

Cromwell Public Schools Social Media Policy and Administrative Regulations Regarding Employee Use of Social Media

The Board of Education recognizes the importance and utility of social media and networks for its employees to support communication with parents and community and to enhance learning. The laws regarding social media continue to evolve and change. Nothing in this policy is intended to limit an employee's right to use social media under applicable law, as it may evolve. The Board acknowledges, for example, that its employees have the right under the First Amendment, in certain circumstances, to speak out on matters of public concern. The Board will resolve any conflict between this policy and applicable law in favor of the law.

Ordinarily, the use of social media by employees, including employees' personal use of social media, will not be a legal or policy issue. While a policy cannot address every instance of inappropriate social media use, employees must refrain from social media use that:

- 1) interferes, disrupts or undermines the effective operation of the school district;
- 2) is used to engage in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications;
- 3) creates a hostile work environment;
- 4) breaches confidentiality obligations of school district employees; or
- 5) violates the law, board policies and/or other school rules and regulations.

The Board of Education, through its Superintendent, will adopt and maintain administrative regulations to implement this policy.

Legal References:

U.S. Constitution, Amend. I

Conn. Constitution, Article I, Sections 3, 4, 14

Conn. Gen. Stat. § 31-48d

Conn. Gen. Stat. § 31-51q

Conn. Gen. Stat. §§ 53a-182; 53a-183; 53a-250

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

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**Series 4000
Personnel**

ADMINISTRATIVE REGULATIONS REGARDING USE OF SOCIAL MEDIA

The Board of Education recognizes the importance and utility of social media and networks for its employees to support communication with parents and community and to enhance learning. 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, for example, that its employees have the right under the First Amendment, in certain circumstances, to speak out on matters of public concern. The Board will resolve any conflict between the Board's policy or these regulations and applicable law in favor of the law.

Ordinarily, the use of social media by employees, including employees' personal use of social media, will not be a legal or policy issue. While a policy or regulation cannot address every instance of inappropriate social media use, employees must refrain from social media use that:

- 1) interferes, disrupts or undermines the effective operation of the school district;
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Social media use to encourage appropriate student/community engagement can include Edmodo or other similar educational programs/websites/applications.

Definitions:

The rapid speed at which technology continuously evolves makes it difficult, if not impossible, to identify all types of social media.

Thus, the term Social Media includes a variety of online tools and services that allow users to publish content and interact with their audiences. By way of example, social media includes:

- (1) social-networking sites (eg. Facebook, LinkedIn, Google+);
- (2) blogs and micro-blogs (eg. Twitter, Tumblr);
- (3) content-sharing sites (eg. Scribd, SlideShare); and
- (4) imagesharing and videosharing sites (eg. Flickr, YouTube, Instagram, Vine, Pinterest).
- (5) Edmodo, or other similar programs/websites/applications.

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

Rules Concerning District-Sponsored Social Media Activity

1. In order for an employee to use social media sites as an educational tool or in relation to extracurricular activities or programs of the school district, the employee must seek and obtain the prior permission of his/her supervisor.
2. If an employee wishes to engage in social media sites 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 an official sports team, the employee must also comply with the following rules:
 - The employee must set up the club, etc. as a group list which will be "closed" (e.g. membership in the group is limited to students, parents and appropriate school personnel), and "monitored" (e.g. the employee had the ability to access and supervise communications on the social media site).
 - Parents shall be permitted to access any page that their child has been invited to join.
 - Access to the page may only be permitted for educational purposes related to the club, activity, organization or team.
 - The employee responsible for the page will monitor it regularly.
 - The employee's supervisor shall be permitted access to any page 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.
3. Employees are required to refrain from making harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate statements in their social media communications on district-sponsored sites.
4. Employees are required to comply with all Board of Education policies and procedures and all applicable laws with respect to the use of computer equipment, networks or devices when accessing district-sponsored social media sites.
5. The Board of Education reserves the right to monitor all employee use of district computers and other electronic devices, including employee blogging and social networking activity. An employee should have no expectation of personal privacy in any communication made through social media while using district computers, cellular telephones or other data devices.

6. All communications through district-sponsored social media must comply with the Board of Education's policies concerning confidentiality, including the confidentiality of student information. If an employee is considering sharing information and is unsure about the confidential nature of the information, the employee shall consult with his/her supervisor prior to communicating such information.
7. An employee may not link a district-sponsored social media page to any personal social media sites or sites not sponsored by the school district.
8. An employee may not use district-sponsored social media communications for private financial gain, political, commercial, advertisement, proselytizing or solicitation purposes.
9. 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.

Rules Concerning Personal Social Media Activity

1. The Board understands that employees utilize social media and the web for personal matters in the workplace. The Board of Education reserves the right to monitor all employee use of district computers and other electronic devices, including a review of employee blogging and personal social media activity. An employee should have no expectation of personal privacy in any personal communication made through social media while using district computers, cellular telephones or other electronic data devices. While the Board reserves the right to monitor use of its computer systems, employees may engage in incidental personal use of social media in the workplace so long as such use does not interfere with operations and productivity, and does not violate other Board policies.
2. An employee may not mention, discuss or reference the Board of Education, the school district or its individual schools, programs or teams on personal social networking sites in a manner that could reasonably be construed as an official school district communication, unless the employee also states within the communication that such communication is the personal view of the employee of the school district and that the views expressed are the employee's alone and do not represent the views of the school district or the Board of Education. An example of such a disclaimer is: "the opinions and views expressed are those of the author and do not necessarily represent the position or opinion of the school district or Board of Education." For example, except as may be permitted by Board policy, employees may not provide job references for other individuals on social media that indicate that such references are made in an official capacity on behalf of the Board of Education.
3. Employees are required to maintain appropriate professional boundaries with students, parents, and colleagues. For example, absent an unrelated online

relationship (e.g., relative, family friend, or personal friendship unrelated to school), it is not appropriate for a teacher or administrator to “friend” a student or his/her parent or guardian or otherwise 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.

4. In accordance with the public trust doctrine, employees are advised to refrain from engaging in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications through personal social media. Such communications reflect poorly on the school district’s reputation, can affect the educational process and may substantially and materially interfere with an employee’s ability to fulfill his/her professional responsibilities.
5. Employees are individually responsible for their personal communications through personal social media. Employees may be sued by other employees, parents or others, and any individual that views an employee’s communication through personal social media as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. In addition, employees should consider refraining from posting anything that belongs to another person or entity, such as copyrighted publications or trademarked images. As all of these activities are outside the scope of employment, employees may be personally liable for such claims. The Board of Education are absolved of any liability in connection to employee misuse of social media.
6. Employees are required to comply with all Board of Education policies and procedures with respect to the use of computer equipment, networks or electronic devices when accessing personal social media sites through district computer systems. 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 at work.
7. All communications through personal social media must comply with the Board of Education’s policies concerning confidentiality, including the confidentiality of student information. If an employee is considering sharing information and is unsure about the confidential nature of the information, the employee shall consult with his/her supervisor prior to communicating such information.
8. An employee may not link a personal social media page to the Board of Education’s website or the websites of individual schools, programs or teams; or post official Board of Education material on a personal social media site or webpage without written permission of his/her supervisor.
9. All of the Board of Education’s policies and administrative regulations apply to employee use of personal social media in the same way that they apply to conduct that occurs in the workplace and off duty conduct.

Disciplinary Consequences

Violation of the Board's policy concerning the use of social media or these administrative regulations may lead to discipline up to and including the termination of employment consistent with state and federal law.

Legal References:

U.S. Constitution, Amend. I

Conn. Constitution, Article I, Sections 3, 4, 14

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