SHIPMAN

Series 5000
Students

[NOTE TO CLIENT: On August 21, 2024, the Connecticut State Board of Education issued a Position Statement and Policy Guidance regarding Personal Technology Use in Connecticut Schools. In light of this guidance, school districts may decide to develop more specific policies or rules restricting the use of cell phones and other personal technology devices during the school day. If a school district would like to develop more specific policies or rules regarding the use of private technology devices by students at school, Shipman & Goodwin LLP is available to assist in crafting language that satisfies the school district's needs.]

USE OF PRIVATE TECHNOLOGY DEVICES BY STUDENTS

Students may possess privately owned technological devices on school property and/or during school-sponsored activities, in accordance with the mandates of this policy and any applicable administrative regulations as may be developed by the Superintendent of Schools.

Definitions

Board Technology Resources

For the purposes of this policy, "Board technology resources" refers to the _____ Board of Education's (the "Board's") computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources owned and/or used by the _____ Public Schools (the "District") and accessible by students.

Privately Owned Technological Devices

For the purposes of this policy, "privately owned technological devices" refers to privately owned desktop computers, personal computing devices, cellular phones, Smartphones, Smartwatches, network access devices, tablets, laptops, personal gaming systems, Bluetooth speakers, e-readers, and other electronic signaling devices.

Generative Artificial Intelligence

For the purposes of this policy, "generative artificial intelligence" refers to a technology system, including but not limited to ChatGPT, capable of learning patterns and

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relationships from data, enabling it to create content, including but not limited to text, images, audio, or video, when prompted by a user.

Use of Privately Owned Technological Devices

Privately owned technological devices may not be used during instructional time, except as specifically permitted by instructional staff or unless necessary for a student to access the District's digital learning platform or otherwise engage in remote learning if remote learning has been authorized in accordance with applicable law.

On school property, at a school-sponsored activity, while in use for a remote learning activity if remote learning has been authorized in accordance with applicable law, or while being used to access or utilize Board technology resources, the use of any such device for an improper purpose is prohibited. Improper purposes include, but are not limited to:

- Sending any form of a harassing, threatening, or intimidating message, at any time, to the extent such communication may violate other applicable Board policy, regulation, or school rule (such communications may also be a crime);
- Gaining or seeking to gain unauthorized access to Board technology resources;
- Damaging Board technology resources;
- Accessing or attempting to access any material that is obscene, obscene as to minors, or contains child sexual abuse material;
- Cyberbullying;
- Using such privately owned device to violate any Board policy or school rule, including the unauthorized recording (photographic, video, or audio) of another individual without the permission of the individual or a school staff member;
- Using such privately owned device for the unauthorized use of generative artificial intelligence; or
- Taking any action prohibited by any Federal or State law.

Search of Privately Owned Technological Devices

A student's privately owned technological device may be searched if the device is on Board property or in a student's possession at a school-sponsored activity, in accordance with the applicable Board policy for search and seizure.

Responsibility for Privately Owned Technological Devices

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Students are responsible for the safety and use of their privately owned technological devices. If a privately owned technological device is stolen, lost, or damaged while the device is on school property or during a school-sponsored activity, a report should be made to the building principal, who will investigate the loss, or cause it to be investigated, in a manner consistent with procedures for stolen or damaged personal property. Students and parents should be aware that the Board is not liable for any privately owned technological device that is stolen, lost, or damaged while at school or during a school-sponsored activity. For that reason, students are advised to use good judgment when deciding to bring such items to school and advised not to share or loan their privately owned technological devices with other students.

Disciplinary Action

Misuse of the Board's technology resources and/or the use of privately owned technological devices to access or utilize the Board's technology resources in an inappropriate manner or the use of such privately owned technological devices in any manner inconsistent with this policy will not be tolerated and will result in disciplinary action. For students, a violation of this policy may result in loss of access privileges, a prohibition on the use and/or possession of privately owned technological devices on school property or at school-sponsored activities, and/or suspension or expulsion in accordance with the Board's policies related to student discipline.

Access to Board Technology Resources

The Board may permit students, using their privately owned technological devices, to access the Board's computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources used by the District and accessible by students. Additionally, it is the expectation of the Board that students who access these resources while using privately owned technology devices will act at all times appropriately in ways that are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws.

Through the publication and dissemination of this policy statement and others related to use of the Board's computer systems, as well as other instructional means, the Board educates students about the Board's expectations for technology users.

The Board's technology resources shall only be used to access educational information and to promote learning activities both at home and at school. Students are expected to act at all times appropriately in ways that are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws when using the Board technology resources. Failure to do so will result in the consequences outlined herein and in other applicable policies (including, but not limited to, the Student Discipline Policy and the Student Use of the District's Computer Systems Policy).

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Students must abide by the procedures outlined in this policy and all policies and applicable regulations outlined in the Board's computer use and other applicable policies. Students will be given specific information for log-on and access procedures for using school accounts. No user may deviate from these log-on/access procedures. **Students are advised that the Board's network administrators have the capability to identify users and/or to monitor all privately owned technological devices while they are logged on to the network.** Students must understand that the Board has reserved the right to conduct monitoring of Board technology resources and can do so *despite* the assignment to individual users of passwords for system security. Any password systems implemented by the Board are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system user. The system's security aspects, message delete function and personal passwords can be bypassed for monitoring purposes. **Therefore, students should be aware that they should not have any expectation of personal privacy in the use of privately owned technological devices to access Board technology resources. This provision applies to any and all uses of the Board's technology resources and any privately owned technological devices that access the same.**

Harm to Board Technology Resources

Any act by a student using a privately owned technological device that harms the Board technology resources or otherwise interferes with or compromises the integrity of Board technology resources will be considered vandalism and will be subject to discipline and/or appropriate criminal or civil action.

Closed Forum

This policy shall not be construed to establish a public forum or a limited open forum.

Legal References:

Conn. Gen. Stat. § 10-233j

Conn. Gen. Stat. § 31-48d

Conn. Gen. Stat. §§ 53a-182b; 53a-183; 53a-250 *et seq.*

Electronic Communications Privacy Act of 1986, 28 U.S.C. §§ 2510 through 2523

New Jersey v. T.L.O., 469 U.S. 325 (1985)

ADOPTED: _____
REVISED: _____

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