Series 4000
Personnel

SOCIAL MEDIA

The _____ Board of Education (the "Board") recognizes the importance and utility of social media and networks for its employees. The laws regarding social media continue to evolve and change. Nothing in this policy, its implementing regulations or its enforcement is intended to limit an employee's right to use social media or personal online accounts 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' use of personal online accounts, will not be a legal or policy issue. However, the Board will regulate disruptive communications and/or actions by members of the school community when school officials determine that such communications or actions:

1) cause legally sufficient interference with, disruption to, or undermining of the effective operation of the _____ Public Schools (the "District") or a school or program operated by the District such that regulation of such communications comports with the First Amendment and other applicable laws;
2) are used to engage in harassing, defamatory, obscene, abusive, discriminatory, threatening, or similarly inappropriate communications (e.g., when such speech relates to a matter of public concern and its disruptive impact outweighs the importance of the speech);
3) create a hostile work environment;
4) breach confidentiality obligations of Board employees; and/or
5) violate the law, Board policies, and/or other school rules or regulations.

Employees' use of social media on behalf of the District will be addressed as speech pursuant to duty under applicable First Amendment principles.

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

Legal References:

U.S. Constitution, Amend. I
Pickering v. Board of Education, 391 U.S. 563 (1968)
Connick v. Myers, 461 U.S. 138 (1983)
Garcetti v. Ceballos, 547 U.S. 410 (2006)
Lindke v. Freed, 601 U.S. 187 (2024)

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Electronic Communication Privacy Act, 18 U.S.C. §§ 2510 through 2520

Conn. Constitution, Article I, Sections 3, 5, 6
Conn. Gen. Stat. § 31-40x
Conn. Gen. Stat. § 31-48d
Conn. Gen. Stat. § 31-51q
Conn. Gen. Stat. §§ 53a-182; 53a-183

ADOPTED: _____
REVISED: _____

9/5/2025

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Series 4000
Personnel

ADMINISTRATIVE REGULATIONS REGARDING USE OF SOCIAL MEDIA

The _____ Board of Education (the "Board") recognizes the importance and utility of social media and networks for its employees. The laws regarding social media continue to evolve and change. Nothing in the Board's policy, these administrative regulations or the enforcement thereof is intended to limit an employee's right to use social media or personal online accounts 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' use of personal online accounts, will not be a legal or policy issue. However, the Board will regulate disruptive communications and/or actions by members of the school community when school officials determine that such communications or actions:

1) cause legally sufficient interference with, disruption to, or undermining of the effective operation of the Board or the _____ Public Schools (the "District") or a school or program operated by the District such that regulation of such communications comports with the First Amendment and other applicable laws;
2) are used to engage in harassing, defamatory, obscene, abusive, discriminatory, threatening, or similarly inappropriate communications (e.g., when such speech relates to a matter of public concern and its disruptive impact outweighs the importance of the speech);
3) create a hostile work environment;
4) breach confidentiality obligations of Board employees; and/or
5) violate the law, Board policies, and/or other school rules or regulations.

Employees' use of social media on behalf of the District will be addressed as speech pursuant to duty under applicable First Amendment principles.

Definitions

"*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, but is not limited to, the following websites or applications, including an employee's personal online account using such social media:

(1) social-networking (*e.g.*, Facebook, LinkedIn, BlueSky);

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(2) blogs and micro-blogs (*e.g.*, X, Tumblr, Medium);
(3) content-sharing (*e.g.*, Scribd, SlideShare, DropBox, Box, iCloud);
(4) image sharing, video sharing or livestreaming (e.g., TikTok, Snapchat, YouTube, Instagram, Pinterest, Twitch, Discord);
(5) other sharing sites or apps such as by sound, location, news, or messaging, etc. (*e.g.*, Reddit, Kik, SoundCloud, WhatsApp). The rapid speed at which technology continuously evolves makes it difficult, if not impossible, to identify all types of social media.

"*Board of Education*" or "*Board*" includes all names, logos, buildings, images, and entities under the authority of the Board and/or the District.

"*Electronic communications device*" includes any electronic device that is capable of transmitting, accepting or processing data, including, but not limited to, a computer, computer network and computer system, and a cellular or wireless device.

"*Personal online account*" includes any online account that is used by an employee exclusively for personal purposes and unrelated to any business purpose of the Board, including, but not limited to electronic mail, social media, and retail-based Internet websites. Personal online account does not include any account created, maintained, used or accessed by an employee for a business, educational, or instructional purpose of the Board.

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 District, the employee must seek and obtain the prior permission of the employee's supervisor.

2. Employees may not use personal online accounts to access social media for classroom activities without express permission of the employee's supervisor. Where appropriate and with permission, District-sponsored social media accounts should be used for such purposes.

3. If an employee wishes to use social media sites to communicate meetings, activities, games, responsibilities, announcements, etc., for a school-based club, school-based activity, official school-based organization, or official school-based sports team (collectively, a "school-based group"), the employee must also comply with the following rules:

    - The employee must receive the permission of the employee's immediate supervisor.
    - The employee must not use the employee's personal online account for such purpose but shall use a Board-issued account.

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- The employee must ensure that such social media use is compliant with all Board policies, regulations, and applicable state and federal law, including the provision of required legal notices and permission slips to parents.
- The employee must set up the school-based group as a group list which will be "closed" (*e.g.*, membership in the group is limited to students, parents/guardians, and appropriate school personnel), and "monitored" (*e.g.*, the employee has the ability to access and supervise communications on the social media site).
- Parents/guardians 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 school-based group.
- The employee responsible for the page will monitor it regularly. If members of the group are permitted to contribute or comment on the site, the employee will monitor the communications and address any inappropriate communications in a manner designed to be consistent with Board policies, administrative regulations, and applicable law.
- The employee's supervisor shall be permitted access to any page established by the employee for a school-based group or school-related purpose.
- Employees are required to maintain appropriate professional boundaries in the establishment and maintenance of all such District-sponsored social media activity.

4. Employees are prohibited from making harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate statements in their social media communications using District-sponsored sites or accounts or through Board-issued electronic accounts.

5. Employees are required to comply with all Board policies and procedures and all applicable laws with respect to the use of electronic communications devices, networks, Board-issued accounts, or when accessing District-sponsored social media sites or while using personal devices on the District's wireless network or while accessing District servers.

6. The Board 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, including personal online accounts, while using District electronic communications devices or while accessing District networks from a privately owned device.

7. All communications through District-sponsored social media or Board-issued electronic accounts must comply with the Board'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

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employee shall consult with the employee's supervisor prior to communicating such information.

8. An employee may not link a District-sponsored social media page to any personal online account or sites not sponsored by the District.

9. An employee may not use District-sponsored social media or Board-issued electronic accounts for communications for private financial gain, political, commercial, advertisement, proselytizing or solicitation purposes.

10. An employee may not use District-sponsored social media or Board-issued electronic accounts in a manner that misrepresents the views of the Board, individual school, or District, or in a manner that could reasonably be construed as such.

Rules Concerning Personal Online Accounts

1. The Board understands that employees access social media and the web for personal matters. The Board reserves the right to monitor all employee use of District electronic communications devices, including a review of online and personal social media activities using such devices. An employee should have no expectation of personal privacy in any personal communication made through social media while using District computers, District-issued cellular telephones, other electronic communications devices or when accessing District networks. While the Board reserves the right to monitor use of its electronic communications devices, employees may engage in incidental personal use of social media in the workplace so long as such use is not during times the employee is responsible for supervising or instructing students or otherwise engaged in their job duties, does not interfere with operations and productivity, and does not violate other Board policies and/or procedures.

2. An employee may not mention, discuss, reference, or link to the Board of Education, the District or its individual schools, programs or school-based groups, including sports teams, using personal online accounts or other sites or applications in a manner that could reasonably be construed as an official Board or District communication, unless the employee also states within the communication that such communication is the personal view of the employee of the District and that the views expressed are the employee's alone and do not represent the views of the District or the Board. 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 or District.

3. Employees should be aware that, in certain circumstances, their posts on personal social media pages could be considered "mixed use" for both personal and government (e.g., school district) action. To avoid a finding of state action on their

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personal pages, employees should take reasonable steps to refrain from posting anything that could be interpreted as an official action attributable to the Board or the District. Employees who fail to make clear that they are speaking in their personal, not official, capacity may expose themselves to liability in certain circumstances, including the liability associated with deleting comments from and/or blocking an individual from their social media pages.

4. Employees should not use the buildings, grounds or equipment of the District to which they have access as an employee to record any audio or video file intended to be posted to personal social media. This provision shall not prevent employees from creating personal social media posts in appropriate circumstances when in the buildings or on the grounds of the District as a community member, for example, when attending a school event as a parent.

5. Employees are required to maintain appropriate professional boundaries with students, parents and guardians, and colleagues. For example, absent an unrelated online relationship (*e.g.*, relative, family friend, other affiliation (such as scout troop, religious affiliation, or community organization) or pre-existing personal friendship unrelated to school), it is not appropriate for a teacher or administrator to "friend," "follow," or otherwise establish special relationships with selected students, parents, or guardians through personal online accounts, and it is not appropriate for an employee to give students or parents access to personal postings unrelated to school.

6. Employees are advised to refrain from engaging in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications through personal online accounts. Such communications reflect poorly on the District's reputation, can affect the educational process and may substantially and materially interfere with an employee's ability to fulfill the employee's professional responsibilities.

7. Employees are individually responsible for their personal communications through social media and personal online accounts. Employees may be sued by other employees, parents, guardians, or others, and any individual that views an employee's communication through social media and personal online accounts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work or educational 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.

8. Employees are required to comply with all Board policies and procedures with respect to the use of electronic communications devices when accessing personal online accounts and/or social media through District computer systems. Any access to personal online accounts and/or personal social media activities while on school property or using District equipment must comply with those policies and may not interfere with an employee's duties at work.

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9. All communications through personal online accounts and/or social media must comply with the Board'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 the employee's supervisor prior to communicating such information.

10. An employee may not post official Board or District material using a personal online account without written permission of the employee's supervisor.

11. All of the Board's policies and administrative regulations apply to employee use of personal online accounts in the same way that they apply to conduct that occurs in the workplace and off duty conduct.

Access to Personal Online Accounts

1. An employee may not be required by the employee's supervisor to provide the employee's username, password, or other means of authentication of a personal online account.

2. An employee may not be required to authenticate or access a personal online account in the presence of the employee's supervisor.

3. An employee may not be required to invite or accept an invitation from the employee's supervisor or required to join a group with the employee's personal online account.

[OPTIONAL SECTION ON CROWDFUNDING:
SELECT EITHER
Use of Crowdfunding Activities
OR
Prohibition on Crowdfunding Activities:

Use of Crowdfunding Activities

Prior to engaging in any crowdfunding activities (*e.g.*, DonorsChoose, Kickstarter, GoFundMe, etc.) for the Board, its schools, classes, or extracurricular teams or clubs, an employee must first apply in writing to the building principal and receive approval for the crowdfunding activity. Such written application must include the name of the website or application to be utilized, a full description of the reason for the crowdfunding activity, a copy of the proposed personal profile to be listed on the site/application, and the proposed content to be uploaded to the crowdfunding website or application, including images. Any money received from crowdfunding activities must be deposited directly into a school activity fund and may not first be received by the employee. Crowdfunding activities must comply with all Board policies,

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regulations and procedures, and shall not include photos of students or the sharing of any confidential student information.

OR

Prohibition on Crowdfunding Activities

Employees are prohibited from engaging in crowdfunding activities (*e.g.,* the use of websites or applications such as DonorsChoose, Kickstarter, GoFundMe, etc.) on behalf of the Board, its schools, classes, or extracurricular teams or clubs.***]***

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.

An employee may face disciplinary action up to and including termination of employment if an employee transmits, without the Board's permission, confidential information to or from the employee's personal online account.

An employee may not be disciplined for failing to provide the employee's username, password, or other authentication means for accessing a personal online account, failing to authenticate or access a personal online account in the presence of the employee's supervisor, or failing to invite the employee's supervisor or refusing to accept an invitation sent by the employee's supervisor to join a group affiliated with a personal online account, except as provided herein.

Notwithstanding, the Board may require that an employee provide the employee's username, password, or other means of accessing or authenticating a personal online account for purposes of accessing any account or service provided by the Board for business purposes or any electronic communications device supplied by or paid for, in whole or in part, by the Board.

Nothing in this policy or regulations shall prevent the District from conducting an investigation for the purpose of ensuring compliance with applicable state or federal laws, regulatory requirements, or prohibitions against work-related employee misconduct based on the receipt of specific information about an activity on an employee's personal online account or based on specific information about the transfer of confidential information to or from an employee's personal online account. During the course of such investigation, the District may require an employee to allow the District to access the employee's personal online account for the purpose of conducting such investigation. However, the employee will not be required to provide the employee's username and/or password or other authentication means in order for the District to access the personal online account.

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Legal References:

U.S. Constitution, Amend. I
Pickering v. Board of Education, 391 U.S. 563 (1968)
Connick v. Myers, 461 U.S. 138 (1983)
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Conn. Gen. Stat. § 31-40x
Conn. Gen. Stat. § 31-48d
Conn. Gen. Stat. § 31-51q
Conn. Gen. Stat. §§ 53a-182; 53a-183

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