

# Davis Joint USD

## Board Policy

### Employee Use Of Technology

BP 4040

#### Personnel

The Governing Board of Education recognizes that technological resources can enhance employee performance by ~~improving access to and exchange of information,~~ offering effective tools to assist in providing a quality instructional program, ~~and 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 training in the appropriate use of these resources.

~~(cf. 0440-1100 - District Technology Plan Communication with Public)~~

~~(cf. 1113 - District and School Web Sites)~~

~~(cf. 1114 – District-Sponsored Social Media)~~

~~(cf. 4032 - Reasonable Accommodation)~~

~~(cf. 4131 - Staff Development)~~

~~(cf. 4231 - Staff Development)~~

~~(cf. 4331 - Staff Development)~~

~~(cf. 6162.7 – Use of Technology in Instruction)~~

~~(cf. 6163.4 – Student Use of Technology)~~

Employees shall be responsible for the appropriate use of technology. ~~Such use is a privilege which may be revoked at any time. And shall use district technology primarily for purposes related to their employment.~~

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

~~(cf. 0410 – Nondiscrimination in district Programs and Activities)~~

~~(cf. 4119.11/4219.11/4319.11 – Sexual Harassment)~~

~~(cf. 4119.21/4219.21/4319.21 – Professional Standards)~~

~~(cf. 4119.23/4219.23/4319.23 – Unauthorized Release of Confidential/Privileged Information)~~

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

~~(cf. 5125 – Student Records)~~

~~(cf. 5125.1 – Release of Directory Information)~~

~~(cf. 6162.6 – Use of Copyrighted Materials)~~

~~(cf. 6163.4 – Student Use of Technology)~~

District technology includes, but is not limited to, computers, the district’s 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, 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 should be aware that computer files and communications over electronic networks, including e-mail and voice mail, are not private. These technologies shall not be used to transmit confidential information about students, employees or district operations without authority.

The Superintendent or designee shall establish an Employee Acceptable Use of Technology 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 Employee Acceptable Use of Technology Agreement, employees shall be required to acknowledge in writing that they have read and agreed to the Acceptable Use Agreement.

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.

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 content 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~~ ~~prevents~~ access to visual depictions that are obscene ~~or~~, 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)

Superintendent or designee shall annually notify employees 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 by 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 and 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.

~~To ensure proper use of the system, the Superintendent or designee may monitor the district's technological resources, including e-mail and voice mail systems, at any time without advance notice or consent. If 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 which outline employee obligations and responsibilities related to the use of district technology. He/she also may establish guidelines and limits on the use of technological resources. Inappropriate use shall result in a cancellation of the employee's user privileges, disciplinary action and/or legal action in accordance with law, Board policy and administrative regulations.~~

(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 asked to acknowledge in writing that they have read and understood these policies, regulations and guidelines.~~

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

~~In the event that the use of an electronic resource affects the working conditions of one or more employees, the Superintendent or designee shall notify the employees' exclusive representative.~~

~~(cf. 4143/4243—Negotiations/Consultation)~~

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

COURT DECISIONS

[City of Ontario v. Quon et al. \(2010\) 000 U.S. 08-1332](#)

Management Resources:

WEB SITES

CSBA: <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>

~~Policy DAVIS JOINT UNIFIED SCHOOL DISTRICT~~

~~adopted: April 2, 2009 — Davis, California~~