

New Hartford Public Schools

Policy Subcommittee Meeting

December 10, 2024

Superintendent's Office

5:00 pm

Agenda

1.) Review of BOE policies:

Policy and Regulation 6141.328 Instruction - Bring Your Own Device (BYOD)
and Protocol for the Use of Technology in the Schools

Policy and Regulation 5131.81 Students - Electronic Devices Personal Technology
Use in Schools/Cellular Phones/Electronic Communication Devices

Policy 4222 - Personnel Non Certified - Paraeducators/Title I Paraeducators

Policy 1327 - Community Relations - Relations with Youth Organizations

Bylaw 9235 - Board/Staff Communications

2.) Action steps for next regular BOE meeting

3.) Adjournment

BRING YOUR OWN DEVICE/TECHNOLOGY (BYOD/BYOT)*(Background information for Policy Sub-Committee)*

UPDATE MAILING NO. 3

APRIL 15, 2012

Mobile devices are now found in the hands of most children and some school leaders around the country are using that to their advantage. A small but passionate minority of school districts are opening doors to student-owned mobile devices, incorporating devices students own into classroom lessons and projects. This practice can provide a low-cost way to incorporate technology into the classroom. The growing number of students with cell phones or smart phones makes it possible for teachers to incorporate mobile devices in their classes. April 2010 data from the Pew Research Center indicated that 75 percent of students ages 12-17 own a cell phone or a smart phone.

Some districts have launched the “Bring Your Own Device/Technology (BYOD/BYOT)” initiative to allow students to take their smartphones, laptops, e-book readers and tablets to class. The BYOD/BYOT trend to enrich learning in K-12 environments is gaining momentum nationwide with much support from parents and students. Project Tomorrow, a national education nonprofit group, reports that 60 to 70 percent of parents of K-12 students would be willing to buy a mobile device to support learning. Fifty-six percent of high school students say that it would make it easier to learn if they would be allowed to use their own mobile device.

Students can connect to a wireless network to do research and schoolwork under the supervision of the teacher. The initiative permits students to use devices with which they are familiar. Research indicates that the students want to use mobile technology in the school setting. Smartphones are rapidly becoming the resource tool and the communication tool of the future and networks such as Facebook have grown because more students have access to social learning, collaboration and immediate gratification.

It is important, however, to keep in mind that technology is just a tool. It can help to amplify learning, but it's not the panacea. Some challenges that surround incorporating mobile devices into classrooms include the speed with which technology changes and the ways in which educators might differentiate between what is good for teaching and learning and what is simply technology for technology's sake. Others worry about the distractions that might be caused by allowing the devices into the classrooms. There is now a body of research about the benefits of 1:1 mobile learning initiatives. Research has shown improvements in attention, attendance, discipline, graduation rates, and achievement on high stakes tests. Other benefits cited are that it broadens learning beyond the classroom, takes advantage of the teachable moment, and prepares students for tomorrow's workplace.

BYOD/BYOT isn't about the devices themselves. It's about creating constructive change in teaching practices. Students can become information producers, rather than simple information consumers. Teachers will need face-to-face and web-based professional development that includes modeled examples of what BYOD/BYOT activities might look like in a classroom in order for such an initiative to be successful.

Whether a district or school is encouraging teachers to use the student-owned mobile devices educationally, or just curbing discipline issues by removing consequences for use, making the new policy approach work requires much more than simply lifting a cellphone ban. Currently, there are some unanswered legal questions about Internet security and privacy. Other issues to be confronted include such problems as access to inappropriate online content, digitally enhanced cheating, and potential classroom distractions. Moreover, a balance in policy language must be achieved in order to avoid stifling creative implementation of the devices.

BRING YOUR OWN DEVICE/TECHNOLOGY (BYOD/BYOT)

(continued)

UPDATE MAILING NO. 3

APRIL 15, 2012

The biggest issue faced by BYOD/BYOT districts and schools is sorting out how to address students who access inappropriate content from school but via non-school Internet networks. In particular, students may have smartphones or tablets equipped with data plans that allow them to connect to 3G or 4G Internet networks that don't run through a school filter. District policy pertaining to BYOD/BYOT prohibiting students from using outside networks will be in compliance with the federal Children's Internet Protection Act which mandates that schools prevent students and staff members from accessing material that is obscene, pornographic, or harmful to minors. The school's network must be filtered. Schools can remain CIPA compliant by making sure that students and staff know that while on school property, personally-owned devices may access the Internet only through the school's Internet gateway. However, there is no legal precedent at this time for whether a district or school would be liable for material a student accesses through his or her own network. While the BYOD/BYOT movement is gaining some momentum, concerns about Internet safety and security is a major reason it hasn't reached the mainstream.

Therefore, it is advised that, as part of the program, students and parents must sign an agreement on how the service will be used. Students are expected to adhere to the district's computer acceptable use policy as well as the student code of conduct. It is also important that the teacher maintains control in the classroom. The teacher must determine when the devices will be used and when they won't. Policy must also deal with the issue of equity. As we allow BYOD/BYOT, districts will be obliged to make sure there are solutions in place for students whose families can't or won't provide a device for the student to bring to school.

The technology industry is also making available programs designed to help a district implement BYOD/BYOT. Such programs should be investigated in order to protect the districts network from vulnerability.

Policy Implications

Many of the issues that BYOD/BYOT raises can be addressed with policy, education and procedures, and don't require a technical solution. The policy should indicate, for example, regarding the loss, damage or a stolen personal device, that the responsibility for the device is up to the individual and that the district has no liability. In addition to the suggested policy about security and CIPA compliance, districts will need to set guidelines about the use of personal devices. It is suggested that a task force be convened within the district to develop these. The task force should include teachers, administrators, parents, technology staff and students. This will help to build a policy based upon trust, respect and responsibility.

A new sample policy, #6141.328, "Bring Your Own Device and Protocol for the Use of Technology in the Schools," follows. This material is considered a starting point for the development of a district policy pertaining to the implementation of a BYOD/BYOT program. This is considered an optional policy for inclusion in a district's policy manual. However, policy language and guidelines are essential if a district decides to implement this program.

Another version of this optional policy to consider/modify.

Instruction

Bring Your Own Device (BYOD) and Protocol for the Use of Technology in the Schools

Students, with permission of their parent(s)/guardian(s), or the student him/herself if over eighteen years of age, may be in possession of personal electronic devices such as smart phones, cellular telephones, pagers/beepers, laptops, tablets, e-readers, or other related electronic devices on school property. The devices shall not be used in a manner that disrupts the educational process, including, but not limited to, posing a threat to academic integrity or violating confidentiality or privacy rights of another individual. Unless an emergency situation exists that involves imminent physical danger *or a certified District employee authorizes the student to do otherwise* (such as use in class), use of devices shall be limited to the period before classes begin in the morning, during the student's lunch period, and after the student's last class in the afternoon.

Access to the devices is a privilege and not a right. Each student will be required to follow the Acceptable Use of Electronic Networks Policy and the Internet Access Conduct Agreement.

Students may only access the internet through the filtered District connection, regardless of whether they are using their personal device or a District-issued device. District staff will not provide software or technical assistance for student-owned devices.

Based on the belief that power cords stretched out in classrooms become a safety issue both for the students and devices, charging the device in any classroom, hallway, or any other location that may be a safety concern will not be allowed.

The use of cameras in any type of electronic device is strictly prohibited in locker rooms, restrooms, and classrooms unless *a certified District employee authorizes the student to do otherwise*. Where students are allowed to use electronic devices, they are required to obtain permission before taking a photograph or video of any individual. Students must also obtain permission from any individual appearing in a photograph or video prior to posting on any social networking site or other internet site.

Students found to be using any electronic communications device to in any way send or receive personal messages, data, or information that would contribute to or constitute cheating on any student assessment, project, or assignment shall be subject to discipline and the device shall be confiscated and not returned until a parent conference has been held.

Students are responsible for safeguarding devices they bring to school. The District shall not be responsible for loss, theft, damages, or destruction of student owned devices brought onto school property.

Instruction

Bring Your Own Device (BYOD) and Protocol for the Use of Technology in the Schools (continued)

Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.

Students violating the provisions of this policy are subject to disciplinary action, including losing the privilege of bringing the device onto school property, detention, suspension, or expulsion. In addition, an administrator will confiscate the devices, which shall only be returned to the student's parent(s)/guardian(s). Where appropriate, police authorities may be contacted.

The controls on electronic communication devices contained in this policy do not apply to special education or Section 504 students or students with an Individualized Education Plan when any of these or other such similar plans conflict with uses outlined herein.

(cf. 5114 – Suspension/Expulsion)
(cf. 5131.81 – Use of Electronic Devices)
(cf. 5131.911 – Bullying)
(cf. 5131.913 – Cyberbullying)
(cf. 5131 – Conduct)
(cf. 5144 – Discipline)
(cf. 6141.321 – Acceptable Computer Use Policy)
(cf. 6141.323 – Internet Acceptable Use: Filtering)
(cf. 6141.326 – Online Social Networking)

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules

Policy adopted:

cps 11/12

Bring Your Own Device Student Agreement

The use of technology to provide educational material is a privilege at school that we wish all students to have beginning in grade ____ in _____, 20___. When abused, privileges will be taken away. When respected, they will benefit the learning environment tremendously.

Students and parents who bring their own device must adhere to the Student Code of Conduct as well as all Board policies, particularly the Internet Acceptable Use and Internet Safety. Additionally, students must adhere to the following:

Devices are to be used for instructional purposes connected to the approved curriculum, not to cheat on assignments or tests, not to make personal phone calls, not to send text messages, and not to post information, photos, or videos not authorized by the teacher.

Students acknowledge the following: (*Determine which the District wants to include.*)

- Only the school's Internet will be accessed. Attempts will not be made to bypass the local connection.
- The District's network filters will be applied to one's connection to the Internet and attempts will not be made to bypass them.
- Only authorized data can be accessed. Infecting the network with a virus, Trojan, or program designed to damage, alter, or destroy the network; and hacking, altering, or bypassing security policies are not allowed.
- The school District has the right to collect and examine any device that is suspected of causing problems or was the source of an attack or virus infection.
- All data must be stored on the student's hard drive. Backing up the data through a jump drive, an external drive, or another media device regularly is strongly encouraged.
- As we are working to achieve a more paperless environment, printing from personal laptops will not be possible.
- As we do not have enough outlets for students to charge their devices in classrooms, each student must charge his or her own device prior to bringing it to school daily.
- Using a personal device to transmit or share inappropriate content during the school day will result in the loss of BYOD/BYOT privileges. Additional consequences may be applied depending upon the circumstances. Transmission of material of a bullying nature or sexual nature will not be tolerated.
- Using a personal device at unauthorized times will result in the loss of BYOD/BYOT privileges. Use of these devices in the cafeteria, gymnasium, locker rooms, hallways, and bathrooms is strictly prohibited. The purpose of BYOD/BYOT is purely for the extension and enrichment of the learning environment.
- Devices cannot be used during assessments, unless otherwise directed by a teacher.
- Students must immediately comply with teachers' requests to shut down devices or close the screen. Devices must be in silent mode and put away when asked by teachers.

Bring Your Own Device Student Agreement

- Students are not permitted to transmit or post photographic images/videos of any person on campus on public and/or social networking sites.
- Students can only access files on the computer or Internet sites which are relevant to the classroom curriculum and suggested by a teacher.
- Students are not to physically share their personal devices with other students, unless approved in writing by their parent/guardian.
- Personal devices may not be used to cheat on assignments, tests or for non-instructional purposes, such as making personal phone call and text/instant messaging.
- Personal devices may not be used to send inappropriate e-messages during the school day.

As a student, I understand and will abide by all on this agreement. I further understand that any violation is unethical and may result in the loss of my device privileges as well as other disciplinary action.

As a parent, I understand that my child will be responsible for abiding by the policy pertaining to this program and its guidelines. I have read and discussed them with him/her and he/she understands the responsibility he/she has in the use of their personal device.

Signature of Student: _____	Signature of Parent: _____
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Printed Name: _____	Printed Name: _____
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Date: _____	Date: _____
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An administrative regulation to consider/modify.

Instruction

Bring Your Own Device (BYOD) and Protocol for the Use of Technology in the Schools

The following guidelines shall govern the manner in which the Bring Your Own Device/Technology (BYOD/BYOT) policy and program are to operate within the District.

Readiness

The implementation of this program will require the support of a robust wireless infrastructure. A network evaluation will be conducted to determine any and all necessary infrastructure changes and upgrades that are needed before a full implementation.

The implementation of the program may require minor changes in the manner network administration is currently done. Considerations must be given to issues of security, accessibility, cloud computing, etc. The readiness evaluation report must include any and all network administration changes needed to support BYOD/BYOT.

Definitions

A "device" as part of this protocol is a piece of privately owned and/or portable electronic handheld technology that includes emerging mobile communication systems and smart technologies, laptops and netbooks, and any technology that can be used for wireless internet access, word processing, image capture/recording, sound recording and information transmitting, receiving, and storing. *(Or use one of the alternative definitions found in the sample policy)*

Teachers' Role

1. Teachers are facilitators of instruction in their classrooms. Therefore, they will not spend time on fixing technical difficulties with students' personal devices in the classrooms. They will educate and provide guidance on how to use a device and troubleshoot simple issues, but they will not provide technical support. This responsibility resides at home with parents/guardians.
2. Teachers may communicate information regarding educational applications and suggest appropriate tools that can be downloaded to personal devices at home. Parents will need to assist their younger children with downloads if they wish to follow teachers' suggestions. No applications are to be downloaded at school.
3. Teachers are to closely supervise students to ensure appropriate use of technology in the classrooms.
4. It is understood that not every student has his/her own electronic device. To ensure equal accessibility to technology resources, teachers will provide students with technology available within the school.
5. The use of these student personal devices, as with any personally owned device, is strictly up to the teacher.

Instruction

Bring Your Own Device (BYOD) and Protocol for the Use of Technology in the Schools

Security and Damages

1. The District, or any of its schools, is not liable for any device that is stolen or damaged. Responsibility to keep the device secure rests with the individual owner. If a device is stolen or damaged, it will be handled through the administrative office as other personal items are stolen or damaged. It is recommended that skins, decals, and other custom touches be used to identify physically a student's device from others. Additionally, protective cases for technology are encouraged.
2. Personal devices cannot be left on campus before or after school hours.

Operating Principles for Use of Personal Devices on School Campus

1. Devices cannot be used during assessments, unless otherwise directed by a teacher.
2. Students must immediately comply with teachers' requests to shut down devices or close the screen. Devices must be in silent mode and put away when asked by teachers.
3. Students are not permitted to transmit or post photographic images/videos of any person on campus on public and/or social networking sites.
4. Personal devices must be charged prior to bringing them to school and run off their own batteries while at school.
5. To ensure appropriate network filters, students will only use the District's wireless BYOD/BYOT connection in school and will not attempt to bypass the network restrictions by using 3G or 4G network.
6. Students must be instructed that bringing devices on campus or infecting the network with a virus, Trojan, or program designed to damage, alter, destroy, alter, or provide access to unauthorized data or information is in violation of the District's Acceptable Use Policy and will result in disciplinary actions.
7. The District has the right to collect and examine any device that is suspected of causing problems or is the source of an attack or virus infection.
8. Students must be instructed that possessing or accessing information on school property related to "hacking", altering, or bypassing network security policies is in violation of the Acceptable Use Policy and will result in disciplinary actions.
9. Students can only access files on the computer or Internet sites which are relevant to the classroom curriculum and suggested by a teacher.
10. Printing from personal devices is not permitted at school.
11. Students are not to physically share their personal devices with other students, unless approved in writing by their parent/guardian.

Instruction

Bring Your Own Device (BYOD) and Protocol for the Use of Technology in the Schools

Operating Principles for Use of Personal Devices on School Campus (continued)

12. Personal devices may not be used to cheat on assignments, tests or for non-instructional purposes, such as making personal phone call and text/instant messaging.
13. Personal devices may not be used to send inappropriate e-messages during the school day.

Standards of Responsible Use

All students in District schools must adhere to the following standards of responsible use:

- The District may review files and communications to maintain system integrity and insure that users are using the system responsibly. Users should not expect that files stored on district servers will always be private.
- Students are responsible at all times for their use of the District's electronic communication system and must assume personal responsibility to behave ethically and responsibly, even when technology provides them the freedom to do otherwise.
- Students must log in and use the District filtered wireless network during the school day on personal electronic devices.
- Students must not access, modify, download, or install computer programs, files, or information belonging to others.
- Students must not waste or abuse school resources through unauthorized system use (e.g. playing online games, downloading music, watching video broadcasts, participating in chat rooms, etc.).
- Students must not alter computers, networks, printers or other equipment except as directed by a staff member.
- Technology, including electronic communication, should be used for appropriate educational purposes only and should be consistent with the educational objectives of the District.
- Students must not release personal information on the Internet or electronic communications.
- If a student finds an inappropriate site or image, he or she must immediately minimize the program and contact the instructor.
- Students must not create/publish/submit or display any materials/media that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal and should report any instances encountered.
- Students shall adhere to all laws and statutes related to issues of copyright or plagiarism.
- Violation of any of these standards may result in suspension of computer use, Internet privileges and/or other disciplinary action.

Regulation approved:

cps 4/12

Framing the Smartphone Policy Deliberations

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(Background Information for Policy Review Committee)

In the May 2024 CAFE Journal article highlighting legislative action in various states banning or limiting cellphone use in schools, I referenced Jonathan Haidt's contribution to the debate as it has gained significant attention. The Anxious Generation: How the Great Rewiring of Childhood is Causing an Epidemic of Mental Illness is a work with a provocative title and perhaps a more compelling argument for banning cell phones, at least at the elementary level.

As a parent of two adolescents, Haidt recommends to other parents what he considers his most important suggestions:

- Give children far more time playing with other children. He suggests play should ideally be outdoors, in mixed age groups, with little or no adult supervision (which he notes is the way he grew up, at least until the 1980s);
- Look for more ways to embed children in stable real-world communities. He notes that online networks are not nearly as binding or satisfying;
- Don't give a smartphone as the first phone. Instead, he suggests giving smart devices that are specialized for communication, not for internet-based apps;
- Don't give a smartphone until high school. Here, he concedes this is easy to do if many of your child's friends' parents are doing the same thing – a “collective action” response;
- Delay the opening of accounts on nearly all social media platforms until the beginning of high school (at least). Again, he concedes this will become easier to do if we support legislators who are trying to raise the age of “internet adulthood” from today's 13 (with no verification system in place) to 16 (with mandatory age verification).

Perhaps many, distressed by the sight of young people hunched over their phones, unaware of others and their surroundings, embrace these suggestions. However, they require collective action from parents, legislators, and, dare I say, the companies themselves—to place limits on their children, change family norms and conditions, change algorithms, and eliminate the addictive nature of the apps themselves.

With so much being discussed about smartphone use among young people, taking a policy stance on the subject is a significant challenge for boards of education. One can certainly appreciate Mr. Haidt's contributions to the topic as they add compelling testimony for boards to consider in their policy deliberations. Having reviewed a vast array of literature on this topic, the following considerations are provided to help boards frame deliberations on cellphone policy:

Addiction

Do we address cell phones and/or the apps they house as a matter of addiction? Are young people unable to manage responsible use? Can we teach students how to use social media effectively and safely? Can we expect children to have the discipline to disconnect from social media and their phones (when most adults appear unable)? How do we consider the U.S. Surgeon General Vivek Murthy's call for restrictions on the use of smartphones during school hours, noting, “We fundamentally have to understand that these devices, and in particular social media, is behaving largely as an addictive element?” (www.govtech.com/education/k-12/pennsylvania-bill-would-lock-up-cellphones-during-school, May 8, 2024)

Framing the Smartphone Policy Deliberations

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To what extent do social media and smartphone use contribute to mental health issues? As one student puts it, “Students are part of the hustle culture, where rest isn’t prioritized and taking on more pressure is normalized. (Olina Banerji, Education Week, “Social Media Bans Alone Won’t Improve Mental Health, Say Student Advocates,” May 3, 2024) To what extent can smartphones have a positive impact on student mental health and well-being – finding friends and establishing safe spaces that allow students who are marginalized to connect with young people like them? Can social media provide space where students can have open and safe conversations about their mental health?

Educational Opportunities

How can schools teach students to develop the discipline to restrict their social media use when required to do so in school or at work? How can schools teach students to differentiate between propaganda and legitimate news stories and sources on the internet? What opportunities exist for schools to teach and promote safe, responsible, and intentional use of smartphone technology to develop the necessary skills and attributes for digital citizenship?

School Culture and Climate

To what extent does social media access during school hours adversely impact school climate? Through analysis of discipline data, does social media access during the school day escalate disruptive behavior and violent conflict?

As boards consider these competing areas of interest, it’s difficult to dismiss arguments made in The Anxious Generation, as well as the office of the Surgeon General’s advisory stressing, “It can’t be sure that spending hours a day on cellphones is safe for young people’s mental health.” (govtech, May 8, 2024)

On the other hand, central to the board’s mission is to ensure better learning outcomes for digital citizenship students, thus preparing all students for a lifetime of continued learning, civic engagement, and opportunity. Similar language can be found in various district Portraits of a Graduate and other aspirational documents.

Therefore, the question for boards of education isn’t whether or not students should have access to technology in school; it’s what such access looks like. If students are banned from using smartphone technology responsibly in school, what tools or knowledge are they applying to their smartphone use after school hours?

What makes the cellphone debate interesting and challenging from a policy perspective is it causes boards to deliberate on fundamental concerns related to the role of the district in educating students on the responsible use of technology, its obligation to ensure student safety, provide a positive school climate, and support student physical and mental health and general well-being. Including students, professional staff, and parents in the deliberations and reviewing the vast array of articles, books, and research on this topic will help guide boards in developing a responsible use policy that focuses on learning opportunities and provides space for embedding the rapid technological changes before us.

At its August 21, 2024 meeting, the CT Board of Education approved a position statement and policy guidance on Personal Technology Use in Connecticut Schools developed by the Department of Education. These guidelines provide Boards excellent direction and available resources for assisting boards in this policy deliberations and can be found in the Appendix following this policy.

Framing the Smartphone Policy Deliberations

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Policy Implications

Over the years cell phone policies have worked from total bans to limited use to new versions of restricted use. Over recent years, there has been a huge culture shift regarding mobile phones, especially smartphones.

Devices being brought to school appears to be inevitable. Cell phone technology is here to stay. It is not easy to keep up with the changes, but schools have adapted to technological changes in the past and they will adjust again to the current technology and conditions. Personal technology policies and regulations can be included in district responsible use policies.

The following narrative was included in the October 2024 Issue of Policy Update.

Policy 5131.81 Personal Technology Use in Schools

While continuing to provide districts with previously developed model policies on this topic, this model policy complies with the Position Statement and Policy Guidelines for Personal Technology use in Connecticut Schools developed by the CT State Department of Education and adopted by the CT Board of Education on August 21, 2024.

The narrative has been updated to reflect recent thinking, research and national legislative movements resulting in a more restrictive approach to cell phone and personal technology accessibility in schools, especially in elementary and middle schools. In addition to the research guiding greater restrictions, the development of new technologies, such as pouches reduces the anxiety related to parting with one's device, while keeping it deactivated and unable to access. However, with restricting phone use, school administrators will need to consider a variety of factors in developing actionable and sustainable administrative regulations to effectively implement restrictive policies.

Boards of education will also need to consider the costs associated with restrictive policies.

There is a range of questions and logistics of matters for boards and superintendents to consider in guiding their decisions and the long-term viability of their policies. Such considerations would include:

Considerations for collecting cell phones

- Will the District purchase collection pouches? How much will they cost? Will this be an annual expense? Will students be required to keep their phones in their pouches? How can a student access his/her phone during the school day? What will be the procedure for a student to gain such access?
- Will cell phones be confiscated? What will the consequences be for a student who violates the policy? If phones will be confiscated, at what point? By whom? Where will the phone be held? Who will retrieve it? If a parent is required to retrieve the

phone, what if the parent works during school hours? What procedures will be in place if a parent does not have access to transportation?

Framing the Smartphone Policy Deliberations

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- If a staff member confiscates a phone, does it have to be delivered to and held in the office? Who collects and holds the phone? Who calls the parent to retrieve the phone? What procedures are in place if the parent does not respond to the call?

The good news related to these, and other questions is several districts in Connecticut have successfully launched regulations and procedures reflecting various levels of restriction and continue to share their experiences – successes and lessons learned along the way.

Policy #5131.81 pertains to this topic and follows for your consideration. In addition, the previous samples have been updated and also follow. The number and variety of these models provide a range of options for local districts to consider in revising the existing policy. The Position Statement Policies and Policy Guidance on Personal Technology Use in Schools developed by the CSDE and approved by the State Board of Education on August 21, 2024 is included in the Appendix. https://portal.ct.gov/-/media/sde/board/position_statement_cell_phone_use.pdf

They can be separate and distinct. Either they should take into account a district's obligation to educate its students to become responsible and engaged digital citizens, and it should be enforceable.

January 2019

Reviewed November 2023

Revised August 2024

Revised September 2024

**5131.81
Appendix**

Separate PDF File

5131.81 Connecticut State Department of Education Position Statement

https://portal.ct.gov/-/media/sde/board/position_statement_cell_phone_use.pdf

An administrative regulation to consider.

Students

Electronic Devices

Personal Technology Use in Schools/Cellular Phones/Electronic Communication Devices

The District recognizes the importance of technology in the educational setting. While cellular telephones and other wireless communication devices may serve as a form of technology, they can pose a significant distraction to the learning environment if used without the direction of the teachers.

The use of electronic communication devices and other technology at school is a privilege, not a right.

Definitions

1. A **“cellular telephone or wireless communication device”** is a handheld or worn electronic device that can receive and/or transmit voice, text, or data messages without a cable connection. Such devices may include cellular telephones and digital wireless phones. This definition also includes any current or emerging wireless handheld technologies or portable information technology systems developed for similar purposes.
2. **“School property”** means any school building, bus, or facility, including grounds owned or occupied by the Board. The definition includes the location of a District-sponsored activity as well as transportation provided by the District to attend a District-sponsored activity.
3. **“Instructional school day”** means the moment a student enters the school building until the final dismissal bell. The “instructional school day” includes, but is not limited to, study halls and any other structured or non-structured instructional activity that occurs during the normal school day, including the administration of examinations, regardless of whether a student is on campus or at an off-campus school-sponsored activity.
4. **“Kept in the “off” position”** means the device is powered completely off and is not simply set to vibrate, silent, standby, hibernation, or airplane mode.

Use of Cellular Phones/Electronic Communication Devices at School or School Events

- The instructional day includes the entire school day from the start of the school bell to the dismissal bell with the exception of the official lunch period at the high school level only.
- Students must power off and stow away cell phones and/or electronic communication devices prior to the start of the instructional day (the last bell for the start of school). During lunch, high school students may use their devices, but they must power off and stow away cell phones again at the official end of the lunch period.

Students

Electronic Devices

Personal Technology Use in Schools/Cellular Phones/Electronic Communication Devices

Use of Cellular Phones/Electronic Communication Devices at School or School Events (continued)

- Cell phones and/or electronic communication devices may not be accessed by students during the instructional day. They may be used appropriately before and after the start of the school day. High school students may access their cell phones and/or electronic communication devices during the official lunch period and during the passing time between classes.
- The use of cell phones and/or electronic communication devices is strictly prohibited at all times in locker rooms or restroom areas while at school or a school-related event. Devices used in this manner will be immediately confiscated.
- Individual school schedules may require some minor flexibility as approved by the principal.

Use of Cellular Telephones and Other Wireless Communication Devices in Classrooms

Teachers are encouraged to design lessons where the use of cellular telephones or other wireless communication devices is relevant to the course curriculum. Teachers will notify students when this type of use is authorized.

Teachers may direct students to use a cellular telephone or other wireless communication device during instructional time. Otherwise, such devices must be turned off or placed on silent and put away prior to the beginning of teaching. Headphones may not be visible during instructional time, and such devices may not be used outside the classroom during instructional time.

When a cellular telephone or other wireless communication device is in use for academic purposes, students are not permitted to:

- Answer an incoming text message or phone call;
- Be on any social media site;
- Access or play any game or access any entertainment site on their device;
- Access or use any app on their device unless expressly instructed by the teacher;
- Take any picture or video that the teacher has not expressly asked the student to take;
- Upload any picture or video taken in any class to any social media site or website;
- Text message or email any picture or video taken in class to any person, including themselves;
- Access any type of mobile web browsing for any reason unless directed by the teacher; or
- Take any picture, video or text any class assignments or assessments without permission.

Students

Electronic Devices

Personal Technology Use in Schools/Cellular Phones/Electronic Communication Devices

(continued)

Examples of Inappropriate Use

- Student use of cellular telephones or wireless communication devices for personal communication and entertainment and/or games is not permitted during the instructional day, from the official school start time to the end of the day school dismissal, which includes class periods, lunch period (elementary and middle schools only), and other specified times as determined by the administration.
- Communicating or displaying offensive messages, pictures, or language is never permitted at any time during the school day, at a school event, or on school buses. Devices used in this manner will be immediately confiscated.
- Cyberbullying, harassing, intimidating, coercing, threatening, or attacking others is never permitted. Making private information public is never permitted. Devices used in this manner will be immediately confiscated.

Enforcement Procedures

- Cellular telephones or other electronic communication devices must be surrendered to district personnel upon demand. Any student refusing to give the device to school personnel will be subject to discipline as provided in the student conduct code.
- All confiscated phones will be turned in at the school office as soon as possible and no later than within 24 hours of being confiscated. Once a cell phone has been confiscated, the following procedures will be used to return the device:
 - The **first time** a cell phone and/or electronic communication device is confiscated, the student or parent can pick it up at the school office no earlier than the end of the school day. The school administration may contact the parent or guardian if needed. (Or: The teacher confiscates and returns to the student at the end of class.)
 - The **second time** a cell phone and/or electronic communication device is confiscated, it can be picked up at the school office. (or: Teacher confiscates, gives the device to the office, and office returns to the student at the end of the school day.)
 - The **third time** a cell phone and/or electronic communication device is confiscated, the teacher gives the device to the office, and the office notifies the parent to come pick it up at their convenience.
 - **Repeated offenses** within the same school year, will result in the confiscation of the phone and returned only to the parent after a meeting with the parent and student and appropriate disciplinary action is determined.

Regulation approved:

rev 11/23
rev 8/24

A sample policy to consider.

Students

Electronic Devices

Personal Technology Use in Schools/Cellular Phones/Electronic Communication Devices

The Board of Education (Board) recognizes that many students possess and use cellular telephones and other portable electronic devices. These ubiquitous devices serve an important purpose in facilitating communication between the student and his/her family, as well as serving as tools to access information electronically. In the school setting, such portable electronic devices are permitted providing their use is consistent with this policy and does not distract from the educational process or interfere with safety and security.

Alternate language:

The Board of Education (Board) is committed to providing a safe, positive and productive learning environment for its students. The Board recognizes that, depending on how they are used, cellular telephones and other wireless communication devices can be either a valuable learning tool or a source of disruption in the learning environment. In order to maintain a secure and orderly learning environment, student use and possession of cellular telephones and other wireless communication devices shall be subject to the limitations set forth in this policy.

There is a growing body of evidence that suggests student access to cellular telephones and other electronic communication devices may be detrimental to student emotional wellbeing and academic growth. Therefore, the use of electronic communication devices and other such technology at school is considered a privilege, not a right.

Students may possess cellular telephones and other wireless communication devices on school property and school-sponsored transportation, provided students adhere to the restrictions contained within this policy. Any unauthorized use of cellular telephones and other wireless communication devices during the instructional school day or at such times as not authorized by the school principal or designee is prohibited, as it disrupts the instructional program or distracts from the educational environment.

1. ***Elementary School Students:*** Elementary school students may possess cellular telephones and other wireless communication devices on school property and school-sponsored transportation, provided such devices are not visible, used, or activated, and are kept in the "off" position throughout the instructional school day. Students must keep their cellular phones and other wireless communication devices stored in a non-visible secure location during the instructional school day.

Students may use their cellular phones and other wireless communication devices while waiting for the beginning of the instructional school day or waiting for a school bus at the end of the instructional school day.

Students

Electronic Devices

Personal Technology Use in Schools/Cellular Phones/Electronic Communication Devices

(continued)

2. ***Middle and High School Students:*** Middle and high school students may possess cellular telephones and other wireless communication devices on school property and school-sponsored transportation, provided such cellular telephones and other wireless communication devices are not visible, used or activated, and are kept in the "off" position throughout the instructional school day. Middle and high school students must keep their cellular telephones and other wireless communication devices stored in a non-visible secure location. Middle and high school principals may modify the instructional school day to establish other authorized times of use in addition to when students are waiting for the beginning of the instructional school day or waiting for a school bus at the end of the instructional school day, including the designation of areas of the school campus for such use.

Alternate language:

Cellular telephones and other wireless communication devices shall be turned off during instructional or class time or at any other time when such use of the device would cause a disruption of school activities. Cellular telephones or other wireless communication devices, which have the capability to take photographs or videos, shall not be used for such purposes while on school property or while a student is engaged in district-sponsored activities unless as expressly authorized in advance by the principal or designee.

OR

The use of cellular telephones or other wireless communication devices in any manner that disrupts the educational environment or violates the rights of others, including the use of the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student conduct rules is prohibited. Prohibited conduct specifically includes creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person.

Unless otherwise banned by this policy or by the building principal, all cellular telephones or other wireless communication devices must be powered off and out-of-sight during the regular school day unless: (a) the supervising teacher grants permission; (b) the use of the device is provided in a student's individualized education program (IEP); or (c) it is needed in an emergency that threatens the safety of students, staff, or other individuals.

Students

Electronic Devices

Personal Technology Use in Schools/Cellular Phones/Electronic Communication Devices

(continued)

Unauthorized Use of Devices

A student's possession, display or use of a cellular telephone and other wireless communication devices on school property contrary to the provisions of this policy shall be viewed as the unauthorized use of the cellular phone or other wireless communication devices when such possession, display or use of such devices results in conduct which includes, but is not limited to:

- a. Interference with or disruption of the instructional or educational environment.
- b. Use that violates academic integrity, such as reproducing images of tests, communicating test or examination contents or answers, providing access to unauthorized school information, or assisting students in any aspect of their instructional program in a manner that violates school Board policy or the Student Code of Conduct.
- c. The communication of the marks or grades assigned to students resulting from evaluation or the actual contents, or parts thereof, of any evaluation activity being completed by an individual(s).
- d. Use to commit a crime, under federal or state law.
- e. Violation of a student's or other person's reasonable expectation of privacy by using such devices with photographic capabilities in student locker rooms, restrooms, any other student changing areas, or the classroom, whether such use occurs during the instructional school day or on school property. Cellular telephones and other wireless communication devices may not be utilized to take "photographs" or "videos" while on school property, while on school-sponsored transportation or while a student is engaged in school-sponsored activities.
- f. Use in a manner that is profane, indecent, obscene, threatening, discriminatory, bullying or harassing language, pictures or gestures. Cellular telephones and other wireless communication devices which have the capability to take "photographs" or "moving pictures" shall not be used for such purposes while on school property, while on school-sponsored transportation or while a student is engaged in school-sponsored activities.

Other Responsible Uses

Cellular telephones and other wireless communication devices are permissible in the following circumstances:

- a. ***Instructional or Educational Purposes.*** There is educational value in utilizing cellular telephones or other wireless communication devices in the classroom when such devices deliver content, and extend, enhance, and/or reinforce a

student's learning process related to the student's learning style, the instructional objectives of the class and/or the learning environment. The appropriateness of in-class use of these devices consistent with the instructional objectives within instructional time will be determined by the classroom teacher with the approval of the building principal or designee.

Students

Electronic Devices

Personal Technology Use in Schools/Cellular Phones/Electronic Communication Devices

Other Responsible Uses (continued)

- b. **IEP, 504, or Health Care/Medical Plan.** Students may use cellular phones, wireless communication devices, and other electronic devices during class time when authorized pursuant to an Individual Education Plan (IEP), a Section 504 Accommodation Plan, or a Health Care/Medical Plan with supportive documentation from the student's physician.
- c. **Health, Safety or Emergency Reasons.** Exceptions to the restrictions in this policy, in part or in its entirety, may be made for health, safety and emergency reasons by the principal.
- d. **School Trips or School-Sponsored Activities.** The use, display, or activation of cellular phones or other wireless communication devices during school trips or school-sponsored activities shall be at the discretion of the principal or designee but shall not be disruptive to the activity.
- e. **Other Reasons.** Other reasons determined appropriate by the principal.

Unauthorized use of these devices is grounds for confiscation by school officials, including classroom teachers. Repeated unauthorized use of such devices may lead to disciplinary action.

Responsibility/Liability

Any student who chooses to bring a cellular telephone or other wireless communication device to school shall do so at his or her own risk and shall be personally responsible for the security of his or her cellular phone or wireless communication device. Neither the school personnel nor the Board will assume any responsibility or liability for loss, theft, damage, or vandalism to a cellular phone or other wireless communication device brought onto school property or for the unauthorized use of any such device.

(cf. 5114 – Suspension and Expulsion/Due Process)

(cf. 5131 – Conduct)

(cf. 5131.8 – Off School Grounds Misconduct)

(cf. 5131.82 – Restrictions on Publications and Written or Electronic Material)

(cf. 5131.911 – Bullying)

(cf. 5131.913 – Cyberbullying)

(cf. 5144 – Discipline/Punishment)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

Students

Electronic Devices

Personal Technology Use in Schools/Cellular Phones/Electronic Communication Devices

Legal Reference: Connecticut General Statutes

10-233j Student possession and use of telecommunications devices

Eisner v. Stamford Board of Education, 440 F. 2d 803 (2nd Cir 1971)

Trachtman v. Anker, 563 F. 2d 512 (2nd Cir. 1977) cert. denied, 435 U.S. 925 (1978)

Hazelwood School District v. Ruhlmeir, 484 U.S. 260, 108 S Ct 562 (1988)

Bethel School District v. Fraser, 478 US 675 (1986)

Tinker v. Des Moines Independent Community Dist., 393 US 503, (1969)

Policy adopted:

cps 1/19

Sample policies are distributed for demonstration purposes only. Unless so noted, contents do not necessarily reflect official policies of the Connecticut Association of Boards of Education, Inc.

reviewed 11/23
revised 8/24



Narrative for #4222, Paraeducators

Policy 4222, Paraeducators has been combined with Policy 4222.1, Title I Paraeducators to provide districts with a single policy identifying various roles and responsibilities related to instructional support personnel. In addition, Policy 4222 includes recent legislation regarding requirements specific to paraeducators providing special education or related services to students.

Under Section 12 of Public Act 23-159, Boards of Education must notify parents of children receiving special education services of their right to have the paraeducator assigned to their child to attend and participate in all portions of the PPT at which an educational program for the child is developed, reviewed, or revised.

While this new legislation does not require Board policy, including it under this CABE-recommended paraeducator policy provides for greater exposure related to this important requirement.

Public Act 24-41, An Act Concerning Educator Certification, Teachers, Paraeducators and Mandated Reporter Requirements, Sections 20-38 changes the terms "school paraeducator", "paraeducator" and "paraeducator teacher aide" to "paraeducator" in various education-related statutes.

A policy to consider.

Personnel -- Non-Certified

Paraeducators/Title I Paraeducators

All support staff positions in the school system shall be established initially by the Board.

All paraeducators who provide instructional support for students in Title I Schoolwide Programs and Targeted Assistance Programs shall meet the qualifications set forth in federal law and regulations.

Support staff employees, unless otherwise designated by contract, shall be considered “at will” employees who serve at the pleasure of the Board and shall have only those employment rights expressly established by Board policy. Support staff members shall be employed for such time as the district is in need of or desirous of the services of such employees.

Paraeducators

The Board shall employ teacher aides to work under the general supervision of the Superintendent and to assist teachers in such duties as:

1. Managing and maintaining records, materials, and equipment.
2. Attending to the physical needs of children.
3. Performing other limited services to support teaching duties when such duties are determined and directed by a teacher or administrator.
4. Lunchroom duties.

Qualification

In compliance with applicable legal requirements, the Board shall require all paraeducators with instructional duties that are hired in a Title I school program to have a secondary school diploma or its recognized equivalent and to have:

1. Completed at least two years of study at an institution of higher education;
2. Obtained an Associate’s or higher degree; or
3. Met a rigorous standard of quality through a formal state or local academic assessment.
4. The district will not hire Title I paraeducators who do not meet these standards.

Exception to these requirements may be made with regard to paraeducators who act as translators or who coordinate parent involvement activities.

The Professional Development and Evaluation Committee shall develop, evaluate, and annually update a comprehensive local professional development plan for paraeducators of the district.

Personnel -- Non-Certified

Paraeducators/Title I Paraeducators

Paraeducators (continued)

The annual program of professional development shall be made available at no cost to the paraeducator. The program must be at least eighteen (18) hours in length, with a preponderance of time spent in a small group or individual instructional setting. The professional development program must (1) be a comprehensive, sustained and intensive approach to improving paraeducator effectiveness in increasing student knowledge achievement; (2) focus on refining and improving various effective instruction methods that are shared between and among paraeducators; (3) foster collective responsibility for improved student performance; and (4) include training in culturally responsive pedagogy and practice. The program must also be comprised of professional learning that (1) is aligned with rigorous state student academic achievement standards; (2) is conducted among paraeducators at the school and facilitated by principals, coaches, mentors, distinguished educators, or other appropriate teachers; (3) occurs frequently on an individual basis or among groups of paraeducators in a job-embedded process of continuous improvement; and (4) includes a repository of best practices for instruction methods developed by paraeducators within each school that is continuously available to such paraeducators for comment and updating. The principles and practices of social-emotional learning and restorative practices must be integrated throughout the components of the program.

The Board shall offer professional development activities to paraeducators as part of a paraeducator's professional development plan. These professional development activities may be made available directly by the Board of Education, through a RESC or cooperative arrangement with another board, or through arrangements with any CSDE-approved professional development provider. The activities must be consistent with any goals identified by the paraeducator and Board.

Paraeducators are employed so that the certified staff may direct their energies to the students' education. The Principal and the supervising teacher are jointly responsible for making final decisions related to the duties and responsibilities to be assigned to a paraeducator.

In each case, the Board shall approve a statement of job requirements as presented by the Superintendent. This shall be in the form of a job description setting forth the qualifications for the job, a detailed list of performance responsibilities and any required physical capabilities.

Only the Board may eliminate a position that it has created.

Title I Paraeducators

A Title I paraeducator is an individual who provides instructional support for students in a Title I Schoolwide or Targeted Assistance Program, supported with Title I, Part A funds.

Personnel -- Non-Certified

Paraeducators/Title I Paraeducators

Title I Paraeducators (continued)

Title I paraeducators may perform the following instructional support duties:

- One-on-one tutoring for eligible students if the tutoring is scheduled at a time when the student would not ordinarily be receiving instruction from the regular teacher
- Assist in classroom management
- Conduct parent involvement activities
- Assist in computer instruction
- Provide instructional support in a library or media center
- Act as a translator
- Provide instructional support services under the direct supervision of qualified teachers

Title I paraeducators may assume limited non-instructional duties, even if they benefit non-Title I students, in the same proportion to their total work time as non-Title I paraeducators.

Title I paraeducators do not include individuals who have only non-instructional duties such as providing technical support for computers, providing personal care services or performing clerical duties.

Qualifications

Title I paraeducators must have earned a secondary school diploma or demonstrated through a formal local academic assessment the knowledge of and ability to assist in instructing, as appropriate:

- a. Reading/language arts, writing and mathematics; or
- b. Reading readiness, writing readiness, and mathematics readiness.

Requirement Specific to Paraeducators Providing Special Education or Related Services

Parents of children receiving special education services are required to be notified of their right to have the paraeducator assigned to their child to attend and participate in all portions of the PPT at which an educational program for the child is developed, reviewed, or revised. If the parent, guardian, student, or surrogate parent makes such a request, the Board shall provide the following:

1. Adequate notice of the PPT meeting to the paraeducator, allowing the paraeducator adequate time to prepare.
2. Training, upon request of the paraeducator, on the role of the paraeducator at the meeting.

Personnel -- Non-Certified

Paraeducators/Title I Paraeducators

Requirement Specific to Paraeducators Providing Special Education or Related Services (continued)

Following the PPT meeting, the paraeducator who is providing special education or related services to the student shall be permitted to view the child's educational program in order to provide services to the student in accordance with the educational program.

Any paraeducator providing special education or related services to a student is required to review the student's IEP with a supervisor as needed.

Notice to Parents

An annual written notice shall be provided to parents of students enrolled in a Title I Schoolwide or Targeted Assistance Program telling them they may request information about any paraeducators who provide instructional support for their child. The notice may be combined with a notice regarding Title I teacher qualifications.

NOTE: *The requirements outlined in this policy apply to all paraeducators who work in a school that qualifies as a Title I Schoolwide Program, whether or not their salaries are paid with Title I funds. For Targeted Assistance Programs, only those paraeducators who provide instructional support to students in the Title I Program are subject to the requirements.*

Legal Reference: 42 U.S.C. 653(a) Personal Responsibilities and Work Opportunity
 Reconciliation Act
 15 U.S.C. et. seq., Fair Credit Reporting Act
 Section 1111(g)(2)(M), ESEA
 20 C.F.R. 200.59 Federal Regulations
 Public Act 23-159, Section 12
 Public Act 24-41, An Act Concerning Educator Certification, Teachers,
 Paraeducators and Mandated Reporter Requirements, Sections 20-38

Policy adopted:

cps 1/24
rev 7/24

PUBLIC SCHOOLS
, Connecticut

**Annual Notification to Parents Regarding Qualifications of
Title I Teachers and Paraeducators**

TO: *[All parents of students enrolled in a Title I Schoolwide or Targeted Assistance Program]*

FROM: *[Principal]*

Date: *[insert date]*

As a parent of a student who is in a Title I Schoolwide or Targeted Assistance Program at _____ school, you have a right under federal law to request information about the professional qualifications of the teachers who instruct your child and the paraeducators, if any, who assist them. The No Child Left Behind Act of 2001 gives you the right to ask for the following information about each of your child's classroom teachers and their paraeducator assistants, if any:

- Whether the State of Connecticut has licensed or qualified the teacher for the grades and subjects he or she teaches.
- Whether the teacher is teaching under an emergency license (letter of authorization) or other provisional status by which state licensing criteria have been waived.
- The teacher's college major, whether the teacher has any advanced degrees and, if so, the subject of the degrees.
- Whether any instructional aides or paraeducators provide services to your child and, if they do, their qualifications.

If you would like to receive any of this information, please contact me, at _____
insert phone number

or by writing to my office at:

(provide address)

An optional sample policy to consider.

Community Relations

Relations with Youth Organizations

To provide the best possible educational opportunities for all students, the Board may consider properly submitted proposals for activities offering explorations of areas which are adjunct to or outside the District's curriculum. Whenever appropriate, the Board will co-sponsor such activities with a bona fide youth organization, such as but not limited to, Boy Scouts, Girl Scouts, YMCA/YWCA or Boy's Club. Such sponsorship shall be consistent with law and Board of Education policies, especially those pertaining to nondiscrimination.

Proposals shall be judged on their educational value, relevance to student educational levels, needs and interests, and the availability of funds for adequate supervision and transportation.

The Administration will develop a viable proposal in detail with the co-sponsoring organization prior to its submission to the Board for approval.

The Board encourages efforts by the staff, students, youth organizations and the community to make the widest possible range of educational experiences available to the students of the District. Students will be encouraged to take an active part in the planning and implementation of such approved activities.

The Administration, in cooperation with the co-sponsoring organization, will devise and implement procedures to evaluate each approved activity and will report to the Board as requested.

BOE Memorandum of Understanding (MOU) with Youth Service Bureau

The _____ Board of Education recognizes that one or more municipalities or a private youth-serving organization may designate a youth service bureau as its agent. Additionally, that youth service bureau ("bureau") may be established by a private youth-serving organization designated to act as the agent of the Board of Education.

Upon request of the youth service bureau that provides services to the Board, the Board shall enter into a Memorandum of Understanding ("MOU") with the youth service bureau. The MOU shall outline the circumstances under which the Board may share student education records with the bureau as required. The bureau shall maintain those records received in accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA).

(cf. 1330 - Use of School Facilities)

(cf. 3515 - Community Use of School Facilities)

Community Relations

Relations with Youth Organizations

Legal Reference: Connecticut General Statutes

10-215c Discrimination in public schools prohibited.

10-239 Use of school facilities for other purposes.

Equal Access Act, 20 U.S.C. ss 4071-4074

Public Act 24-45 ~~An~~ Act Concerning Education Mandate Relief, School Discipline and Disconnected Youth, Sections 23 and 24

Policy adopted:

cps 4/01
rev 9/24

Developed by Shipman and Goodwin on behalf of CAGE and CAPSS.

MEMORANDUM OF UNDERSTANDING BETWEEN THE NUTMEG BOARD OF
EDUCATION AND THENUTMEG YOUTH SERVICE BUREAU

This agreement ("Agreement") is made by and between the Nutmeg Board of Education (the "Board") and the Nutmeg Youth Service Bureau (the "YSB") (collectively, "the Parties").

WHEREAS, section 23 of Public Act 24-45, provides in relevant part:

(b) A local or regional board of education shall, upon request of the youth service bureau that provides services for such board, enter into a memorandum of understanding with such youth service bureau regarding the circumstances under which educational records of students may be shared between the board and the youth service bureau in the provision of services for which such youth service bureau is providing for such board.

(c) Any memorandum of understanding entered into under this section shall require that the local or regional board of education shall provide, and such youth service bureau shall receive and maintain, any educational records of students in a manner that is in accordance with the Family Educational Rights and Privacy Act of 1974, 20 USC 1232g, as amended from time to time, and 34 CFR 99.1 et seq., as amended from time to time.

and,

WHEREAS, the Board and the YSB agree that students and their families working with the YSB can benefit from collaboration between the Board and the YSB, and such collaboration can include school officials sharing educational records of certain students with YSB personnel and YSB officials sharing information about such students with school officials, as contemplated by the enactment of Section 23 of Public Act 24-45, and

WHEREAS, the Board may delegate to the YSB services or functions to support students and their families, and

WHEREAS, access to personally-identifiable student information for YSB personnel providing such services or functions will aid YSB personnel in performing such services or functions on behalf of the Board as described herein

Whereas, YSB personnel performing such services or functions on behalf of the Board may be considered school officials as defined by the regulations implementing the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g at 34 C.F.R. § 99.31(a)(1),

NOW, THEREFORE, the Parties agree to the following:

1. When the Board has delegated responsibilities to the YSB for any of the services and functions listed in Paragraph 2 below, the Board, acting through the Superintendent or designee, may provide YSB personnel providing such services or functions personally-identifiable student information related to the behavior, discipline, disability, attendance, and academic performance of such student or students served by the YSB as required to fulfill such responsibilities.
2. Such services or functions performed by YSB personnel on behalf of the Board may include the following:
 - attendance support and truancy prevention, including participation on attendance review teams in accordance with Conn. Gen. Stat. § 10-198c(b)(2)
 - programming for students subject to exclusionary discipline,
 - behavioral health evaluation,
 - crisis intervention,
 - trauma support,
 - individual therapy, family therapy, or group therapy, teen pregnancy programs,
 - employment and training programs,
 - leadership development programs,
 - mentoring,
 - life skills training,
 - community service,
 - service learning,
 - teen parent education,
 - after-school programming,
 - summer programming,
 - needs assessment and planning,

Nothing in this section shall be construed to require the YSB to deliver services or provide functions other than those specifically agreed to.

3. The Parties agree that the YSB personnel providing such services or functions shall be under the direct control of the Board with respect to the use and maintenance of such education records.
4. The YSB and its personnel shall not use student information, student records and student-generated content for any purposes other than those authorized pursuant to this Agreement.
5. The YSB shall take such actions necessary and establish such protocols necessary to ensure the security and confidentiality of information provided to the YSB in accordance with this Agreement.

6. As to information it receives in accordance with this Agreement, the YSB and its personnel will comply with the provisions of the Family Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, as amended from time to time, and 34 CFR 99.1 et seq., as amended from time to time, as well as with the provisions of the Student Data Privacy Act, Conn. Gen. Stat. § 10-234aa

et seq., as set forth in Appendix A.

7. All obligations assumed by the YSB under this Agreement shall be equally applicable to any employee, agent, volunteer, officer, director, or other individual working with, through, or under the YSB, who has access to any personally-identifiable information from a student educational record. It is the obligation of the YSB to ensure compliance with this provision.

8. This Agreement controls over any prior agreements between the Parties concerning student information.

9. The Board or the YSB may terminate this Agreement by notifying the other party in writing of that action. In such case, at the request of the YSB the Board shall enter into a revised memorandum of understanding with the YSB regarding the circumstances under which the Board may share educational records of students with the YSB in connection with the provision by the YSB of services to the Board.

Agreed to:

NUTMEG BOARD OF EDUCATION

NUTMEG YOUTH SERVICES BUREAU

Its Superintendent

Its Director

APPENDIX A

The following obligations as set forth in Conn. Gen. Stat. are applicable to the YSB as to the use of personally-identifiable student information the Board provides to the YSB in accordance with this Agreement:

- (1) Student information, student records and student-generated content are not the property of or under the control of YSB;
- (2) The Board may request that the YSB delete any student information, student records or student-generated content in the possession of the YSB that is not (A) otherwise prohibited from deletion or required to be retained under state or federal law, or (B) stored as a copy as part of a disaster recovery storage system and that is (i) inaccessible to the public, and (ii) unable to be used in the normal course of business by the YSB provided that the Board may request the deletion of any such student information, student records or student-generated content if such copy has been used by the operator to repopulate accessible data following a disaster recovery;
- (3) The YSB shall not use student information, student records and student-generated content for any purposes other than those authorized pursuant to this Agreement;
- (4) A student, parent or legal guardian of a student may review personally identifiable information contained in student information, student records or student-generated content and correct erroneous information, if any, in such student record by requesting that the YSB make that correction;
- (5) The YSB shall take appropriate actions designed to ensure the security and confidentiality of student information, student records and student-generated content;
- (6) The YSB shall notify the Board, in accordance with the provisions of Conn. Gen. Stat. § 10-234dd, when there has been an unauthorized release, disclosure or acquisition of student information, student records or student-generated content;
- (7) The YSB shall not retain or have access to student information, student records or student-generated content upon the expiration of this Agreement;
- (8) The YSB and the Board shall ensure compliance with the Family Educational Rights and Privacy Act, 20 USC 1232g, as amended from time to time;
- (9) The laws of the state of Connecticut shall govern the rights and duties of the YSB and the Board; and
- (10) If any provision of this Agreement or the application of this Agreement is held invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this Agreement that can be given effect without the invalid provision or application.

Bylaws of the Board

Board-Staff Communications

The Board of Education recognizes the need to maintain open communication between itself and the staff. Essentially, communications with staff deal with three general areas -- administration, policy and philosophy. While the Board recognizes the necessity for Board-staff communications, it also recognizes that administrative matters must be dealt with through its chief administrator. Hence, the basic line of communication for administrative matters shall be through the Superintendent.

1. Staff Communications to the Board

All reports to the Board or any Board committee from administrators, supervisors, teachers or other staff members shall be submitted through the Superintendent. This necessary procedure shall not be construed as denying the right of any employee to appeal to the Board from administrative decisions on important matters, provided that the Superintendent shall have been notified of the forthcoming appeal and that it is processed in accordance with the Board's policy on complaints.

Board meetings are conducted in public. As such, they provide an excellent opportunity to observe first hand the Board's deliberations.

2. Board Communication to Staff

All communications, policies and directives of staff interest and concern will be communicated to staff members through the Superintendent, and the Superintendent will employ all such media as are appropriate to keep staff fully informed of the Board's problems, concerns and actions.

3. Visits to Schools

Individual Board members interested in visiting schools or classrooms will make arrangements for visitations through the administrators of the various schools. Such visits shall be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Board members will be conducted only under Board authorization and with the full knowledge of staff, including the Superintendent, building administrators and other supervisors.

Bylaws of the Board

Board-Staff Communications (continued)

(cf. 1250 - Visits to the Schools)

(cf. 2220 - Representative and Deliberative Groups re staff involvement in decision making) (cf. 4135.4/4234.4 - Staff Complaints and Concerns)

(cf. 5145 - Civil and Legal Rights & Responsibilities)

(cf. 9133 - Advisory Committees to the Board of Education)

Legal Reference: Connecticut General Statutes

10-220 Duties of boards of education.