

Personnel - Certified/Non-certified

Social Media

CREC recognizes the importance and utility of social media and networks for its employees. Nothing in this policy is intended to limit an employee's right to use social media or personal online accounts under applicable law. CREC acknowledges, for example, that its employees have the right under the First Amendment, in certain circumstances, to speak out on matters of public concern.

While a policy cannot address every instance of inappropriate social media use, employees must refrain from such use that:

- 1) interferes, disrupts or undermines the effective operation of CREC and/or its individual schools or programs;
- 2) is used to engage in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications;
- 3) creates a hostile work environment;
- 4) breaches confidentiality obligations of CREC employees; or
- 5) violates the law, CREC policies and/or other CREC rules and regulations.

CREC, through its Executive Director or designee, will adopt and maintain administrative regulations to implement this policy.

Legal References:

U.S. Constitution, Amend. I

Conn. Constitution, Article I, Sections 3, 4, 14

Conn. Gen Stat. § 31-40x. Employer inquiries re personal online accounts

Conn. Gen. Stat. § 31-48d. Employers engaged in electronic monitoring – prior notice

Conn. Gen. Stat. § 31-51q. Liability of employer for discipline or discharge

Conn. Gen. Stat. §§ 53a-182; 53a-183; 53a-250. Disorderly conduct. Harassment. Definitions

Electronic Communication Privacy Act, 28 U.S.C. §§ 2510 through 2520

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CAPITOL REGION EDUCATION COUNCIL
Hartford, Connecticut

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Definitions

“Social media” includes a variety of online tools and services that allow users to publish content and interact with their audiences. Social media includes, but is not limited to, social networking (e.g. Facebook, LinkedIn, Google+); blogs and micro-blogs (e.g. Twitter, Tumblr, Medium); content sharing (e.g. Scribd, SlideShare, Dropbox); image sharing, video sharing or live streaming (e.g. Snapchat, YouTube, Instagram, Pinterest); other sharing sites or applications for sound, location, news, messaging, etc. (e.g. Reddit, WhatsApp).

“CREC” includes all names, logos, buildings, images and entities under the authority of the Capitol Region Education Council.

“Electronic communications device” includes any electronic device that is capable of transmitting, accepting or processing data, including, but not limited to, a computer, computer network and computer system, and a cellular or wireless telephone.

“Personal online account” includes any online account that is used by an employee exclusively for personal purposes and unrelated to any business purpose of CREC, including, but not limited to electronic mail, social media and retail-based Internet websites. Personal online account does not include any account created, maintained, used or accessed by an employee for a business, educational or instructional purpose of CREC.

Rules Concerning Personal Social Media Activity

1. CREC understands that employees utilize social media and the web for personal matters in the workplace. CREC reserves the right to monitor all employee use of CREC electronic communications devices, including a review of online and personal social media activities. An employee should have no expectation of personal privacy in any personal communication made through social media while using CREC computers, CREC-issued cellular telephones or other electronic communications devices. While CREC reserves the right to monitor use of its electronic communications devices, employees may engage in incidental personal use of social media in the workplace so long as such use does not interfere with operations and productivity, and does not violate other CREC policies.
2. An employee may not mention, discuss, reference or link to CREC or its individual schools, programs or teams using personal online accounts or other sites or applications in a manner that a reasonable person would construe to be an official CREC communication, unless the employee also states within the communication that such communication is the

personal view of the employee and that the views expressed are the employee's alone and do not represent the views of CREC or its Board of Directors.

3. Employees are required to maintain appropriate professional boundaries with students, parents/guardians, and colleagues. For example, it is not appropriate for an employee to "friend" a student parent/guardian or otherwise establish special relationships with selected students through personal online accounts, and it is not appropriate for an employee to give students or parents/guardians access to personal postings unrelated to school, absent an unrelated online relationship (e.g., relative, family friend, or personal friendship unrelated to school).
4. Unless given written consent, employees may not use CREC's logo or trademarks on their personal posts. This prohibition extends to the use of logos or trademarks associated with individual schools, programs or teams of CREC. This prohibition does not extend to incidental displays of CREC's logo or trademarks, such as in family photographs of student athletes in uniform.
5. In accordance with the public trust doctrine, employees must refrain from engaging in hateful, racist, bigoted, harassing, defamatory, obscene, abusive, discriminatory, threatening or similarly inappropriate communications through personal online accounts. Such communications reflect poorly on CREC's reputation, can affect the educational process and may substantially and materially interfere with an employee's ability to fulfill professional responsibilities.
6. Employees are individually responsible for their personal communications through social media and personal online accounts. Employees may be sued by other employees, parents/guardians or others, and any individual who views an employee's communications through social media and personal online accounts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. Employees should refrain from posting anything that belongs to another person or entity, such as copyrighted publications or trademarked images. As such activities are outside the scope of employment, employees may be personally liable for any claims brought against them.
7. Employees are required to comply with all CREC policies and regulations with respect to the use of computer equipment, networks or electronic devices when accessing personal online accounts and/or social media sites through CREC computer systems. Any access to personal online accounts and/or social media activities while on CREC property or using CREC equipment must comply with those policies and procedures, and may not interfere with an employee's duties at work.
8. All communications through personal online accounts and/or social media must comply with CREC's policies concerning confidentiality, including the confidentiality of student information. Employees who are considering sharing information and are unsure about its

confidential nature should consult with their supervisor prior to communicating such information.

9. All CREC policies and regulations that regulate off-duty conduct, including, but not limited to, policies related to public trust, illegal harassment, code of conduct, and protecting confidential information, apply to personal online account and social media activity.

Access to Personal Online Accounts

Employees may not be required by their supervisors to provide their user name, password, or other means of authentication of a personal online account.

Employees may not be required to authenticate or access a personal online account in the presence of their supervisors.

Employees may not be required to invite or accept an invitation from their supervisors or be required to join a group with their personal online account.

Rules Concerning CREC-Sponsored Social Media Activity

1. In order for employees to use social media sites as an educational tool or in relation to extracurricular activities or programs of CREC, the employees must seek and obtain the permission of their principal or director.
2. If an employee wishes to use social media sites to communicate meetings, activities, games, responsibilities, announcements etc., for a school-based club, a school-based activity, an official school-based organization, or an official sports team; or to communicate with parents/guardians about class activities, the employee must also comply with the following rules:
 - The employee must receive the permission of the immediate supervisor.
 - The employee may not use a personal online account for such purpose, but must use the CREC-issued account.
 - The employee must ensure that such social media use is compliant with all CREC policies and regulations, and applicable state and federal law, including the provision of required legal notices and permission slips to parents.
 - Social media sites are not considered appropriate to use between employees and students for instructional purposes such as posting assignments, collecting homework, or discussing class activities.
 - The employee must set up the club, etc. as a group list, which will be “closed”

(e.g. membership in the group is limited to students, parents/guardians and appropriate school personnel, and “monitored” (e.g. the employee has the ability to access and supervise communications on the social media site).

- When social media is used to communicate with parents, the account must be set up as private, for which the employee administrator of the account must approve members.
 - Employees may not include photographs of students in the social media site without permission from the students’ parents/guardians, nor shall they report on the current location of students (e.g., the current location of a field trip). Such communication about the event may be made only after the event has concluded.
 - Anyone who has access to the communications conveyed through the social media site may only gain access by the permission of the employee (e.g. teacher, administrator, supervisor or coach). Persons desiring to access the page may join only after the employee invites them and allows them to join.
 - Parents/guardians shall be permitted to access any page that their child has been invited to join.
 - Access to the page may only be permitted for educational purposes related to the club, activity, organization, or team.
 - The employee responsible for the page will monitor the content regularly to ensure compliance with CREC policies and regulations and appropriateness of content.
 - The employee’s supervisor shall be permitted access to any page established by the employee for a school-related purpose.
 - Employees are required to maintain appropriate professional boundaries in the establishment and maintenance of all such CREC-sponsored social media activity.
3. Employees are prohibited from making harassing, defamatory, obscene, abusive, discriminatory, threatening, or similarly inappropriate statements in their social media communications using CREC-sponsored sites or accounts, or through CREC-issued electronic accounts.
 4. Employees are required to comply with all CREC policies and procedures and all applicable laws with respect to the use of computer equipment, networks, CREC-issued accounts, or electronic communication devices; or when accessing CREC-sponsored social media sites; or while using personal devices on CREC’s wireless network; or while accessing CREC servers.
 5. CREC reserves the right to monitor all employee use of CREC computers and other electronic devices, including employee blogging and social networking activity. An employee should have no expectation of personal privacy in any communication made through social media, including personal online accounts, while using CREC computers, cellular telephones or any other CREC electronic communications

devices.

6. All communications through CREC-sponsored social media or CREC-issued electronic accounts must comply with CREC's policies concerning confidentiality, including the confidentiality of student information. Employees who are considering sharing information and are unsure about its confidential nature should consult with their supervisor prior to communicating such information.
7. An employee may not link a CREC-sponsored social media page to any personal online account or social media sites not sponsored by CREC.
8. An employee may not use CREC-sponsored social media or CREC-issued electronic accounts for communications for private financial gain, political, commercial, advertisement, proselytizing or solicitation purposes.
9. An employee may not use CREC-sponsored social media or CREC-issued electronic accounts in a manner that misrepresents personal views as those of CREC or of individual schools or programs, or in a manner that could be construed as such.

Disciplinary Consequences

Violation of CREC's policy and/or regulation concerning the use of social media may lead to discipline up to and including the termination of employment consistent with state and federal law.

An employee may face disciplinary action up to and including termination of employment if an employee transmits, without CREC's permission, confidential information to or from the employee's personal online account.

An employee may not be disciplined for failing to provide the username, password, or other authentication means for accessing a personal online account, failing to authenticate or access a personal online account in the presence of a supervisor or failing to invite the supervisor or refusing to accept an invitation sent by the supervisor to join a group affiliated with a personal online account, except as provided herein.

Notwithstanding, CREC may require that an employee provide the username, password or other means of accessing or authenticating a personal online account for purposes of accessing any account or service provided by CREC for business purposes or any electronic communications device supplied by or paid for, in whole or in part, by CREC.

Nothing in this regulation or the accompanying policy shall prevent CREC from conducting an investigation for the purpose of ensuring compliance with applicable state or federal laws,

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regulatory requirements or prohibitions against work-related employee misconduct based on the receipt of specific information about an activity on an employee's personal online account; or based on specific information about the transfer of confidential information to or from an employee's personal online account. During the course of such investigation, CREC may require an employee to allow access to the personal online account for the purpose of conducting such investigation. However, the employee will not be required to provide the username and/or password or other authentication means in order for CREC to access the personal online account.

cf. Policy No. 6141.322 Computers Websites/Pages
Policy No. 4118.5/4218.5 Acceptable Computer Network Use

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