

Electronic Devices and Social Media – Staff

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

A “personal electronic device (PED)” is a device, that may or may not be issued by the ESD, which includes but not limited to devices capable of electronically communicating, sending, receiving, storing, recording, reproducing and/or displaying information and data.

Personal electronic devices shall be silenced during instructional or class 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. Personal electronic devices as defined above shall be used in a manner consistent with professional standards.

Staff members, while on or off duty, will utilize social media websites public websites and blogs, judiciously by not posting confidential information about students, staff or ESD business. Staff members, while on or off duty, will treat fellow employees, students and the public with respect while posting on social media websites, etc., in order to prevent substantial disruption in school. Communication with students using personal electronic devices will be appropriate and professional. Communication with students using personal electronic devices regarding non-school related matters is prohibited during working hours and strongly discouraged at all other times.

Exceptions to this policy may be made for health, safety or emergency reasons with superintendent or designee approval.

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 ESD policy. Staff actions on social media websites, public sites, blogs, while on or off duty, which disrupt the school environment, are subject to disciplinary action up to and including dismissal. A “disruption” for purposes of this policy may include, but is not limited to, one or more parent threatens to remove their children from a particular class or particular school, actual withdrawal of a student or students from a particular class or particular school and/or a threatened or actual negative impact on the learning environment. The taking, disseminating, transferring, or sharing of obscene, pornographic, or otherwise illegal images or photographs, 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 taking, disseminating, transferring, or sharing obscene, pornographic, or otherwise illegal images or photographs, will be reported to law enforcement and/or other appropriate state or federal agencies.

Licensed staff are subject at all times to the Standards of Competent and Ethical Performance for Teachers per Teacher Standards and Practices Commission (TSPC) regulations.

The ESD will not be liable for loss or damage to personal communication devices brought to ESD property and ESD-sponsored activities.

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

END OF POLICY

Legal Reference(s):

ORS 163.432	ORS 163.687	ORS 163.700	ORS 332.072
ORS 163.433	ORS 163.688	ORS 167.057	ORS 334.125
ORS 163.684	ORS 163.689	ORS 326.011	
ORS 163.686	ORS 163.693	ORS 326.051	

18 U.S. CODE, § 1466A

18 U.S. CODE, § 1470

20 U.S. CODE, § 7906

20 U.S. CODE, § 6777

Copyrights, Title 17, as amended, United States Code; 19 CFR Part 133 (2001)

Melzer v. Bd. Or Educ., City of New York, 336 F.3d 185 (2d Cir. 2003)

Ross v. Springfield Sch. Distr., 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)

Tinker v. Des Moines School District, 3939 U.S. 503 (1969)