

VENTURA COUNTY OFFICE OF EDUCATION

SUPERINTENDENT POLICY NO. 4040

ADOPTED: 03/24/97

CLASSIFICATION: Personnel

REVISED: 04/12/04

07/07/08

REPLACED: 07/14/15

SUBJECT: Employee Use of Technology

REVISED: 04/11/22

The Ventura County Office of Education (VCOE) recognizes that technology 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 operations. VCOE provides a wide range of technological resources, including staff Internet access for the purpose of advancing the educational mission of VCOE. All employees are expected to learn and use the available technological resources that will assist them in the performance of their job responsibilities. The level of access provided coincides with the requirements of each employee's job functions. These resources are provided at the public's expense and maintained by VCOE and therefore are to be used by members of the VCOE community with respect for the public trust through which they have been provided. VCOE intends to maintain a nonpublic forum, and the forums created by use of its technological equipment are reserved for VCOE's intended purposes.

VCOE periodically updates technology standards according to Superintendent's Policies and Administrative Regulations. Staff members who agree to abide by these defined standards will have access to appropriate, available resources, with guidance and support provided by the Technology Services Department.

Superintendent's policies apply to all VCOE staff, whether or not they come into direct contact with students, and cover all technology used while acting in their capacity as a VCOE staff member. This Acceptable Use Policy provides direction regarding the appropriate and inappropriate use of technology:

1. During the performance of duties
2. While at a VCOE location; and/or
3. While using VCOE equipment and/or accessing VCOE resources.

Successful operation of such resources requires that all users conduct themselves in a responsible, confidential, ethical, decent, and polite manner, consistent with VCOE Mission and Goals, as well as existing and applicable statutes. This Acceptable Use Policy does not attempt to articulate all required or prohibited behavior by users. Additional guidance and support is provided by the Technology Services Department.

VCOE employees, during the performance of duties, must obey all applicable laws and must follow rules of professional conduct.

Unacceptable behaviors include but are not limited to: creation and transmission of offensive, obscene, or indecent material; creation of defamatory material; plagiarism; infringement of copyright, including software, published texts, and student work; political and/or religious proselytizing; transmission of commercial and/or advertising material; and creation and transmission of material that a recipient might consider disparaging, harassing, and/or abusive based on race, ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, and/or political beliefs.

VCOE employees must follow VCOE protocols when using VCOE technological resources. Modification of such resources must be accomplished with guidance and support provided by the Technology Services Department. For example, a VCOE employee may not download any software or electronic files without implementing virus protection measures that have been approved by VCOE. An employee may not intentionally interfere with the normal operation of the network, including the propagation of computer viruses and unsanctioned high-volume network traffic that substantially hinders others in their use of the network. This includes causing congestion or disruption of the VCOE network through inappropriate downloads of large files, streaming audio/video, or other such activities. A VCOE employee may not examine, change, or use another person's files, output, records, or user name for which they do not have explicit authorization. A VCOE employee may not perform any other inappropriate uses identified by the network administrator.

A VCOE employee does not have an expectation of privacy in workplace electronic communications. Computer files and communications over electronic networks, including e-mail, voice mail, and Internet access, are not private.

VCOE is committed to meeting the provisions established in the Family Educational Rights and Privacy Act (FERPA), which protects the rights of students regarding education records. VCOE is committed to meeting the provisions established in the Health Insurance Portability and Accountability Act (HIPAA), which protects the rights of students and employees regarding protected health information. When technology resources are used to transmit confidential information about students, employees, and/or VCOE business, all appropriate safeguards must be used.

ONLINE/INTERNET SERVICES

VCOE is committed to meeting the provisions established in the Children's Internet Protection Act (CIPA), which protects the safety and privacy of minors. Therefore, VCOE uses appropriate filtering technology to monitor and screen access to the Internet, in an attempt to prevent online access to materials that are obscene, contain child pornography, or are harmful to minors. In compliance with California legislation and E-Rate^[1], VCOE addresses the appropriate and ethical use of information technology in the classroom so that students and teachers can distinguish lawful from unlawful uses of copyrighted works, including the following topics: the

concept and purpose of both copyright and fair use; distinguishing lawful from unlawful downloading and peer-to-peer file sharing; and avoiding plagiarism. VCOE provides for the education of minors about Internet safety, including appropriate online behavior that encompasses interacting with other individuals on social networking sites and in chat rooms, cyberbullying awareness and response, protecting online privacy, and avoiding online predators.

To ensure proper use, the Superintendent/designee may monitor VCOE's technological resources, including but not limited to e-mail, voice mail systems, and Internet usage, at any time without advance notice or consent and may copy, store, or delete any electronic communication or files and disclose them to others as it deems necessary or required by law.

A VCOE employee acting within the scope of employment should conduct VCOE business only on VCOE sanctioned systems. A VCOE employee may not consume time on non VCOE business, and the employee's use of VCOE equipment is expected to be related to VCOE's goals of educating students and/or conducting VCOE business. VCOE recognizes, however, that some personal use is inevitable and that incidental and occasional personal use that is infrequent or brief in duration is permitted so long as it occurs on personal time, does not interfere with VCOE business, and is not otherwise prohibited by VCOE policy, procedure, or statute.

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.

A VCOE employee, acting in an individual capacity and outside the scope of employment, may, during nonworking time, express views and opinions that do not necessarily state or reflect those of VCOE. Any such expression shall neither state nor imply that it is made on behalf of VCOE. A VCOE employee shall not communicate information otherwise prohibited by VCOE policy or procedures using technological resources.

Any employee who violates any provision of this Acceptable Use Policy shall be considered as having acted in an individual capacity and outside the scope of employment and, as such, may be subject to disciplinary action, up to and including termination or criminal prosecution by government authorities.

Legal Reference:

EDUCATION CODE

52295.10-52295.55 Implementation of Enhancing Education Through Technology grant program

GOVERNMENT CODE

3543.1 Rights of employee organizations
6250-670 California Public Record Act

PENAL CODE

502 Computer crimes, remedies
632 Eavesdropping on or recording confidential communications

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