

Greater Albany SD 8J Board Policy

Code: **GCAB**
Adopted: 2/10/14
Readopted: 6/06/14; 9/08/14

Personal Electronic Devices and Social Media - Staff **

Staff possession or use of personal electronic devices on district property, in district facilities during the work day and while the staff is on duty in attendance at district-sponsored activities may be permitted subject to the limitations set forth in this policy and consistent with any additional school rules as may be established by the superintendent or designee. At no time, whether on duty or off duty, will a personal electronic device be used in a manner that interferes with the educational learning environment of the school, jeopardizes school safety, or compromises the staff's duty and responsibility for the supervision of students.

For the purposes of this policy, "online communication" has the meaning as set forth under Oregon Revised Statute 163.431. The statute defines online communication as "communication that occurs via telephone text messaging, electronic mail, personal or instant messaging, chat rooms, bulletin boards or any other transmission of information by wire, radio, optical cable, cellular system, electromagnetic system, or other similar means."

A "personal electronic device" is a device, not issued by the district, which is capable of electronically communicating, sending, receiving, storing, recording, reproducing, and/or displaying information and data.

Supervisors may require personal electronic devices be silenced or turned off during instructional time, while on duty or at any other time where such use of the device would cause a disruption of school activities or interfere with work assignment. Staff members shall not use any device to record students (photograph, audio, video, etc.) unless there is a legitimate educational purpose. The district will not be liable for loss or damage to personal electronic devices brought to district property and district-sponsored activities except as allowed by association agreement.

Staff members, while on duty and off duty, will utilize social network sites (e.g., Facebook, MySpace and Twitter), public websites and blogs, judiciously by not posting confidential information about students, staff or district business¹. Staff members, while on duty and off duty, will treat fellow employees, students and the public with respect while posting in order to prevent substantial disruption in school.

Communication with students using social network sites and/or personal electronic devices will be appropriate, professional, and relevant to the student's education, or their participation in school-related athletics or activities. Communication with students using social network sites and/or personal electronic devices regarding non school-related matters is prohibited during work hours and considered ill-advised anytime. If communicating with students electronically regarding school-related matters, the preferred communication method is district e-mail using mailing lists to a group of students rather than individual students. If a staff member is to communicate with students through texting, a best practice is to use their school email account. Students can text a staff member's email account and then the staff member can

¹Nothing in this policy is intended in any form to limit the right of employees to engage in protected labor activities via the use of social media.

build a group response or reply to individuals. This helps provide transparency and limit staff exposure. Communicating with groups of students rather than individual students, and including parents whenever possible, is strongly recommended regardless of the communication method utilized.

Staff are subject to disciplinary action up to and including dismissal for using a personal electronic device in any manner that is illegal or violates the terms of this policy. Staff actions on social media websites, public websites and blogs, while on or off duty, which disrupt the school environment, are subject to disciplinary action up to and including dismissal.

For the purposes of this policy, “visual depiction” and “visual recording” have the meaning as it appears in Oregon Revised Statute 163.665. In addition, “sexually explicit conduct” includes the meaning as set forth in Oregon Revised Statute 163.665.

The possession, manufacturing, duplicating, disseminating, transferring, displaying or sharing of obscene, pornographic or otherwise illegal visual depictions or visual recordings of sexually explicit conduct, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing etc.) may constitute a crime under state and/or federal law. Any person possessing, manufacturing, duplicating, disseminating, transferring, displaying or sharing obscene, pornographic or otherwise illegal visual depictions or visual recordings, will be reported to law enforcement and/or other appropriate state or federal agencies.

The superintendent shall ensure that this policy is available to all employees.

END OF POLICY

Legal Reference(s):

ORS 167.057	ORS 163.688	ORS 326.051
ORS 163.432	ORS 163.689	ORS 332.072
ORS 163.433	ORS 163.693	ORS 332.107
ORS 163.684		ORS 336.840
ORS 163.686	ORS 163.700	
ORS 163.687	ORS 326.011	[OAR 584-020-0000 to -0035]

Copyrights, Title 17, as amended, United States Code; 19 CFR Part 133 (2001).
Melzer v. Bd. Of Educ., City of New York, 336 F.3d 185 (2d Cir. 2003).
Ross v. Springfield Sch. Dist., No. FDA 80-1, aff'd, 56 Or. App. 197, rev'd and remanded, 294 Or. 357 (1982), order on remand (1983), aff'd, 71 Or. App. 111 (1984), rev'd and remanded, 300 Or. 507 (1986), order on second remand (1987), revised order on second remand (1988).

Cross Reference(s):

JHFF - Reporting Requirements Regarding Sexual Conduct with Students