

Fairbanks North Star Borough School District
Policy Review Committee

Thursday, October 8, 2015
5:00 – 6:30 P.M.

Room 426 - Administrative Center

A G E N D A

- I. Call to order**
- II. Roll call**
- III. Adoption of agenda**
- IV. Approval of minutes from the September 21, 2015 meeting**
- V. Public Comment**
Public comments on items are limited to three minutes per person. People on the sign-up list will be called first. If there is time, people who did not sign up may address the committee. A person testifying must state their name and address for the record.
- VI. Old Business**
 - A. School Board Policy 811 *Employee and Volunteer Use of Electronic and Social Media Communication***
- VII. New Business**
 - A. School Board Policy 985.4 (New) *Graduation Attire***
- VIII. Comments/Announcements/Other**
- IX. Adjourn**



Fairbanks North Star Borough
School District
520 Fifth Avenue
Fairbanks, AK 99701

Fairbanks North Star Borough School District
Policy Review Committee

Monday, September 21, 2015
5:00 – 6:30 P.M.

Room 426 - Administrative Center

MINUTES

I. Call to order

The meeting was called to order at 5:00pm by Sue Hull.

II. Roll call

Present:	Sue Hull	Connie Clouten	Maureen Meeks
	Haley Brooke	Rick Borroughs	Scott Calder
	Randy Pitney	Dan Schmidt	

Absent: Sarah Nichols

III. Adoption of agenda

Mr. Calder moved to adopt the agenda as submitted.

Mrs. Meeks seconded.

No objection. Motion Carries.

IV. Approval of minutes from the May 11, 2015 meeting

Ms. Clouten moved to adopt the minutes.

Mr. Pitney seconded.

Discussion ensued.

Ms. Clouten suggested the deletion of “Colby” from the minutes to read “Mr. Freel Colby moved to change Section H, line 34 to...”

No objections.

Motion carries to adopt the minutes with the above changes.

V. Public Comment

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VI. Old Business

A. School Board Policy 811 *Employee and Volunteer Use of Electronic and Social Media Communication*

1. Mr. Calder motioned to delete “reasonable” from Section D, line 31 to read “Employees and volunteers shall be notified there is no ~~reasonable~~ expectation of privacy with respect to electronic...”

Mr. Pitney seconded.

Discussion ensued about the need for the word reasonable or if it is a common legal term.

Motion failed.

Vote: 1 Aye (Mr. Calder)

6 Nays (Ms. Hull, Ms. Clouten, Ms. Haley, Ms. Meeks, Mr. Pitney, and Mr. Burroughs)

2. Mr. Calder motioned to insert “in writing” to Section D, line 31 to read “Employees and volunteers shall be notified in writing there is no reasonable expectation of privacy with respect to electronic...”

Ms. Brooke seconded.

Discussion ensued on how in writing would be implemented.

Motion failed.

Vote: 1 Aye (Mr. Calder)

6 Nays (Ms. Hull, Ms. Clouten, Ms. Haley, Ms. Meeks, Mr. Pitney, and Mr. Burroughs)

3. Mr. Pitney motioned to insert “officially” to Section D, line 31, to read “Employees and volunteers shall be officially notified there is no reasonable expectation...”

Mr. Calder seconded.

Motion passed unanimously.

4. Mr. Calder motioned to add “at least annually” and delete “periodically” to section F, line 11, to read “**shall be reviewed at least annually periodically and revised as needed in order for it to evolve to reflect emerging social media technologies**”

Motion failed because there were no seconds.



5. Mr. Pitney motioned to add a section dealing with volunteers.
Ms. Clouten seconded.

Motion passed.

Vote: 6 Ayes ((Ms. Hull, Ms. Clouten, Ms. Haley, Ms. Meeks, Mr. Pitney, and Mr. Burroughs)

1 Naye (Mr. Calder)

6. Mr. Borroughs motioned to change “may” to “will” in Section H, line 2, to read “instruction will ~~may~~ be restricted....”

Mr. Calder seconded.

Action was not taken and is postponed. The Committee ask that more information about what Borough legal suggests and that information be brought to the next PRC meeting.

VII. New Business

A. School Board Policy 985.4 (New) *Graduation Attire*

Item was not discussed due to time limit.

VIII. Comments/Announcements/Other

A. 2015-2016 PRC Meeting Schedule

The Committee agreed to the dates for the next two meetings to be Thursday, October 8 and Monday, November 23, 2015.

B. Update members list and contacts

Item was not discussed.

C. Handouts of updated policies and administrative regulations

Materials were distributed.

IX. Adjourn

Meeting adjourned at 6:45pm.

Respectfully submitted by Gena Tran.



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SCHOOL BOARD POLICY

811 Employee and Volunteer Use of Electronic and Social Media Communications

811.1 Purpose

The Fairbanks North Star Borough School District hereby establishes its policy pertaining to employee and volunteer use of electronic and social media communications. This policy informs employees and volunteers, especially those who work directly with students, to be aware of and avoid the risks associated with electronic communication and participation in social media. The policy and administrative regulations are intended to assist employees and volunteers in avoiding such risks.

811.2 Policy

- A. The school board recognizes communication is an essential element of the learning process. The school board believes using available technology enhances communication (Cross reference School Board Policy 800.2: Technology); therefore, using available technology may enhance learning.
- B. All employees are held to a professional standard in their conduct toward students, parents, guardians, co-workers, and members of the public, including engagement in constructive, tactful communication. (School Board Policy 543 Ethical and Professional Conduct) Electronic communication is held to the same professional standard of conduct as traditional face-to-face, verbal, or written communication.
- C. Employees and volunteers must understand the importance of establishing and maintaining the proper boundaries in communications with students. (See Guidelines in the *Defining Staff-Student Boundaries Brochure*) [<http://www.k12northstar.org/doc/11712>] The same standard for appropriate content applies to electronic and social media communication.
- D. Employees and volunteers shall be **officially** notified there is no reasonable expectation of privacy with respect to electronic communication and social media. Any content posted online may be discovered or reported to the district. For example, the district may discover information as a result of its own efforts to monitor its online reputation, as a result of an investigation or complaint, or other legitimate reason. The district will handle information received or discovered in accordance with the district's policies and procedures. Electronic and social media communication found to violate law, policy, regulation, guidelines or rules may result in corrective or disciplinary action, up to and including termination.

1 The district reserves the right to monitor electronic communications conducted
2 using district equipment, systems or network.

3
4 E. This policy supplements, and does not replace, other district policies. Electronic
5 communications remains subject to all applicable district policies, including but
6 not limited to nondiscrimination and harassment, sexual misconduct,
7 telecommunications access, staff ethics, confidentiality, and professional and
8 ethical conduct standards.

9
10 F. The superintendent shall develop an administrative regulation to implement this
11 policy. The administrative regulation shall be reviewed periodically and revised
12 as needed in order for it to evolve to reflect emerging social media technologies.

13
14 G. Employees

15 1. Employees speaking as public employees:

16 a. The school district has a presence with online sites and social media
17 accounts. If an employee is communicating on official school district
18 social media accounts, he or she is doing so as an agent of the school
19 district and can be regulated.

20 ~~b. The district can limit an employee's speech if speech is otherwise school~~
21 ~~or district sponsored *Hazelwood v. Kuhlmeier*, 484 U.S. 260 (1988)~~

22 c. The district can limit an employee's speech if made "pursuant to one's
23 official job duties." *Garcetti v. Ceballos*, 547 U.S. 410 (2006).

24
25 2. Employees speaking as private citizens:

26 a. Employees using social media accounts have First Amendment rights
27 to speak as private citizens about a matter of public concern. However, the
28 district can limit an employee's speech about a matter of public concern
29 (i.e. political, social, other community concerns) if it

30 i. Impairs teaching effectiveness or job performance,

31 ii. Interferes with relationships with superiors or coworkers, or

32 iii. Jeopardizes the management of the school. *Pickering v. Board*
33 of Education, 391 U.S. 563 (1968)

34 ~~b. The district can limit speech if there are legitimate grounds to discipline~~
35 ~~employee (i.e. poor performance) — *Mt. Healthy v. Doyle* 429 U.S. 2774~~
36 ~~(1977)~~

37 c. The district can limit speech when it relates to a personal or private
38 matter in a public school setting (personal complaint about work
39 conditions) *Connick v. Myers*, 461 U.S. 138 (1983)

40
41 H. Communication with students

42 1. An employee's communication with students in the classroom or directly
43 related to instruction is an extension of the employee's job.

- 1 2. An employee's communication with students outside of the classroom or
2 not directly related to instruction may be restricted and require parent
3 consent.
- 4 3. When using electronic communication and social media to communicate
5 with students and their families, employees and volunteers are required to
6 do so in a manner that:
 - 7 a. is consistent with responsible and professional use;
 - 8 b. does not interfere with efficient and effective operation of the
9 district; and
 - 10 c. does not compromise the safety and well-being of students.
- 11 4. An employee must provide equitable communication by alternative
12 methods to those students without technology.
- 13 5. Employee communication with students will be in compliance with
14 individual sites' terms of use and privacy policies (COPPA).
- 15 6. Employee communication with students recognizes the school district's
16 student web protection parameters which limit student access during
17 school hours (see SBP 802.23 Unsuitable Material Filters) (CIPA).
- 18 I. This policy is not intended to directly address students' responsible use of
19 electronic communication. (See SBP 802 for Student Use Policy)
- 20
- 21 J. This policy applies without regard to whether such use occurs during work or
22 nonworking hours, without regard to whether it occurs on or off district property
23 or at district sponsored events, and without regard to whether district or personal
24 equipment is used.
- 25
- 26 K. Factors the district may consider when determining whether the communication
27 violated standards include:
 - 28 1. whether the employee or volunteer knowingly and directly initiated
29 inappropriate communication with students, whether the employee or
30 volunteer intended or intentionally disregarded the possibility that students
31 would see his or her inappropriate postings, and
 - 32 2. whether the nature of the communication itself reflected a) inappropriate
33 employee-student communication, such as discussion of sexually
34 suggestive or sexually explicit topics, or b) unprofessional communication
35 that has negatively impacted the employee's or volunteer's ability to
36 perform his or her job responsibilities effectively.
- 37 L. Definitions:
 - 38
 - 39 1. Electronic communication shall mean, but not be limited to,
40 any communication that is sent by, delivered by, received by, or that
41 otherwise uses: a) e-mail; b) instant messaging; c) text message; d)
42 telephone, including cellular or mobile phone or smartphone; e) social-
43 media site; f) the Internet; or g) any similar technology.

- 1 2. Online conduct shall mean: a) the transmission of any electronic
2 communication; and b) the publication of any content via social media.
3 3. Social media shall mean forms of electronic communication through which
4 users create online communities to share information, personal messages,
5 ideas, photographs, videos and other content.

6 Legal reference: Professional Teaching Practices Commission Code of Ethics (20 AAC
7 10.020 – 20AAC 10.030)

8 Guidelines: *Defining Staff-Student Boundaries Brochure*

DRAFT