



PERSONNEL – ALL EMPLOYEES

BOARD POLICY – ACCEPTABLE USE AGREEMENT

BP 4040

The County Board of Education and the County Superintendent of Schools recognize 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 SBCEO office and program operations; and improving access to and exchange of information. The County Superintendent of Schools or designee expect 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 SBCEO technology primarily for purposes related to their employment.

SBCEO technology includes, but is not limited to, computers, the SBCEO'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 SBCEO-owned or personally owned equipment or devices.

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

Employees shall not use SBCEO 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 conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The County Superintendent or designee shall ensure that all SBCEO sites with Internet access that qualify for E-rate discounts 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 7131; 47 USC 254)

The County 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 SBCEO, 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 County Superintendent or designee may monitor employee usage of SBCEO 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 SBCEO business may be subject to disclosure, pursuant to a subpoena or other lawful request.

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

Inappropriate use of SBCEO 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.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Gov. Code 3543.1
Gov. Code 6250-6270
Pen. Code 502
Pen. Code 632
Veh. Code 23123
Veh. Code 23123.5
Veh. Code 23125

Description

Rights of employee organizations
California Public Records Act
Computer Crimes, remedies
Eavesdropping on or recording confidential communications
Wireless telephones in vehicles
Mobile communication devices; text messaging while driving
Wireless telephones in school buses

Federal

20 USC 7101-7122
20 USC 7131
47 CFR 54.520

Description

Student Support and Academic Enrichment Grants
Internet Safety
Internet safety policy and technology protection measures, E-rate discounts

Management Resources

Court Decision
Court Decision
Website
Website
Website
Website
Website

Description

City of Ontario v. Quon et al. (2010) 000 U.S. 08-1332
City of San Jose v. Superior Court (2017) 2 Cal.5th 608
[Federal Communications Commission](#)
[American Library Association](#)
[California Department of Education](#)
[CSBA](#)
[U.S. Department of Education](#)

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