Policies for First Reading
January 9, 2012

o	Policy Code 4202/5029/7272	NEW	Service Animals in Schools
o	Policy Code 4318		Use of Wireless Communication Devices
o	Policy Code 7305	NEW	Staff Use of Wireless Communication Devices
o	Policy Code 7335	NEW	Employee Use of Social Media

The board will make reasonable accommodations for qualified persons with disabilities in accordance with policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities, and the requirements of state and federal law. An individual with a disability may be accompanied by his or her service animal on school property unless the animal is properly excluded as set forth in section E of this policy. The superintendent shall establish any necessary administrative regulations for the use of service animals on school property.

A. DEFINITION OF "SERVICE ANIMAL"

A "service animal" for purposes of this policy is any dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability or necessary to mitigate a disability. Service animals do not include any other species of animal, whether wild or domestic, trained or untrained. Animals whose sole function is to provide emotional support, well-being, comfort, companionship or therapeutic benefits or to act as a crime deterrent are not service animals for the purposes of this policy.

B. USE OF A SERVICE ANIMAL ON SCHOOL PROPERTY BY STUDENTS AND EMPLOYEES

1. Introduction of a Service Animal

School administrators shall facilitate the introduction of an eligible service animal into the school environment. To promote a successful integration of the service animal into the educational program and to minimize unnecessary disruption, an employee or student with a disability who intends to bring a service animal to school during the school day is encouraged to follow these guidelines.

a. The employee, student or student's parent should notify the superintendent and the principal of the applicable school in writing at least 10 work days prior to the date proposed to bring the service animal onto school property.

b. The employee, student or student's parent should work with school personnel to create a plan addressing the presence of the service animal during the school day. A plan to integrate a service animal into the school environment should include the following:

1) appropriate training for school personnel and students regarding interaction with the service animal;

2) any necessary modifications to the educational program so that the employee or student with a disability may be accompanied by the service animal; and

3) address, when necessary, the presence of a handler other than the employee or student with the disability to control or care for the service animal.

c. The service animal should wear identification to provide adequate notice to students, school personnel and school visitors that the dog is a service animal.

d. The service animal should be free of parasites and otherwise in good health.

2. Presence of a Service Animal on School Property

An employee or student with a disability accompanied by a service animal must meet the following requirements for a service animal to be present on school property.

a. A student or employee who elects to be accompanied by a service animal will be expected to care for and supervise the animal. If a student is not capable of providing adequate care and supervision, the parent will be responsible for providing such care and supervision.

b. If a student requires assistance from a parent or handler to control and care for the service animal while on school property, that individual must submit to a background screening, which may include a criminal history check in accordance with state law and any procedures established by the superintendent.

c. The service animal must be on a leash or other mechanical restraint at all times. If mechanical restraint is not feasible due to a student's disability, the animal must be under other sufficient means of control.

d. The service animal must be housebroken, under the control of its handler, and have received all necessary vaccinations as required by state law.

C. USE OF A SERVICE ANIMAL ON SCHOOL PROPERTY BY SCHOOL VISITORS

A school visitor who is an individual with a disability may be accompanied by a service animal in accordance with all applicable state and federal laws and regulations and with policy 5020, Visitors to the Schools. A service animal that is accompanying a school visitor may be properly excluded from school property for a reason(s) set forth in section E of this policy.

D. LIABILITY

The board may hold the owner or handler of a service animal liable for any property damage caused by the animal to the same extent required by other board policy or administrative rules that impose liability for property damage. In addition, either the owner or handler, or both may be liable for personal injury caused by the animal or related to the presence of the animal on school property.

E. EXCLUSION OF A SERVICE ANIMAL FROM SCHOOL PROPERTY

School personnel shall not ask an individual with a disability about the nature or extent of his or her disability or for proof of a service animal's training as a condition of allowing the animal onto school property. However, when not readily apparent to school personnel, a principal or designee may inquire as to whether the animal is required because of a disability and what work or task the animal has been trained to perform. Such inquiries may be made to confirm that the dog is a service animal and is rightfully present on school property.

A principal or designee may exclude a service animal from school property for the following reasons:

1. The animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications.

2. The animal is out of control and the animal's handler does not take effective action to control it.

3. The animal is not housebroken.

4. The presence or behavior of the animal fundamentally alters the service, program or activity of the school system.

If a principal or designee excludes a dog or service animal from school property, the principal or designee must document the reasons for the exclusion and notify the superintendent. The superintendent or designee will make a determination on whether a service animal will be allowed to return to the school and, if reasonably possible, notify the individual with the disability in writing of the decision within five work days of the initial exclusion.

If the superintendent determines that an animal does not meet the definition of a

service animal or that a service animal should be excluded for one or more of the reasons described in this section, the student's Section 504 or IEP Team shall meet to consider and document whether the animal's presence is necessary for the child to receive an appropriate education or to have equal access to the educational program and, if not, whether the child needs other aids and services or accommodations.

If a service animal is excluded, an individual with a disability will be provided the opportunity to participate in educational services, programs or activities as required by law without having the service animal on the premises.

F. APPEAL OF AN EXCLUSION OF A SERVICE ANIMAL FROM SCHOOL PROPERTY

The superintendent's decision regarding exclusion of a service animal from school property in accordance with this policy may be appealed consistent with policies 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure, and any other procedure established by the superintendent under policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq*., Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 130A-185, 168 art. 1, 168A-3 through -7

Cross References: Discrimination, Harassment and Bullying Compliant Procedure (policy 1720/4015/7225), Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), Visitors to the Schools (policy 5020)

Adopted:

USE OF WIRELESS COMMUNICATION DEVICES

Policy Code:DRAFT **4318**

The board recognizes that cellular phones have become an important tool through which people communicate with their children. Therefore, students are permitted to possess cellular phones and other wireless communication devices on school property as long as such the devices are ~~not activated, used, displayed or visible during the instructional day or as otherwise directed by local school rules or school personnel~~ secured during instructional time as outlined in Section A of this policy. Wireless communication devices include, but are not limited to, cellular phones, electronic devices with internet capability, paging devices, two-way radios, IPAD, IPOD and other similar devices.

A. ~~AUTHORIZED USE~~ GENERAL GUIDELINES

Elementary schools students are not allowed to possess a wireless communication device at school during the instructional day unless in the opinion of the principal a special circumstance exists that warrants approval. The principal will make this decision on a case by case basis and will provide instructions to the student on how the device is to be secured. The device should not be visible or in use at any time during the instructional day.

Middle and high school students may possess a wireless communication device as long as it is secured during instructional time. The device may only be visible and/or used during non-instructional periods at the discretion of the principal. An example of a non-instructional includes lunch periods (in designated areas such as the cafeteria and eating spaces) and before and after the instructional day. The device should not be visible and should remain secured during class changes during the instructional day. At the discretion of the principal, wireless devices may be used in distance learning classes and/or any class that the teacher is not physically located at the school site and/or as necessary for proper communication between student and teacher.

~~Administrators may authorize individual students to use wireless communication devices for personal purposes when there is a reasonable need for such communication. Teachers and administrators may authorize individual students to use the devices for instructional purposes provided that they supervise the students during such use.~~

~~Though general use is permitted during non-instructional hours, use of cellular phones and other wireless communication devices may be prohibited on school buses when noise from such devices interferes with the safe operation of the buses. In addition, elementary and middle school students who participate in after-school programs are prohibited from using wireless communication devices for the duration of such programming~~.

B. CONSEQUENCES FOR UNAUTHORIZED USE

School employees may immediately confiscate any wireless communication device that is on, used, displayed or visible in violation of this policy. Absent compelling and unusual circumstances, confiscated wireless communication devices will be returned only to the student's parent or guardian.

Violations of this policy will result in consequences as provided in the school's student behavior management plan (see policy 4302, School Plan for Management of Student Behavior). Aggravating factors may subject a student to more stringent disciplinary consequences, up to and including expulsion.

Examples of such aggravating factors include, but are not limited to, using wireless communication devices: (1) to reproduce images of tests, to access unauthorized school information or to assist students in any aspect of their instructional program in a manner that violates any school board policy, administrative regulation or school rule; and (2) ~~to take illicit~~ photographs for photography or videography of any kind, regardless of intent.

C. LIABILITY

Students are personally and solely responsible for the security of their wireless communication devices. The school system is not responsible for the theft, loss or damage of a cellular phone or any other personal wireless communication device.

Legal References: G.S. 115C-36, -391

Cross References: Student Behavior Policies (policy 4300), ~~School Plan for Management of Student Behavior (policy 4302),~~ Disruptive Behavior (policy 4315), Student Searches (policy 4342)

Adopted: May 4, 2009
Updated:

STAFF USE OF WIRELESS COMMUNICATION DEVICES

Policy Code:NEW **7305**

The board recognizes that cellular phones have become an important tool through which people communicate in the 21st century. Therefore, it is expected that a majority of staff members possess cellular phones and other wireless communication devices on school property. Wireless communication devices include, but are not limited to, cellular phones, paging devices, two-way radios, IPAD, IPOD and other similar devices.

A. GENERAL GUIDELINES

In accordance with policy code #3000, Goals and Objectives of the Educational Program, the use of wireless communication devices that impede an employee from performing the essential and secondary functions of his/her job is strictly forbidden.

Further, classroom teachers should ensure such devices are secured, in the off/silent position, and not in use during the instructional time. If a device is to be used for an instructional activity, prior approval should be obtained from the principal.

B. CONSEQUENCES FOR UNAUTHORIZED USE

Violations of this policy will be handled according to established employee disciplinary procedures.

Cross References: Goals and Objectives of the Educational Program (policy 3000)

Adopted:
Updated:

The board recognizes the importance of incorporating current technology tools, including new methods of electronic communication, into the classroom to enhance student learning. It further recognizes the importance of employees, students and parents engaging, learning, collaborating and sharing in digital environments as part of 21st century learning. The board strives to ensure that electronic communication tools incorporated into the school curriculum are used responsibly and safely. As practicable, the board will provide access to secure social media tools and board approved technologies for use during instructional time and for school-sponsored activities in accordance with policy 3225/4312/7320, Technology Acceptable Use.

The board acknowledges that school employees may engage in the use of social media during their personal time. School employees who use social media for personal purposes must be mindful that they are responsible for their public conduct even when not acting in their capacities as school system employees. All school employees, including student teachers and independent contractors shall comply with the requirements of this policy when using electronic social media for personal purposes.

For the purposes of this policy, "social media" includes, but is not limited to: personal websites, web logs (blogs), wikis, social network sites, online forums, virtual worlds, video-sharing websites and any other social media generally available to the public or consumers that does not fall within the board's technologies network (e.g., Web 2.0 tools, MySpace, Facebook, Twitter, LinkedIn, Flickr, YouTube).

A. SOCIAL MEDIA COMMUNICATIONS INVOLVING STUDENTS

Employees are to maintain professional relationships with students at all times in accordance with policies 4040/7310, Staff-Student Relations, and 7300, Staff Responsibilities. All electronic communications with students who are currently enrolled in the school system must be school-related and within the scope of the employees' professional responsibilities, unless otherwise authorized by this policy. School personnel may use only school-controlled technological resources and social media tools to communicate directly with students or to comment on student matters through use of the Internet. An employee seeking to establish a social networking website for school-related purposes must have prior written approval from the superintendent or designee and principal and meet the requirements of policies 3227/7322, Web Page Development, and 3225/4312/7320, Technology Acceptable Use.

The use of electronic media for communicating with students and parents is an extension of the employee's workplace responsibilities. Accordingly, the board expects employees to use professional judgment when using social media or other electronic communications.

Employees are prohibited from knowingly communicating with current students through a personal social network page. An internet posting on a personal social media website intended for a particular student will be considered a form of direct communication with that student in violation of this policy. However, an employee may communicate with a student using personal social media networks to the extent the employee and student have a family relationship or other type of appropriate relationship which originated outside of the school setting. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, sport or religious organization.

B. EMPLOYEE PERSONAL USE OF SOCIAL MEDIA

The board respects the right of employees to use social media as a medium of self-expression on their personal time. As role models for the school system's students, however, employees are responsible for their public conduct even when they are not performing their job duties as employees of the school system. Employees will be held to the same professional standards in their public use of social media and other electronic communications as they are for any other public conduct. Further, school employees remain subject to applicable state and federal laws, board policies, administrative regulations and the Code of Ethics for North Carolina Educators, even if communicating with others concerning personal and private matters. If an employee's use of social media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

Employees are responsible for the content on their social media sites, including content added by the employee, the employee's friends or members of the public who can access the employee's site, and for Web links on the employee's site. Employees shall take reasonable precautions, such as using available security settings, to restrict students from viewing their personal information on social media websites and to prevent students from accessing materials that are not age-appropriate.

School employees are prohibited from accessing social networking websites for personal use during instructional time or with school system technological resources.

C. POSTING TO SOCIAL MEDIA SITES

Employees who use social media for personal purposes must be aware that the content they post may be viewed by anyone, including students, parents and community members. Employees shall observe the following principles when communicating through social networking sites:

1. Employees shall not post confidential information about students, employees or school system business.

2. Employees shall not list current students as “friends” on their personal social networking sites.

3. Employees shall not knowingly allow students access to their personal social networking sites that discuss or portray sex, nudity, alcohol or drug use or other behaviors associated with the employees’ private lives that would be inappropriate to discuss with a student at school.

4. Employees may not knowingly grant students access to any portions of their personal social networking sites that are not accessible to the general public.

5. Employees shall be professional in all internet postings related to or referencing the school system, students and other employees.

6. Employees shall not use profane, pornographic, obscene, indecent, lewd, vulgar or sexually offensive language, pictures or graphics or other communication that could reasonably be anticipated to cause a substantial disruption to the school environment.

7. Employees shall not use the school system’s logo or other copyrighted material of the system without express, written consent from the board.

8. Employees shall not post identifiable images of a student or student’s family without permission from the student and the student’s parent or legal guardian.

9. Employees shall not use internet postings to libel or defame the board, individual board members, students or other school employees.

10. Employees shall not use internet postings to harass, bully or intimidate other employees or students in violation of policy 1710/4021/7230, Prohibition Against Discrimination, Harassment and Bullying, or state and federal laws.

11. Employees shall not post inappropriate content that negatively impacts their ability to perform their jobs.

12. Employees shall not use internet postings to engage in any other conduct that violates board policy and administrative procedures or state and federal laws.

D. CONSEQUENCES

School system personnel shall monitor online activities of employees who access the Internet using school technological resources. Additionally, the superintendent or designee may periodically conduct public internet searches to determine if an employee has engaged in conduct that violates this policy. Any employee who has been found by the superintendent to have violated this policy may be subject to disciplinary action, up to and including dismissal.

The superintendent shall establish and communicate to employees guidelines that are consistent with this policy.

Legal References: U.S. Const. amend. I; Children's Internet Protection Act, 47 U.S.C. 254(h)(5); Electronic Communications Privacy Act, 18 U.S.C. 2510-2522; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; 17 U.S.C. 101 *et seq*.; 20 U.S.C. 6777; G.S. 115C-325(e); 16 N.C.A.C. 6C .0601, .0602; State Board of Education Policy TCP-C-014

Cross References: Prohibition Against Discrimination, Harassment and Bullying (policy 1710/4021/7230), Technology in the Educational Program (policy 3220), Technology Acceptable Use (policy 3225/4312/7320), Web Page Development (policy 3227/7322), Copyright Compliance (policy 3230/7330), Staff-Student Relations (policy 4040/7310), Staff Responsibilities (policy 7300)

Adopted: