

EMPLOYEE USE OF TECHNOLOGY

The Governing Board recognizes that technological resources can enhance employee performance by offering effective tools to assist in providing a quality instructional program, facilitating communications with parents/guardians, students, and the community, supporting district and school operations, and improving access to and exchange of information. The Board expects all employees to learn to use the available technological resources that will assist them in the performance of their job responsibilities. As needed, employees shall receive professional development in the appropriate use of these resources.

(cf. 0440 - District Technology Plan)
(cf. 1113 - District and School Web Sites)
(cf. 4032 - Reasonable Accommodation)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 6163.4 - Student Use of Technology)

Employees shall be responsible for the appropriate use of technology and shall use the district's technological resources primarily for purposes related to their employment.

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

~~Employees shall be notified that computer files and electronic communications, including email and voice mail, are not private. Technological resources shall not be used to transmit confidential information about students, employees, or district operations without authority.~~

The Superintendent or designee shall establish an Acceptable Use Agreement which outlines employee obligations and responsibilities related to the use of district technology. Upon employment and whenever significant changes are made to the district's Acceptable Use Agreement, employees shall be required to acknowledge in writing that they have read and agreed to the Acceptable Use Agreement.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)

Employees shall not use district technology to access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, sexually explicit, or unethical or that promotes any activity prohibited by law, Board policy, or administrative regulations.

EMPLOYEE USE OF TECHNOLOGY (continued)

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. The Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose. (20 USC 6777; 47 USC 254)

The Superintendent or designee shall notify employees upon employment in writing that they have no reasonable expectation of privacy in the use of any equipment or other technological resources provided by or maintained by the district, including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, even when provided their own password. To ensure proper use, the Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent and for any reason allowed by law.

In addition, employees shall be notified that records maintained on any personal device or messages sent or received on a personal device that is being used to conduct district business may be subject to disclosure, pursuant to a subpoena or other lawful request.

Employees shall report any security problem or misuse of district technology to the Superintendent or designee.

Inappropriate use of district technology may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, Board policy, and administrative regulation.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference: (see next page)

EMPLOYEE USE OF TECHNOLOGY (continued)Legal Reference:EDUCATION CODE52295.10-52295.55 Implementation of Enhancing Education Through Technology grant programGOVERNMENT CODE3543.1 Rights of employee organizationsPENAL CODE502 Computer crimes, remedies632 Eavesdropping on or recording confidential communicationsVEHICLE CODE23123 Wireless telephones in vehicles23123.5 Mobile communication devices; text messaging while driving23125 Wireless telephones in school busesUNITED STATES CODE, TITLE 206751-6777 Enhancing Education Through Technology Act, Title II, Part D, especially:6777 Internet safetyUNITED STATES CODE, TITLE 47254 Universal service discounts (E-rate)CODE OF FEDERAL REGULATIONS, TITLE 4754.520 Internet safety policy and technology protection measures, E-rate discountsCOURT DECISIONSCity of Ontario v. Quon et al. (2010) 000 U.S. 08-1332Management Resources:WEB SITESCSBA: <http://www.csba.org>American Library Association: <http://www.ala.org>California Department of Education: <http://www.cde.ca.gov>Federal Communications Commission: <http://www.fcc.gov>U.S. Department of Education: <http://www.ed.gov>**Online/Internet Services**

~~The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that prevents access to visual depictions that are obscene or child pornography and that the operation of such measures is enforced. The Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose. (20 USC 6777; 47 USC 254)~~

~~To ensure proper use, the Superintendent or designee may monitor employee usage of technological resources, including the accessing of email and stored files. Monitoring may occur at any time without advance notice or consent. When passwords are used, they must be known to the Superintendent or designee so that he/she may have system access.~~

~~The Superintendent or designee shall establish administrative regulations and an Acceptable Use Agreement which outline employee obligations and responsibilities related to the use of~~

BP 4040(b)

~~**EMPLOYEE USE OF TECHNOLOGY**~~ (continued)

~~district technology. He/she also may establish guidelines and limits on the use of technological resources. Inappropriate use may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, Board policy, and administrative regulation.~~

~~(cf. 4118—Suspension/Disciplinary Action)
(cf. 4218—Dismissal/Suspension/Disciplinary Action)~~

~~The Superintendent or designee shall provide copies of related policies, regulations, and guidelines to all employees who use the district's technological resources. Employees shall be required to acknowledge in writing that they have read and understood the district's Acceptable Use Agreement.~~

~~(cf. 4112.9/4212.9/4312.9—Employee Notifications)~~

~~**Use of Cellular Phone or Mobile Communications Device**~~

~~An employee shall not use a cellular phone or other mobile communications device for personal business while on duty, except in emergency situations and/or during scheduled work breaks.~~

~~Any employee that uses a cell phone or mobile communications device in violation of law, Board policy, or administrative regulation shall be subject to discipline and may be referred to law enforcement officials as appropriate.~~

~~(cf. 3513.1—Cellular Phone Reimbursement)
(cf. 3542—School Bus Drivers)
(cf. 4156.3/4256.3/4356.3—Employee Property Reimbursement)~~

~~Legal Reference: (see next page)~~

EMPLOYEE USE OF TECHNOLOGY (continued)

Legal Reference:

EDUCATION CODE

~~51870-51874 Education technology~~

~~52270-52272 Education technology and professional development grants~~

~~52295.10-52295.55 Implementation of Enhancing Education Through Technology grant program~~

GOVERNMENT CODE

~~3543.1 Rights of employee organizations~~

PENAL CODE

~~502 Computer crimes, remedies~~

~~632 Eavesdropping on or recording confidential communications~~

VEHICLE CODE

~~23123 Wireless telephones in vehicles~~

~~23123.5 Mobile communication devices; text messaging while driving~~

~~23125 Wireless telephones in school buses~~

UNITED STATES CODE, TITLE 20

~~6751-6777 Enhancing Education Through Technology Act, Title II, Part D, especially:~~

~~6777 Internet safety~~

UNITED STATES CODE, TITLE 47

~~254 Universal service discounts (E-rate)~~

CODE OF FEDERAL REGULATIONS, TITLE 47

~~54.520 Internet safety policy and technology protection measures, E-rate discounts~~

Management Resources:

WEB SITES

~~CSBA: <http://www.esba.org>~~

~~American Library Association: <http://www.ala.org>~~

~~California Department of Education: <http://www.cde.ca.gov>~~

~~Federal Communications Commission: <http://www.fcc.gov>~~

~~U.S. Department of Education: <http://www.ed.gov>~~

Policy
adopted: 9/11/14
revised: _____

SAN CARLOS ELEMENTARY SCHOOL DISTRICT
San Carlos, California