



Policy & Legal Services
2500 S. State Street
Salt Lake City, UT 84115

PHONE: 385-646-4009
FAX: 385-646-4351
www.graniteschools.org

To: Members of the Board of Education
From: Doug Larson
Re: Policy Readings
Date: November 29, 2018

Policy and Legal Services will present Second Readings during the next Board of Education meeting. A description of the policies is provided below.

Article X.C.3. Educator and Student Communications and Social Media

This policy needed to be expanded to meet the needs of electronic communications, particularly electronic communications between employees and students and social media communications. The policy was modified to provide clarity. The Board had no questions or concerns after the first reading and the proposed changes have been incorporated for the second reading. We have added provisions that describe appropriate communications regardless of the communication tools or platforms. We have also clarified accountability for those communications and appropriate monitoring.

Article IX.A.1.w. Employee Questions about Policy

Article II.E. Procedures for Making, Amending, and Repealing District Policies

We eliminated Article IX.A.1.w. Employee Questions about Policy and consolidated the necessary information into Article II.E. Procedures for Making, Amending, and Repealing District Policies, which is a more appropriate location. This move avoids confusion regarding appeals of policy changes versus appeal of administrative actions. The Board adopted the changes in first reading and those changes have been incorporated.

Article X.C.3. Educator and Student Communications and Social Media

A. Statement of Purpose

The Board of Education recognizes the potential pedagogical value, as well as potential hazards, of the myriad communication and social media tools available. Educators are encouraged to incorporate such tools into student learning, but educators must maintain professionalism at all times. The following policy, therefore, is promulgated to protect students and personnel.

B. Definitions

1. Social media, as used in this policy, broadly includes any online or electronic applications used for communicating with individuals, groups of individuals, or the general public.
2. School-related social media sites are employee created or maintained websites or web-based accounts and applications whose members include students whom the employee knows primarily by reason of employment.
3. Student is an individual whose class has not graduated and is enrolled in a school, whether the school is traditional public, online, charter, or private.

C. Student Communications

1. Employees are encouraged to actively and appropriately communicate with students to advance learning and academic success. Generally, communications should be transparent and, wherever possible, conducted in open forums. Educators shall avoid in-person communications conducted in confined or isolated environments out of sight of others. Further, the content of conversations shall remain professional in accordance with state laws, regulations, and District policies related to educator standards, particularly those standards articulating boundary violations.
2. Telephonic or electronic communications (e.g. via email, texting, and direct messaging on social media sites) pose particular challenges related to professionalism because such conversations often create expectations of some level of privacy or confidentiality. Educators shall have no such expectations when using devices or networks owned by the District, and depending on the circumstances, all communications with students may be discoverable regardless of the devices or networks used.
3. Consistent with state laws and regulations and with District policies, educators shall not solicit personal or sensitive information from students without parents/guardians' knowledge and consent unless a student's health and/or safety are at risk. Personal or sensitive information that is offered freely or spontaneously by students shall be managed professionally in accordance with statutes, regulations, and policies. In particular, information involving criminal conduct, abuse, or neglect shall be

appropriate disclosed to law enforcement, Division of Child and Family Services (DCFS), parents, administrators, counselors, social workers, and/or school psychologists.

4. Educators shall not attempt to restrict protected student communication related to the curriculum, school sponsored activities, or student communication that occurs during discretionary time. Protected student communications are generally expressions of personal belief or opinion but *do not* include communications that unreasonably interfere with order or discipline, threaten the well-being of persons or property, or violate concepts of civility or propriety appropriate to a school setting.
5. Regardless of means or intentions, taking photographs or video of students for non-educational purposes, excessive contact, prolonged discussions of personal or intimate issues, harassing or discriminatory communication, abusive communication, profanity, crude or off-colored humor, communications regarding sex or sexuality outside of approved curriculum, any form of pornography or indecent content, grooming of any kind, or other similar communications with, toward, or about any student is prohibited.

D. Instructional Use of Social Media

1. Administrators are authorized to grant permission for the educational use of social media tools. An educator desiring to establish a school-related social media site or community with students shall propose the platform and tool to the administration with an explanation of the instructional purposes for which the social media will be used. An educator may proceed if the administrator gives written consent. Consent can be withdrawn at any time.
2. Educator proposals shall be resubmitted and reviewed annually.
3. Any school-related social media shall comply with all school and District policies. Profanity, obscenity, defamation, discrimination, harassment, hazing, retaliation, and bullying are not permitted.
4. Educators must comply with the state and federal Family Educational Rights and Privacy Acts (FERPA) and other applicable state and federal laws, and may not post personally identifiable student information without prior written consent from the parent or legal guardian. Social media communications shall never include confidential information about other students or staff.
5. All social media between staff and students shall include or be reviewable by more than one adult (educator, administrator, parent, etc.).
6. Educators are responsible for ensuring that student posts on school-related sites are regularly monitored. Posts which violate laws or policies shall be removed within a reasonable time frame and reported to administration.

E. Personal Social Media Use

1. Nothing in this policy shall prohibit employees from engaging in personal or private social media activity acting outside of the scope of their employment and with personally owned equipment.
2. Employees who maintain personal social media accounts shall keep such accounts completely separate from employment-related accounts. With the exception of family members, employees shall not grant students access to personal accounts and shall not follow personal student accounts on social media sites.
3. Use of District owned equipment and internet access is monitored, and employees have no expectation of privacy in activities utilizing District owned equipment whether the use is on or off contract time.
4. Personally identifiable student information, including photographs, continues to be subject to FERPA and shall not be included on personal sites.

F. Violation

Violations of this policy constitute Improper Conduct for purposes of corrective discipline.

References

The Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. § 1232g; 34 CFR Part 99
Utah FERPA, Utah Code §53E-9-203 *et seq.*
Curriculum Requirements, Utah Code §53G-10-202 *et seq.*
Utah Educator Standards, Utah Admin. Code R277-515
Teaching and Educational Leadership Standards Utah Admin. Code R277-530