

DUDLEY-CHARLTON REGIONAL SCHOOL DISTRICT
Meeting of the Policy Review Subcommittee
Friday, October 20, 2023
10:00 AM
DCRSD District Office
68 Dudley-Oxford Road
Dudley, MA 01571

A G E N D A

1. Call to Order - Reorganization
2. Meeting Schedule
3. Review 2023-2024 Staff Resource Handbook Policies for updates
 - ACBB - Harassment – *Amend* - Action
 - IJNDB - Staff Technology Acceptable Use – *Amend* - Action
4. DCRSD Policy Reconciliation Project
5. Next Meeting Date
6. Future Agenda Items
7. Adjourn

School Committee Members

Jeanne Costello
Maureen Chickering

HARASSMENT POLICY OF THE DUDLEY-CHARLTON RSD

Adopted December 11, 1996, Amended March 27, 2002, Amended October 25, 2006, Amended December 12, 2012, Amended April 10, 2019, Amended October 27, 2021

A - Foundations and Commitments

Harassment of students by other students, employees, vendors and other 3rd parties will not be tolerated in the Dudley-Charlton Regional School District. The alleged harassment must involve conduct that occurred within the school's own program or activity, such as whether the harassment occurred at a location or under circumstances where the school owned, or substantially controlled the premises, exercised oversight, supervision or discipline over the location or participants, or funded, sponsored, promoted or endorsed the event where the alleged harassment occurred, against a person in the United States or on a school sponsored trip abroad. This policy is in effect while students are on school grounds, School District property or property within the jurisdiction of the School District, school buses, or attending or engaging in school sponsored activities.

Harassment prohibited by the District includes, but is not limited to, harassment on the basis of race, sex, gender identity, creed, color, national origin, sexual orientation, religion, marital status or disability. Students whose behavior is found to be in violation of this policy will be subject to disciplinary action up to and including suspension or expulsion pursuant to disciplinary codes. Employees who have been found to violate this policy will be subject to discipline up to and including, termination of employment, subject to contractual disciplinary obligations or potential legal action.

Employee-to-Student Harassment means conduct of a written, verbal or physical nature that is designed to embarrass, distress, agitate, disturb or trouble students when:

- Submission to such conduct is made either explicitly or implicitly as a term or condition of a student's education or of a student's participation in school programs or activities; or
- Submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student.

Student- to-Student Harassment means conduct of a written, verbal, or physical nature that is designed to embarrass, distress, agitate, disturb or trouble students, when:

- Such conduct has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating or hostile learning environment.

Harassment as described above may include, but is not limited to:

- Written, verbal, or physical (including texting, blogging, or other technological methods) harassment or abuse;
- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one's grades, achievements, or other school matter;
- Demeaning jokes, stories, or activities directed at the student.

By law, what constitutes harassment is determined from the perspective of a reasonable person with the characteristic on which the harassment is based. Individuals should consider how their words and actions might reasonably be viewed by others.

The District will promptly and reasonably investigate allegations of harassment through designation of the Title IX Coordinator or building based employees, who may include principals or their designees. The Superintendent will recommend, in consultation with the principals, opportunities to the designated recipients for appropriate training.

Sexual harassment is unwelcome conduct of a sexual nature. The definition includes unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity. It also includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment includes conduct by an employee as a condition for an educational benefit or service upon a person's participation in unwelcome sexual conduct, often called quid pro quo harassment, and sexual assault as the [Federal Clery Act](#) defines that crime. Sexual violence is a form of sexual harassment. Sexual violence, as the Office of Civil Rights (OCR) uses the term, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion. Massachusetts General Laws Ch. 119, Section 51 A, requires that public schools immediately report cases of suspected child abuse orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals, these offences and any other serious matters shall be referred to local law enforcement. Schools must treat all reports of sexual harassment seriously that meet the definition of sexual harassment and the conditions of actual notice and jurisdiction as noted above. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstances). While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which, if unwelcome, may constitute sexual harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances-whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences,
- Discussion of one's sexual activities

The legal definition of sexual harassment is broad. In addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, to male, female, or gender diverse students or employees may also constitute sexual harassment.

Because the District takes allegations of harassment, including sexual harassment, seriously, the District will respond promptly to complaints of harassment including sexual harassment. Following an investigation where it is determined that such inappropriate conduct has occurred, the District will act promptly to eliminate the conduct and impose corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth the District's goals of promoting an environment that is free of harassment including sexual harassment, the policy is not designed or intended to limit the District's authority to discipline or take remedial action for conduct which the District deems unacceptable, regardless of whether that conduct satisfies the definition of harassment or sexual harassment.

Retaliation against a complainant, because he/she has filed a harassment or sexual harassment complaint or assisted or participated in a harassment or sexual harassment investigation or proceeding, is also prohibited. A student or employee who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including student suspension and expulsion or employee termination.

The complainant does not have to be the person at whom the unwelcome sexual conduct is directed. The complainant, regardless of gender, may be a witness to and personally offended by such conduct.

NOTICE OF SEXUAL HARASSMENT

The regulations require a school District to respond when the District has actual notice of sexual harassment. School Districts have actual notice when an allegation is made known to any school employee. Schools must treat seriously all reports of sexual harassment that meet the definition of harassment and the conditions of actual notice and jurisdiction as noted whether or not the complainant files a formal complaint. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstances). Schools are required to investigate every formal complaint and respond meaningfully to every known report of sexual harassment.

The regulation highlights the importance of supportive measures designed to preserve or restore access to the school's education program or activity, with or without a formal complaint. Where there has been a finding of responsibility, the regulation would require remedies designed to restore or preserve access to the school's education program or activity.

DUE PROCESS PROTECTIONS

Due process protections include the following:

- 1) A presumption of innocence throughout the grievance process, with the burden of proof on the school;
- 2) A prohibition of the single investigator model, instead requiring a decision -maker separate from the Title IX Coordinator or investigator;
- 3) The clear and convincing evidence or preponderance of the evidence, subject to limitations;
- 4) The opportunity to test the credibility of parties and witnesses through cross examination, subject to "rape shield" protections;
- 5) Written notice of allegations and an equal opportunity to review the evidence;
- 6) Title IX Coordinators , investigators, and decision-makers being free from bias or conflict of interest;
- 7) Equal opportunity for parties to appeal, where schools offer appeals;

Upon filing a formal complaint, the school must give written notice to the parties containing sufficient details to permit a party to prepare for any initial interview and proceed with a factual investigation. For PreK-12+ schools a hearing is optional but the parties must be allowed to submit written questions to challenge each other's credibility before the decision-maker makes a determination. After the investigation, a written determination must be sent to both parties explaining each allegation, whether the respondent is responsible or not responsible, including the facts and evidence on which the conclusion was based by applying either the preponderance of the evidence or the clear and convincing standard; however, a school can use the lower preponderance standards only if it uses that standard for conduct code violations that do not involve sexual harassment but carry the same maximum disciplinary sanction. As long as the process is voluntary for all parties, after being fully informed and written consent is provided by both parties, a school may facilitate informal resolution of a sexual complaint.

A District may establish an informal investigation process that may, upon the request of the complainant, be followed by a formal process.

The Superintendent in consultation with the Title IX Coordinator shall designate the principal of each school in the District, or his/her designee (or some other appropriate employee(s)) as the initial entity to receive the sexual harassment complaint. Also, in a matter of sexual harassment, the District shall require that the Title IX Coordinator be informed, as soon as possible, of the filing of the complaint. Nothing in this policy shall prevent any person from reporting the prohibited conduct to someone other than those above designated complaint recipients. The investigating officer may receive the complaint orally or in writing, and the investigation shall be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and in compliance with applicable law. The investigation will be prompt, thorough, and impartial, and will include, at least, a private interview with the person filing the complaint and with witnesses. Also, the alleged harasser will be interviewed. When the investigation is completed, the complaint recipient will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

RECORD KEEPING REQUIREMENTS

The District and/or schools must create and maintain records documenting every Title IX sexual harassment complaint. This could include mediation, restorative justice, or other models of alternative dispute resolution. The District and/or schools must keep records regarding the school's response to every report of sexual harassment of which it becomes aware even if no formal complaint was filed, including documentation of supportive matters offered and implemented for the complainant.

This policy, or a summary thereof that contain the essential policy elements, shall be distributed by the Dudley-Charlton Regional School District to its students and employees and each parent or guardian shall sign that he/she has received and understand the policy.

- The Dudley-Charlton Regional School District Title IX Coordinator is Superintendent Steven M. Lamarche at 508.943.6888 x 142 and <mailto:slamarche@dcrsd.org?subject=DCRSD Title IX IMPORTANT>

School specific complaints will be received by;

- Mason Road School – Principal Jennifer Desto 508.943.4312 x 611 and jdesto@dcrsd.org
- Charlton Elementary School – Principal Laura Ramos 508.248.7774 x 251 and lramos@dcrsd.org
- Heritage Elementary School – Principal Peter Olson 508.248.4884 x302 and polson@dcrsd.org
- Dudley Elementary School – Principal Kelly True 508.943.3351 x610 and ktrue@dcrsd.org
- Dudley Middle School – Principal Eugen Rich 508.943.2224 x1101 and erich@dcrsd.org
- Charlton Middle School – Principal Stacy Monette 508.248.1423 x1102 and smonette@dcrsd.org
- Shepherd Hill Regional High School – Principal Darren Elwell 508.943.6700 x160 and delwell@dcrsd.org

The Complainant may also file a complaint with:

- The Mass. Commission Against Discrimination,
1 Ashburton Place, Room 601 Boston, MA 02108.
Phone: 617-994-6000
- Office for Civil Rights (U.S. Department of Education)
5 Post Office Square, 8th Floor
Boston, MA 02109
Phone: 617-289-0111
- The United States Equal Employment Opportunity Commission,
John F. Kennedy Bldg.
475 Government Center
Boston, MA 02203

Please note the above entities have specified time limits for filing a claim.

LEGAL REF.: M.G.L. [151B:3A](#)

Title IX of the Education Amendments of 1972

BESE 603 CMR 26:00

34 CFR 106.44 (a), (a)-(b)

34 CFR 106.45 (a)-(b) (1)

34 CFR 106.45 (b)(2)-(b)(3,4,5,6,7) as revised through June 2020

SOURCE: MASC July 2020

[Federal Clery Act](#)

STAFF TECHNOLOGY ACCEPTABLE USE

Adopted Date: 06.25.2014

The purpose of the Dudley-Charlton Regional School District's Staff Technology Acceptable Use Policy is to provide guidelines for using District technology resources while complying with the Children's Internet Protection Act (CIPA), the Children's Online Privacy Protection Act (COPPA) and other District policies, as well as all federal and state laws.

For purposes of this policy, "staff" refers to all Dudley-Charlton Regional School District employees, contracted service personnel, and any volunteers working within the District or schools. It is the responsibility of the staff to read, understand, and abide by the rules of this Acceptable Use Policy.

In addition, "technology resources," "computers," "network infrastructure," and "cloud computing" all refer to any and all equipment, services, or online resources, in whole or in part, owned, maintained, installed, or operated by or contained within the buildings or managed by the Dudley-Charlton Regional School District.

Amendments and modifications to this policy may be approved by the school committee from time to time and will be posted for viewing.

I. Introduction

This Acceptable Use Policy shall serve as a statement on the appropriate use of any and all technology resources available to staff of the Dudley-Charlton Regional School District including, but not limited to, District owned computers, tablets, printers, network, electronic mail system (e-mail), District provided websites, cloud computing technologies, and Internet access. It is the Dudley-Charlton Regional School District's goal to promote educational excellence with the assistance of these technology resources. This Acceptable Use Policy addresses many state requirements intended to ensure the integrity of personal information as outlined by the Massachusetts personal privacy laws and is also necessary to obtain E-rate financial assistance.

II. Responsibilities and Expectations

A. Security and Passwords

The Dudley-Charlton Regional School District has a legal duty to reasonably protect all personal data (staff and student) in the District's possession from unauthorized disclosure. To that end, all staff must uphold any and all security methods that have been developed to protect this sensitive data.

Under no circumstances should staff divulge their personal account password to anyone for any reason or attempt to access someone else's personal accounts. There are management software and or directory information exceptions and credentialed education software exceptions for the strict purpose of teaching in the Dudley-Charlton RSD. All passwords are unique and are the first and most important security measure in place to protect files and computer access. If, at any time, a password or computer has been compromised or even suspected of being compromised, staff must contact the District IT Department immediately.

Computers should never be left “unlocked” while unattended. Staff must lock or log out of their computers when not in use in order to protect confidential data and files. All District managed computers will automatically lock after twenty minutes of inactivity. Students are not allowed to use staff accounts under any circumstance. If staff chooses to allow a student to use their computer, the staff member must log out so the student can log in with a “student” account. Staff should not display personal data on their computers if there is a chance that it could be seen by others who are not authorized to view that data. Staff should limit the amount of school related data that leaves any school building to the minimal amount absolutely necessary for a staff member to perform his or her essential job functions. This data, whether residing on laptops, USB drives, email attachments, or any other method of transport, must be reasonably protected from loss or theft. Staff has an even greater responsibility to safeguard any information transported outside of our buildings so that it remains confidential.

B. Internet Access

The Internet is provided to staff as an educational resource and it is the Dudley-Charlton Regional School District’s intention that the use of the Internet be for that purpose and not for personal use. Internet access provides a vast array of immediately accessible, invaluable resources. Along with this substantial educational benefit comes the potential to access online resources that include information or material that lacks educational value and can be inaccurate, controversial, objectionable, offensive, defamatory and even illegal.

The Dudley-Charlton Regional School District does not condone the access or use of inappropriate materials at any time and prohibits the use of District technology resources to access such material. The District filters the content of many of these inappropriate resources but it is ultimately the responsibility of the staff to assure that any access of material is appropriate for educational use. Therefore, all staff will be held responsible for ensuring that their activities conform to this acceptable use policy. Under no circumstances should staff attempt to access websites that are blocked by District content filters by attempting to bypass the filters using various methods including, but not limited to, proxy services, VPN connections or other software. If a staff member feels that a website should not be blocked, they should submit a request through the District IT department’s help desk system to have the website reviewed.

C. Social Networking, Blogs, Personal Websites and Forums

The Dudley-Charlton Regional School District prohibits staff from publishing content of any kind to any social network, non-District supplied blog, or online message forum while using the District’s technology resources. Exceptions to this rule may be granted to specific school-related activities only with express, written permission from the respective building principal.

Staff should be aware that their online behavior, whether posting as a staff member or on their own personal time, has the potential to reflect negatively upon the District and to lead to disciplinary action where warranted. While the District recognizes the division between school and personal activities, staff is reminded to be cautious and to consider the ramifications of any public posting (including without limitation any text, image or link thereon) and how it might affect their professional reputation and that of the District, and their future. Under no circumstance should any posting be represented as an official Dudley-Charlton Regional School District position or opinion absent specific, written authorization to do so. Staff must ~~also be familiar with~~ review and abide by all other District policies, including those concerning the use of social networks.

D. Dudley-Charlton Regional School District Websites

The Dudley-Charlton Regional School District's websites have been established to communicate events and information to staff, students, parents, and the community. In order to provide the proper message to the community, staff is required to abide by common sense guidelines when posting content on District websites (as with any posting on the Internet). Any such posting should be educationally related, responsibly developed, professionally delivered, and correct for the target audience. Links to off-site resources that are not controlled by the District should be scrutinized thoroughly and on a regular basis to ensure they remain appropriate. In order to maintain the safety of Dudley-Charlton Regional School District's students, use of student work, pictures of students, or any other information that would allow for the identification of any student is strictly forbidden without the express, prior, written permission of the parent(s) or guardian(s) of the student. All information about students posted online must comply with the District's policy on student records, the Federal Family Education Rights and Privacy Act, and any other applicable state and federal laws.

All online content may be inspected without notice to ensure that it conforms to this acceptable use policy as well as local, state, and federal laws. Any content that does not meet these requirements will be removed immediately and notice given to the staff member responsible. Such removal and notice shall be in addition to any other remedy the District may have as to inappropriate material, all of which the District expressly reserves.

E. Dudley-Charlton Regional School District Instant Messaging

Communications by Dudley-Charlton Regional Schools District provided Instant Messaging is continuously logged by the District. Since all electronic communication is subject to the requirements of M.G.L. Chapter 66 and therefore a public record unless exempted as such by very limited statutory or judicially-recognized exceptions or privilege, a copy of the message log must be maintained and archived.

F. Dudley-Charlton Regional School District Email

All Dudley-Charlton Regional School District staff is assigned an email account for the sole purpose of communicating during the course of their employment with other staff, peers, parents/guardians, and in specific cases, students. District email must not be used for any personal, non-school related purpose. All email messages sent and received, including any attachment(s), are subject to the requirements of M.G.L. Chapter 66 and are not considered to be private. Therefore, all emails sent and received, including attachments, are considered part of the public record and will be treated as such as required by law. All email messages are archived to conform to these requirements.

When communicating by email, staff members are deemed to be representing the Dudley-Charlton Regional School District in an official capacity. All communication should be professional, respectful, and appropriate. Under no circumstances should any information be conveyed by email that would risk divulging any personal information. All communications must conform to any and all confidentiality guidelines as well as local, state, and federal laws.

Staff is expected to use common sense and reasonable care when replying to or forwarding any email communication so that only the appropriate recipients will receive the information it contains and to ensure that all confidentiality is maintained.

All school-related email communications must be sent through staff school email accounts; staff is not allowed to use their personal accounts for school business. Staff email accounts are accessible from any Internet-capable computer and should be used even when working off school premises on school related business.

Email messages to students, when such are necessary, ~~are restricted to~~ should be classroom related topics only. Staff ~~must be cautious is required to terminate any~~ with any email communication that strays from the educational subject area and ~~to~~ must notify their building principal ~~immediately of~~ any such instance that occurs as soon as feasible. For student crisis emails, e.g., threats of harm to self or others, staff must immediately contact school administration during the school day or emergency services outside of the school operational hours.

G. Dudley-Charlton Regional School District Student Information System

The Dudley-Charlton Regional School District uses a student information system (SIS) to track student demographics, grades, attendance, and other confidential information. Staff is required to maintain a strict, high level of confidentiality with all information contained within this system as required by District policy and state and federal regulations.

Under no circumstance may staff allow access to the SIS information by an unauthorized user. This includes, but is not limited to, casual or “over the shoulder” viewing of computer displays, unattended computers or print outs, or failure to log out of the SIS when not in use. Staff is forbidden to use any data contained within the SIS for unauthorized use such as, but not limited to, sharing contact information, disclosure of health or legal alerts, divulging information to a non-custodial parent other than in accordance with law, or any other use that violates local, state, or federal confidentiality.

H. Dudley-Charlton Regional School District Equipment

The Dudley-Charlton Regional School District supplies technology resources and equipment to its staff for educational purposes. Use of these resources or equipment for recreational, personal, commercial, or other non-educational purposes is strictly forbidden. Staff shall bear full responsibility and liability, whether legal, financial, or otherwise, for their actions when using the District’s equipment.

In addition, staff will not intentionally cause any adverse effect upon or performance of any equipment or network, including, but not limited to, intentional damage, failure to protect equipment from potential damage, deleting another person’s files, storing unnecessarily large files (such as music, pictures or videos), installation of unauthorized software, or any other action that would cause failure or deteriorated use of the District’s equipment. Staff is required to immediately notify the District IT Department if they have identified a possible security problem so the appropriate measures can be taken by the District IT Department to rectify the situation. Staff will not reconfigure devices in any way that will prevent the District IT Department from managing or monitoring the device. This includes, but is not limited to, removing or replacing the operating system or configuring the device to “dual boot” multiple operating systems, installing software firewalls or other security software for the purpose of blocking connectivity to the device by the District IT Department or changing system settings from their default “managed” configuration. Staff may install software on their device as long as the appropriate licenses have been purchased and the software does not interfere with any other District software or abrogate any District policy or any law.

I. Personal Devices

Staff is allowed to connect “personal” devices including laptops, tablets and cell phones to the Dudley-Charlton Regional School District’s “Guest” wireless networks, provided the devices are used as an educational resource and all activities conform to this acceptable use policy. “Personal” devices are defined as any device not owned by the Dudley-Charlton Regional School District. Should staff decide to bring in “personal” devices, they do so at their own risk. The Dudley-Charlton Regional School District is not responsible for lost, stolen or damaged “personal” devices. Staff should understand the District IT Department will provide no technical support or assistance for “personal” devices. This includes, but is not limited to, wireless connectivity issues, virus/malware infections, loss of data, hardware and software issues. Staff should understand that all “Guest” wireless network traffic is filtered, logged and monitored. Staff should also understand that unauthorized use of resources through this access may give rise to a claim for damages and/or be a criminal offense. Connecting “personal” devices including, but not limited to, computers, tablets, network printers, wired or wireless routers, switches, wireless access points/extenders or network scanners to “non-guest” wired or wireless networks is not allowed. However, staff may connect some “personal” peripherals such as mice, keyboards, and USB connected printers and scanners directly to District owned computers with the understanding that the “personal” peripherals will not be supported by the District IT Department.

III. Privilege

The use of Dudley-Charlton Regional School District technology resources is a privilege, not a right. Therefore, the District offers no guarantee of availability of any technology resource or equipment. The use of any or all technology resource or equipment may be revoked, either temporarily or permanently, for any reason outlined in this Acceptable Use Policy or for other, good cause.

IV. Intentional Violations

The Dudley-Charlton Regional School District is aware that violations of this policy may occur under circumstances where the staff is involuntarily routed to websites containing inappropriate information or material. Upon arriving at such websites, it is the responsibility of the staff member to immediately exit such site as quickly as possible. The District is also aware that commercial vendors and other individuals may secure E-Mail addresses of staff members and use these addresses to propagate or otherwise deliver viruses, worms, commercial advertisements, solicitations, etc., under circumstances where the staff member has no control, intention, or desire to access or transmit the offending information or material. Accordingly, disciplinary action under this policy shall only result from a knowing or intentional violation of this policy.

Notwithstanding, the Dudley-Charlton Regional School District reserves the right to discipline any staff member for a violation of this policy where it is apparent that the staff member knew, or should have known, that a violation of this policy was likely to occur as a result of the action, or inaction, of the staff member in question. As soon as possible, staff shall delete the unwelcomed material and remove it from the District’s computer systems, unless the preservation of such material is necessary to pursue disciplinary or legal action against the staff member or another staff member or student. Further, staff should take appropriate steps to discourage and/or prevent further unwelcomed deliveries or transmissions, including, if necessary, reporting the situation to the District IT Department so that appropriate steps can be taken to prevent further violations of this policy, be they knowing, intentional or inadvertent and unintentional.

V. Disciplinary Actions

Staff violation of this Acceptable Use Policy and/or other Dudley-Charlton Regional School District policies shall result in, but is not limited to, one or more of the following:

- Restriction, suspension or revocation of access privileges
- Written warnings or a letter of reprimand in the personnel file
- Other remedies, such as suspensions and terminations as covered under Massachusetts law
- Referral to the appropriate legal authorities for possible criminal prosecution
- Civil liability

The District will cooperate fully with local, state and federal officials in any investigation related to any illegal activity conducted through the use of the District's technology resources. In the event there is a claim that a user has violated this policy in using the technology resources, he/she will be provided with a written notice of the suspected violation and an opportunity to present an explanation before an administrator.

VI. Privacy

Staff has no right of privacy with regard to their use of the Dudley-Charlton Regional School District's technology resources, which includes but is not limited to, District computers, network, electronic mail system (e-mail), websites and Internet access. The District retains ownership and possessory control of its technology resources. The Dudley-Charlton Regional School District does not guarantee, and staff should not have any expectation of, confidentiality, privacy, security or ownership of the content of any information accessed, sent, received, created or stored thereon. All staff should realize that electronic communications and other information sent through the Internet are accessible by third parties, specifically the Internet Service Provider.

The District networked technology resources are maintained and managed by the District IT Department in such a way as to ensure its availability and reliability in performing the Dudley-Charlton Regional School District educational mission. Staff are advised that a system administrator or other authorized District staff member may, at any time, without advance notice to staff, monitor, access, modify, remove, review, retrieve and/or disclose the subject, content and appropriateness of any and all information stored or transmitted on District technology resources, including information that may have been deleted but still exists on the system. All staff is put on notice that deleted messages may be retrieved or restored at any time. During routine maintenance the District IT Department or designee may delete files stored on any of the District technology resources.

The Dudley-Charlton Regional School District reserves the right to record all Internet addresses and electronic communications accessed by staff. Likewise, the District has the right to determine what information is posted on its website and it will routinely monitor all technology resources in order to maintain their integrity and to ensure compliance with this policy. Any and all violations of this policy detected by the District IT Department will be reported to the school principal or appropriate District Administrator for disciplinary action.

VII. Liability

The Dudley-Charlton Regional School District makes no warranty of any kind, whether express or implied, for the technology services it is providing. While the District will make reasonable efforts to preserve data, the responsibility for it lies with the staff. Staff should regularly backup all-important files to removable media so they are protected and can be restored in the event of a hardware failure. The District will not be held responsible for any damages staff may suffer, including but not limited to, loss of data resulting from delays, non-deliveries or service interruption caused by its own negligence or a staff member's errors or omissions. The District will not be responsible for financial obligations arising through the unauthorized use of the system. The Dudley-Charlton Regional School District specifically denies and disclaims any responsibility for the accuracy or quality of information obtained through its technology resources. All staff must fully understand that the use of any information obtained through the Internet is at their own risk. To the extent that use of such District resources is not required as a condition of employment with the District, each staff member in choosing to make such discretionary use shall be deemed to have released and waived any and all claims and entitlement as to any loss, damage or expense arising out of or in connection with such use.

VIII. Copyright and Other Proprietary Materials

It is the intent of the Dudley-Charlton Regional School District to adhere to the provisions of the U.S. Copyright Act, and the license agreements and/or policy statements contained in software packages or other resources used by the District. All staff shall respect the copyright and proprietary interest of any materials accessed through District technology resources. Staff may not duplicate copyrighted materials, graphics or software, including school owned software, without permission from the copyright holder, unless the use falls within the legal parameters of the Fair Use Doctrine, whether for personal use or for the use of others. The improper duplication or use of copyrighted materials is a violation of this policy and is subject to disciplinary action, as well as possible civil liability and criminal prosecution.

IX. Complaints

Should any concerns arise regarding violations of this policy, the school principal or appropriate District administrator shall document all complaints in writing and shall conduct an investigation of the complaint and report to the superintendent any disciplinary action taken.

Staff who are disciplined as a result of this policy have the same appeal procedure as any disciplinary action, which is through the school principal or appropriate District employee, the superintendent or as outlined in their respective collective bargaining agreement.

X. Enforcement

The Dudley-Charlton Regional School District uses technology protection measures (such as web content filters, firewalls, etc.) to filter or block Internet access to some websites that are not in accordance with District policy. The technology protection measure that blocks or filters access may be temporarily disabled by appropriate personnel upon request for bona fide research purposes by an adult. Websites that are blocked yet are educationally appropriate and not in violation of District policy can be unblocked if reported to the District IT Department. Only the District IT Director or his/her designee will have the authority to modify content filters, and the decision as to any such modification lies in the

sound discretion of such Director. Logs created by any technology device can be used for the purposes of detection, identification, and enforcement of any part of this policy, as well as any other lawful purpose.

XI. Exemptions

The Dudley-Charlton Regional School District recognizes that the job requirements of several staff positions may conflict with the specific language of this Policy. Accordingly, the superintendent may exempt such positions from portions of this policy as deemed necessary to carry out their individual responsibilities. It shall be the responsibility of superintendent to identify the specific sections of the policy that are inapplicable. An addendum shall be attached to the employee's signed Acceptable Use Agreement Form indicating the nature and extent of the exemption. Among the positions recognized as entitled to an exemption are superintendent, building principals, finance director, office support staff and District IT Department. Appropriate personnel will monitor use of the Internet to ensure enforcement of the policy.



Dudley-Charlton Regional School District Staff Technology Acceptable Use Policy Agreement Form

All staff is required to return a signed copy of this form to the District office prior to using any Dudley-Charlton Regional School District technology resources.

1. I acknowledge that I have received, read, and fully understood the Dudley-Charlton Regional School District's Technology Acceptable Use Policy and that I agree to abide by the policies within.
2. I fully understand that use of the Dudley-Charlton Regional School District's "technology resources", including, but not limited to, District owned, tablets, printers, network, electronic mail system (e-mail), District provided websites, cloud computing technologies, and Internet access are provided for educational purposes only.
3. I understand that any violation of the Dudley-Charlton Regional School District's Technology Acceptable Use Policy may result in the restriction, suspension or cancellation of access privileges and may result in other disciplinary action, civil liability or criminal prosecution by the appropriate authorities.
4. I understand that if I choose to bring in personal devices, I do so at my own risk. I understand the Dudley-Charlton Regional School District is not responsible for lost, stolen or damaged personal devices. I also understand the District IT Department will provide no technical support or assistance for personal devices.
5. Amendments and modifications to this policy may be approved by the School Committee from time to time and will be posted for viewing.

Staff Signature: _____ Date: _____

Staff Name: _____ (please print)