistently reliable results;
- C. in addition to standard screening testing, gas chromatography testing may be used;

IN EITHER CASE, A BACK-UP TEST OR SCREENING WILL BE ADMINISTERED.



D. the privacy of students is protected during the collection of the sample;

E. the privacy of the student is protected by limitations on the disclosure of the test results.

In addition to standard screening testing, if the original test results are challenged, a backup test will be administered at the student's or parent's expense.

The Principal and/or Assistance Principal shall be responsible for administering the drug-testing program and imposing sanctions for all students who violate this policy.

Test results will not become a part of the student's permanent record. ~~Test information will not be disclosed to law enforcement authorities unless subpoenaed in a legal proceeding.~~ In the event that the Corporation is required to release the information, the student and his/her parents will be notified        (     ) hours before the response is made.

Any student who tests positive for any drug other than a prescribed medication shall be removed from the athletic activity, the extra-curricular activity, and/or denied the privilege of driving to school.

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Book	Policy Manual
Section	Special Update Nov. 2019 for board approval
Title	Revised Policy - Special Update - Social Media - November 2019 - STAFF USE OF PERSONAL COMMUNICATION DEVICES
Code	po7530.02
Status	
Legal	Protecting Children in the 21st Century Act, Pub. L. No. 110-385, Title II, Stat. 4096 (2008) Children's Internet Protection Act (CIPA), Pub. L. No. 106-554 (2001) 20 U.S.C. 1232g 34 CFR Part 99
Adopted	May 22, 2013

#### 7530.02 - **STAFF USE OF PERSONAL COMMUNICATION DEVICES**

Use of personal communication devices ("PCDs") has become pervasive in the workplace. For purposes of this policy, "personal communication device" includes computers, tablets (e.g., iPads and similar devices), electronic readers ("e-readers"; e.g., Kindles and similar devices), cell phones (e.g., mobile/cellular telephones, smartphones [e.g., BlackBerry, iPhone, Android devices, Windows Mobile devices, etc.], (  ~~)~~ telephone paging devices [e.g., beepers or pagers]), ( **x** ) and/or other web-enabled devices of any type. Whether the PCD is ~~School Board-owned~~ Corporation-owned and assigned to a specific ~~employee~~, employee or school official or personally-owned by the employee or school official (regardless of whether the ~~Board~~ Corporation pays the employee or school official an allowance for his/her use of the device, the ~~Board~~ Corporation reimburses the employee or school official on a per-use basis for their business-related use of his/her PCD, or the employee or school official receives no remuneration for his/her use of a personally-owned PCD), the employee or school official is responsible for using the device in a safe and appropriate manner and in accordance with this policy and its accompanying guidelines, as well as other pertinent Board policies.

#### **Conducting Corporation Business Using a PCD**

#### **[NOTE: FIRST SET OF OPTIONS - CHOOSE OPTION A OR OPTION B]**

#### **x ] OPTION A**

Employees and school officials are permitted to use a Corporation-owned and/or personally owned-PCD to make/receive calls, send/receive emails, send/receive texts, send/receive instant messages, or \_\_\_\_\_ that concern Corporation business of any kind.(

Employees and school officials are responsible for archiving such communication(s) in accordance with the Corporation's requirements. [INSERT REQUIREMENTS INSTEAD OF GENERAL REFERENCE TO REQUIREMENTS.]

#### **[END OF OPTION A]**

#### **[ ] OPTION B**



~~Employees and school officials are prohibited from using a Board-owned and/or personally-owned PCD for Corporation business of any kind other than to ( ) make/receive telephone calls, ( ) send/receive emails on a Corporation-issued email account, ( ) or \_\_\_\_\_ [END OF OPTION].~~

~~Employees and school officials who receive Corporation business-related communication(s) on Corporation-owned and personally-owned PCDs on a function that is not permitted under this policy are still responsible for the following:~~

- ~~A. Archiving such communication(s) sent or received in accordance with the Corporation's requirements; and~~
- ~~B. Responding to an individual who sends such communication using the employee's or school official's Corporation-issued email account with the following message: "On [insert date], I received a message from you on my ( ) Corporation-owned ( ) personally-owned PCD. Pursuant to Board Policy 7530.02, please contact me with such communications regarding Corporation business of any kind via my wireless communication device, the Corporation issued email account from which I am sending this message ( ), or \_\_\_\_\_ [END OF OPTION]. Thank you."~~

~~[END OF OPTION B]~~

#### **[END OF FIRST SET OF OPTIONS]**

### **Safe and Appropriate Use of Personal Communication Devices, Including Cell Phones**

**[NOTE: START OF FIRST-SECOND SET OF OPTIONS – CHOOSE OPTION A AND/OR OPTION B-OR-OPTION-C]**

#### **OPTION A**

x ] Employees and school officials whose job responsibilities include regular or occasional driving and who use a PCD for business use are expected to refrain from using their device while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees and school officials should be strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. Reading or sending a text message, instant message or e-mail, or browsing the Internet using a PCD while driving is strictly prohibited. If acceptance of a call is unavoidable and pulling over is not an option, employees and school officials are expected to keep the call short, use hands-free options (e.g., headsets or voice activation) if available, refrain from the discussion of complicated or emotional topics, and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather, or the employee or school official is driving in an unfamiliar area. In the interest of safety for both Board employees, school officials, and other drivers, employees, and school officials are required to comply with all applicable State laws and local ordinances while driving, (including any laws that prohibit texting or using a cell phone or other PCD while driving), including any laws that prohibit texting or using a cell phone or other PCD while driving.

[ ] In situations where job responsibilities include regular driving and accepting of business calls, the employee should consider the use of or school official should use hands-free equipment to facilitate the provisions of this policy.

#### **OPTION B**

~~[ ] Employees and school officials are responsible for operating Board-owned Corporation-owned vehicles and potentially hazardous equipment in a safe and prudent manner; , and therefore, employees and school officials are prohibited from using PCDs a PCD while operating such vehicles or equipment. In the interest of safety for both Board employees, school officials, and other drivers, employees and school officials are required to comply with all applicable laws while driving.~~

#### **OPTION C**

~~[ ] Using a cell phone or other PCD while operating a vehicle is strongly discouraged. Employees should plan their work accordingly so that calls are placed, text messages/instant messages/e-mails read and/or sent, and/or the Internet browsed either prior to traveling or while on rest breaks. In the interest of safety for both Board employees and other drivers, employees are required to comply with all applicable laws while driving (including any laws that prohibit texting or using a cell phone or other PCD while driving).~~

**[NOTE: END OF FIRST-SECOND SET OF OPTIONS]**

Employees and school officials may not use a PCD in a way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated.

### **Duty ~~to~~ To Maintain Confidentiality of Student Personally Identifiable Information - Public and Student Record Requirements**

Employees and school officials are subject to all applicable policies and guidelines pertaining to protection of the security, integrity and availability of the data stored on their PCDs; a PCD regardless of whether they are Corporation-owned and assigned to a specific employee or school official or personally-owned by the employee or school official.



~~Cellular and wireless PCD communications, including calls, text messages, instant messages, and e-mails sent or received, from PCDs, may not be secure. Therefore, employees and school officials should use discretion when using a PCD to relay in relaying confidential information, particularly as it relates to students.~~

~~Additionally, cellular/wireless PCD communications, including text messages, instant messages and e-mails sent and/or received by a public employee or school official using his/her PCD may constitute public records, if the content of the message concerns Corporation business, or an education record if the content includes personally identifiable information about a student. Cellular/wireless communications that are public records are subject to retention and disclosure, upon request, in accordance with Policy 8310 – Public Records. Cellular/wireless communications that are student records should be maintained pursuant to Policy 8330 – Students Records. Finally, cellular/wireless communications and other electronically stored information (ESI) stored on the staff member's PCD may be subject to a Litigation Hold pursuant to Policy 8315 – Information Management. Staff are required to comply with Corporation requests to produce copies of cellular/wireless communications in their possession that are either public records or education records, or that constitute ESI that is subject to a Litigation Hold.~~

Further, PCD communications about students, including text messages, instant messages and e-mails sent and/or received by a Corporation employee or school official using his/her PCD, may constitute education records if the content includes personally identifiable information about a student.

Communications, including text messages, instant messages and e-mails sent and/or received by a Corporation employee or school official using his/her PCD, that are public records or student records are subject to retention and disclosure, upon request, in accordance with Policy 8310 – Public Records. PCD communications that are student records should be maintained pursuant to Policy 8330 – Students Records.

It is the responsibility of the Corporation employee or school official who uses a PCD for Corporation business-related use to archive all text messages, instant messages and e-mails sent and/or received using his/her PCD in accordance with the Corporation's requirements.

Finally, PCD communications and other electronically stored information (ESI) stored on the employee's or school official's PCD may be subject to a Litigation Hold pursuant to Policy 8315 – Information Management. Employees and school officials are required to comply with Corporation requests to produce copies of PCD communications in their possession that are either public records or education records or that constitute ESI that is subject to a Litigation Hold.

#### **[NOTE: START OF ~~SECOND~~ THIRD SET OF OPTIONS - CHOOSE OPTION A OR OPTION B]**

#### **OPTION A [TO BE SELECTED IF BOARD ADOPTED POLICY 7530.01 V1]**

At the conclusion of an individual's employment or official service (whether through resignation, nonrenewal, or termination), the employee or school official is responsible for verifying all public records, student records and ESI subject to a Litigation Hold that are maintained on the employee's or school official's PCD are transferred to the Corporation's custody (e.g., server, alternative storage device). The Corporation's IT department/staff is available to assist in this process. Once all public records, student records and ESI subject to a Litigation Hold are transferred to the Corporation's custody, the employee or school official is required to delete the records/ESI from his/her PCD. The employee or school official will be required to sign a document confirming that all such records/information ~~has~~ have been transferred to the Corporation's custody and deleted from his/her PCD.

Similarly, if an employee or school official intends to dispose of, or otherwise stop using, a personally-owned PCD on which s/he has maintained public records, student records and/or ESI that is subject to a Litigation Hold, the employee or school official must transfer the records/ESI to the Corporation's custody before disposing of, or otherwise ceasing to use, the personally-owned PCD. The employee or school official is responsible for securely deleting such records/ESI before disposing of, or ceasing to use, the personally-owned PCD. Failure to comply with these requirements may result in disciplinary action.

#### **~~OPTION B [TO BE SELECTED IF BOARD ADOPTED POLICY 7530.01 V2]~~**

~~At the conclusion of an individual's employment or official service (whether through resignation, nonrenewal, or termination), the employee or school official is responsible for informing the Superintendent or his/her designee of all public records, student records and ESI subject to a Litigation Hold that is maintained on the employee's or school official's Board-owned Corporation owned PCD. The Corporation's IT department/staff will then transfer the records/ESI to an alternative storage device.~~

~~[ ] If the employee or school official also utilized a personally owned PCD for work related Corporation related communications, and the device contains public records, students records and/or ESI subject to a Litigation Hold, the employee or school official must transfer the records/ESI to the Corporation's custody (e.g., server, alternative storage device) prior to the conclusion of his/her employment or official service. The Corporation's IT department/staff is available to assist in this process. Once all public records, student records and ESI subject to a Litigation Hold are transferred to the Corporation's custody, the employee or school official is required to delete the records/ESI from his/her personally owned PCD.~~



**[NOTE: END OF SECOND-THIRD SET OF OPTIONS]**

~~If a PCD is lost, stolen, hacked or otherwise subjected to unauthorized access, the employee must immediately notify the Superintendent so a determination can be made as to whether any public records, students' records and/or ESI subject to a Litigation Hold has been compromised and/or lost. The Superintendent shall determine whether any security breach notification laws may have application to the situation. Appropriate notifications will be sent unless the records/information stored on the PCD was encrypted.~~

If a PCD is lost, stolen, hacked or otherwise subjected to unauthorized access, the employee or school official must notify the Superintendent immediately so a determination can be made as to whether any public records, student records and/or ESI subject to a Litigation Hold have been compromised and/or lost. Pursuant to Policy 8305 Information Security and its accompanying guidelines, the Superintendent shall determine whether any security breach notification laws may have application to the situation. Appropriate notifications will be sent unless the records/information stored on the PCD were encrypted.

The Board prohibits employees and school officials from maintaining the following types of records and/or information on their ( ) PCDs ( ) cell phones:

- A. ( ☒ ) social security numbers
- B. ( ☒ ) driver's license numbers
- C. ( ☒ ) credit and debit card information
- D. ( ☒ ) financial account numbers
- E. ( ☒ ) student personally identifiable information
- F. ( ☒ ) information required to be kept confidential pursuant to the Americans with Disabilities Act (ADA)
- G. ( ☒ ) personal health information as defined by the Health Insurance Portability and Accountability Act (HIPAA)
- H. ( ☐ ) \_\_\_\_\_

[ ☒ ] If an employee or school official maintains records and/or information on a ( ☒ ) PCD ( ☒ ) cell phone that is confidential, privileged or otherwise protected by State and/or Federal law, the employee or school official is required to encrypt the records and/or information.

[ ☒ ] It is ( ☐ ) required ( ☒ ) suggested **[END OF OPTION]** that employees and school officials lock and password-protect their PCDs when not in use.

[ ☒ ] Employees and school officials are responsible for making sure no third parties (including family members) have access to records and/or information, which is maintained on a PCD in their possession, that is confidential, privileged or otherwise protected by State and/or Federal law.

**Privacy Issues**

Except in emergency situations or as otherwise authorized by the Superintendent or as necessary to fulfill their job responsibilities, employees and school officials are prohibited from using PCDs to capture, record and/or transmit the words or sounds (i.e., audio) and/or images (i.e., pictures/video) of any student, staff member or other person in the school or while attending a school-related activity. Using a PCD to capture, record and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted.

**[NOTE: START THIRD-FOURTH SET OF OPTIONS - CHOOSE OPTION A OR OPTION B OR OPTION C]****☒ ] OPTION A**

The use of PCDs ~~a PCD that contain~~ a PCD that contains built-in cameras (i.e., devices that take still or motion pictures, whether in a digital or other format) is prohibited in ( ☐ ) classrooms, ( ☐ ) gymnasiums, locker rooms, shower facilities, rest/bathrooms ( ) and/or swimming pool.

**[ ] OPTION B**

The use of PCDs ~~a PCD in~~ ( ☐ ) classrooms, ( ☐ ) gymnasiums, locker rooms, shower facilities, rest/bathrooms and/or ( ☐ ) swimming pool is prohibited.

**[ ☐ ] OPTION C**

PCDs, including but not limited to those with cameras, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, ~~include but are not limited to ( )~~ classrooms, ~~( )~~ gymnasiums, locker rooms, shower facilities, rest/bathrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The Superintendent and building principals are authorized to determine other specific locations and situations where use of a PCD is absolutely prohibited.

**~~[NOTE: END OF THIRD FOURTH SET OF OPTIONS]~~**

Personal Use of PCDs While at Work

**~~[NOTE: START OF FOURTH FIFTH SET OF OPTIONS - CHOOSE OPTION A OR OPTION B]~~**

**~~[x ] OPTION A~~**

During work hours personal communications made or received, regardless of whether on a PCD or a regular telephone or network computer, can interfere with employee productivity and distract others. Employees are expected to use discretion in using PCDs while at work for personal business. Employees are asked to limit personal communications to breaks and lunch periods, periods and to inform friends and family members of the Board's policy in this regard.

**~~[END OPTION A]~~**

**~~[ ] OPTION B~~**

Board Corporation employees may carry ~~( )~~ PCDs ~~( )~~ cell phones ~~[END OF OPTION]~~ with them while at work ~~( )~~ including while operating Board Corporation equipment, but are subject to the following restrictions:

- A. Excessive use of a ~~( )~~ PCD ~~( )~~ cell phone ~~[END OF OPTION]~~ for personal business during work hours is considered outside the employee's scope of employment and may result in disciplinary action.
- B. Employees are personally and solely responsible for the care and security of their personally owned PCDs. The Board assumes no responsibility for theft, loss, or damage to, or misuse or unauthorized use of, personally owned PCDs brought onto its Corporation property, or the unauthorized use of such devices.

**~~[END OF OPTION 5]~~**

**~~[NOTE: END OF FOURTH FIFTH SET OF OPTIONS]~~**

**Potential Disciplinary Action**

Violation of any provision of this policy may constitute just cause for disciplinary action up to and including termination. Use of a PCD in any manner contrary to local, State or Federal laws also may ~~also~~ result in disciplinary action up to and including termination.

Protecting Children in the 21<sup>st</sup> Century Act, Pub. L. No. 110-385, Title II, Stat. 4096 (2008).  
Children's Internet Protection Act (CIPA), Pub. L. No. 106-554 (2001).  
20 U.S.C. 1232g;  
34 CFR Part 99

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Book	Policy Manual
Section	Special Update Nov. 2019 for board approval
Title	Revised Policy - Special Update - Social Media - November 2019 - WEB CONTENT, APPS, AND SERVICES
Code	po7540.02
Status	
Legal	P.L. 106-554, Children's Internet Protection Act 15 U.S.C. 6501 et seq., Children's Online Privacy Protection Act 20 U.S.C. 6777, 9134 47 U.S.C. 254, Communications Act of 1934, as amended 34 C.F.R. Part 99, Family Educational Rights and Privacy Act 47 C.F.R. 54.520, Children's Internet Protection Act
Adopted	March 13, 2017

#### 7540.02 - **WEB CONTENT, APPS, AND SERVICES**

##### **Creating Web Pages, Sites, Apps, and Services**

The School Board authorizes staff members ( ☒ ) and students **[END OF OPTION]** to create web content, apps, and web services (see Bylaw 0100 - Definitions) that will be hosted by the School Corporation on its servers or Corporation-affiliated servers and published on the Internet.

The web content, apps, and ~~web-services~~ must comply with State and Federal law, e.g., copyright laws, Children's Internet Protection Act (CIPA), Section 504 of the Rehabilitation Act of 1973 (Section 504), Americans with Disabilities Act (ADA), and Children's Online Privacy Protection Act (COPPA), and reflect the professional image/brand of the Corporation, its employees, and students. Web content, apps, and ~~web-services~~ must be consistent with the Corporation's Mission Statement and staff-created web content, apps, and ~~web-services~~ are subject to prior review and approval of the Superintendent before being published on the Internet and/or utilized with students.

##### **[NOTE: Choose either or both of the following options.]**

☒ Student-created web content, apps, and ~~web-services~~ are subject to Policy 5722 - School-Sponsored Student Publications and Productions.

☐ The creation of web content, apps, and ~~web-services~~ by students must be done under the supervision of a professional staff member.

##### **[END OF OPTIONS]**

The Superintendent shall have final editorial authority over all content placed on the Corporation's servers or Corporation-affiliated servers and displayed on the Corporation's website(s), apps, and/or web services. The Superintendent has the right to remove pages or links from any web page, as well as require that an app or web service created by a Corporation staff member be removed from the Corporation's servers or Corporation-affiliated servers, based upon his/her determination that content is inappropriate or is not accessible to individuals with disabilities.

The purpose of web content, apps, and ~~web-services~~ hosted by the Corporation on its servers or Corporation-affiliated servers is to educate, inform, and communicate. The following criteria should be used to guide the development of such web content, apps, and ~~web-services~~:

#### A. Educate

Content provided in the website should be suitable for and usable by students and teachers to support the curriculum and Corporation's Objectives as listed in the Corporation's Strategic Plan.

#### B. Inform

Content may inform the community about the school, teachers, students, or departments, including information about curriculum, events, class projects, student activities, and departmental policies.

#### C. Communicate

Content may communicate information about the plans, policies and operations of the Corporation to members of the public and other persons who may be affected by Corporation matters.

The information contained on the website(s) should reflect and support the Corporation's Mission Statement, Educational Philosophy, and the Academic Improvement Process.

When the content includes a photograph or information relating to a student, including Corporation-issued email accounts, the Corporation will abide by the provisions of Policy 8330 - Student Records.

All links included on the Corporation's website(s), web content, apps, and ~~web-services~~ also must meet the above criteria and comply with State and Federal law (e.g. copyright laws, CIPA, Section 504, ADA, and COPPA). Nothing in this paragraph shall prevent the Corporation from linking the Corporation's website(s) to 1) recognized news/media outlets, e.g., local newspapers' websites, local television stations' websites, or 2) to websites, web content, apps, and/or ~~web-services~~ that are developed and hosted by outside commercial vendors pursuant to a contract with the Board. The Board recognizes that such third party websites may not contain age-appropriate advertisements that are consistent with the requirements of Policy 9700.01, AG 9700B, and State and Federal law.

Under no circumstances are Corporation-created web content, apps or ~~web-services~~ to be used for commercial purposes, political lobbying, or to provide financial gains for any employee or student. As part of this prohibition, web content, apps, and ~~web-services~~ contained on the Corporation's website shall not: 1) include statements or other items that support or oppose a candidate for public office, the investigation, prosecution or recall of a public official, or the passage of a tax levy or bond issue; 2) include a link to a website of another organization if the other website includes such a message; or 3) communicate information that supports or opposes any labor organization or any action by, on behalf of, or against any labor organization.

[ ☒ ] Under no circumstances are staff member-created web content, apps or ~~web-services~~, including personal web pages/sites, to be used to post student progress reports, grades, class assignments, or any other similar class-related material. Employees are required to use the Corporation-specified website, web content, app or web service, ~~e.g.,~~ \_\_\_\_\_ [Skyward] for the purpose of conveying information to students and/or parents.

[ ☒ ] Staff members are prohibited from requiring students to go to the staff member's personal web pages/sites (including but not limited to Facebook, Instagram, or Pinterest) to check grades, obtain class assignments or class-related materials, or to turn in assignments.

[ ☒ ] If a staff member creates web content, apps or ~~web-services~~ related to his/her class, they must be hosted on the Corporation's server or a Corporation-affiliated server.

[ ☒ ] Unless the web content, app, or web service contains student personally identifiable information, Corporation websites, web content, apps, and ~~web-services~~ that are created by students and/or staff members that are posted on the Internet should not be password protected or otherwise contain restricted access features, whereby only employees, student(s), or other limited groups of people can access the site. Community members, parents, employees, staff, students, and other website users generally will be given full access to the Corporation's website(s), web content, apps, and ~~web-services~~.

Web content, apps, and ~~web-services~~ should reflect an understanding that both internal and external audiences will be viewing the information.

School website(s), web content, apps, and ~~web-services~~ must be located on Corporation-owned or Corporation-affiliated servers.



The Superintendent shall prepare administrative guidelines defining the rules and standards applicable to the use of the Corporation's website and the creation of web content, apps, and web-services by staff-staff ( ) and students.

The Corporation retains all proprietary rights related to the design of web content, apps, and web-services that are hosted on Corporation-owned or Corporation-affiliated servers, absent written agreement to the contrary.

Students who want their classwork or information regarding their athletic endeavors, if applicable, to be displayed on the Corporation's website, web content, apps, and web-services must have written parent permission and expressly license the display and any related photographs without cost to the Corporation.

Prior written parental permission is necessary for a student to be identified by name on the Corporation's website, web content, apps, and web-services.

### **Instructional Use of Apps, and Web-Services**

The Board authorizes the use of apps, and/or web-services to supplement and enhance learning opportunities for students either in the classroom or for extended learning outside the classroom.

#### **[SELECT OPTION #1 or #2]**

##### **[OPTION #1]**

The Board requires the [ Superintendent ☒ ] Director of Technology pre-approve each app and/or web service that a teacher intends to use to supplement and enhance student learning. To be approved, the app or web service must have a FERPA-compliant privacy policy and comply with all requirements of COPPA and CIPA ( ) and Section 504 and the ADA.

##### **[END OF OPTION #1]**

##### **[OPTION #2]**

~~A teacher who elects to supplement and enhance student learning through the use of web-services and/or apps and services is responsible for verifying/certifying to the [ ] Superintendent [ ] that the app or web service has a FERPA-compliant privacy policy, and it complies with all requirements of COPPA and CIPA ( ) and Section 504 and the ADA.~~

##### **[END OF OPTION #2]**

~~The Board further requires~~

~~( ) the use of a Corporation issued e-mail address in the login process.~~

~~( ) prior written parental permission to use a student's personal e-mail address in the login process.~~

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Book	Policy Manual
Section	Special Update Nov. 2019 for board approval
Title	Revised Policy - Special Update - Social Media - November 2019 - STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY
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Status	
Legal	P.L. 106-554 (2000), Children's Internet Protection Act 47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003) 18 U.S.C. 1460 18 U.S.C. 2246 18 U.S.C. 2256 20 U.S.C. 6301 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003) 20 U.S.C. 6777, 9134 (2003) 47 C.F.R. 54.500 - 54.523
Adopted	February 8, 2010
Last Revised	September 11, 2017

#### 7540.04 - **STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY**

Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning, to incorporate the vast, diverse, and unique resources available through the Internet. The School Board provides Technology Resources and Information Resources (as defined by Bylaw 0100) to support the educational and professional needs of its staff and students. The Board provides staff with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students and to facilitate the staff's work. The School Corporation's computer network and Internet system do not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.

The Board regulates the use of Corporation Technology Resources and Information Resources by principles consistent with applicable local, State, and Federal laws, and the Corporation's educational mission. This policy, its related administrative guidelines, (x ) Policy 7544 and AG 7544, [END OF OPTION] and any applicable employment contracts and collective bargaining agreements govern the staffs' use of the Corporation's Technology Resources and Information Resources and staff's personal communication devices (PCDs) when they are connected to the Corporation's computer network, Internet connection and/or online educational services/apps, or when used while the staff member is on Corporation-owned property or at a Corporation-sponsored activity (see Policy 7530.02).

**[DRAFTING NOTE: Choose the option above if the Superintendent recommends and the Board adopts Policy 7544.]**



Users are prohibited from engaging in actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like) when using Corporation Technology Resources and Information Resources. Because its Technology Resources are not unlimited, the Board also has instituted restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

Users have no right or expectation to privacy when using Corporation Technology Resources and Information Resources ~~(including, but not limited to, including but not limited to~~ privacy in the content of their personal files, e-mails, and records of their online activity when using the Corporation's computer network and/or Internet connection).

Staff members are expected to utilize Corporation Technology Resources and Information Resources to promote educational excellence in our schools by providing students with the opportunity to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and online educational services will be guided by Board Policy 2520 – Selection of Instructional Materials and Equipment.

The Internet is a global information and communication network that provides students and staff with access to up-to-date, highly relevant information that will enhance their learning and the education process. Further, Corporation Technology Resources provide students and staff with the opportunity to communicate with other people from throughout the world. Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges and responsibilities.

The Corporation may not be able to limit access technologically through its Technology Resources to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past, when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources which may not have been screened by educators for use by students of various ages.

Pursuant to Federal law, the Corporation has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act. At the discretion of the Board or Superintendent, the technology protection measures may be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using Corporation Technology Resources if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any staff member who attempts to disable the technology protection measures without express written consent of an appropriate administrator will be subject to disciplinary action, up to and including termination.

The Superintendent or Director of Technology may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material if access to such sites has been blocked inappropriately by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the ~~protection~~ protective actions of the technology protection measures. [ ☒ ] The Superintendent or Director of Technology may also disable the technology protection measures to enable access for bona fide research or other lawful purposes.

Staff members will participate in professional development programs in accordance with the provisions of law and this policy. Training shall include:

- A. the safety and security of students while using e-mail, chat rooms, social media, and other forms of direct electronic communications;
- B. the inherent danger of students disclosing personally identifiable information online;
- C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying and other unlawful or inappropriate activities by students online; and
- D. unauthorized disclosure, use, and dissemination of personally identifiable information regarding minors.

Furthermore, staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security ~~and as~~ as specified above, and staff members will monitor students' online activities while at school.



☒ Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions; or use of specific monitoring tools to review browser history and network, server, and computer logs.

The disclosure of personally identifiable information about students online is prohibited.

Building principals are responsible for providing training so that users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the Corporation Technology Resources. All users of Corporation Technology Resources are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

☒ Staff will be assigned a school email address that they are required to utilize for all school-related electronic communications, including those to students, parents, and other constituents, fellow staff members, and vendors or individuals seeking to do business with the Corporation.

☒ With prior approval from the Superintendent or Director of Technology, staff may direct students who have been issued school-assigned email accounts to use those accounts when signing-up/registering for access to various online educational services, including mobile applications/apps that will be utilized by the students for educational purposes under the teacher's supervision.

Staff members are responsible for good behavior on Corporation Technology and Information Resources, i.e., behavior comparable to that expected when they are in classrooms, in school hallways, on other school premises and at school-sponsored events.

Communications on Education Technology are often public in nature. The Board does not approve any use of its Technology Resources and Information Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines x ] and Policy 7544 and its accompanying guidelines **[END OF OPTION]**.

**[DRAFTING NOTE: Choose the option above if the Superintendent recommends and the Board adopts Policy 7544.]**

~~**[NOTE: If language about social media is added to Policy 7540, it is recommended that this language be added to this policy.] If the use of social media is authorized by Policy 7540 and Policy 7544, choose the appropriate option to match that language.**~~

☒ Staff members may use Corporation Technology Resources to access or use social media only if it is done for Corporation educational or business-related purposes.

☒ Staff members' use of Corporation Technology Resources to access or use social media shall be consistent with Policy 7544 and its accompanying guidelines.

**[DRAFTING NOTE: Choose the following option to provide further direction to staff regarding the appropriate versus inappropriate use of social media.]**

☒ An employee's personal or private use of social media may have unintended consequences. While the Board respects its employees' First Amendment rights, those rights do not include permission to post inflammatory comments that could compromise the Corporation's mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes staff members' online conduct that occurs off school property including from the employee's private computer. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.

General school rules for behavior and communication apply.

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or ~~revoked~~, revoked and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of Technology Resources not authorized by this Board Policy and its accompanying guidelines.

The Board designates the Superintendent and the Director of Technology as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to staff members' use of Corporation Technology and Information Resources.

**[Optional]**

**[ ] Social Media Use**

An employee's personal or private use of social media may have unintended consequences. While the Board respects its employees' First Amendment rights, those rights do not include permission to post inflammatory comments related to matters of private concern that could compromise the Corporation's mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes staff members' online conduct that occurs off school property including from the employee's private computer. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.

In addition, Federal and State confidentiality laws forbid schools and their employees from using or disclosing student education records without parent consent (see Board Policy 8330). Education records include a wide variety of information, and posting personally identifiable information about students is not permitted. Staff members who violate State and Federal confidentiality laws or privacy laws related to the disclosure of confidential student or employee information may be disciplined.

Nothing in this policy is intended to interfere with any school employee's rights under applicable law with respect to union organizing or collective bargaining.

**[END OF OPTION]**

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Book	Policy Manual
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Title	Revised Policy - Special Update - Social Media - November 2019 - TECHNOLOGY
Code	po7540
Status	
Adopted	May 28, 1996
Last Revised	March 13, 2017

**[Although students' use of Corporation Technology Resources (see definition in Bylaw 0100) is required to participate in and benefit from certain aspects of the Corporation's curriculum, unsupervised use of Technology Resources may be limited or denied if such use is not under the direct supervision of school staff.]**

#### 7540 - TECHNOLOGY

The School Board is committed to the effective use of technology to both enhance the quality of student learning and the efficiency of School Corporation operations.

~~[ ] Students' use of Corporation Technology Resources (see definition in Bylaw 0100) is a privilege, not a right. As a prerequisite, students and their parents must sign and submit a *Student Network and Internet Acceptable Use and Safety* form ( ) annually. (See also, Policy 7540.03)~~

Although students' use of Corporation technology resources (see definition in Bylaw 0100) is required to participate in and benefit from certain aspects of the Corporation's curriculum and to participate in online assessment, unsupervised use of technology resources may be limited or denied if such use is not under the direct supervision of school staff if a student's use of Corporation technology resources is in violation of the Corporation's policy regarding acceptable use. Students and their parents must sign and submit a Student Technology Acceptable Use and Safety form ( **x** ) annually. (See also, Policy 7540.03)

The Superintendent shall develop, ~~( ) recommend for approval by the Board,~~ **[END OF OPTION]** and implement a written Corporation Technology Plan (CTP) ~~( ) annually.~~ One of the primary purposes of the CTP is to evaluate new and emerging technologies and how they will play a role in student achievement and success and/or efficient and effective Corporation operations. ( **x** ) The Board will financially support, as the budget permits, the CTP, including recommendations to provide new and developing technology for students and staff.

#### **[END OF OPTION]**

Annually the Superintendent shall require the review of the implementation of the current CTP, update that plan as need be, and recommend the updated plan for approval by the Board. The CTP will address the need for Corporation technology resources for all the Corporation's instructional, operational and business functions, including, but not limited to software licenses, infrastructure hardware and software, technical support, telecommunication devices, servers, data storage, and recovery systems (both internal and external).

The Superintendent ~~may~~ shall create a Technology Governance Committee to oversee and guide the development of the CTP. The Superintendent shall appoint individuals to the Technology Governance Committee that include representatives of all educational, administrative and business/operational areas in the Corporation.



The CTP shall state the procedures for the proper acquisition of technology. The CTP also shall provide guidance to staff and students about making safe, appropriate and ethical use of Corporation Technology Resources, as well as inform both staff and students about disciplinary actions that will be taken if its Technology Resources are abused in any way or used in an inappropriate, illegal, or unethical manner. See Policy 7540.03 – Student ~~Education-Technology Acceptable Use and Safety~~ and AG 7540.03 – Student ~~Network and Internet-Technology Acceptable Use and Safety~~, and Policy 7540.04 – Staff ~~Education-Technology Acceptable Use and Safety~~ and AG 7540.04 – Staff ~~Network and Internet-Technology Acceptable Use and Safety~~.

The Superintendent, (☒) in conjunction with the Director of Technology, **[END OF OPTION]** shall review the CTP and **[NOTE: The following chosen option ~~option chosen below must be consistent with the Board's decision to choose whether to require Board approval of the CTP above on page 1~~ (☒) report ( ) recommend the approval of [END OF OPTIONS] any changes, amendments, or revisions to the Board ( ) annually-[END OF OPTION].**

This policy, along with the Student and Staff Technology Acceptable Use and Safety policies and the Student Code of Conduct, further govern students' and staff members' use of their personal communication devices (PCDs) (see Policy 5136 and Policy 7530.02). Users have no right or expectation of privacy when using Corporation Technology Resources (including but not limited to privacy in the content of their personal files, e-mails and records of their online activity when using the Corporation's computer network and/or Internet connection).

Further safeguards shall be established so that the Board's investment in both hardware and software achieves the benefits of technology and inhibits negative side effects. Accordingly, students shall be educated about appropriate online behavior including, but not limited to: using social media to interact with others online; interacting with other individuals in chat rooms or on blogs; and, recognizing what constitutes cyberbullying, understanding cyberbullying is a violation of Board policy, and learning appropriate responses if they experience cyberbullying.

~~For purposes of this policy, social media is defined as Internet-based applications that facilitate communication (e.g., interactive/two-way conversation/dialogue) and networking between individuals or groups. Social media is "essentially a category of online media where people are talking, participating, sharing, networking, and bookmarking online. Most social media services encourage discussion, feedback, voting, comments, and sharing of information from all interested parties."~~

**[Quote from Ron Jones of Search Engine Watch]** Social media provides a way for people to stay "connected or linked to other sites, resources, and people." Examples include Facebook, Twitter, Instagram, webmail, text messaging, chat, blogs, and instant messaging (IM). Social media does not include sending or receiving e-mail through the use of Corporation issued e-mail accounts.

#### **[CHOOSE ONE OF THE THREE OPTIONS, IF DESIRED]**

##### **[ ☒ ] OPTION #1**

~~Authorized staff may use Corporation Technology Resources to access and use social media to increase awareness of Corporation programs and activities, as well as to promote achievements of staff and students, provided the Superintendent approves, in advance, such access and use. Staff may use social media for business-related purposes. Use of social media for business-related purposes is subject to Indiana's public records laws and staff members are responsible for archiving their social media and complying with the Corporation's record retention schedule. See Policy 8310—Public Records and AG 8310A—Access to Public Records. Staff use of Corporation-approved social media platforms/sites shall be consistent with Policy 7544.~~

Instructional staff and their students may use Corporation Technology Resources to access and use social media for educational purposes, provided the principal approves, in advance, such access and use.

Students shall comply with Policy 7540.03 and Policy 5136 when using Corporation Technology Resources to access and/or use Corporation-approved social media platforms/sites. Similarly, staff shall comply with Policy 7540.04 and policy 7530.02 when using Corporation Technology Resources to access and/or use social media.

Similarly, staff shall comply with Policy 7544, Policy 7540.04, and Policy 7530.02 when using Corporation Technology Resources to access and/or use Corporation-approved social media platforms/sites.

##### **[END OF OPTION #1]**

##### **[ ☐ ] OPTION #2**

~~The Board prohibits students from using Corporation Technology Resources to access and/or use social media for other than instructional purposes.~~

~~Staff may use social media for business-related purposes. Staff may use Corporation-approved social media platforms/sites in accordance with Policy 7544 [ ] and, pursuant to Policy 7540.02, may use web content, apps, and services for one-way communication with the Corporation's constituents [END OF OPTION]. Authorized staff may use Corporation Technology Resources to access and use social media Corporation-approved social media platforms/sites to increase awareness of Corporation programs and activities, as well as to promote achievements of staff and students, provided the Superintendent~~



approves, in advance, such access and use. Use of Corporation approved social media platforms/sites for business-related purposes is subject to Indiana's public records laws and, as set forth in Policy 7544, staff members are responsible for archiving their social media and complying with the Corporation's record retention schedule. See Policy 8310—Public Records and AG 8310A—Access to Public Records.

**~~[DRAFTING NOTE: Retain this provision if the Corporation has chosen an option in Policy 7544 permitting staff to access social media from Corporation technology resources or from personal technology resources.]~~**

~~Staff shall comply with Policy 7544, Policy 7540.04 and Policy 7530.02 when accessing social media from Corporation Technology Resources or from personal technology resources.~~

~~Staff shall comply with Policy 7540.04 and Policy 7530.02 when using Corporation Technology Resources to access and/or use social media.~~

**~~[DRAFTING NOTE: Retain this provision if the Corporation has chosen an option in Policy 7544 permitting staff to access social media from Corporation technology resources or from personal technology resources.]~~**

~~Staff shall comply with Policy 7544, Policy 7540.04 and Policy 7530.02 when accessing social media from Corporation Technology Resources or from personal technology resources.~~

**~~[END OF OPTION #2]~~**

### **[ ] OPTION #3**

**DRAFTING NOTE:** Choose this option if the Corporation intends to prohibit staff and students from accessing social media using Corporation technology resources. If so, Policy 7544 is not necessary.

The Board prohibits students and staff members from using Corporation Technology Resources to access and/or use social media.

**[END OF OPTIONS]**

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Book	Policy Manual
Section	Special Update Nov. 2019 for board approval
Title	New Policy - Special Update - Social Media - October 2019 - USE OF SOCIAL MEDIA
Code	po7544
Status	
Legal	Protecting Children in the 21st Century Act, Pub. L. No. 110-385, Title II, Stat. 4096 (2008) Children's Internet Protection Act (CIPA), Pub. L. No. 106-554 (2001)

#### 7544 - USE OF SOCIAL MEDIA

Technology is a powerful tool to enhance education, communication, and learning.

The School Board authorizes the use of social media to promote community involvement and facilitate effective communication with students, parents/guardians, staff **(x )** (including School Corporation-approved volunteers) **[END OF OPTION]**, and the general public. Social media is defined in Bylaw 0100.

The Superintendent is charged with designating the Corporation-approved social media platforms/sites **(x )**, which shall be listed on the Corporation's website.

**(x )** In designating Corporation-approved social media platforms/sites, the Superintendent shall specify which platforms/sites are appropriate for use at the Corporation-level, the building level or department level, for extra-curricular activities, and at the individual level by employees for professional purposes. **[END OF OPTION]**

It is critical that students be taught how to use social media platforms safely and responsibly. Social media (as defined in Bylaw 0100) are a powerful and pervasive technology that afford students and employees the opportunity to communicate for school and work purposes, and to collaborate in the delivery of a comprehensive education. Federal law mandates that the Corporation provide for the education of students regarding appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and regarding cyberbullying awareness and response. See Board Policy 7540.03 – Student Technology Acceptable Use and Safety.

The Corporation recognizes that employees may use social media for personal as well as professional reasons. The Corporation neither encourages nor discourages employees' use of social media for personal purposes. The Corporation regulates employees' use of social media for purposes related to their Corporation assignment to the same extent as it regulates any other form of employee communication in that regard.

**[DRAFTING NOTE: Corporations should consult with their legal counsel concerning the First Amendment implications associated with using social media that permits public comment. Select Option 1 or 2.]**

**~~}[Option 1]~~**

~~The Corporation uses approved social media platforms/sites as interactive forms of communication.~~

**~~[END OF OPTION 1]~~**

**[ x [Option 2]**



The Corporation uses approved social media platforms/sites as interactive forms of communication and ~~( )~~ accepts ~~( )~~ invites ~~( )~~ welcomes ~~[END OF OPTION]~~ public comments. The Corporation-approved social media platforms/sites are considered limited public forums. As such, the Corporation will monitor posted comments to verify they are on-topic, consistent with the posted rules for use of the forum, and in compliance with the platform/site's applicable terms of service. The Board's review of posted comments will be conducted in a viewpoint-neutral manner, and consistent with State and Federal law. Employees' personal posts on the public platforms/sites are limited/restricted to matters of general public interest that are not related to the employee's specific employment and wholly unrelated to the employee's job responsibilities (i.e., matters where it is clear the individual is posting not in an official capacity, but simply as a member of the public). Employees in administrative positions are ordinarily not permitted to post personal comments on matters of general public interest because to do so could be misconstrued as Board-sponsored speech.

**[END OF OPTION 2]**

**[END OF OPTIONS 1 & 2]**

Each Corporation-approved social media account/site must contain a statement that specifies its purpose(s) and limits those who access the social media account/site and use of the account/site for only that/those purpose(s) and in accordance with any specified procedures and applicable terms of service. Users are personally responsible for the content of their posts.

**Social Media for Instructional and School-Sponsored Activities**

Staff (including Corporation-approved volunteers) may, with prior approval/authorization from the ( ☒ ) Principal, ~~( )~~ Superintendent, ~~( )~~ \_\_\_\_\_, **[END OF OPTION]** use social media platforms/sites for classroom instruction or school-sponsored activities. When a staff member uses a Corporation-approved social media platform/site for an educational purpose, it will be considered an educational activity and will not be considered a limited public forum. Students' use of Corporation-approved social media platforms/sites must be consistent with the Student Code of Conduct, Policy 5722/AG 5722 – School-Sponsored Student Publications and Productions, Policy 7540.03/AG 7540.03 – Student Technology Acceptable Use and Safety, the instructor's directions/procedures, and the platform/site's applicable terms of service. Students are prohibited from posting or releasing personally identifiable information about students, employees, and volunteers through Corporation-approved social media without appropriate consent.

**[DRAFTING NOTE: Select either Option 3 or 4, or, at the Corporation's discretion, choose neither option.]**

**[ ☒ ] [Option 3]**

Staff members ( ☒ ) (including Corporation-approved volunteers) **[END OF OPTION]** must provide parents of students involved in a school-sponsored activity the ability to opt-out of having their child use social media platforms/sites for communication purposes associated with that activity, and arrange for an alternative method of communicating with the participating student concerning the school-sponsored activity.

**[END OF OPTION 3]**

**☒ ] [Option 4]**

Staff members ( ☒ ) (including Corporation-approved volunteers) **[END OF OPTION]** must obtain parental consent for students to participate in the use of social media platforms/sites related to a school-sponsored activity. If a parent refuses to provide such consent, the staff member must arrange for an alternative method of communicating with the participating student concerning the school-sponsored activity.

**[END OF OPTION 4]**

**[END OF OPTIONS 3 & 4]**

**Expected Standards of Conduct on Corporation-Approved Social Media**

Employees ( ☒ ) and Corporation-approved volunteers **[END OF OPTION]** who access Corporation-approved social media platforms are expected to conduct themselves in a respectful, courteous, and professional manner. Students, parents, and members of the general public who access Corporation-approved social media platforms similarly are expected to conduct themselves in a respectful, courteous, and civil manner.

Corporation-approved social media sites shall not contain content that is obscene; is vulgar and lewd such that it undermines the school's basic educational mission; is libelous or defamatory; constitutes hate speech; promotes illegal drug use; is aimed at inciting an individual to engage in unlawful acts or to cause a substantial disruption or material interference with Corporation operations; or interferes with the rights of others. The Corporation may exercise editorial control over the style and content of student speech on Corporation-approved social media if reasonably related to legitimate pedagogical concerns. Staff or students who post prohibited content shall be subject to appropriate disciplinary action.



The Corporation is committed to protecting the privacy rights of students, parents/guardians, staff, volunteers, Board members, and other individuals on Corporation-approved social media sites. Corporation employees ( ) and volunteers **[END OF OPTION]** are prohibited from posting or releasing confidential information about students, employees, volunteers, or Corporation operations through social media without appropriate consent (i.e., express written consent from the parent of a student, the affected employee or volunteer, or the Superintendent concerning Corporation operations).

Corporation communications that occur through the use of Corporation-approved social media platforms/sites – including staff members' ( ☒ ) /volunteers' **[END OF OPTION]** use of social media with school-sponsored activities, and comments, replies, and messages received from the general public – may constitute public records or student records, and all such communications will be maintained (i.e., electronically archived) in accordance with the Board's adopted record retention schedule and all applicable State statutes. (See AG 8310A – Requests for Public Records)

**[DRAFTING NOTE: Corporations should choose the following Option only if they intend to approve individual Corporation employees/volunteers using social media platforms, like Facebook or Twitter, that require professional pages to be linked to personal pages as Corporation-approved social media platforms. Corporations are advised to discuss this Option with their local legal counsel before selecting it. Selection of this Option is not covered by Neola's warranty.]**

☒ Staff members ( ☒ ) and Corporation-approved volunteers **[END OF OPTION]** cannot rely on social networking platforms (e.g., Facebook, Twitter, etc.) to sufficiently fulfill potential records retention requirements because these platforms, in general, do not guarantee retention and are unlikely to assist in the production of third-party comments and communications that have been edited, deleted, or are otherwise no longer available. Consequently, Corporation employees ( ☒ ) and volunteers **[END OF OPTION]** who use such social media accounts for professional communications must operate them in accordance with the general archiving practices and technology instituted by the Corporation so records remain within the Corporation's control and are appropriately retained.

**[END OF OPTION]**

If a staff member uses Corporation-approved social media platforms/sites in the classroom for educational purposes (i.e., classroom instruction), the staff member must consult with the Principal concerning whether such use may result in the creation of public and/or education records that must be maintained (i.e., electronically archived) for a specific period of time.

**[DRAFTING NOTE: Select Option 5, 6, 7, 8, or 9]**

#### **Employee's Use of Corporation Technology Resources To Access Social Media for Personal Use**

##### **☐ OPTION 5**

Employees ( ☐ ) and Corporation-approved volunteers **[END OF OPTION]** are prohibited from using Corporation technology resources (as defined in Bylaw 0100) to access social media for personal use.

**[END OF OPTION 5]**

##### **☐ OPTION 6**

Employees ( ☐ ) and Corporation-approved volunteers **[END OF OPTION]** are prohibited from using Corporation technology resources (as defined in Bylaw 0100) to access social media for personal use during work hours.

They are reminded that the Corporation may monitor their use of Corporation technology resources.

**[END OF OPTION 6]**

##### **( ☒ ) OPTION 7**

Employees ( ☒ ) and Corporation-approved volunteers **[END OF OPTION]** are permitted to use Corporation technology resources (as defined in Bylaw 0100) to access social media for personal use during breaks, mealtimes, and before and after scheduled work hours.

They are reminded that the Corporation may monitor their use of Corporation technology resources.

**[END OF OPTION 7]**

##### **( ☒ ) OPTION 8**

Employees ( ☒ ) and Corporation-approved volunteers **[END OF OPTION]** are permitted to use Corporation technology resources (as defined in Bylaw 0100) to access social media for personal use during work hours, provided it does not interfere with the employee's ( ☒ ) /volunteer's **[END OF OPTION]** job performance.

They are reminded that the Corporation may monitor their use of Corporation technology resources.



**[END OF OPTION 8]**

**(x) OPTION 9**

Employees ( x ) and Corporation-approved volunteers **[END OF OPTION]** are permitted to use Corporation technology resources (as defined in Bylaw 0100) to access social media for personal use, provided the employee's (x) /volunteer's **[END OF OPTION]** use during work hours does not interfere with his/her job performance.

They are reminded that the Corporation may monitor their use of Corporation technology resources.

**[END OF OPTION 9]**

**[END OF OPTIONS]**

**[DRAFTING NOTE: Select Option 10, 11, or 12]**

**Employees' Use of Personal Communication Devices at Work To Access Social Media for Personal Use**

**~~[ ] OPTION 10~~**

~~Employees are prohibited from using personal communication devices to access social media for personal use during work hours.~~

**~~[END OF OPTION 10]~~**

**(x) OPTION 11**

Employees are permitted to use personal communication devices to access social media for personal use during breaks and mealtimes.

**[END OF OPTION 11]**

**[ x OPTION 12**

Employees are permitted to use personal communication devices to access social media for personal work during work hours, provided it does not interfere with the employee's job performance.

**[END OF OPTIONS 12]**

**[END OF OPTIONS]**

Employees (x) and Corporation-approved volunteers **[END OF OPTION]** are prohibited from posting or engaging in communication that violates State or Federal law, Board policies, or administrative guidelines. If an employee/volunteer's communication interferes with his/her ability to effectively perform his/her job or violates State or Federal law, Board policies, or administrative guidelines, the Corporation may impose disciplinary action and/or refer the matter to appropriate law enforcement authorities.

This policy and its corresponding administrative guideline will be reviewed and updated (x) as necessary (~~-~~) ~~on an annual basis.~~

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