

HINSDALE TOWNSHIP HIGH SCHOOL DISTRICT 86

Making Education Technology Your Friend, Not Your Foe

From the attorneys at Franczek P.C.

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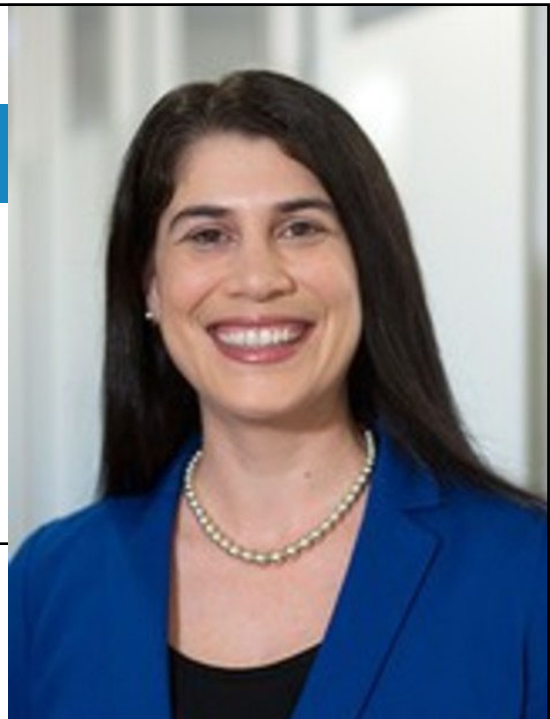
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Meet Your Host

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What This Training Covers

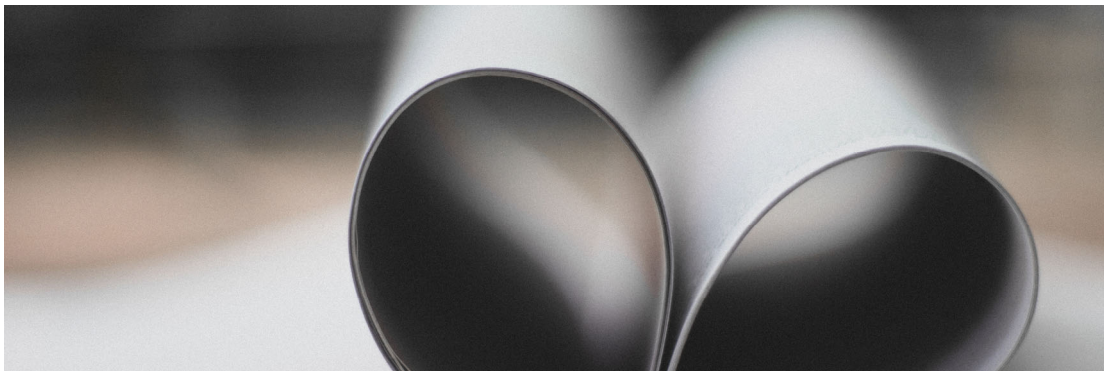
- Policies and Procedures
- Expectations, Limitations, and Potential Risks in Communications
- Use of Personal Devices
- Use of Student Information Online
- Your Questions

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Policies and Procedures



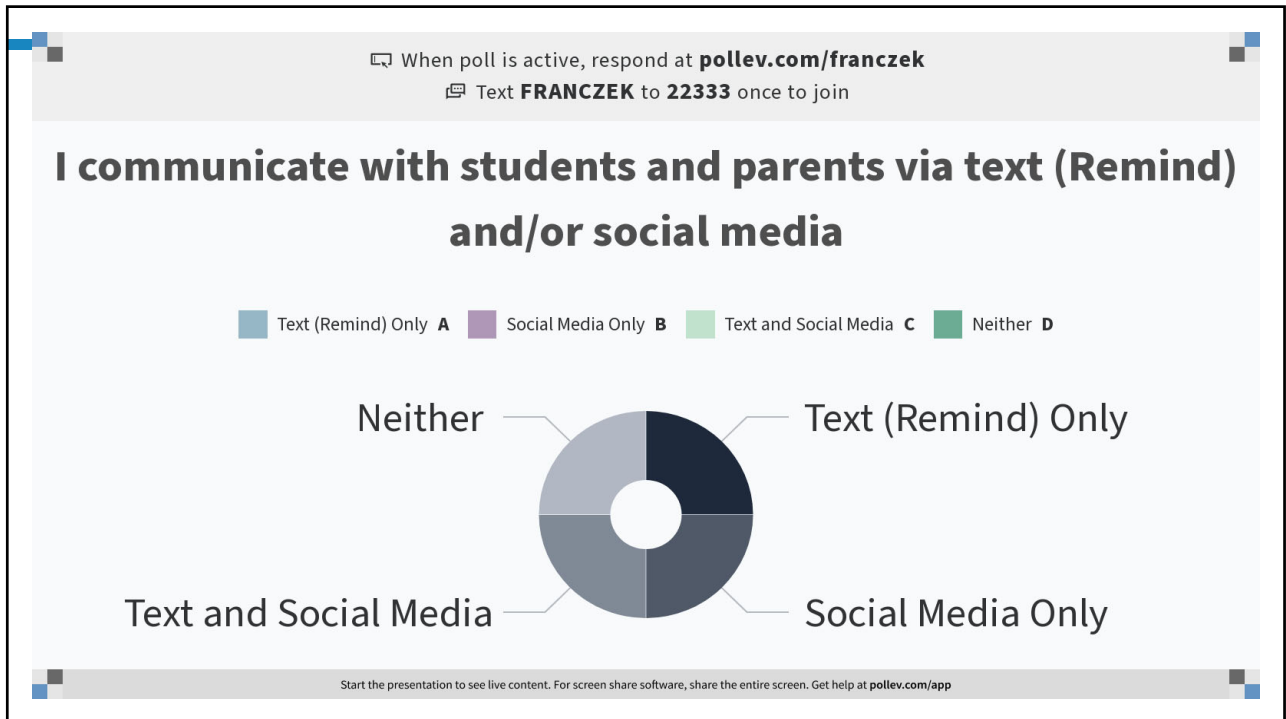
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5:125 Personal Technology and Social Media; Usage and Conduct

- Electronic communication, including by social media or personal technology, **may be useful**
- Also has **potential to disrupt** the school environment
- Policy intended to **minimize disruption** and ensure that electronic communications between employees and students, between employees and parents/guardians, and between employees **are appropriate** and within the goals and policies of the District

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 - Unless need to speak with a parent/guardian who is unavailable during work hours.
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What is District Business

- Work conducted as an employee for educational, extra-curricular, or other business or operational purposes of the District
- Includes communications with members of the District community in which the employee conducts or performs such work
- Might relate to education, instruction, student and employee relations and discipline, extra-curricular activities, professional activities, and other District operations

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5:125 Personal Technology and Social Media; Usage and Conduct

All District employees who use personal technology or social media or other form of electronic communication shall

- use such personal technology or electronic communication in a manner that does **not interfere with or disrupt** the educational or working environment, or the delivery of education or educational support services
- **adhere to the high standards for appropriate school relationships** required by policy 5:120, Ethics and Conduct, at all times.

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5:120 Employee Ethics

- All District employees are expected to maintain high standards in their school relationships, to demonstrate integrity and honesty, to be considerate and cooperative, and to maintain professional and appropriate relationships with students, parents, staff members, and others.
- In addition, the Code of Ethics for Illinois Educators, adopted by the Illinois State Board of Education, is incorporated by reference into this policy.

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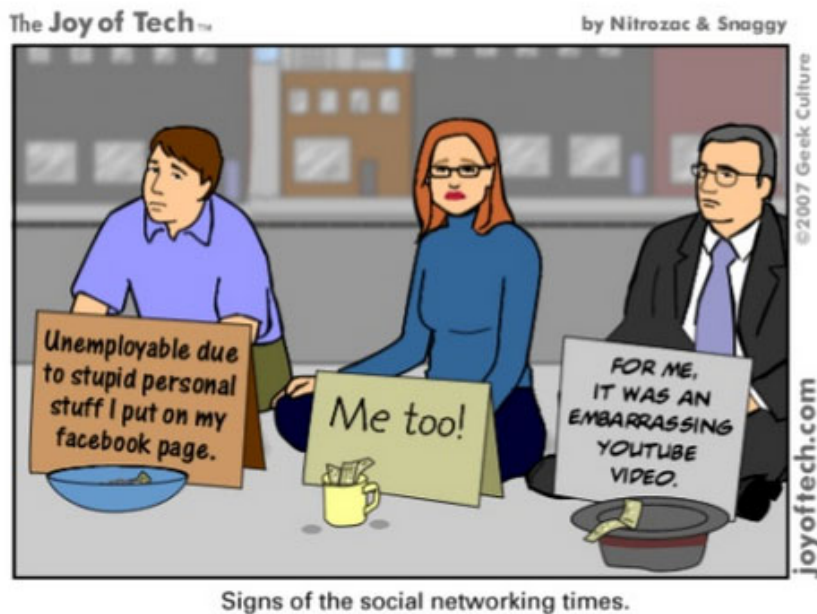
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Blog Blunders



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Off-Campus, Online Posts

- Made as a private citizen
- On a matter of purely private concern
- Even matters posted on a matter of public concern can lead to discipline if there is a sufficient impact on the ability of the employee to do their job or the school to provide its services

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“When close working relationships are essential to fulfilling public responsibilities, a wide degree of deference to the employer’s judgment is appropriate.”

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“While First Amendment protections do not generally rise or fall on the public reactions to a person's statements, in a public school setting thoughtless words can destroy the partnership between home and school that is essential to the mission of the schools.”

In re O'Brien (New Jersey)

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Teacher Facebook Post

“They don’t have to live in [this] country. They could go back. But it was their own people selling them into slavery to begin with and [treating] them even worse in those countries of origin. Want not to be stereotyped[?] [T]ell people of color to quit acting like animals and perpetuating the stereotype. Many are average people; the few ruin it. ”

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Could the teacher receive in-school consequences?

Yes, if the post was on a student's
or parent's Facebook page.

Yes, if the post was on a friend's
Facebook page.

No, because the teacher is
speaking as a private citizen on a
matter of public concern.

Start the presentation to see live content. For screen share software, share the entire screen. Get help at polllev.com/app

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5:125 Personal Technology and Social Media; Usage and Conduct

- Policy 5:20, Workplace Harassment Prohibited
- Policy 5:120, Ethics and Conduct
- Policy 5:100, Staff Development Program
- Policy 6:235, Access to Electronic Networks
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- The Ill. Code of Educator Ethics, 23 Ill. Admin. Code §22.20

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Any employee who sexually harasses a student, willfully or negligently fails to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act (325 ILCS 5/), or otherwise violates an employee conduct standard will be subject to discipline up to and including dismissal.

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All District employees who use personal technology or social media or other form of electronic communication shall:

- Inform their immediate supervisor if a student initiates inappropriate contact with them via any form of technology or social media.
- Report instances of abuse or neglect discovered using electronic communications, including social media, pursuant to obligations under the Abused and Neglected Child Reporting Act.

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All District employees who use personal technology or social media or other form of electronic communication shall exercise the same discretion and high standards in communicating with **former students and parents/guardians of former students** that employees exercise with current students, parents/guardians, and employees.

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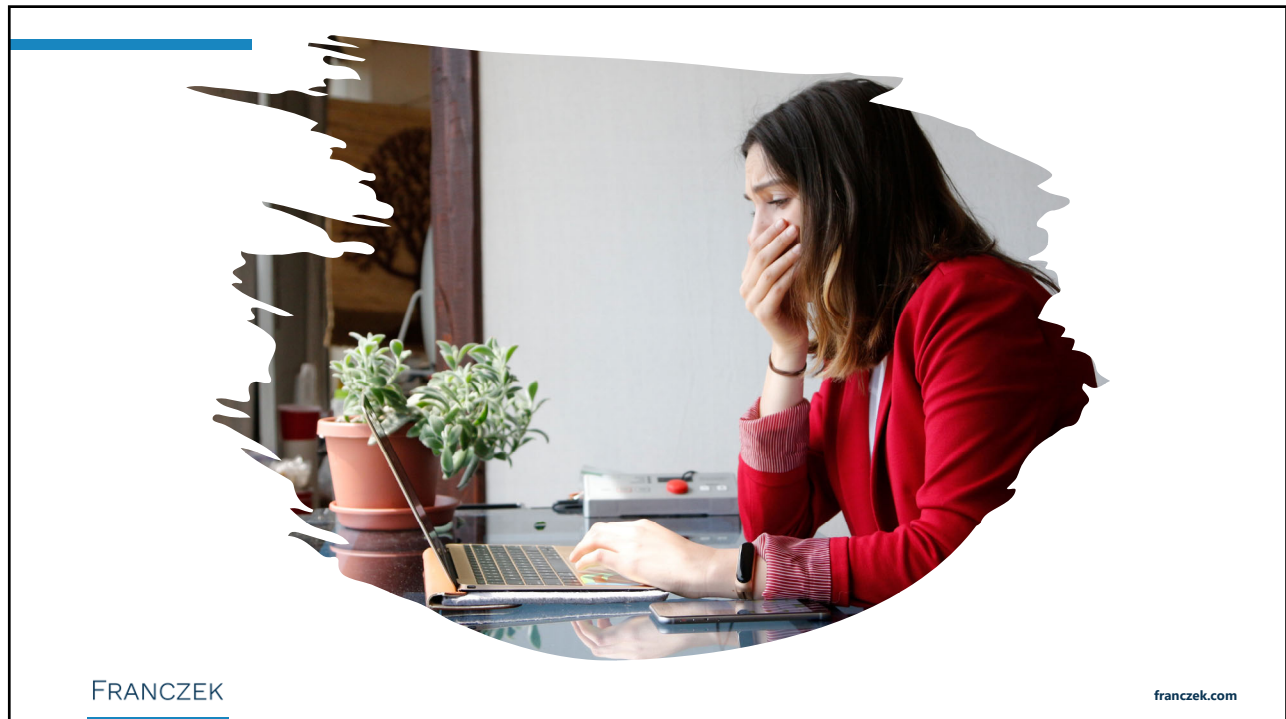
All District employees who use personal technology or social media or other form of electronic communication shall:

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- Assume all risks associated with the use of electronic communications with students, parents/guardians, or other staff members that are not in compliance with this policy.
- Be subject to remedial and any other appropriate disciplinary action for violations of this policy, ranging from prohibiting the employee from possessing or using any personal technology or social media at school to dismissal.

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Teacher Facebook Page

- Friends with students
- Several pictures of naked men
- Conversation with student, profile name "Repko"

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Teacher Facebook Page

Teacher: "Repko and Ashley sittin in a tree. K I S S I N G.
1st comes love then comes marriage. HA HA HA HA HA
HA!!!!!! LOL"

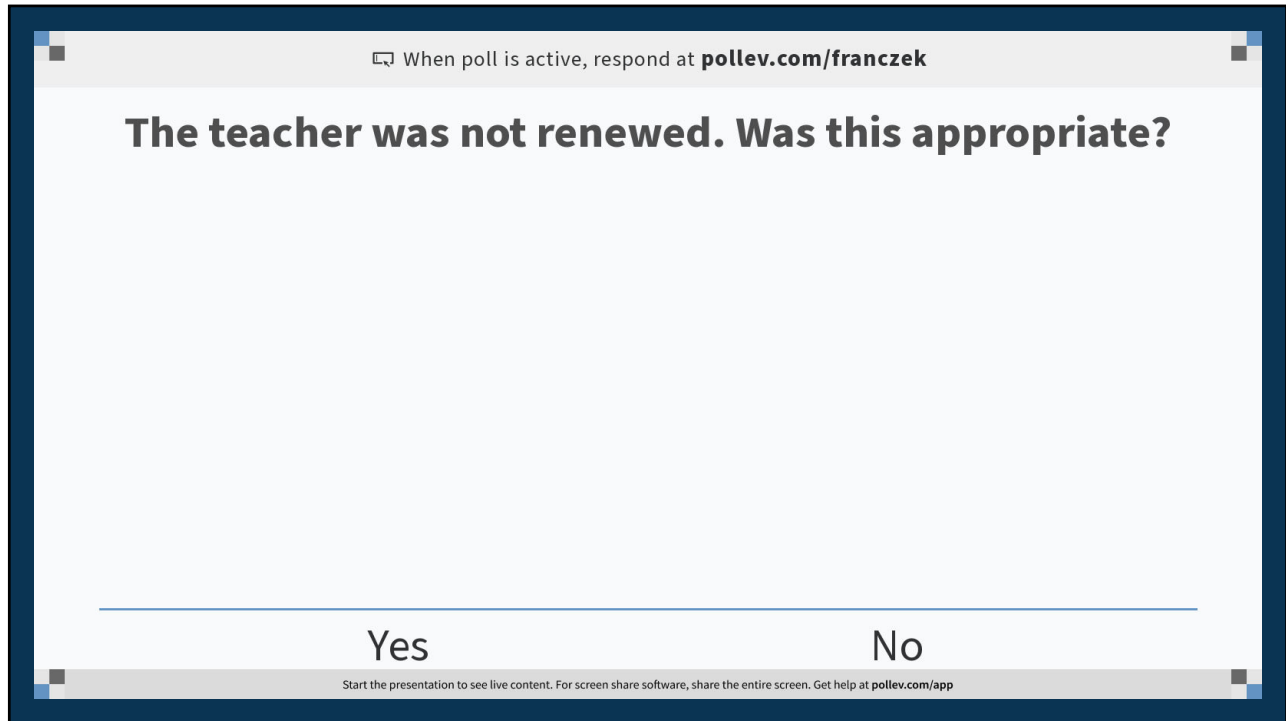
Repko: "Don't be jealous cause you can't get any lol:)"

Teacher: "What makes you think I want any? I'm not
jealous. I just like to have fun and goof off on you guys. If
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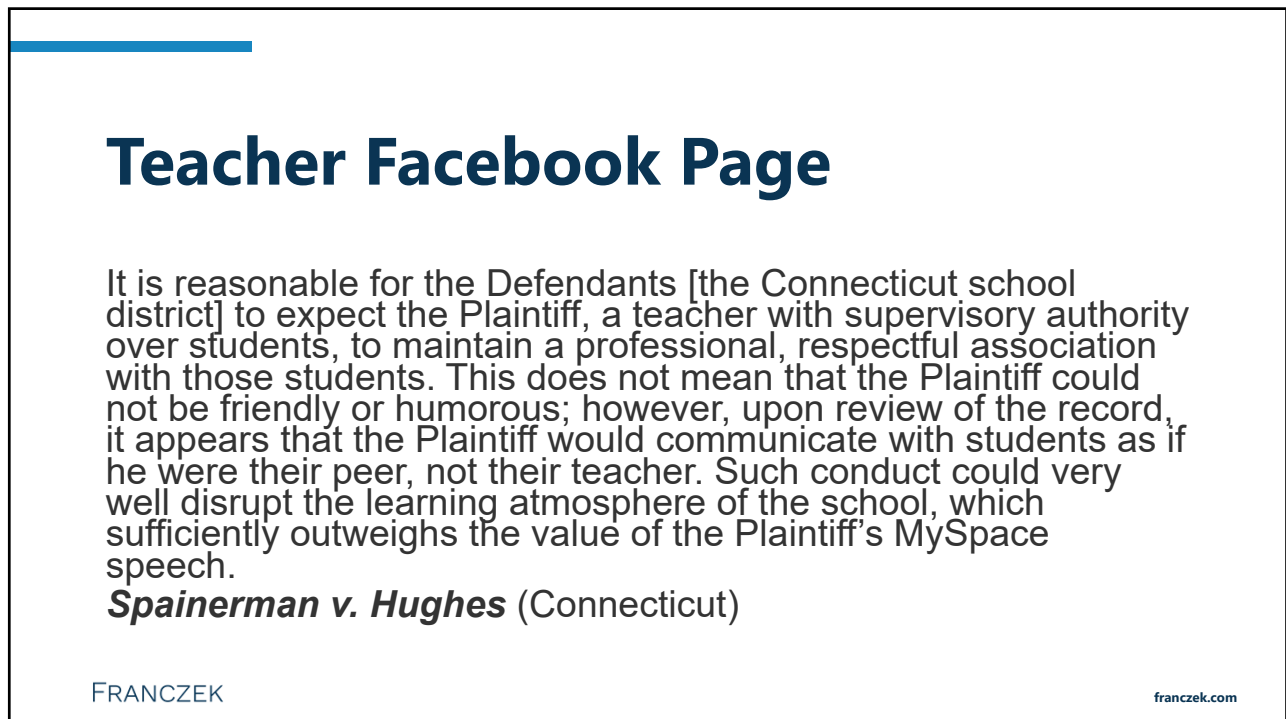
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The teacher was not renewed. Was this appropriate?

Yes No

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Teacher Facebook Page

It is reasonable for the Defendants [the Connecticut school district] to expect the Plaintiff, a teacher with supervisory authority over students, to maintain a professional, respectful association with those students. This does not mean that the Plaintiff could not be friendly or humorous; however, upon review of the record, it appears that the Plaintiff would communicate with students as if he were their peer, not their teacher. Such conduct could very well disrupt the learning atmosphere of the school, which sufficiently outweighs the value of the Plaintiff's MySpace speech.

Spainerman v. Hughes (Connecticut)

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Teacher Boundaries

- 7-year veteran high school social studies teacher
- Drove students home without school permission; took students out to eat in Chicago, to the Pride Parade, and to Market Days; purchased a cell phone and shoes for students
- Teacher was openly gay and believed that he was being targeted for coming out at school

Charges Against Peter Follenweider (Illinois)

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This tenured teacher was terminated. Was it appropriate or was the conduct remediable?

Appropriate; irremediable conduct did not require a warning	Not appropriate; the conduct was remediable and required a warning
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Teacher Boundaries

- Kanan gave her cell phone number to a number of students at the end of 8th grade, before they graduated and left the district
- A student (Jose) began texting Kanan; she did not respond at first, but acknowledged she eventually did
- Jose was at risk and Kanan wanted to help

Charges Against Rachel Williams-Kanan (Illinois)

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Teacher Boundaries

- Jose claimed that Kanan sent him 50+ text messages including one with a picture of her in just a bra
- Jose claimed that he and Kanan eventually met up to have sex
- Kanan denied that she sent any messages or had any intimate interactions with Jose
- The only evidence against Kanan was Jose's testimony and hearsay from his sister who said she saw the texts and photograph

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The tenured teacher was terminated. Was there enough evidence to uphold the termination?

Yes No

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5:125 Personal Technology and Social Media; Usage and Conduct

Prohibits disclosure of student record information, including student work, photographs of students, names of students or any other personally identifiable information about students, via personal technology or electronic communication, including social media, in compliance with policy 5:130, Responsibilities Concerning Internal Information.

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- District employees are responsible for maintaining: (1) the integrity and security of all internal information, and (2) the privacy of confidential records, including but not limited to: student school records, personnel records, and the minutes of, and material disclosed in, a closed Board of Education meeting.
- Internal information is any information, oral or recorded in electronic or paper format, maintained by the District or used by the District or its employees.

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Illinois School Student Records Act

Willful failure to comply with any Section of this Act is a petty offense; except that any person who willfully and maliciously falsifies any school student record, student permanent record or student temporary record shall be guilty of a Class A misdemeanor.

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THANK YOU!

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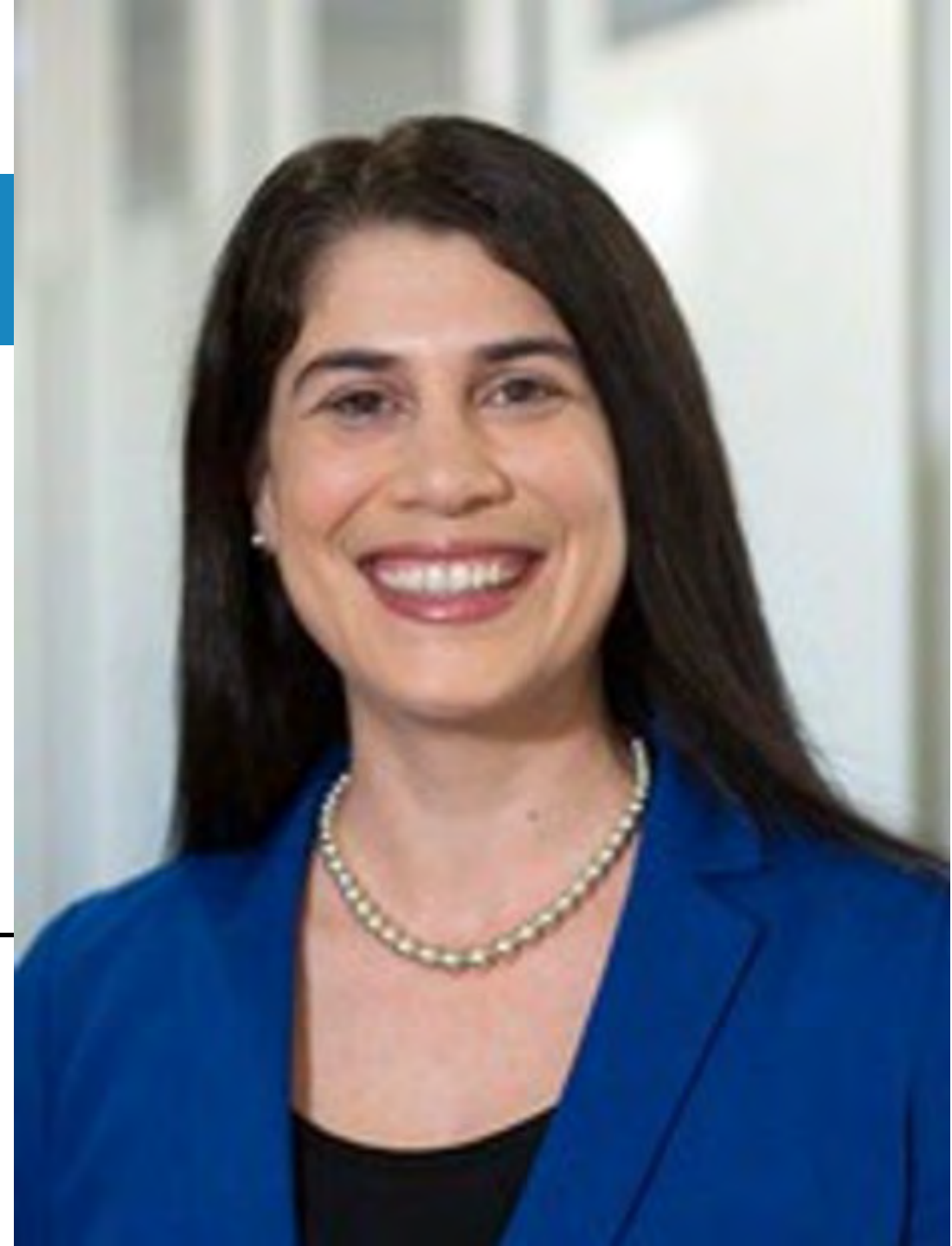
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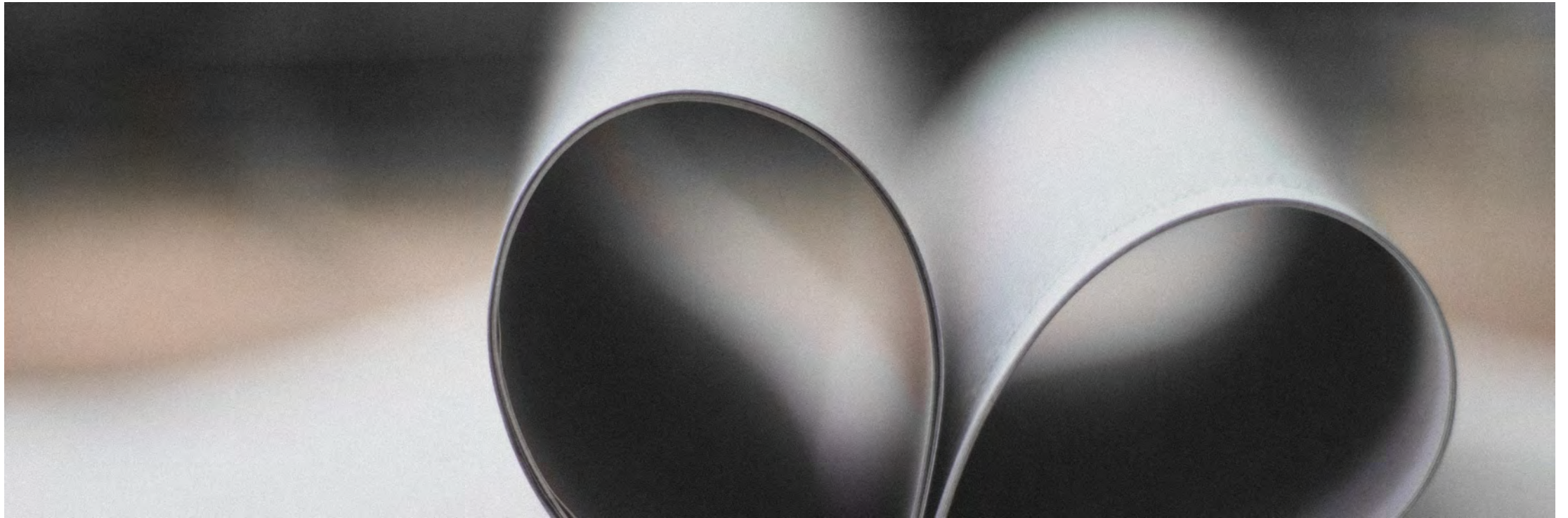
Self Care

- Will be discussing difficult topics
- Examples are provided to maintain interest and show the real life impact of conduct in schools
- Priority is self-care; recording can be accessed later if needed

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- Policies and Procedures
- Expectations, Limitations, and Potential Risks in Communications
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Blog Blunders

The Joy of Tech

by Nitrozac & Snaggy



Signs of the social networking times.

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Believe in something. Even if it means sacrificing everything.

 Just do it.

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