



EMPLOYEE USE OF TECHNOLOGY

The Santa Cruz County Office of Education (Santa Cruz COE) recognizes that technological resources 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 Santa Cruz COE and school operations; and improving access to and exchange of information. The County Superintendent of Schools, hereinafter referred to as the “Superintendent” 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.

Employees shall be responsible for the appropriate use of technology and shall use County Office of Education (Santa Cruz COE) technological resource primarily for purposes related to their employment.

Santa Cruz COE technology includes, but is not limited to, computers, the Santa Cruz COE’s network, including servers and wireless computer networking technology (WiFi), the Internet, email, USB drives, wireless access points (routers), tablet computers, telephones, cellular telephones, personal digital assistants, pagers, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through Santa Cruz COE owned or personally owned equipment or devices.

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

Employees shall not use Santa Cruz COE technology to access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, sexually explicit, unethical or that promotes any activity prohibited by law, Board/Superintendent 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 conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The Superintendent or designee shall ensure that all Santa Cruz COE computers or devices 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 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 Santa Cruz COE, 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 Santa Cruz COE 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 Santa Cruz COE business may be subject to disclosure, pursuant to a subpoena or other lawful request.

The Santa Cruz COE may access and, to the extent required or allowed by law, disclose any email received, sent, or stored in a Santa Cruz COE email account. The Santa Cruz COE may retain or dispose of an employee's email, whether an employee is currently or formerly employed by the Santa Cruz COE. The Superintendent or designee shall ensure that emails are retained as Santa Cruz COE records in accordance with their classification as described in the Santa Cruz COE's administrative regulation regarding retention of documents. Email trash folders may be purged as often as every 90 days by the Santa Cruz COE's information technology department.

Employees shall report any security problem or misuse of Santa Cruz COE technology to the Superintendent or designee. Inappropriate use of Santa Cruz COE technology may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, Board/Superintendent policy, and administrative regulation.

Employees may be assigned a Laptop computer, tablet or other device that is taken out of the office or classroom and used for business purposes. The employees assigned these devices are solely responsible for the safety of these devices and if the devices are stolen, broken or lost while under the care of the employee, the employee may be responsible for the first \$250 of cost to the device.

In addition, employee is responsible for keeping secure all data regarding students and staff. Should there be a lost, stolen or broken computer/device or another security issue, the employee must report the type of security issue that has occurred immediately to the employee's supervisor and the Superintendent or designee.

Santa Cruz COE personnel requiring the use of a cell phone to perform their daily duties will be provided with a prepaid cell phone unless a personal cell phone is determined necessary. If it is determined that the position requires a cell phone, a stipend may be offered. The employee's Department Director, Division Superintendent and the Deputy Superintendent, Business, will determine which plan meets the needs of Santa Cruz COE. Prepaid cell phones must be used for business use only. Santa Cruz COE Managers may request phone logs of all calls made to track minutes used. All employees who receive a prepaid cell phones or receive a cell phone stipend must first complete the required Authorization Request Form.

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

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>