

**CLOVIS UNIFIED
SCHOOL DISTRICT**

PERSONNEL

General

EMPLOYEE USE OF TECHNOLOGY/SOFTWARE SUPPORT SERVICES

PURPOSE: To set forth the rights and responsibilities of employees regarding the use of technology.

A. Employee Use of Technology

The Board 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 District and school operations.

District 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. Such use is a privilege which may be revoked at any time. Employees should also be aware that computer files and communications over electronic networks, including e-mail and voice mail, are not private. The Superintendent or designee may monitor District's technology resources including e-mail and voice mail systems, at any time, without advance notice or consent. Further, these technologies should not be used to transmit non-encrypted confidential information through e-mail or to transmit in a non-secure manner (i.e., answering machine) confidential information about students, employees, or District operations outside of the District without prior authorization from the Superintendent or designee.

District technology includes, but is not limited to, computers, laptops, the District's computer network including servers and wireless technology (wi-fi), the Internet, email, USB drives, networking equipment, 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.

The Superintendent or designee shall establish an administrative regulation which outlines employees' obligations and responsibilities related to the use of District technology. The Superintendent or designee may also 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 applicable laws, board policies, and administrative regulations.

In accordance with the administrative regulation, the Superintendent or designee shall further establish an Employee User Agreement and Social Media User Guidelines related to the use of District technology. Upon employment and annually, each employee shall acknowledge in writing that they have read, understood, and agreed to the Employee User and Social Media User Guidelines and any accompanying administrative regulation.

**CLOVIS UNIFIED
SCHOOL DISTRICT**

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 regulation. 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.

The Superintendent or designee shall ensure that all District computers with Internet access have a technology protection measure that protects against employee access to visual depictions which are obscene, contain child pornography, or are otherwise 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.

Employees 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 by any employee 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 Policies, and Administrative Regulations.

B. Software Support Services

Computer users often need assistance with software support issues to maintain the operation of their computers. Support may be reinstalling and/or diagnosing problematic situations for a computer. This type of support should be expected by and provided to all staff.

The terms “misuse” and “excessive” in this policy refer to repeated instances of technology support for the same user-induced software problems. Software “bugs” or hardware related issues are not considered misuse. Most commonly, misuse, or excessive requests are caused by the owner installing software that is not supported by the District or by downloading files and/or applications from the Internet.

The intent of this policy is to discourage staff from causing their computer to malfunction through improper use, thereby causing an increased support load on the District Information Technology Department.

CLOVIS UNIFIED SCHOOL DISTRICT

The Superintendent or designee shall maintain regulations that delineate excessive requests or misuse of technical support by staff. Further, the Superintendent or designee shall develop, maintain, and implement a reasonable fee structure or other alternatives that are correlated with the unreasonable requests or misuse of the technical support staff.

Adopted: 06/07/1995

Reviewed: 07/30/2008, 07/22/2009, 08/24/2015

Amended: 06/26/2002, 01/05/2005, 10/21/2020 (BP 7203 renumbered as BP 4040)

GOVERNMENT CODE

3543.1 Rights of employee organizations

6250-6270 California Public Records Act

PENAL CODE

313 Definitions

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

7101-7122 Student Support and Academic Enrichment Grants

7131 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 (2010) 560 U.S. 746

City of San Jose v. Superior Court (2017) 2 Cal.5th 608

Doc# 42299-8 (09/2020, 07/2015)