

# Eagle Mountain-Saginaw ISD

## Acceptable Use Policy for Electronic Communication

### **Technology Resources**

#### *Policy CQ*

The district's technology resources, including its network access to the Internet, are primarily for administrative and instructional purposes. Limited personal use is permitted if the use:

- Imposes no tangible cost to the district
- Does not unduly burden the district's technology resources
- Has no adverse effect on job performance or on a student's academic performance

Electronic mail transmissions and other use of the technology resources are not confidential and can be monitored at any time to ensure appropriate use.

Employees who are authorized to use the systems are required to abide by the provisions of the district's acceptable use policy and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary action. Employees with questions about computer use and data management can contact the Director of Technology.

### **Personal Use of Electronic Media**

#### *Policies CQ and DH*

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (email), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., Facebook, MySpace, Twitter, LinkedIn). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.

As role models for the district's students, employees are responsible for their public conduct even when they are not acting as district employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for Web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

An employee who uses electronic media for personal purposes shall observe the following:

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network or equipment.
- The employee shall not use the district's logo or other copyrighted material of the district without express, written consent.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:

- Confidentiality of student records. [See Policy FL]
- Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See Policy DH(EXHIBIT)]
- Confidentiality of district records, including educator evaluations and private e-mail addresses [See Policy GBA]
- Copyright law [See Policy CY]
- Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See Policy DH (EXHIBIT)]

See *Use of Electronic Media with Students*, below, for regulations on employee communication with students through electronic media.

## **Use of Electronic Media with Students**

### *Policy DH*

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may communicate through electronic media with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. All other employees are prohibited from communicating with students who are enrolled in the district through electronic media.

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization. The following definitions apply for the use of electronic media with students:

- *Electronic media* includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, MySpace, Twitter, LinkedIn). *Electronic media* also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*; however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.
- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

An employee who uses electronic media to communicate with students shall observe the following:

- The employee may use any form of electronic media **except** text messaging. Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility.
- The employee shall limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purpose of communicating with students. The employee must enable administration and parents to access the employee's professional page.
- The employee shall not communicate directly with any student between the hours of 11:00p.m. and 5:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:
  - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
  - Copyright law [Policy CY]
  - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [ See Policy DF]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more currently-enrolled students.
- Upon written request from a parent of student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.

## **Electronic Communications Policy**

### **Student Safety**

Eagle Mountain/Saginaw ISD is aware that resources, which are inappropriate or not designed for use in the educational setting, may be accessed on the Internet. To protect students and staff from such inappropriate material, the District's Internet access is filtered with one of the highest rated Internet filtering systems available. "Lightspeed" is an Internet service specifically designed to protect users from unwanted material. Such inappropriate material is blocked at Lightspeed's main site where the staff continually searches the Internet for undesirable material and immediately blocks it. However, users must recognize that it is impossible for EM-S ISD to

restrict access to all controversial material and individuals must be responsible for their own actions in navigating the network. **For this reason, parents are asked to notify the school if they do not want their student to have Internet access.**

### **Purpose**

The purpose of this policy is to insure school-level compliance with all procedures and regulations regarding the local area network and Internet usage. All students, parents, teachers, administrators and District employees who obtain their Internet access through the Eagle Mountain-Saginaw ISD are expected to use these services appropriately.

### **User Responsibilities**

1. Eagle Mountain-Saginaw ISD is providing Internet resources for educational purposes only. Student/staff use of Internet resources must be related to an expressed educational/administrative goal or objective.
2. The use of the Eagle Mountain-Saginaw ISD Internet and computer network must be in support of educational goals, research, and class assignments and consistent with the educational objectives of the district.
3. The system may not be used for illegal purposes, in support of illegal activities, or for any activity prohibited by district policy.
4. Student users shall not download or copy any data, including music and video, to removable media or hard drives without prior teacher approval.
5. Participation in Internet chat rooms, instant messaging services, and Internet newsgroups is prohibited for all users.
6. Users must have a valid, authorized account to access the network, and use only those computer resources that are authorized. Accounts may be used only in accordance with authorized purposes.
7. Individual accounts may be used only by the owner of the account except where specifically authorized by the Eagle Mountain-Saginaw ISD administrators. In the case of class accounts, all use must be under the supervision of the sponsoring teacher.
8. The user is responsible for safeguarding the computer account. Users are expected to protect access to accounts by periodically changing the password and keeping it confidential. They must respect the privacy of others by not tampering with their files, passwords or accounts.

### **Policy – Terms and Conditions (CQ LOCAL)**

1. **Acceptable Use** –Users are to properly use district network resources for educational and/or administrative purposes. Respectful and responsible network etiquette and behavior should be in keeping with the district’s mission statement. Students and staff are expressly prohibited from accessing obscene, profane, vulgar, or pornographic sites or materials.
2. **Privileges** – The use of the Internet is a privilege. Abusive conduct will lead to the privilege being revoked.
3. **Warranty** - Eagle Mountain-Saginaw ISD makes no warranties of any kind, whether expressed or implied, for the service it is providing. Eagle Mountain-Saginaw ISD will not be responsible for loss of data resulting from delays, non-deliveries, mis-deliveries viruses, or service interruptions caused by its own negligence or user errors or omissions. Opinions, advice, services, and all other information expressed by system users,

information providers, service providers, or other third party individuals in the system are those of the providers and not the district. Eagle Mountain-Saginaw ISD specifically denies any responsibility for the accuracy or quality of information obtained through EM-S ISD network services.

4. **Disclaimer of Liability** – The district shall not be liable for user’s inappropriate use of electronic communication resources or violations of copyright restrictions, user’s mistakes or negligence, or costs incurred by users. The District shall not be responsible for ensuring the accuracy, age appropriateness, or usability of any information available on the Internet.
5. **Monitored Use** – Electronic mail transmissions and other use of the electronic communications system by students and employees shall not be considered confidential and may be monitored at any time by Internet service providers, operators of system file servers, and designated district staff to ensure appropriate use for educational or administrative purposes. Electronic mail accounts not issued by the district are not supported and are not to be used on district equipment. Forgery or attempted forgery of electronic mail messages is prohibited. Only authorized district personnel designated by the Director of Technology Services, may read, delete, copy or modify the electronic mail of other system users. Deliberate interference with the ability of other system users to send/receive electronic mail, or the use of another person’s user ID and/or password is prohibited. Forgery or attempted forgery will result in the cancellation of system privileges, as well as other appropriate consequences.
6. **Vandalism** is prohibited and will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm, disrupt or destroy data of another user of the District’s network, or any of the agencies or other networks that are connected to the Internet. This includes, but is not limited to, the uploading or creating of computer viruses. Any of these actions may be viewed as violations of District policy, administrative regulations and, possibly, as criminal activity under applicable state and federal laws. Users must respect the privacy of other users. Users will not intentionally seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, or represent themselves as another user unless explicitly authorized to do so by that user. Deliberate attempts to degrade or disrupt system performance and/or degrade, disrupt, or bypass system security are violations of District policy and administrative regulations and may constitute criminal activity under applicable state and federal laws.
7. The district will, in accordance with district policy, cooperate with local, state, or federal officials in any investigation concerning or relating to misuse of the district’s network.
8. **Network Etiquette** – The user is expected to:
  - be polite;
  - use appropriate language;
  - maintain confidentiality of the user, colleagues, and students;
  - respect copyright laws;
  - be respectful in all aspects of network use;
  - Remember: an all caps message implies shouting

### **Consequences**

The following consequences will apply to all Eagle Mountain-Saginaw ISD Internet users.

Violation of EM-S ISD policies and procedures concerning the use of the computers on the network will result in the same disciplinary actions that would result from similar violations in other areas of Eagle Mountain-Saginaw ISD life. Any or all of the following consequences may be enforced:

1. Loss of computer privileges/Internet access, with length of time to be determined by the campus administration.
2. Any campus-based disciplinary consequence, including suspension as deemed appropriate by the administration.
3. DAEP placement may be considered in flagrant violations or violations that corrupt the educational value of the computers or the Internet. Additionally, expulsion may be considered in instances where students have used Eagle Mountain-Saginaw ISD Internet access to engage in conduct that constitutes felony criminal mischief.
4. Staff consequences – Any of the above consequences as deemed appropriate by the administration or possible termination of employment for noncompliance of the Eagle Mountain-Saginaw ISD policies.

Violations of law may result in criminal prosecution as well as disciplinary action by the District.

## **Electronic Documentation Retention**

### **USER RESPONSIBILITIES FOR EMAIL DOCUMENTATION**

#### **- From TX State Library and Archives Commission**

- **It is the responsibility of the user of the e-mail system, to manage e-mail messages according to the agency's retention schedule.**
- **It is the responsibility of the sender of e-mail messages to retain the messages for the approved retention period.**
  - Names of sender, recipient, date/time of the message, as well as any attachments must be retained with the message.
  - Except for listserv mailing services, distribution lists must be able to identify the sender and recipient of the message.

### **Administrative Recommendation for Email documentation**

- Each month, as a minimum process, Archive emails
  - Include SENT ITEMS (very important )
  - Include messages in sub-folders (CABINET folders)
  - **“RULE of THUMB”** – Back up ARCHIVE Folder prior to each holiday break (for safety)
  - As the retention schedule progresses, delete the respective folders outlined by the retention description.
- The email server will expire (delete) emails after 120 days
  - All emails that have NOT been archived will be subject to the 120 day clock Including:
    - Sent items
    - Messages in Cabinet folders
    - Outlook pst. Folders
    - Junk mail

### **KEEPING E-MAIL RECORDS**

- E-mail generally falls into several common record series categories.
  - Administrative Correspondence
  - General (Project) Correspondence
  - Transitory Information

**ADMINISTRATIVE CORRESPONDENCE**

- Incoming/outgoing and internal correspondence, in any format, pertaining to:
  - the formulation
  - Planning
  - Implementation
  - Interpretation
  - Modification or redefinition of the programs, services, or projects of an agency and the administrative regulations, policies and procedures that govern them.
- Subject to Archival review. Retention: **3** years.

**GENERAL (PROJECT) CORRESPONDENCE**

- Non-administrative incoming/outgoing and internal correspondence, in any media, pertaining to or arising from:
  - the routine operations of the policies, programs, services, or projects of an agency
- Retention: **1** year.

**TRANSITORY INFORMATION**

- Records of temporary usefulness that are not an integral part of a records series of an agency
- not regularly filed within an agency's recordkeeping system
- required only for a limited period of time for the completion of an action
- Routine messages; internal meeting notices; routing slips; incoming letters or memoranda of transmittal that add nothing of substance to enclosures; and similar routine information used for communication, but not for the documentation, of a specific agency transaction.
- Retention: **AC** (after purpose of record has been fulfilled).

I have read, understand and accept responsibility for the information in this document. I will also follow the policies, rules and guidelines described in this document.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date