

Policy Committee Meeting

Tuesday, April 25, 2023 6:30 PM

Town Campus Hammonasset Room/Zoom, 10 Campus Drive , Madison, CT 06443

I. Policies for Rescission, waive second reading:

I.A. #5110.2 - Detention

I.B. #5090.8.1.2 - Vehicle Searches on School
Grounds

I.C. #5090.2 - Student Involvement in Decision
Making

I.D. #5090.2.1 - Student Government

I.E. #5090.2.2 - Student Advisory Councils

I.F. #5090.4 - Student Publications

I.G. #5090.4.1 - Underground Publications

I.H. #5090.4.2 - Freedom of Speech/Written and Oral
Expression

I.I. #5100.2 - School-Sponsored Events

II. Policies for Review:

II.A. #9220.3 - Board Member Resignation

II.B. #9220.5 - Unexpired Term
Fulfillment/Vacancies

II.C. #9220.4 - Board Member Removal from
Office

II.D. #4150 - Acceptable Use of Computer
Equipment and Related Systems, Software and
Networks

II.E. #5210 - Acceptable Use of Computer
Equipment and Related Systems, Software and
Networks

II.F. #5090.9 - Use of Private Technological
Devices by Students

III. Public Comment

IV. The Town of Madison does not discriminate on the basis of disability, and the meeting facilities are ADA accessible. Individuals who need assistance are invited to make their needs known by contacting the Town ADA/Human Resources Director, Debra Ferrante, at 203-245-6310 or by email at ferranted@madisonct.org at least five (5) business days prior to the meeting.

Madison Public Schools Policy Committee

Tuesday, April 25, 2023 6:30 PM

Town Campus/Zoom

10 Campus Drive

Madison, CT 06443

Meeting Agenda

I. Policies proposed for Rescission, waive second reading

- 5110.2 – Detention
- 5090.8.1.2 – Vehicle Searches on School Grounds
- 5090.2 – Student Involvement in Decision Making
- 5090.2.1 – Student Government
- 5090.2.2 – Student Advisory Councils
- 5090.4 – Student Publications
- 5090.4.1 – Underground Publications
- 5090.4.2 – Freedom of Speech/Written and Oral Expression
- 5100.2 – School-Sponsored Events

II. Policies for Review

- 9220.3 – Board Member Resignation
- 9220.5 – Unexpired Term Fulfillment/Vacancies
- 9220.4 – Board Member Removal from Office
- 4150 - Acceptable Use of Computer Equipment and Related Systems, Software and Networks
- 5210 - Acceptable Use of Computer Equipment and Related Systems, Software and Networks
- 5090.9 – Use of Private Technological Devices by Students

III. Public Comment

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Policy Summary

April 2023

Proposed for Rescission, waive second reading

5110.2 – Detention

This policy is not mandatory and S&G recommends repeal. The process for detention may be regulated through individual school procedures. If the Board wishes to maintain the policy, the policy must be revised to remove provisions concerning recess, as they conflict with Policy #5144 (Physical Restraint and Seclusion of Students and Use of Exclusionary Time Out) and state law. We further recommend administrative review to ensure that the process outlined continues to be applicable.

5090.8.1.2 – Vehicle Searches on School Grounds

This policy is not mandatory and S&G recommends repeal. If the Board wishes to retain this policy, we recommend review to ensure legal compliance.

5090.2 - Student Involvement in Decision Making

Recommend that the Board consider repealing this policy because it is unnecessary. If the Board wishes to retain this policy, we recommend review as it was adopted in 1995.

5090.2.1 – Student Government

Recommend repealing this policy because it is not necessary. This topic is better suited for a school regulations and/or a student handbook. If the Board wishes to retain this policy, we recommend internal review to confirm the policy is still being implemented, as it was adopted in 1995.

5090.2.2 – Student Advisory Councils

Recommend repealing this policy because it is not necessary. If the Board wishes to retain this policy, we recommend internal review to confirm the policy is still being implemented, as it was adopted in 1995.

5090.4 – Student Publications

This policy is not necessary and S&G recommends repeal. If the Board wished to retain this policy, we recommend internal review, as the policy was adopted in 1995, and legal review (especially regarding references to the First Amendment).

5090.4.1 – Underground Publications

This policy is not necessary and S&G recommends repeal. If the Board wishes to retain this policy, we recommend internal review, as the policy was adopted in 1996, and legal review, to ensure compliance with the First Amendment.

5090.4.2 – Freedom of Speech/Written and Oral Expression

This policy is not necessary and S&G recommends repeal. If the Board wishes to retain this policy, we recommend internal review, as the policy was adopted in 1995, and legal review, to ensure compliance with the First Amendment.

5100.2 – School-Sponsored Events

This policy is not mandatory and S&G recommends repeal. In addition, the policy addresses procedural requirements more appropriate for school regulations. If the Board wishes to maintain this policy, we recommend internal review to ensure it is being implemented as written.

Policies for Review

#9220.3 – Board Member Resignation (to be reviewed with #9220.5 – Unexpired Term Fulfillment/Vacancies)

We recommend repeal of this bylaw and replacement with the model bylaw Filling Vacancies on the Board. The process for filling vacancies on the Board is statutory and that statutory process is detailed in the model bylaw, but not in the current bylaw.

*Shipman had suggested this policy be repealed and replaced with Policy #9220.5 – Unexpired Term Fulfillment / Vacancies. Shipman then suggested that #9220.5 be repealed and replaced with their model bylaw Filling Vacancies. The proposed policy incorporates portions of the current Policy #9220.3 Dr. Cooke requested be preserved and the statutory requirements outlined in model bylaw Filling Vacancies. Copies of current policies #9220.3 and #9220.5 as well as a version of #9220.5 with revisions to match the model policy are included in the packet for reference.

Answers to March meeting questions:

Neither the policy nor the statute require that a letter of resignation be presented to the Town Clerk. The Board can certainly add that language if it wishes to do so.

Dr. Cooke raised the issue of Board members needing to resign should they become employed by the district. That provision is set forth in Policy #9310 Board Member Conflict of Interest.

Elector vs. Resident – It should be elector.

9220.4 – Board Member Removal from Office

Recommend repeal of this bylaw and replacement with the model bylaw Removal of Board Officers. The model policy includes procedures, in accordance with due process obligations, for the removal of officers, which are not included in the current bylaw.

*Answers to March meeting questions:

There is no statutory requirement that the vote be by majority. The Board can decide that such vote must be by 2/3.

#4150 - Acceptable Use of Computer Equipment and Related Systems, Software and Networks

Recommend that the Board repeal this policy and replace it with the S&G model policy Acceptable Use, for consistency. The model policy has been reviewed by the Director of Administrative Services.

#5210 - Acceptable Use of Computer Equipment and Related Systems, Software and Networks

Recommend that the Board repeal this policy and replace it with the S&G model policy Acceptable Use, for consistency and updated content. The model policy has been reviewed by the Director of Administrative Services.

#5090.9 – Use of Private Technology Devices by Students

S&G recommends this policy be revised for legal compliance and consistency. The revisions have been reviewed by the Director of Administrative Services. The policy was last revised by the Board in 2022 so these are just small revisions Shipman recommends to keep the policy current.

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#5110.2**Detention**

Teacher's Authority

For minor infractions of the code of conduct or other policies and regulations, teachers may detain students after school hours. Before assigning students to detention, the teacher will inform the student of the conduct that allegedly constitutes the violations, and the student will be given an opportunity to explain his/her version of the incident.

Notice To Parents

When detention is used, notice will first be given to the student's parents/guardian to inform the parent/guardian of the reason for the detention and permit arrangements for the necessary transportation of the student. Except in the case of a student who is 18 years of age or older, the detention will not begin until the parents/guardians have been notified. The student's parents, if the student is a minor, may be required to provide transportation when the student has been assigned to detention.

Staff Supervision

All students detained for disciplinary purposes will be under the direct supervision of a teacher or another member of the professional staff. The principal will be responsible for seeing that the time that the student spends for disciplinary purposes is used constructively for educational purposes. Extenuating circumstances, e.g. a student's sole means of transportation is the regularly scheduled school bus, may make detention inappropriate. If detention is deemed inappropriate for any reason, suitable alternative discipline may be imposed.

30 **5110.2** (continued)

31 Teachers may use recess and before/after school time in order to provide a penalty to
32 enforce the proper management of their classes and appropriate student behavior.

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34 Teachers may not use recess and before/after school time when, in the best judgment of the
35 principal or designee, this practice would be detrimental to the safety or well-being of the
36 students.

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38 Teachers may not cause a student who is transported by school bus to miss a bus without
39 prior arrangements for the parent to transport the student.

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62 Date of Adoption: March 5, 1996

#5090.8.1.2

Vehicle Searches on School Grounds

The privilege of bringing a student-operated motor vehicle onto school premises is hereby conditioned on consent by the student driver to allow the search of that motor vehicle when there is reasonable cause for a search of that motor vehicle. The act of bringing a motor vehicle upon school premises will allow school officials to presume consent by the student, parent or guardian, or owner of the vehicle for a search of that motor vehicle. Refusal by a student, parent or guardian, or owner of the vehicle to allow access to a motor vehicle on school premises at the time of a request to search the motor vehicle will be cause for termination, without further hearing, of the privilege of bringing a motor vehicle onto school premises. The principal, or a building administrator, may request a law enforcement officer to search a motor vehicle on school premises, subject to provisions of this policy.

Legal Reference: Connecticut General Statutes
10-221 Boards of Education to prescribe rules
New Jersey v T.L.O., 53 U.S.L.W. 4083 (1985)

- (c.f. 1350 Relations with Law Enforcement Agencies)
- (c.f. 5090.8.1 Search and Seizure)
- (c.f. 5110.3.1 Police in Schools)
- (c.f. 5142.4 School Resource Officer)

Date of Adoption: September 19, 1995
Technical Revision: February 11, 2014

#5090.2

Student Involvement in Decision Making

Students are in a unique position to make positive contributions to the improvement of the educational program and to the operation of a more effective school system.

Therefore, it is the Board's belief that students, in keeping with their level of maturity, should be encouraged to participate in the development of policies, regulations, and procedures which affect them. Their participation in decision making will be considered part of the educational process.

As appropriate to the maturity of students and varying grade levels, class or school organizations and school government organizations, such as student councils, may be formed to offer practice in self-government and to serve as channels for the expression of student ideas and opinions.

The Board, through the staff, will take into consideration student opinions in establishing policies which directly affect student programs, activities, privileges, and other areas of student sensitivity.

Students will be welcomed at Board meetings and granted privileges of speaking in line with such privileges extended the general public.

(cf Policy #5090.2.1 Student Government)

Date of Adoption: 6/20/95

#5090.2.1

Student Government

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5 The function of student government will be to provide a channel of communication
6 between students and the professional staff of the district. The principal will establish
7 guidelines for the operation of the student government; these guidelines will be in
8 accordance with Board policy and will be formulated on the basis of students' and staff
9 members' ideas and suggestions.

10
11 Such modes and procedures of student self-government will be established in classrooms
12 and in the schools as are appropriate to students' maturity. However, students will not be
13 assigned decisions, particularly those involving individual students, for which teachers,
14 administrators, and the Board are held legally responsible.

15
16 While the forms and functions of student government will vary from school to school, in
17 all cases the scope of its powers, privileges, and responsibilities should be a matter of public
18 record. The student government organization should publish a charter or constitution as a
19 result of joint administration faculty-student discussions. Eligibility rules for candidates,
20 and rules for conducting campaigns and elections are to be published, widely announced,
21 and uniformly enforced. Procedures for consideration of matters before the group will be
22 formulated, including referral or other disposition of matters considered to be proper
23 concerns of the organization under Board policies, individual school regulations, or the
24 organization's constitution.

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26 The organization will constitute a means by which the students are formally heard on all
27 matters of direct concern to them collectively; or, the organization may assist them in
28 determining how they can be heard otherwise.

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35 Date of Adoption: 6/20/95

1 **Rescind**

Students

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3 **#5090.2.2**

4 **Student Advisory Councils**

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6 In order to promote a free exchange of ideas and opinions between the Board and students, the
7 Superintendent will establish a Superintendent's Student Advisory Council. The Council will meet with
8 the Superintendent to provide input into issues before the Board or input into issues of concern to the
9 students within the district.

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38 Date of Adoption: 6/20/95
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#5090.4

Student Publications

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Student publications are important elements of the instructional program and contribute directly to the accomplishment of the school's goals. The Board of Education shall encourage the development of school newspapers, yearbooks and magazines.

Freedom of speech and of expression in student publications as guaranteed by the First Amendment is to be observed scrupulously by the administration, faculty and students.

Such publications must have a faculty advisor approved by the principal.

Such publications must carry a statement identifying the editorial staff and all articles must be signed with the proper name of the writer.

Date of Adoption: 6/20/95

#5090.4.1

Underground Publications

Provisions governing student verbal and written expression apply to contents and distribution of underground student publications.

Students who edit, publish and / or wish to distribute nonschool-sponsored handwritten, printed or duplicated materials among their fellow students in the schools must assume responsibility for the content of such materials.

Students may be restricted in the time and place of distribution and, if the principal determines that the material is libelous or obscene according to legal definition or would threaten to disrupt the educational process, students may be prohibited from distributing it on school property while school is in session.

Date of Adoption: February 27, 1996

#5090.4.2

Freedom of Speech / Written and Oral Expression

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5 The Board of Education recognizes and protects the rights of student expression. School
6 administrators are charged with maintaining a balance of these rights with the interests of
7 an orderly and efficient educational process and of a school environment suitable for the
8 healthy growth and development of all students.

9
10 The school district shall assume no responsibility for the contents of any written material
11 produced, posted, circulated or otherwise distributed, nor will it be responsible for any
12 student conduct related to any interests other than those of an orderly and efficient
13 educational process and proper school environment.

14
15 In order to protect the educational process and school environment, written or oral
16 expression produced, distributed or spoken within the confines of school district property
17 shall meet the following criteria:

- 18
19 1. Written or oral expression shall be noncommercial.
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21 2. Written or oral expression shall not contain libelous or obscene content.
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23 3. Written or oral expression shall not advocate illegal actions.
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25 4. Written or oral expression shall not contain false statements or innuendoes that
26 would subject any person to hatred, ridicule, contempt or injury of reputation.
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28 5. Written or oral expression will not imminently threaten to disrupt the educational
29 process of the school.
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31 6. Written or oral expression shall not advocate action that would endanger the
32 health or safety of students.
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5090.4.2 (Continued)

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7. Written or oral expression shall not invade the lawful right of others.
8. Material published, posted or otherwise distributed shall bear the names of the students principally involved in the promotion of this material and, when applicable, the name of the sponsoring student organization or group.
9. Material may not be sold on school property.
10. Material which seeks a donation or solicitation of funds may not be circulated.
11. Distributors of materials will be held responsible for cleaning up litter caused by such distribution.

Date of Adoption: 6/20/95

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#5100.2

School-Sponsored Events

All school sponsored events will be under the control and supervision of school personnel. Approval for an event will be secured from the principal of the building involved, and the event will be placed on the school calendar before any public announcement is made.

Date of Adoption: January 23, 1996

#9220.3

Filling Vacancies on the Board
(Formerly Board Member Resignation)

Board Member Resignation

If a Board member's ~~permanent residence~~ ceases to be an elector of the Town, they thereupon cease to hold elected office in the Town and shall submit a notice of resignation. ~~in the Madison School District, the Board member will resign immediately.~~ Resignations for this or any other reason ~~will~~ require a written statement of resignation. Upon receipt of a Board member's written resignation ~~for this or any other reason~~, the Board will ~~consider~~ acknowledge the resignation ~~request~~ at the next scheduled meeting coinciding with or next following the receipt of written resignation. The Board will then accept the resignation by formal action and declare the Board position *vacant* unless the resignation is withdrawn any time prior to the Board's action.

Vacancies

If a vacancy occurs on the Board, the Board of Selectmen shall fill by appointment the vacancy until the completion of the vacated term in accordance with the requirements set forth in Section 6.6 of the Madison Town Charter. The Board shall accept the appointment at a regular meeting or special meeting convened for that purpose.

**#9220.3
Board Member Resignation**

Board Member Resignation

If a Board member's permanent residence ceases to be in the Madison School District, the Board member will resign immediately. Resignations for this or any other reason will require a written statement of resignation by the Board member to the Town Clerk and to the Chairperson of the Board. Upon receipt of a Board member's written resignation for this or any other reason, the Board will consider the resignation request at the next regularly scheduled meeting coinciding with or next following the receipt of written resignation. The Board will then accept the resignation by formal action and declare the Board position *vacant* unless the resignation is withdrawn any time prior to the Board's action.

Vacancies may occur on the Board because of a member's resignation, death, his / her moving outside of the district, or other reasons provided by law. Or a member may be recalled or removed from office for such reasons as specified in law.

Resignation of Board Member from an Executive Board Position

If an Executive Board member chooses to remain on the Board of Education but resign from his / her Executive Board position, the Board will consider the resignation request at the regularly scheduled meeting coinciding with or next following the receipt of written resignation from his / her Executive Board position. The Board will then accept the resignation by formal action and declare the Executive Board position vacant unless the resignation is withdrawn any time prior to the Board's action.

The vacancy to the Executive Board position shall be filled, other than the Chairperson, by a majority vote of those members present at the next regularly scheduled Board meeting following the declaration of vacancy. A vacancy to the Chairperson's position shall be temporarily filled by the Vice-Chairperson, for a period not to exceed six weeks. In the event that the temporary Chairperson is voted to the position on a permanent basis, an election for a new Vice-Chairperson shall occur within six weeks from the date of appointment. The newly-elected officer shall take office upon election.

Date of Adoption: 3/7/95

#9220.5
Unexpired Term Fulfillment / Vacancies

Vacancies on the Board of Education shall be filled in accordance with Connecticut General Statutes, the Madison Town Charter and the Board of Education Bylaws.

Date of Adoption: 3/7/95

Reviewed November 29, 2022 – no changes proposed

#9220.5

Filling Vacancies on the Board

(formerly Unexpired Term Fulfillment/Vacancies)

~~Vacancies on the Board of Education shall be filled in accordance with Connecticut General Statutes, the Madison Town Charter and the Board of Education Bylaws.~~

1. If a vacancy occurs on the Madison Board of Education (the “Board”), the remaining members of the Board shall fill such vacancy at a meeting or a special meeting convened for that purpose.
2. A member resigning from the Board should present, or have presented, a written letter of resignation to the Board Chair or at a regular meeting of the Board.
3. Having accepted a letter of resignation, or having become aware of a vacancy created by means other than the resignation of a Board member, the Board will schedule the election of a replacement at the next regular Board meeting or at a special meeting convened for such purpose.
4. Said election, made by the majority of the Board, shall be in effect until the next regular Town election, at which a successor shall be elected for the unexpired portion of the term. The official ballot shall specify the vacancy to be filled.

Legal Reference:

Connecticut General Statutes

10-219 Procedures for filling vacancy on local board of education

#9220.4

Removal of Board Officers
(formerly Board Member Removal from Office)

~~Any officer of the Board, except the Treasurer, may be removed from office by a two-thirds (2/3) vote of the entire membership of the Board. The Chairperson shall select a temporary officer to act in that capacity for a period of time not to exceed six (6) weeks, during which time a special election for that office shall be held, as specified under the terms of Madison Board of Education Bylaw #9400. The newly elected officer shall serve out the term of the officer being replaced.~~

Date of Adoption: ~~3/7/95~~

Reference: ~~Bylaw # 9220.3~~
~~Bylaw # 9400~~

It is the policy of the Madison Board of Education (the "Board") that officers of the Board will:

1. adhere to all Board policies, rules and regulations;
2. conduct themselves in a fair and impartial manner; and
3. carry out the duties of their respective offices in accordance with law.

An officer of the Board may be removed for cause by a majority OR 2/3 vote of the entire Board. A vote to remove a Board officer shall only take place at a regular meeting or a special meeting called for that purpose. "Cause," which means a reasonable ground for removal, includes, but is not limited to, any conduct that:

1. specifically relates to and affects the administration of the office in a manner deemed to be deleterious to Board operations;
2. negatively and directly affects the rights and interests of the public;
3. violates Board policies, rules and regulations; ~~or~~
4. interferes with the orderly and efficient operation of the Board; or
5. failure to serve as defined in Section 6.5 of the Madison Town Charter.;

Procedures for Removal

The following procedures shall be used in lieu of any procedures set forth in Robert's Rules of Order with respect to any proposed action to remove or take other disciplinary action regarding an officer of the Board for cause:

- 44 1) The Board shall review the performance and/or conduct of an officer of the
45 Board in open or executive session (as determined by the Board and the Board
46 officer in accordance with the Freedom of Information Act) at a regular or
47 special meeting of the Board, prior to initiating any action to remove or take
48 other disciplinary action regarding a Board officer for cause.
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- 50 2) If the Board determines as a result of such discussion that formal action is
51 necessary, the Board shall provide the Board officer with:
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- 53 a) reasonable written notice of the Board’s intent to consider removal or
54 other disciplinary action, including the factual basis for the claimed
55 “cause” for removal of the officer from office, with such notice to be
56 provided after being authorized by majority OR 2/3 vote of those Board
57 members present and voting; and
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- 59 b) an informal opportunity to be heard by the Board regarding such possible
60 removal or other disciplinary action, at which the Board officer shall have
61 the right to be represented by counsel at the Board member’s own expense
62 and to present relevant evidence to the Board. The informal opportunity
63 to be heard shall take place in open or executive session (as determined by
64 the Board and the Board officer in accordance with the Freedom of
65 Information Act) at a regular or special meeting of the Board.
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- 67 3) Any action to remove or take other disciplinary action regarding a Board
68 officer for cause following such informal hearing shall require an affirmative
69 vote by a majority of all members of the Board.
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71 Service as a Board officer is a privilege, the purpose of which is to assist the Board in
72 conducting its business in an appropriate, orderly and efficient manner. Therefore, any
73 Board member serving as an officer shall have no legally protected right to continue in
74 that position.
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77 Legal References:
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79 Connecticut General Statutes

80 10-218 Officers. Meetings.

81 10-220 Duties of boards of education.
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83 *LaPointe v. Board of Education of the Town of Winchester*, 274 Conn. 806 (2005).
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#4150

**Employee Use of the District's
Computer Systems**

**(formerly Acceptable Use of Computer equipment and Related
Systems, Software and Networks)**

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7 Computers, computer networks, electronic devices, Internet access, and electronic
8 messaging systems are effective and important technological resources. The Madison
9 Board of Education (the “Board”) has installed computers and a computer network(s),
10 including Internet access and electronic messaging systems, on Board premises and may
11 provide other electronic devices that can access the network(s) and/or have the ability to
12 send and receive messages with an operating system or network communication
13 framework. Devices include but are not limited to personal computing devices, cellular
14 phones, copiers, Smartphones, work phones, network access devices, radios, tablets,
15 walkie-talkies, personal gaming systems, Bluetooth speakers, personal data assistants, and
16 other electronic signaling devices. Electronic messaging systems include mobile, chat, and
17 instant message; cloud collaboration platforms, including internal chat, peer-to-peer
18 messaging systems, and draft email message transfer; and products that have the ability to
19 create duration-based or subjective removal of content and security focused platforms. The
20 Board’s computers, computer networks, electronic devices, Internet access, and electronic
21 messaging systems are referred to collectively as “the computer systems” and are provided
22 in order to enhance both the educational opportunities for our students and the business
23 operations of the district.

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25 These computer systems are business and educational tools. As such, they are made
26 available to Board employees for business and education-related uses. The Administration
27 shall develop regulations setting forth procedures to be used by the Administration in an
28 effort to ensure that such computer systems are used for appropriate business and
29 education-related purposes.

30
31 In accordance with applicable laws and the Administrative Regulations associated with this
32 Policy, the system administrator and others managing the computer systems may access
33 electronic messaging systems (including email) or monitor activity on the computer system

34 or electronic devices accessing the computer systems at any time and for any reason or no
35 reason. Typical examples include when there is reason to suspect inappropriate conduct or
36 there is a problem with the computer systems needing correction. Further, the system
37 administrator and others managing the computer systems can access or monitor activity on
38 the systems despite the use of passwords by individual users, and can bypass such
39 passwords. In addition, review of electronic messaging systems (including email),
40 messages or information stored on the computer systems, which can be forensically
41 retrieved, includes those messages and/or electronic data sent, posted and/or retrieved using
42 social networking sites.

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44 Incidental personal use of the computer systems may be permitted solely for the purpose
45 of email transmissions and access to the Internet on a limited, occasional basis. Such
46 incidental personal use of the computer systems, however, is subject to all rules, including
47 Freedom of Information Act requests and monitoring of all such use, as the Superintendent
48 may establish through regulation. Moreover, any such incidental personal use shall not
49 interfere in any manner with work responsibilities.

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51 **Users should not have any expectation of personal privacy in the use of the computer**
52 **system or other electronic devices that access the computer system. Use of the**
53 **computer system represents an employee’s acknowledgement that the employee has**
54 **read and understands this policy and any applicable regulations in their entirety,**
55 **including the provisions regarding monitoring and review of computer activity.**

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57 Legal References:

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Conn. Gen. Stat. § 31-40x

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Conn. Gen. Stat. § 31-48d

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Conn. Gen. Stat. §§ 53a-182b; 53a-183; 53a-250

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

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Regulation #4150

Employee Use of District's Computer Systems

Introduction

Computers, computer networks, electronic devices, Internet access, and electronic messaging systems are effective and important technological resources. The Board of Education (the "Board") has installed computers and a computer network(s), including Internet access and electronic messaging systems, on Board premises and may provide electronic devices that can access the network(s) and/or have the ability to send and receive messages with an operating system or network communication framework. Devices include but are not limited to personal computing devices, cellular phones, Smartphones, network access devices, radios, tablets, walkie-talkies, personal gaming systems, Bluetooth speakers, personal data assistants, and other electronic signaling devices. Electronic messaging systems include mobile, chat, and instant message; cloud collaboration platforms, including internal chat, peer-to-peer messaging systems, and draft email message transfer; and products that have the ability to create duration-based or subjective removal of content, such as Snapchat, and security focused platforms, such as Signal. The Board's computers, computer networks, electronic devices, Internet access, and electronic messaging systems are referred to collectively as "the computer systems" and are provided in order electronic devices, to enhance the educational and business operations of the district. In these regulations, the computers, computer network, electronic devices, Internet access and email system are referred to collectively as "the computer systems."

These computer systems are business and educational tools. As such, they are being made available to employees of the district for district-related educational and business purposes. *All users of the computer systems must restrict themselves to appropriate district-related educational and business purposes.* Incidental personal use of the computer systems may be permitted solely for the purpose of email transmissions and similar communications, including access to the Internet on a limited, occasional basis. Such incidental personal use of the computer systems is subject to all rules, including monitoring of all such use, set out in these regulations. Moreover, any such incidental personal use shall not interfere in any manner with work responsibilities.

These computer systems are expensive to install, own and maintain. Unfortunately, these computer systems can be misused in a variety of ways, some of which are innocent and others deliberate. Therefore, in order to maximize the benefits of these technologies to the district, our employees and all our students, this regulation shall govern *all* use of these computer systems.

Monitoring

It is important for all users of these computer systems to understand that the Board, as the owner of the computer systems, reserves the right to monitor the use of the computer systems to ensure that they are being used in accordance with these regulations. The Board intends to monitor in a limited fashion, but will do so as needed to ensure that the systems

47 are being used appropriately for district-related educational and business purposes and to
48 maximize utilization of the systems for such business and educational purposes. The
49 Superintendent reserves the right to eliminate personal use of the district's computer
50 systems by any or all employees at any time.

51
52 The system administrator and others managing the computer systems may access electronic
53 messaging systems (including email) or monitor activity on the computer system or
54 electronic devices accessing the computer systems at any time and for any reason or no
55 reason. Typical examples include when there is reason to suspect inappropriate conduct or
56 there is a problem with the computer systems needing correction. Further, the system
57 administrator and others managing the computer systems can access or monitor activity on
58 the systems despite the use of passwords by individual users, and can bypass such
59 passwords. In addition, review of emails, messages or information stored on the computer
60 systems, which can be forensically retrieved, includes those messages and/or electronic
61 data sent, posted and/or retrieved using social networking sites, including, but not limited
62 to, Twitter, Facebook, LinkedIn, Instagram and YouTube.

63
64 Notwithstanding the above and in accordance with state law, the Board may not: (1) request
65 or require that an employee provide the Board with a user name and password, password
66 or any other authentication means for accessing a personal online account; (2) request or
67 require that an employee authenticate or access a personal online account in the presence
68 of a Board representative; or (3) require that an employee invite a supervisor employed by
69 the Board or accept an invitation from a supervisor employed by the Board to join a group
70 affiliated with any personal online account of the employee. However, the Board may
71 request or require that an employee provide the Board with a user name and password,
72 password or any other authentication means for accessing (1) any account or service
73 provided by the Board or by virtue of the employee's employment relationship with the
74 Board or that the employee uses for the Board's business purposes, or (2) any electronic
75 communications device supplied or paid for, in whole or in part, by the Board.

76
77 In accordance with applicable law, the Board maintains the right to require an employee to
78 allow the Board to access the employee's personal online account, without disclosing the
79 user name and password, password or other authentication means for accessing such
80 personal online account, for the purpose of:

- 81
- 82 (A) Conducting an investigation for the purpose of ensuring compliance with applicable
83 state or federal laws, regulatory requirements or prohibitions against work-related
84 employee misconduct based on the receipt of specific information about activity on
85 an employee's personal online account; or
 - 86
 - 87 (B) Conducting an investigation based on the receipt of specific information about an
88 employee's unauthorized transfer of the Board's proprietary information,
89 confidential information or financial data to or from a personal online account
90 operated by an employee or other source.

91

92 For purposes of these Administrative Regulations, “personal online account” means any
93 online account that is used by an employee exclusively for personal purposes and unrelated
94 to any business purpose of the Board, including, but not limited to, electronic mail, social
95 media and retail-based Internet web sites. “Personal online account” does not include any
96 account created, maintained, used or accessed by an employee for a business purpose of
97 the Board.

98
99 Why Monitor?

100
101 The computer systems are expensive for the Board to install, operate and maintain. For
102 that reason alone it is necessary to prevent misuse of the computer systems. However,
103 there are other equally important reasons why the Board intends to monitor the use of these
104 computer systems, reasons that support its efforts to maintain a comfortable and pleasant
105 work environment for all employees.

106
107 These computer systems can be used for improper, and even illegal, purposes. Experience
108 by other operators of such computer systems has shown that they can be used for such
109 wrongful purposes as sexual harassment, intimidation of co-workers, threatening of co-
110 workers, breaches of confidentiality, copyright infringement and the like.

111
112 Monitoring will also allow the Board to continually reassess the utility of the computer
113 systems, and whenever appropriate, make such changes to the computer systems as it
114 deems fit. Thus, the Board monitoring should serve to increase the value of the system to
115 the district on an ongoing basis.

116
117 Privacy Issues

118
119 Employees must understand that the Board has reserved the right to conduct monitoring of
120 these computer systems and can do so *despite* the assignment to individual employees of
121 passwords for system security. Any password systems implemented by the district are
122 designed solely to provide system security from unauthorized users, not to provide privacy
123 to the individual system user.

124
125 *The system’s security aspects, message delete function and personal passwords can be*
126 *bypassed for monitoring purposes.*

127
128 Therefore, *employees must be aware that they should not have any expectation of personal*
129 *privacy in the use of these computer systems.* This provision applies to any and all uses of
130 the district’s computer systems and electronic devices that access same, including any
131 incidental personal use permitted in accordance with these regulations.

132
133 *Use of the computer system represents an employee’s acknowledgement that the employee*
134 *has read and understands these regulations and any applicable policy in their entirety,*
135 *including the provisions regarding monitoring and review of computer activity.*

139 Prohibited Uses

140
141 Inappropriate use of district computer systems is expressly prohibited, including, but not
142 limited to, the following:

- 143
144 ◆ Sending any form of solicitation not directly related to the business of the Board of
145 Education;
- 146
147 ◆ Sending any form of slanderous, harassing, threatening, or intimidating message,
148 at any time, to any person (such communications *may* also be a *crime*);
- 149
150 ◆ Gaining or seeking to gain unauthorized access to computer systems;
- 151
152 ◆ Downloading or modifying computer software of the district in violation of the
153 district's licensure agreement(s) and/or without authorization from IT Department
154 personnel;
- 155
156 ◆ Damaging equipment through careless handling, loss, or theft;
- 157
158 ◆ Sending any message that breaches the Board's confidentiality requirements,
159 including the confidentiality rights of students;
- 160
161 ◆ Sending any copyrighted material over the system;
- 162
163 ◆ Sending messages for any purpose prohibited by law;
- 164
165 ◆ Storing personal or confidential information on the system;
- 166
167 ◆ Transmission of inappropriate email communications or accessing inappropriate
168 information on the Internet, including vulgar, lewd or obscene words or pictures;
- 169
170 ◆ Using computer systems for any purposes, or in any manner, other than those
171 permitted under these regulations;
- 172
173 ◆ Using social networking sites such as Facebook, Twitter, LinkedIn, Instagram and
174 YouTube in a manner that disrupts or undermines the effective operation of the
175 school district, is used to engage in harassing, defamatory, obscene, abusive,
176 discriminatory or threatening or similarly inappropriate communications; creates a
177 hostile work environment; breaches confidentiality obligations of school district
178 employees, or violates the law, Board policies and/or the other school rules and
179 regulations;
- 180
181 ◆ Violating cybersecurity best practices through the sharing of passwords.
- 182

183 In addition, if a particular behavior or activity is generally prohibited by law and/or Board
184 policy, use of these computer systems for the purpose of carrying out such activity and/or
185 behavior is also prohibited.

186

187 Electronic Communications

188

189 The Board expects that all employees will comply with all applicable Board policies and
190 standards of professional conduct when engaging in any form of electronic communication,
191 including texting, using the district’s computer system, or through the use of any electronic
192 messaging system or electronic device or mobile device owned, leased, or used by the
193 Board. As with any form of communication, the Board expects district personnel to
194 exercise caution and appropriate judgment when using electronic communications with
195 students, colleagues and other individuals in the context of fulfilling an employee’s job-
196 related responsibilities, including when engaging in remote teaching or use of a digital
197 teaching platform.

198

199 Disciplinary Action

200

201 Misuse of these computer systems will not be tolerated and will result in disciplinary action
202 up to and including termination of employment. Because no two situations are identical,
203 the Board or its designee reserves the right to determine the appropriate discipline for any
204 particular set of circumstances.

205

206 Complaints of Problems or Misuse

207

208 Anyone who is aware of problems with or misuse of these computer systems, or has a
209 question regarding the appropriate use of the computer systems, should report this to a
210 district administrator, supervisor or to the school principal.

211

212 Most importantly, the Board urges *any* employee who receives *any* harassing, threatening,
213 intimidating or other improper message through the computer systems to report this
214 immediately. It is the Board’s policy that no employee should be required to tolerate such
215 treatment, regardless of the identity of the sender of the message. *Please report these*
216 *events!*

217

218 Implementation

219

220 This regulation is effective as of ___ / ___ / ___.

221

222 Legal References:

223

224 Conn. Gen. Stat. § 31-40x

225 Conn. Gen. Stat. § 31-48d

226 Conn. Gen. Stat. §§ 53a-182; 53a-183; 53a-250

227

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

229

#4150**Acceptable Use of Computer Equipment and Related Systems, Software
and Networks**

The Madison Board of Education provides computers, computer systems, software, electronic access privileges, and networks for students and staff to carry out the educational mission of the Board and to enhance the curriculum and learning opportunities for students and staff in an environment which ensures access to, and management of, up-to-date information and communication services. Responsible use of these systems and networks is expected of all staff.

The computers, computer systems, software, electronic access privileges, and networks are the property of the Madison Board of Education and are to be used only for those activities directly related to teaching, learning, and / or management by staff. The equipment, infrastructure, and software are not to be used for personal gain by any student or staff member.

The computers, computer systems, software, electronic access privileges, and networks provided by the Madison Board of Education shall not be modified or altered by individual users without the authorization of the Superintendent or his / her designee.

All users are hereby made aware that all information on the Madison Board of Education's computers, computer systems, software, , and networks are in the public domain, unless specifically protected by the Connecticut Freedom of Information Act. Users should not assume that any information accessed or stored on the computers, computer systems, or networks provided by the Madison Board of Education is private.

The Madison Board of Education reserves the right to bypass any or all individual or group passwords to determine the activity on any or all of the computers, computer systems, software, electronic access privileges, and networks.

All District computers remain under the control, custody and supervision of the district. The District reserves the right to monitor all computer network and Internet activity by employees, whether using district issued devices or accessing the Madison network via personally owned devices.

4150 (cont.)

The Superintendent shall establish appropriate guidelines and procedures for responsible use of computer systems and devices, software, electronic access privileges, networks, and the internet provided by the Madison Board of Education. Employees are required to periodically sign an appropriate Network Use Agreement in order to access network resources. Employees who violate this policy may be subject to disciplinary action.

(cf. 5210: Accepted Use of Computers, Computer Systems, Software, Electronic Access Privileges, and Networks)

Legal Reference: Connecticut General Statutes
The Freedom of Information Act
53A-182B Harassment in the first degree
31-48d Employers engaged in electronic monitoring required to give prior notice to employees.

Date of Adoption: November 4, 1999
Date of Revision: November 7, 2006
Date of Revision: June 5, 2012

**Student use of the District’s Computer Systems
and Internet Safety**

(formerly Acceptable Use of Computer Equipment and Related Systems, Software & Networks)

Computers, computer networks, electronic devices, Internet access, and electronic messaging systems are effective and important technological resources. The Madison Board of Education (the “Board”) has installed computers and a computer network(s), including Internet access and electronic messaging systems on Board premises and may provide other electronic devices that can access the network(s) and/or have the ability to send and receive messages with an operating system or network communication framework. Devices include but are not limited to personal computing devices, cellular phones, Smartphones, network access devices, radios, tablets, walkie-talkies, personal gaming systems, Bluetooth speakers, personal data assistants, and other electronic signaling devices. Electronic messaging systems include mobile, chat, and instant message; cloud collaboration platforms, including internal chat, peer-to-peer messaging systems, and draft email message transfer; and products that have the ability to create duration-based or subjective removal of content, and security focused platforms. The Board’s computers, computer network, electronic devices, Internet access, and electronic messaging systems are referred to collectively as "the computer systems" and are provided in order to enhance both the educational opportunities for our students and the business operations of the district.

These computer systems are business and educational tools. As such, they are made available to students in the district for education-related uses. The Administration shall develop regulations setting forth procedures to be used by the Administration in an effort to ensure that such computer systems are used by students solely for education-related purposes. The Board will educate minor students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. Additionally, the Board will implement a technology protection measure to block or filter Internet access to visual depictions that contain material that is obscene or obscene as to minors or contains child pornography, and ensure that such filtering technology is operative during computer use by minor students to the extent practicable when

33 such students are using Board-owned computers or devices and Board-provided Internet
34 access.

35

36 As the owner of the computer systems, the Board reserves the right to monitor the use of the
37 district's computers and computer systems.

38

39 Legal References:

40

41 Conn. Gen. Stat. § 10-221

42

43 Conn. Gen. Stat. §§ 53a-182b; 53a-183; 53a-250

44

45 Electronic Communication Privacy Act of 1986, Public Law 99-508, codified at 18
46 U.S.C. §§ 2510 through 2520

47

48 Children's Internet Protection Act, Pub. L. 106-554, codified at 47 U.S.C. § 254(h)

49

50 No Child Left Behind Act of 2001, Pub. L. 107-110, codified at 20 U.S.C. § 6777

51

52 Protecting Children in the 21st Century Act, Pub. Law 110-385, codified at 47 U.S.C.
53 § 254(h)(5)(B)(iii)

54

55

Regulation #5210
Student use of the District’s Computer Systems
and Internet Safety

1
2
3
4
5
6 1. Introduction
7

8 a. Access to District Computer Systems When Students Are Physically Present on School
9 Property
10

11 When students are physically present on school property, the Board is pleased to offer
12 students access to the district's computers and computer networks, including access to
13 electronic messaging systems (including email) and the Internet, as well as electronic
14 devices, (all of which will be referred to collectively as "computer systems"). Access to
15 the school's computer systems will enable students to explore libraries, databases,
16 websites, and bulletin boards while exchanging information with others. Such access is
17 provided solely for education-related purposes. Use of the district's computer systems
18 will be allowed only for students who act in a considerate and responsible manner in using
19 such systems.
20

21 The Board of Education (the “Board”) and the Administration believe in the educational
22 value of such computer systems and recognize their potential to support our curriculum by
23 expanding resources available for staff and student use. The Board’s goal in providing
24 this service is to promote educational excellence by facilitating resource sharing,
25 innovation and communication.
26

27 These computer systems are expensive to purchase, install and maintain. As the property
28 of the district, these computer systems must be carefully handled and their integrity
29 preserved for the benefit of all. Therefore, students are required to adhere to a set of
30 policies and procedures, as set forth in detail below, in conjunction with their use of the
31 computer systems. Violations may lead to withdrawal of the access privilege and/or
32 disciplinary measures in accordance with the Board’s student discipline policy.
33

34 b. Access to District Computer Systems When Students Are Engaged in Remote Learning
35

36 The Board and the Administration recognize that technology is integral to the delivery of
37 instruction if and when the district implements any form of digital or remote learning.
38 The district may therefore provide students with remote access to some or all of the
39 district’s computer systems so that students may access the district’s virtual learning
40 environment. Such access, if granted, is provided solely for education-related purposes.
41 Use of the district's computer systems will be allowed only for students who comply with
42 district policies and procedures concerning computer system use, and demonstrate the
43 ability to use the computer systems in a considerate and responsible manner.
44

45 These computer systems are expensive to purchase, install and maintain. As the property
46 of the district, these computer systems must be carefully handled and their integrity
47 preserved for the benefit of all. Therefore, students will be required to adhere to a set of

48 policies and procedures, as set forth in detail below, in conjunction with their use of the
49 computer systems. Violations may lead to withdrawal of the access privilege and/or
50 disciplinary measures in accordance with the Board’s student discipline policy.

51
52 2. Definitions

53
54 **Obscene** – means any material or performance if, a) taken as a whole, it predominantly
55 appeals to the prurient interest, b) it depicts or describes in a patently offensive way a
56 prohibited sexual act and c) taken as a whole, it lacks serious literary, artistic, educational,
57 political or scientific value.

58
59 **Obscene as to minors - means any material or performance if it depicts a prohibited sexual**
60 **act and, taken as a whole,** it is harmful to minors.

61
62 For purposes of this section, “**harmful to minors**” means that quality of any description or
63 representation, in whatever form, of a prohibited sexual act, when a) it predominantly appeals
64 to the prurient, shameful or morbid interest of minors, b) it is patently offensive to prevailing
65 standards in the adult community as a whole with respect to what is suitable material for
66 minors, and c) taken as a whole, it lacks serious literary, artistic, educational, political or
67 scientific value for minors.

68
69 For the purposes of this section, “**prohibited sexual act**” means erotic fondling, nude
70 performance, sexual excitement, sado-masochistic abuse, masturbation or sexual intercourse.

71
72 **Child pornography** –means any visual depiction, including any photograph, film, video,
73 picture, or computer or computer-generated image or picture, whether made or produced by
74 electronic, mechanical, or other means, of sexually explicit conduct, where -

- 75
76 (a) the production of such visual depiction involves the use of a minor engaging in
77 sexually explicit conduct;
- 78 (b) such visual depiction is a digital image, computer image, or computer-
79 generated image that is, or is indistinguishable from, that of a minor engaging
80 in sexually explicit conduct; or
- 81 (c) such visual depiction has been created, adapted, or modified to appear that an
82 identifiable minor is engaging in sexually explicit conduct.

83
84 3. Monitoring

85
86 Students are responsible for good behavior on school computer systems just as they are in
87 a classroom or a school hallway. Communications on the computer systems are often
88 public in nature and general school rules for behavior and communications apply. It is
89 expected that users will comply with district standards and will act in a responsible and
90 legal manner, at all times in accordance with district standards, as well as with state and
91 federal laws.

92
93 It is important that students and parents understand that the district, *as the owner of the*
94 *computer systems, reserves the right to monitor and review* the use of these computer

95 systems. The district intends to monitor and review in a limited fashion, but will do so as
96 needed to ensure that the systems are being used for district-related educational purposes.

97
98 As part of the monitoring and reviewing process, the district will retain the capacity to
99 bypass any individual password of a student or other user. *The system's security aspects,*
100 *such as personal passwords and the message delete function for e-mail, can be bypassed*
101 *for these purposes.* The district's ability to monitor and review is not restricted or
102 neutralized by these devices. The monitoring and reviewing process also includes, but is
103 not limited to: oversight of Internet site access, the right to review electronic messages
104 sent and received, the right to track students' access to blogs, electronic bulletin boards
105 and chat rooms, and the right to review a student's data downloading and printing.

106
107 Therefore, all users must be aware that *they should not have any expectation of personal*
108 *privacy in the use of these computer systems.*

109
110 4. Student Conduct

111
112 Students are permitted to use the district's computer systems for legitimate educational
113 purposes. Personal use of district computer systems is expressly prohibited. Conduct which
114 constitutes inappropriate use includes, but is not limited to the following:

- 115
116 ♦ Sending any form of a harassing, threatening, or intimidating message, at any time, to
117 any person (such communications may also be a crime);
- 118
119 ♦ Gaining or seeking to gain unauthorized access to computer systems;
- 120
121 ♦ Damaging computers, computer files, computer systems or computer networks;
- 122
123 ♦ Downloading or modifying computer software of the district in violation of the
124 district's licensure agreement(s) and/or without authorization from a teacher or
125 administrator;
- 126
127 ♦ Using another person's password under any circumstances;
- 128
129 ♦ Trespassing in or tampering with any other person's folders, work or files;
- 130
131 ♦ Sending any message that breaches the district's confidentiality requirements, or the
132 confidentiality of students;
- 133
134 ♦ Sending any copyrighted material over the system;
- 135
136 ♦ Using computer systems for any personal purpose or gain, or in a manner that
137 interferes with the district's educational programs;
- 138
139 ♦ Accessing or attempting to access any material that is obscene, obscene as to minors,
140 or contains child pornography, as defined above;
- 141

- 142 ♦ Transmitting e-mail communications or accessing information on the Internet for non-
143 educational purposes;
- 144
- 145 ♦ Cyberbullying;
- 146
- 147 ♦ Accessing or attempting to access social networking sites (e.g., Facebook, Twitter,
148 Instagram, Snapchat, TikTok, etc.) without a legitimate educational purpose.
- 149

150 In addition, as noted above, if a particular behavior or activity is generally prohibited by law,
151 by Board policy or by school rules or regulations, use of these computer systems for the
152 purpose of carrying out such behavior or activity is also prohibited.

153
154 *Misuse of the computer systems, or violations of these policies and regulations, may result in*
155 *loss of access to such computer systems as well as other disciplinary action, including*
156 *suspension and/or expulsion, depending on the specific conduct.*

157
158 Anyone who is aware of problems with, or misuse of, these computer systems, or has a
159 question regarding the proper use of these computer systems, should report or discuss the
160 issue with a teacher or the school principal immediately. Most importantly, the Board and the
161 Administration urge *any* student who receives *any* harassing, threatening, intimidating or
162 other improper message through the computer system to report this immediately. It is the
163 Board's policy that no student should be required to tolerate such treatment, regardless of the
164 identity of the sender of the message. *Please report these events!*

165
166 5. Internet Safety

167
168 The Administration will take measures: to assure the digital safety and security of students
169 when using electronic messaging systems, email, chat rooms, distance learning platforms, and
170 other forms of direct electronic communications; to prohibit unauthorized access, including
171 “hacking” and other unlawful activities by minors online; to prohibit unauthorized disclosure,
172 use, and dissemination of personally identifiable information regarding students; to educate
173 minor students about appropriate online behavior, including interacting with other individuals
174 on social networking websites and in chat rooms and cyber-bullying awareness and response;
175 and to restrict students’ access to online materials that are obscene or obscene as to minors or
176 contain child pornography, to the extent practicable when students are using Board-owned
177 computers or devices and Board-provided Internet access.

178
179 6. Student Use Agreement

180
181 Before being allowed to use the district’s computer systems, students and/or their
182 parents/guardians must sign a computer system use agreement, stating that they have read and
183 understood the district’s policies and regulations regarding the use of its computer systems.

184
185 Legal References:

186
187 Conn. Gen. Stat. § 10-221

188
189 Conn. Gen. Stat. §§ 53a-182b; 53a-183; 53a-250 *et. seq.* (computer-related offenses)

190
191 Conn. Gen. Stat. § 53a-193 (definition of obscene and obscene as to minors)
192
193 18 U.S.C. § 2256 (definition of child pornography)
194
195 Electronic Communication Privacy Act of 1986, Public Law 99-508, codified at 18
196 U.S.C. §§ 2510 through 2520
197
198 Children’s Internet Protection Act, Pub. Law 106-554, codified at 47 U.S.C. § 254(h)
199
200 No Child Left Behind Act of 2001, Pub. L. 107-110, codified at 20 U.S.C. § 6777
201
202 Protecting Children in the 21st Century Act, Pub. Law 110-385, codified at 47 U.S.C.
203 § 254(h)(5)(B)(iii)
204
205 Miller v. California, 413 U.S. 15 (1973) (definition of obscene)
206
207
208
209
210

#5210**Acceptable Use of Computer equipment and Related Systems, Software & Networks**

The Madison Board of Education provides computers, computer systems, software, electronic access privileges, and networks for students and staff to carry out the mission of the Board in an environment which ensures access to, and management of, up-to-date information and communication services. Responsible use of these systems and networks is expected of all students and staff.

The computers, computer systems, software, electronic access privileges, and networks are the property of the Madison Board of Education and are to be used only for those activities directly related to teaching, learning, and / or management by students and staff. The equipment, infrastructure, and software are not to be used for personal gain by any student or staff member.

The computers, computer systems, software, electronic access privileges, and networks provided by the Madison Board of Education shall not be modified or altered by individual users without the authorization of the Superintendent or his / her designee.

All users are hereby made aware that all information on the Madison Board of Education's computers, computer systems, software, and networks is in the public domain, unless specifically protected by the Connecticut Freedom of Information Act. Users should not assume that any information accessed or stored on the computers, computer systems, or networks provided by the Madison Board of Education is private.

The Madison Board of Education reserves the right to bypass any or all individual or group passwords to determine the activity on any or all of the computers, computer systems, software, electronic access privileges, and networks.

The Superintendent shall establish grade level appropriate guidelines and procedures for responsible use of computer systems and devices, software, electronic access privileges, networks, and the internet provided by the Madison Board of Education.

The district shall provide student education about appropriate online behavior, including cyberbullying awareness and response, and how to interact with other individuals on social networking sites and in chat rooms. Parents are required to annually sign a grade level appropriate Network Use Agreement granting permission for their child to access network resources. Students who violate this policy will be subject to disciplinary action. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

Legal Reference: Conn. Gen. Stat. Sec. 10-221

(cf 4150: Accepted Use of Computers, Computer Systems, Software, Electronic Access Privileges, and Networks)

Date of Adoption: November 4, 1999

Date of Revision: August 16, 2005

Date of Revision: May 15, 2012

#5090.9

**Use of Private Technology Devices by Students
(formerly Electronic Communication Device)**

Students may possess privately-owned technological devices on school property and/or during school-sponsored activities, in accordance with the mandates of this policy and any applicable administrative regulations as may be developed by the Superintendent of Schools.

Definitions

Board Technology Resources

For the purposes of this policy, “Board technology resources” refers to the Madison Board of Education’s (the “Board’s”) computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources owned and/or used by the school district and accessible by students.

Privately-owned Technological Devices

For the purposes of this policy, “privately-owned technological devices” refers to privately-owned desktop computers, personal computing devices, cellular phones, Smartphones, network access devices, radios, personal audio players, CD players, tablets, walkie-talkies, personal gaming systems, Bluetooth speakers, personal data assistants, and other electronic signaling devices. ~~wireless and/or portable electronic hand-held equipment that can be used for word processing, wireless Internet access, image capture and recording, sound recording, information transmitting and/or receiving, storing, etc.~~ ~~These devices may include, but are not limited to, desktops, personal laptops, Smartphones, network access devices, Kindles, Nooks, cellular telephones, radios, personal audio players, I Pads or other tablet computers, walkie-talkies, Blackberries, personal data assistants, I-Phones, Androids and other electronic signaling devices.~~

#5090.9(b)

34
35 **Use of Privately-Owned Technological Devices**
36

37 Privately-owned technological devices may not be used during instructional time, except
38 as specifically permitted by instructional staff or unless necessary for a student to access
39 the district’s digital learning platform or otherwise engage in remote learning if remote
40 learning has been authorized in accordance with applicable law.
41

42 On school property, at a school-sponsored activity, while in use for a remote learning
43 activity if remote learning has been authorized in accordance with applicable law, or
44 while being used to access or utilize Board technology resources, the use of any such
45 device for an improper purpose is prohibited. Improper purposes include, but are not
46 limited to:

- 47
- 48 • Sending any form of a harassing, threatening, or intimidating message, at any
49 time, to any person (such communications may also be a crime);
- 50
- 51 • Gaining or seeking to gain unauthorized access to Board technology resources;
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- 53 • Damaging Board technology resources;
- 54
- 55 • Accessing or attempting to access any material that is obscene, obscene as to
56 minors, or contains pornography;
- 57
- 58 • Cyberbullying;
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- 60 • Using such device to violate any school rule, including the unauthorized
61 recording (photographic, video, or audio) of another individual without the
62 permission of the individual or a school staff member; or
- 63
- 64 • Taking any action prohibited by any Federal or State law.
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Search of Privately-Owned Technological Devices

A student’s privately-owned technological device may be searched if the device is on Board property or in a student’s possession at a school-sponsored activity and if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Any such search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Responsibility for Privately-owned Technological Devices

Students are responsible for the safety and use of their privately-owned technological devices. If a privately-owned technological device is stolen, lost, or damaged while the device is on school property or during a school-sponsored activity, a report should be made to the building principal, who will investigate the loss in a manner consistent with procedures for stolen or damaged personal property. Students and parents should be aware that the Board is not liable for any privately-owned technological device that is stolen, lost, or damaged while at school or during a school-sponsored activity. For that reason, students are advised not to share or loan their privately-owned technological devices with other students.

Disciplinary Action

Misuse of the Board’s technology resources and/or the use of privately-owned technological devices to access or utilize the Board’s technology resources in an inappropriate manner or the use of such devices in any manner inconsistent with this policy will not be tolerated and will result in disciplinary action. For students, a violation of this policy may result in loss of access privileges, a prohibition on the use and/or possession of privately-owned technological devices on school property or at school-

#5090.9(d)

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99 sponsored activities, and/or suspension or expulsion in accordance with the Board's
100 policies related to student discipline.

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103 **Access to Board Technology Resources**

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105 The Board may permit students, using their privately-owned technological devices, to
106 access the Board's computers and instructional technologies; communications and data
107 management systems; informational technologies and the Internet; and any other
108 technology resources used by the school district and accessible by students. [Students](#)
109 [using privately-owned technological devices will agree to access the District's](#)
110 [technology resources only through the designated Wi-Fi network.](#) Additionally, it is the
111 expectation of the Board that students who access these resources while using privately-
112 owned technology devices will act at all times appropriately in ways ~~which- that~~ are fully
113 in accord with applicable policies concerning technology use as well as all local, state,
114 and federal laws.

115

116 Through the publication and dissemination of this policy statement and others related to
117 use of the Board's computer systems, as well as other instructional means, the Board
118 educates students about the Board's expectations for technology users.

119

120 The Board's technology resources shall only be used to access educational information
121 and to promote learning activities both at home and at school. Students are expected to
122 act at all times appropriately in ways ~~which- that~~ are fully in accord with applicable
123 policies concerning technology use as well as all local, state, and federal laws when using
124 the Board technology resources. Failure to do so will result in the consequences outlined
125 herein and in other applicable policies (including, but not limited to, the Safe School
126 Climate Plan, the Student Discipline Policy and the Use of Computers Policy).

127

128 Students must abide by the procedures outlined in this policy and all policies and
129 applicable regulations outlined in the Board's computer use and other applicable policies.
130 Students will be given specific information for log-on and access procedures for using

131 school accounts. No user may deviate from these log-on/access procedures. **Students**
132 **are advised that the Board’s network administrators have the capability to identify**
133 **#5090.9(e)**
134 **users and to monitor all privately-owned technological devices while they are logged**
135 **on to the network.** Students must understand that the Board has reserved the right to
136 conduct monitoring of Board technology resources and can do so *despite* the assignment
137 to individual users of passwords for system security. Any password systems
138 implemented by the Board are designed solely to provide system security from
139 unauthorized users, not to provide privacy to the individual system user. The system's
140 security aspects, message delete function and personal passwords can be bypassed for
141 monitoring purposes. Therefore, students should be aware that they should not have any
142 expectation of personal privacy in the use of privately-owned technological devices to
143 access Board technology resources. This provision applies to any and all uses of the
144 Board’s technology resources and any privately-owned technological devices that access
145 the same.

146

147 **Harm to Board Technology Resources**

148

149 Any act by a student using a privately-owned technological device that harms the Board
150 technology resources or otherwise interferes with or compromises the integrity of Board
151 technology resources will be considered vandalism and will be subject to discipline
152 and/or appropriate criminal or civil action.

153

154 **Closed Forum**

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156 This policy shall not be construed to establish a public forum or a limited open forum.

157

158 Legal References:

159

160 Conn. Gen. Stat. § 10-233j

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162 Conn. Gen. Stat. § 31-48d

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164 Conn. Gen. Stat. §§ 53a-182; 53a-183; 53a-250, *et seq.*

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166 Electronic Communication Privacy Act of 1986, Public Law 99-508, codified at
167 28 U.S.C. §§ 2510 through 2520
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170 Date of Adoption: September 5, 1995
171 Date of Revision: October 15, 1996
172 Date of Revision December 1, 1998
173 Date of Revision: April 23, 2002
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175 Date of Revision: June 5, 2012
176 Date of Revision: October 15, 2013
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