NOTE: Please consult legal counsel prior to adoption of this policy. It is recommended that all district personnel who will be implementing this policy be provided training by district legal counsel on the protections of the First Amendment and the nature of offenses that can be legally addressed by the district.

The board recognizes that social media and other methods of digital communication are essential forms of interaction in modern society. The board believes that responsible use of these platforms is essential to student success, both in college and in their future careers.

For purposes of this policy, digital communications are defined as communications made via any online platform for purposes of collaboration, interaction, and/or active participation, whether accessed via the Internet, or via cellular phone connections or any other wireless communications including but not limited to wifi, bluetooth, etc, and includes, but is not limited to, email, social media, apps, blogs, chat rooms, instant messages, and gaming platforms.

While the district does not monitor digital communications/student social media accounts, it has the right to act on information provided by students, parents, and community members. Therefore, the district may investigate students’ digital communications/social media accounts, including off-hours use, in the event of creditable allegations of conduct that violate student discipline policies, violate any law or regulation, or otherwise cause a material and substantial disruption to the school environment or constitute a serious safety risk.

Examples of inappropriate digital communications that may result in disciplinary action include, but are not limited to, those that:

- Contain verbal or physical conduct that threatens another with harm
- Seek to coerce or compel someone to do something in violation of the law or district policy
- Constitute cyberbullying, or otherwise exclude or promote the exclusion of individuals from peer groups for purposes of humiliation or isolation
- Contain discriminatory statements or hostile acts based on a student’s race, religion, sex, color, disability, national origin, gender, gender identity, gender expression, or sexual orientation

The district will report violations of state or federal law to the appropriate authorities.
Cf. JICDA

Adopted ^

Legal References:

A. Federal Law:
   1. Title IV of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000c-6 - Prohibits discrimination on the basis of race, color, or national origin, among other factors, by public elementary and secondary schools.
   2. Title VI of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000d - No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance.

B. Federal Case Law:

C. S.C. Code, 1976, as amended:
   2. Sections 59-63-210 through 280 - Grounds for which trustees may expel, suspend, or transfer pupils.

D. State Board of Education Regulations:
   1. R43-243 - Special education discipline guidelines.
   2. R43-279 - Minimum standards of student conduct and disciplinary enforcement procedures to be implemented by local school districts.