



PDQ *Quarterly*

Policy Development Services

Ohio School Boards Association

November 2010

Setting social networking policies

by Donna J. Williams, MLHR
policy consultant

Technology is a beautiful thing. Despite my baby boomer natural tendency to wish for the good old days of “snail mail” (U.S. Postal Service) and telephone calls, I admire and often try my hand at using the newer forms of communication, including the dreaded, snippet-like form of communication called text messaging. Still, there is one form of communication that young people are especially fond of that has not called my name just yet — social networking websites.

There are more than 140 social networking websites. There are sites for work, worship, school and fun. Take your pick, and young people are doing it. They are using Facebook and Twitter every day, for hours on end. But what should boards of education be doing? How should school administrators deal with the use of these sites? Let’s explore these questions.

Student conduct

To address student use of social networking websites, boards of education should make certain that student handbooks contain student codes of conduct that appropriately address this issue. Administrators have a responsibility to ensure that improper student behavior is identified and addressed with the appropriate disciplinary penalties established for

each violation.

Student personal cell phone use is typically restricted to before and after school. Use of school district computers is typically restricted to educational purposes and websites only. Technology-blocking measures also are installed to prohibit access to inappropriate sites.

For the most part, students tend to behave themselves quite well at school. It is those hours when students are not in school that issues arise. During the hours when young people are not in your buildings, not on your property or using board-owned computers, the best

recourse to inappropriate behavior on social networking sites is education, not discipline.

Unfortunately, student behavior off school property that causes a stir on school property may not be looked at by the courts as “misbehavior that endangers the health and safety of students within the school district or adversely affects the education process.” No matter how much boards and administrators may think so, the courts may not agree.

What should you do? *Educate*. Teach them about the negative effects of

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misuse. One student's perception of funny and harmless may not be shared by other students. Sticks and stones may break our bones, but words *do* hurt! Words written and pictures sent, scanned and manipulated on social networking sites can be embarrassing and downright mean.

Talk to students about discrimination, intimidation, harassment, hazing and bullying. These behaviors are not only embarrassing and mean, but also illegal. Make students aware that these behaviors can lead to unintended consequences, like suicide and school violence.

Talk to parents. Make them aware that it is their responsibility to know what their children are doing. Teach parents that it is okay to question their children on the amount of time spent on cell phones and computers. Ask parents to watch their children for signs of stress, depression and withdrawal. Emphasize the importance of prevention over discipline.

Conduct between staff and students

The conduct between staff and

students should be professional, cordial and respectful, avoiding any appearance of impropriety. The young people attending your schools are your students, not your friends, despite how friendly you may actually be or become. Because of the potential for misunderstanding and violations of professional codes of conduct, staff members should be prohibited from giving students access to the staff members' personal social networking websites or any other private communication tool or device.

Why such a hard stance? Students do not have a legitimate reason to have this kind of access to a staff member's personal life. And I want to emphasize the word *personal*. The potential for misuse far outweighs the potential for positive use. Sure, staff members serve as coaches, advisors, tutors and mentors, and may want a means to communicate with students, but the protection and safety of your students far outweigh the desire of some staff members to use their personal social networking sites to communicate with your students.

Instead, make the school district's website available for use by your staff, particularly for those engaged in these types of activities. Allow staff members to have pages on the school district's website. Encourage students to visit the site for everything school related, from homework and grades to activities and sports. Make your school district website the go-to site for all school-related information and news.

For those staff members who absolutely want to use social networking websites to connect with students, establish a school district presence on these websites. For example, create a district Facebook page or establish a district Twitter account. Make sure the purpose for the school district's presence is clearly defined, and assign an administrator or technology coordinator to monitor use. Now staff members can post and tweet without getting personal or violating any professional codes of conduct.

Conclusion

Like most electronic communication devices, social networking websites can pose problems for school boards and administrators. The largest identifiable culprit is student misuse off district property. With the proper education for students and parents, and by using the student handbook as their guides, administrators can set parameters between acceptable and unacceptable behavior.

Positive staff-student relations can be reinforced by using school district websites and establishing school district social networking sites that are safe, secure and constantly monitored.

Sample policies on this subject are available for *PDQ* subscribers.



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A one-year subscription to PDQ is \$300. For more information, contact Jeannette Radcliff at the address or fax number above or e-mail to jradcliff@ohioschoolboards.org.

PDQ is published quarterly by the Ohio School Boards Association. Postage paid at Westerville, Ohio. Postmaster: Send address changes to: PDQ, Attn.: Mailroom, Ohio School Boards Association, 8050 N. High St., Suite 100, Columbus, OH 43235-6481.

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Establishing testing security procedures

by Megan Greulich
policy consultant

Developing written testing security procedures is both important and required by state law. The Ohio Administrative Code Section (OAC) 3301-13-05 sets forth numerous requirements for testing security procedures. Most importantly, each district is required to establish a written procedure for testing security encompassing the time when secure assessment materials are received by the district or school until the time when the materials are returned to the district's central collection location and shipped to a third-party scoring contractor.

OAC requires that this written procedure include certain information. The information required is not inclusive; it simply sets forth minimum procedural requirements. Because your

policy manual is a public document, your actual testing security plan is better kept in a different location. It is wise, however, to include a regulation detailing your procedure for developing a testing security plan. No matter where you choose to keep it, your written testing security procedure should, at a minimum, include the following items.

Your procedure should include a list identifying every person authorized to be present in the assessment room or to have access to secure assessment materials. These individuals must be identified by both name and title. This protects the security of assessment materials, while at the same time guarding against unauthorized personnel entering the assessment room and potentially increasing the risk of cheating or unethical behavior.

You also must specify your district's procedure for handling, tracking and

maintaining the security of assessment materials from the time they are received by the district or school to the time they are taken to the district's central collection location and shipped to a third-party scoring contractor.

You must specify your district's procedure for handling, tracking and maintaining secure testing materials on site before, during and after assessment administration. This includes accounting for and storing all assessment materials, and the handling, tracking and maintaining of all testing materials after administering the final assessment and final make-up assessment.

In addition, your district's written test security procedure must specify the appropriate procedure for investigating any alleged security violations or unethical practices, including cheating by a student or anyone helping a student cheat. This serves not only as a



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deterrent against cheating, but also establishes a procedure for handling alleged violations. You also must include a procedure for determining whether to invalidate a student's assessment score when a security violation has occurred.

Your written procedure must specify that within 10 days after an investigation determining that an assessment security violation has occurred, the district will notify the director of the assessment or his or her

designee in the Ohio Department of Education (ODE) of such finding. This allows ODE the opportunity to request an investigation.

Finally, the written procedure must specify how each procedure established in accordance with OAC shall be communicated in writing and discussed every school year with all employees, students and any others authorized to be present during assessments or having access to secure assessment materials.

Again, these items represent

minimum requirements for written testing security provisions under OAC. You must include all of these provisions in your testing security procedure, but may also include additional district-specific procedural requirements as you see fit. Maintaining the integrity of both assessment materials and students' assessment scores is essential to effective school district administration.

A sample policy and regulation on on this subject is available for *PDQ* subscribers.

Reducing communicable diseases in schools

by Donna J. Williams, MLHR
policy consultant

School is in session, the October count is history and the first round of assessments is done. But before you start planning for the holidays and attending school holiday programs, I would ask that you focus on a topic that demands considerable attention — communicable diseases.

Communicable diseases are illnesses caused by microorganisms and transmitted from an infected person or animal to another person or animal. Some diseases are passed on by direct or indirect contact with infected persons

or animals, or with their excretions. Most communicable diseases are spread through contact or close proximity, because the microorganisms are airborne, meaning they can be expelled from the nose and mouth and inhaled by anyone in the vicinity. Such diseases include diphtheria, scarlet fever, measles, mumps, whooping cough, influenza and smallpox.

Some communicable diseases can be spread only indirectly, usually through contaminated food or water, such as typhoid, cholera and dysentery. Still other communicable diseases are introduced into the body by animal or insect carriers, including rabies, malaria, encephalitis and Rocky Mountain spotted fever. Healthy persons, who may be immune to the microorganisms they carry, also are sources of transmission.

Some infective microorganisms require specific circumstances for their transmission, including sexual contact for syphilis and gonorrhea; injury in the presence of infected soil or dirt for tetanus; and transfusion of infected blood; or infected medical instruments for serum hepatitis, and sometimes for malaria.

In the case of AIDS, while a number of different circumstances will transmit the disease, each requires the introduction of a contaminant into the bloodstream. A disease such as tuberculosis may be transmitted in

several ways by contact (human or animal), through food or eating utensils and by the air.

According to www.ericdigests.org, communicable diseases can be classified in five categories:

- Bloodborne pathogens, such as hepatitis B and C, and HIV/AIDS.
- Skin conditions, such as:
 - conjunctivitis (pink eye),
 - fifth disease (erythema infectiosum),
 - hand, foot and mouth disease (vesicular stomatitis with exanthem),
 - impetigo,
 - methicillin resistant staphylococcus aureus (MRSA),
 - pediculosis (lice),
 - ringworm (tinea),
 - scabies,
 - shingles (herpes zoster),
 - streptococcal sore throat and scarlet fever,
 - tickborne infections,
 - variola (smallpox).
- Gastrointestinal illness, such as:
 - campylobacteriosis,
 - cryptosporidiosis,
 - E. coli infection and hemolytic uremic syndrome (HUS),
 - giardiasis,
 - hepatitis A,
 - norovirus (viral gastroenteritis),
 - salmonellosis,
 - shigellosis.
- Other conditions, such as aseptic (viral) meningitis, mononucleosis

Sample policies available online

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(Epstein-Barr virus) and tuberculosis.

- Vaccine-preventable diseases, such as:
 - diphtheria,
 - influenza,
 - measles,
 - meningococcal disease (meningitis/meningococemia),
 - mumps,
 - pertussis (whooping cough),
 - pneumococcal disease,
 - rubella (German measles),
 - varicella (chicken pox).

What should school boards do to address communicable diseases, as well as the pesky common cold?

First of all, school boards should recognize that although communicable diseases fall into five different categories, board policies can be written that place these diseases into two groups — direct contact and casual/non-direct contact communicable diseases. These groupings do not lessen the seriousness of any disease, but creates a cleaner way to address them in policy.

Secondly, board policies should be written that direct administrators to implement a communicable disease management program within the school

districts' larger comprehensive emergency/safety plans.

Next, school boards should make sure that administrators have procedures within the districts' comprehensive emergency/safety plans for dealing with infected students and staff. At a minimum, these procedures should include how to identify, detect and report communicable diseases; when to isolate students from other students; when to exclude students from school; what should be done to educate excluded students; and how to integrate infected students back into the classrooms.

School boards and top administrators also should recognize the role that immunizations play in the overall health of the student population. They also should support the school districts' health professionals in enforcing the requirements for immunizations and the state mandates to exclude students who do not receive them without the proper documentation. Receiving immunizations for vaccine-preventable communicable diseases minimizes the

spread of preventable illnesses in schools and provides students with a healthier learning environment.

Finally, school boards should pay close attention to the hygienic management of all buildings, grounds and vehicles, as well as to the individual hygienic practices established in the comprehensive emergency/safety plans. The importance of proper hand washing and daily sanitizing of desks, chairs, cafeterias, gymnasiums, locker rooms, transportation vehicles and nurses' stations cannot be overemphasized.

In conclusion, as the holiday season nears, it will serve school boards well to revisit policies and the districts' comprehensive emergency/safety plans on communicable diseases and hygienic management. When district concerns seem overwhelming and there is simply not enough time to do as you would like to address these issues, just remember the old saying by **Benjamin Franklin**, "An ounce of prevention is worth a pound of cure."

Sample policies on this subject are available for *PDQ* subscribers.

Background checks required for some school volunteers

by *Greta Gardner*
deputy director of policy services

Boards of education are aware that one of the greatest resources available may be found in the citizens of the community who have special knowledge and talents to contribute to the district. Using citizen volunteers within the school program enhances the education process not only for students, but also for the community. Volunteers may provide additional support in the classroom, promote community-school cooperation in the learning process and provide expertise in various areas.

While it benefits a district to have volunteers assist in classrooms and

programs, it is also the district's responsibility to protect students. One way to do this is to have volunteers submit to a criminal record check.

Although most volunteers will never be alone with a child, the law specifies that criminal record checks may be given to volunteers who regularly have unsupervised access to students. The check must be conducted by the Ohio Bureau of Criminal Identification and Investigation (BCII). Volunteers are not subject to FBI background checks unless the applicant has lived outside of Ohio at any time during the past five years.

Unsupervised access to a student means that a person has access to a

child when either of the following applies:

- no other person 18 years of age or older is present in the same room with the student,
- if outdoors, no other person 18 years of age or older is within a 30-yard radius of or has visual contact with the student.

Districts must provide notice to prospective and current volunteers who have or will have unsupervised access to children on a regular basis that they may, at any time, be subject to a criminal record check.

The law requires districts to notify parents if a volunteer has been convicted of or pleaded guilty to certain offenses, and whether the person will be

accepted or allowed to remain as a volunteer with unsupervised access to students on a regular basis.

The law also provides immunity from civil liability for death, injury or loss to a person or property caused by an act or omission of a volunteer that results from, or is related to, a volunteer having unsupervised access to a student

if the volunteer was subject to a BCII criminal records check.

Districts need to be aware of the activities of volunteers. A room parent helping in certain areas in a classroom might be viewed differently than a volunteer who has unlimited, unsupervised access to individual students.

While the school board does not want to discourage volunteers, it must be proactive and provide a safe learning environment for all students. The board needs to decide which types of volunteers require a BCII check. Whatever the decision, the BCII check can be costly both to the board and, in some cases, to the volunteers.

Correctly showing movies in school

by Donna J. Williams, MLHR
policy consultant

As a whole, most school districts are probably used to the typical quips from parents on the suitability of certain movies for classroom use. But did you know that there is a proper way to show movies in schools without infringing on federal copyright laws? This article provides a brief look at the general requirements for showing movies in schools.

When it's OK for classroom use

First and foremost, teachers can lawfully play movies in class for educational purposes. Specifically, federal copyright law says that teachers can play movies in class if they are engaged in a face-to-face teaching activity. Teachers cannot play movies for the sole purpose of entertaining students, unless the board of education has obtained permission to do so from the copyright holder.

Carol Simpson, author of *Copyright*

for Schools, has some suggestions on properly using movies in schools:

- The use should be for nonprofit educational purposes only.
- The use should occur in a classroom or similar place, such as a gymnasium, cafeteria, library, theater, band room or field house.
- Only the teacher and members of his or her particular class can view the movie. There can be no other guests, visitors or other students, and the entire class must be involved in the viewing.

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The teacher cannot show the movie to part of the class, while another part of the class is involved in a different activity.

- The teacher cannot use a pirated copy of the movie. The movie must be legally paid for. The specific purchaser does not matter.

- The use must relate to the current lesson, not past or future lessons. The movie must be an integral part of what is currently being taught.

When it's OK for non-classroom use

Non-classroom or non-face-to-face teaching activity uses are permitted when boards of education have purchased public performance site licenses (PPSLs), sometimes called "blanket licenses." Movie Licensing USA, the exclusive provider of PPSLs, sells the licenses that permit schools to show movies without committing

copyright infringement. These licenses allow schools to have unlimited permission to show movies in what are called "public performances." However, movies may not be shown if admission fees are charged, other than fees to cover costs, and outdoor showings are not permitted.

What is Movie Licensing USA?

According to its website (www.movlic.com), Movie Licensing USA was appointed by most of the major movie studios as the sole agent to assist the studios' copyright enforcement program by making copyright compliance simpler and less expensive for schools. A list of the studios it represents is on its website.

Costs of PPSLs

Movie Licensing USA does not advertise PPSL costs. However, the website states that the yearly cost is

based on the total enrollment in a particular school, and discounts are offered for licensing multiple schools or for district purchases. Schools also have the ability to purchase a license for a one-time showing, but with added regulations for use.

PPSLs automatically renew at the end of their agreements, as long as payment is made promptly. Renewal packets are mailed a month prior to the license's expiration date. School districts also have the ability to request cancellation anytime after the initial agreement.

Conclusion

In light of federal copyright laws, school districts are encouraged to make certain that showing movies in classrooms and other non-classroom uses are done correctly. A sample policy and exhibit on copyright is available for *PDQ* subscribers.

District traffic and parking controls

*by Greta Gardner
deputy director of policy services*

OSBA has recently received many phone calls about problems with parking issues on school property.

Although school grounds are public property, the school board has the responsibility for protecting school property and ensuring the safety of all people on school grounds. Therefore, the school has the authority to set up controls related to driving and parking on school grounds, as well as the use of school grounds by the public.

The primary concern is student and staff safety issues. Districts must be aware of cars entering and driving on district property. Drivers entering the property for the first time may not know where to drive, park and what speed is permitted. Signs will help, and assigned parking areas help protect students and alert school officials to strangers on district property.

Staff- and student-assigned parking spaces show the administration who may be absent or, if a car is left on the property, whether a stranger is on the school grounds. Unknown cars parked in school-assigned areas may alert the administration to a possible problem.

Many districts also limit the types of motorized vehicles permitted on school district property, such as restricting four wheelers or other recreational vehicles. Motorcycles, motor bikes, motor scooters and similar vehicles, when used as transportation to school or to school events, shall only use such streets and parking areas as have been provided for vehicular use. Should the use of such vehicles on school property create a safety hazard or disturbance by misuse or excessive noise, the administration may limit or prohibit any or all such use. All vehicles used on school property shall observe all requirements relative to safety and noise control as may have been set by law or

school regulations.

Students must be informed that they are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots, including regulating driving and parking. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and inspections may be conducted without notice, student consent or a search warrant.

Parking areas should be well lit at night; some districts may want to add security cameras.

The administration should establish rules and regulations to assure traffic safety. The regulations also should state that the district does not assume any responsibility for damage to cars or for theft.



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Note: Policies and/or regulations marked with an * are required. Check to confirm that you have a policy and/or regulation.

New policies/regulations/exhibits (*provided for information only*)

EBC-R, Emergency/Safety Plans (Administrative Rules/Protocols)
ECD, Traffic and Parking Controls
IIAB, Supplementary Materials Selection and Adoption
*IL-R, Testing Programs

Revised policies/regulations (*add new language shown in bold type and delete language in italic type*)

*EBBC, Bloodborne Pathogens
*EBC, Emergency/Safety Plans
*EDE, Computer/Online Services (Acceptable Use and Internet Safety)

EGAAA, Copyright

GBEA, HIV/AIDS (Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome) (Also JHCCA) — **Delete from manual**

GBH, Staff-Student Relations (Also JM)

IIBH, District Web Site Publishing

*IL, Testing Programs

JHCC, Communicable Diseases

JHCCA, HIV/AIDS (Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome) (Also GBEA) — **Delete from manual**

JM, Staff-Student Relations (Also GBH)

Other policies (*provided for information only; feel free to use if interested*)

EGAAA-E, Copyright (formerly coded EGAAA-R)

GBCB, Staff Conduct

IICC, School Volunteers

*JFC, Student Conduct (Zero Tolerance)

*JHCB, Immunizations

KLB, Public Complaints About the Curriculum or Instructional Materials