



Book	Policy Manual
Section	7000 Property
Title	STAFF USE OF PERSONAL COMMUNICATION DEVICES
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7530.02 - STAFF USE OF PERSONAL COMMUNICATION DEVICES

Use of personal communication devices ("PCDs") has become pervasive in the workplace. For purposes of this policy, "personal communication device" includes computers, tablets (e.g., iPads and similar devices), electronic readers ("e-readers"; e.g., Kindles and similar devices), cell phones (e.g., mobile/cellular telephones, smartphones (e.g., BlackBerry, iPhone, Android devices, Windows Mobile devices, etc.)), and/or other web-enabled devices of any type. Whether the PCD is Board-owned and assigned to a specific employee, or personally-owned by the employee (regardless of whether the Board pays the employee an allowance for his/her use of the device, the Board reimburses the employee on a per use basis for their business-related use of his/her PCD, or the employee receives no remuneration for his/her use of a personally-owned PCD), the employee is responsible for using the device in a safe, lawful, and appropriate manner.

Safe and Appropriate Use of Personal Communication Devices, Including Cell Phones

Using a cell phone or other PCD while operating a vehicle is strongly discouraged. Employees should plan their work accordingly so that calls are placed, text messages/instant messages/e-mails read and/or sent, and/or the Internet browsed either prior to traveling or while on rest breaks. In the interest of safety for both Board employees and other drivers, employees are required to comply with all applicable laws while driving (including any laws that prohibit texting or using a cell phone or other PCD while driving).

Employees shall not use a PCD in a way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated.

Duty to Maintain Confidentiality of Student Personally Identifiable Information - Public and Student Record Requirements

Employees are subject to all applicable policies and guidelines pertaining to protection of the security, integrity and availability of the data stored on their PCDs.

Cellular and wireless communications, including calls, text messages, instant messages, and e-mails sent from PCDs, may not be secure. Therefore, employees should use discretion in relaying confidential information, particularly as it relates to students.

Additionally, cellular/wireless communications, including text messages, instant messages and e-mails sent and/or received by a public employee or school official using his/her PCD may constitute public records if the content of the message concerns County business, or an education record if the content includes personally identifiable information about a student. Cellular/wireless

communications that are public records are subject to retention and disclosure, upon request, in accordance with Policy 8310 – Public Records. Cellular/wireless communications that are student records should be maintained pursuant to Policy 8330 – Students Records. Finally, cellular/wireless communications and other electronically stored information (ESI) stored on the staff member's PCD may be subject to a Litigation Hold pursuant to Policy 8315 - Information Management. Staff are required to comply with County requests to produce copies of cellular/wireless communications in their possession that are either public records or education records, or that constitute ESI that is subject to a Litigation Hold.

At the conclusion of an individual's employment (whether through resignation, nonrenewal, or termination), the employee is responsible for verifying that all public records, student records and ESI subject to a Litigation Hold that are maintained on the employee's PCD are transferred to the County's custody (e.g., server, alternative storage device). The County's IT department/staff is available to assist in this process. Once all public records, student records and ESI subject to a Litigation Hold are transferred to the County's custody, the employee is required to delete the records/ESI from his/her PCD. The employee will be required to sign a document confirming that all such records/information has been transferred to the County's custody and deleted from his/her PCD.

Similarly, if an employee intends to dispose of, or otherwise stop using, a personally-owned PCD on which s/he has maintained public records, student records and/or ESI that is subject to a Litigation Hold, the employee must transfer the records/ESI to the County's custody before disposing of, or otherwise ceasing to use, the personally-owned PCD. The employee is responsible for securely deleting such records/ESI before disposing of, or ceasing to use, the personally-owned PCD. Failure to comply with these requirements may result in disciplinary action.

Prohibited use of PCDs to capture, record, and/or transmit audio and/or video data

All employees and students are prohibited from using PCDs to capture, record and/or transmit the words or sounds (i.e., audio) and/or images (i.e., pictures/video) of any student, staff member or other person in the school or on school grounds before, during or after the school day or while attending any non-public school-related activity to which the general public is not invited to attend (e.g., school day classroom lessons, time between classes, employee break rooms, closed practices, meetings between and among staff and students and parents, etc.). The following exceptions shall apply to this prohibition: a) emergency situations where the foregoing activity is necessary to protect the health, welfare, or safety of a student; b), during school events open to the public (e.g., sporting events, concerts, plays, art shows, etc.); c) as otherwise authorized in advance by the Superintendent; and d) as necessary to fulfill an employee's required job responsibility.. Violations of this prohibition may result in disciplinary action up to and including termination for employees and expulsion for students, depending upon the nature and circumstances of the violation.

PCDs, including but not limited to those with cameras, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, locker rooms, shower facilities, rest/bathrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The Superintendent and building principals are authorized to determine other specific locations and situations where use of a PCD is absolutely prohibited.

Personal Use of PCDs While at Work

During work hours personal communications made or received, regardless of whether on a PCD or a regular telephone or network computer, can interfere with employee productivity and distract others. Employees are expected to use discretion in using PCDs while at work for personal business. Employees are asked to limit personal communications to breaks and lunch periods, and to inform friends and family members of the Board's policy in this regard.

Potential Disciplinary Action

Violation of this policy may constitute just cause for disciplinary action up to and including termination. Use of a PCD in any manner contrary to local, State or Federal laws may also result in disciplinary action up to and including termination.

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