

## Article XIX

### REGULATIONS GOVERNING EMPLOYEE USE OF INFORMATION TECHNOLOGY RESOURCES

**Section 5-19.1 Statement of purpose; modest personal use permitted; violators subject to discipline.**— A. Suffolk Public Schools' information technology resources have been assembled to facilitate the pursuit of excellence in the division's missions of teaching, research, and service. The opportunity to use computing systems and software, as well as internal and external data networks, is important to all members of the school division community. To preserve that opportunity for the full community, each individual faculty member, staff member, and student must comply with institutional and external standards for acceptable use of these shared resources.

B. Although modest personal use of school-supplied technology resources may improve the skills of individual users and otherwise contribute indirectly to the School Board's mission, these resources should be used primarily for school-related educational and administrative purposes. By using Suffolk Public Schools' information technology facilities and resources, users agree to abide by all related school division policies and procedures, as well as applicable federal, state, and local law.

C. Violations may result in School Board disciplinary action or referral to appropriate external authorities. The use of Suffolk Public Schools computing resources -- like the use of any other division- provided resource and like any other division-related activity -- is subject to the normal requirements of legal and ethical behavior within the school division community. Thus, legitimate use of a computer, computer system, switching system, or network does not extend to whatever is technically possible. Although some limitations are built into computer operating systems and networks, those limitations are not the sole restrictions on what is permissible. Users must abide by all applicable restrictions, whether or not those restrictions are built into the operating system or network and whether or not they can be circumvented by technical means.

#### Legal Authority – School Board Policy § 5-6.3

**Section 5-19.2. Scope of regulation; definitions.** — A. This acceptable use regulation applies to all users of Suffolk Public Schools information technology (IT) resources. This includes the resources under the management or control of the Technology Department or other units of Suffolk Public Schools such as the Pruden Center for Industry and Technology, Southeastern Cooperative Educational Programs, and any other groups or programs using information technology resources provided by Suffolk Public Schools.

B. The following terms are defined as follows:

1. A “user” is defined as any individual who uses, logs into, or attempts to use or log into, a system; or who connects to, or attempts to connect to or traverse, a network, whether by hardware or software or both, whether on campus or from remote locations. The term “user” thus includes system sponsors and system managers, faculty, staff, students, and other customers.
2. “Information technology resources” are those facilities, technologies, and information resources required to accomplish information processing, storage, and communication, whether individually controlled or shared, stand-alone or networked. Included in this definition are all classroom technologies, electronic resources, and computing and electronic communication devices and services, such as, but not limited to, computers, printers, modems, e-mail, fax transmissions, video, telephones, cell phones, Student Information Systems, electronic grade books, multi-media, instructional materials, and healthcare and administrative systems. Personal equipment connected to the school division network is also subject to this regulation.

**Legal Authority – School Board Policy § 5-6.3**

**Section 5-19.3 Security and privacy encouraged; inspection upon probable cause; response to court orders; subject to public record request.—**

A. Suffolk Public Schools employs various measures to protect the security of its computing resources and of its user accounts. Users should be aware, however, that the school division cannot guarantee such security. Users should therefore engage in “safe computing” practices by utilizing appropriate access restrictions for their accounts, guarding their passwords, and changing passwords regularly. Users are responsible for maintaining backup and recovery systems in accordance with disaster recovery guidelines, as well as for implementing and maintaining computer security in accordance with best practices and Suffolk Public Schools policies and procedures. Suffolk Public Schools respects encryption rights on its networks and may itself encrypt information and transactions when secure confidentiality is an obligation. Users should also be aware that their uses of Suffolk Public Schools computing resources are not completely private. While Suffolk Public Schools does not routinely monitor individual usage of its computing resources, the normal operation and maintenance of the school division’s computing resources require the backup of data and communication

records, the logging of activity, the monitoring of general usage patterns, and other such activities that are necessary for the rendition of service.

B. Suffolk Public Schools may also inspect files or monitor usage for a limited time when there is probable cause to believe a user has violated this regulation. Inspections or monitoring related to violations of this regulation must be authorized in advance by the Superintendent or by the Superintendent's designee, or the Director of Technology Services. Such inspections or monitoring will be conducted without notice to the user by an authorized investigator.

C. In addition, users should be aware that their right to privacy in electronic records may be subject to Suffolk Public Schools' obligation to respond to subpoenas or other court orders, reasonable discovery requests, and requests for documents pursuant to *Virginia Code*.

D. Suffolk Public Schools' administrative records are subject to public record requests, unless an expressed exception recognizes the confidentiality of the material. By statute, public records include all "records, documents, tape or other information, stored or preserved in any medium," whether generated by school division administrators, faculty, or staff. The statute contains no expressed exception for documents generated by faculty or staff in the course of their employment. Although it is Suffolk Public Schools' position that personal electronic files of faculty, staff and students are not ordinarily to be considered "public records," users should be aware that a court of law, and not school division officials, may ultimately decide such issues.

#### **Legal Authority – School Board Policy § 5-6.3**

**Section 5-19.4 Individual Responsibilities.**— The following responsibilities apply to any employee using Suffolk Public Schools' technology resources.

- a. Use resources appropriately. Uses that interfere with the proper functioning of Suffolk Public Schools' information technology resources are prohibited. Such inappropriate uses would include but are not limited to insertions of viruses into computer systems, tapping a network or running a "sniffer" program, e-mail spam, chain letters, destruction of another's files, use of software tools that attack IT resources, violation of security standards, and the like.
- b. Respect the rights of others. Interference with the ability of other users to make appropriate use of the resources is prohibited. Such inappropriate uses include, without limitation, invading the privacy of another's files or otherwise gaining unauthorized access to the files of another. Such uses would include but are

not limited to denial of service attacks, misrepresentation, forgery, use of software tools that attack IT resources, and the like.

- c. Adhere to the EDUCAUSE Code of Software and Intellectual Rights as follows: Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principle applies to works of all authors and publishers in all media. It encompasses respect for the right to acknowledgment, right to privacy, and right to determine the form, manner, and terms of publication and distribution. Because electronic information is volatile and easily reproduced, respect for the work and personal expression of others is especially critical in computer environments. Violations of authorial integrity, including plagiarism, invasion of privacy, unauthorized access, and trade secret and copyright violations, may be grounds for sanctions against members of the academic community.
- d. Adhere to data access policies. Accessing restricted data without permission or need to know is prohibited. Where access to restricted data is permitted, use of such data shall be limited to the purpose for which access was authorized. Secondary use of Suffolk Public Schools' data subject to access restriction, without adhering to the restrictions, is also not permitted. Medical information retained by Suffolk Public Schools is further protected by state and federal law which prohibits any disclosure without specific written consent of the person to whom it pertains, or as otherwise required by law. A general authorization for release of medical or other information is not sufficient for this purpose.
- e. Adhere to software licenses. Persons loading software on any Suffolk Public Schools' computer must adhere to all licensing requirements for the software. Except where allowed by Suffolk Public Schools' site licenses, copying software licensed for school division use for personal use is a violation of this regulation. Users are responsible for adhering to agreements for software licensed and databases owned by the school division. f. Avoid excessive personal use. Personal use of computer resources should be kept to a minimum. Personal use may be excessive if it takes place during regularly scheduled work time, if it overburdens a network, if it results in substantial use of system capacity, or if it otherwise subjects the school division to increased operating costs. Some uses will be plainly excessive in all environments, but the extent to which other uses become

excessive may vary. In those instances, supervisors will provide more specific guidance to individual users by providing advice on a case-by-case basis.

- g. Refrain from prohibited personal uses. Information technology resources, including Suffolk Public Schools' electronic address (e-mail, web), shall not be used for personal commercial gain, for charitable solicitations unless these are authorized by the Superintendent, for personal political activities such as campaigning for candidates for public office, or for lobbying of public officials. For purposes of this regulation, "lobbying" does not include individual faculty or staff sharing information or opinions with public officials on matters of policy within their areas of expertise. Faculty and staff consulting that is in conformity with Suffolk Public Schools' guidelines is permissible.
- h. Use Suffolk Public Schools name as authorized. Unless authorized to speak for the school division, users should avoid creating the impression they are doing so. Electronic exchange of ideas is encouraged. However, users shall take appropriate steps to avoid the possible inference that communication of a message via the school division e-mail system or posting to an electronic forum connotes official Suffolk Public Schools authorization or endorsement of the message.
- i. Adhere to other Suffolk Public Schools policies. Inappropriate use of electronic technology resources may violate a number of generally applicable school division policies. In addition, specific policies created by Suffolk Public Schools IT community, under the oversight of the Superintendent are also included.
- j. Obey external laws. Information technology resources shall not be used in a manner that violates federal, state, or local law, including without limitation the federal requirement that Suffolk Public Schools provide employment and educational environments free from race-based or gender-based hostility (see Titles VI and VII, Civil Rights Act of 1964, and Title IX, Educational Amendments of 1972); and state criminal laws forbidding harassment, exhibition of obscene materials to minors, rental or sale of pornography, official misconduct, computer crime, and federal and state copyright and fair use laws. Nothing in this regulation prohibits the use of appropriate material for educational purposes in any school, or library, or in any educational program in which a minor is participating.

- k. Staff members should avoid open social networking websites offering an interactive, user-submitted network of Mends, personal profiles, blogs, groups, photos, music and videos (My Space, Face Book, etc.) where students can send messages and pictures. Participation in sites of this nature may compromise the ethical integrity of an employee's position and jeopardize one's employment.
- l. Staff members may not post or submit student pictures and other identifying information for print media, such as local newspapers without approval by the Superintendent, the Superintendent's designee, or the Public Information Officer. Many local newspapers are now available as both print and Web-based media. While schools may grant permission for local newspapers to use student pictures with articles about student activities, schools should be aware that the newspaper may extend this use to electronic versions of the newspapers. Ample evidence suggests that posting student pictures and identifying information on Web sites is an Internet safety issue and could pose a serious threat to student safety. In some instances, student pictures and personal information—including height, weight, and athletic statistics have been posted to sites owned and managed by division staff to support activities such as sharing athletic rosters. These types of sites could also pose serious threats to student safety and are subject to the same approval process as stated above.
- m. All users must abide by the rules of network, email and Internet etiquette, which include:
  - 1. Be polite. Use appropriate language in your electronic communications.
  - 2. Be safe. In using the computer network and Internet, do not reveal personal information such as your home address or telephone number. Do not arrange a face-to-face meeting with someone you 'meet' on the computer network or Internet, in a secluded place or in a private setting.
  - 3. Be careful. Do not jeopardize the security of user access and of the computer network or other networks on the Internet. For example, don't disclose or share your password with others or impersonate another user. It is recommended to include numbers in passwords as this further improves security.

4. Be mindful of viruses. All data files received as attachments should only be opened if they are from a reputable source.
5. Users should not use the services of the school division's Internet and/or e-mail to obtain or send such material which contravenes the law or published School Board policies (articles which are sexist, racist, violent, obscene or pornographic, or promote illegal behavior).
6. Users are advised that the use of email to send personal data (e.g. about staff or students) to a third party is expressly forbidden unless prior approval by the Superintendent or his designee is obtained.
7. Users are advised that all e-mail sent from an account is the responsibility of the individual account holder. To maintain consistency and clarity of contact information, users must only supply relevant contact information as part of e-mail signatures. The use of wallpaper, pictures, graphics or animations is discouraged.
8. Users are advised that the contents of a network account home directory are the responsibility of the individual account holder.
9. Users must not use chat sessions unless they relate to instruction or technology support.
10. Users must not tamper with the settings of the network or workstations.
11. Users are advised that web-based audio streaming services are provided for work-related purposes only.
12. Suffolk Public Schools does not allow users to install or use unauthorized software or copy or remove software from the school division's PCs and/or network.
13. Users are required to exit or lock the system when not in close proximity to the computer workstation.

**Legal Authority – School Board Policy § 5-6.3**

**Section 5-19.5 Administration and Enforcement; report of violations;**  
— A. Principals are charged with communicating this regulation to the user community through partnering with the Director of Technology Services and for providing staff with access to educational programs to achieve technical

proficiency and appropriate use of the resources. Requests for interpretation of the regulation as applied to particular situations may be directed to the Assistant Superintendent of Administrative Services.

B. Reports of apparent violations of the regulation may be made to the Superintendent or his designee, the Director of Technology Services or the employee's supervisor. Where violations of law are alleged, the Principal, Department Head, School Resource Officer, Suffolk Police Department, and the Assistant Superintendent of Administrative Services should be contacted. Where sanctions are appropriate, they may include a formal reprimand, loss of user privileges for a definite or an indefinite period, or termination of employment. Serious or repeated violation of this regulation by staff members will be governed by the general Grievance Procedures. Violations of this regulation by staff members will be addressed by the staff member's supervisor, principal, Assistant Superintendent of Administrative Services, or Superintendent. Appeals from any formal disciplinary action taken against a staff member are governed by Grievance Procedures for Staff Members.

**Legal Authority** – School Board Policy § 5-6.3

**Section 5-19.6 No expressed or implied warranties; not responsible for damages; not responsible for accuracy of information.**— A. Suffolk Public Schools makes no warranties of any kind, whether expressed or implied, with respect to the information technology services it provides.

B. The school division will not be responsible for damages resulting from the use of communication facilities and services, including, but not limited to, loss of data resulting from delays, non-deliveries, missed deliveries, service interruptions caused by the negligence of a school division employee, or by the user's error or omissions.

C. Use of any information obtained via the Internet is at the user's risk. Suffolk Public Schools specifically denies any responsibility for the accuracy or quality of information obtained through its electronic communication facilities and services, except material represented as an official Suffolk Public Schools' record or document. Suffolk Public Schools also does not accept responsibility for removing material that some users may consider defamatory or otherwise offensive. Users should be advised, however, that dissemination of such material may subject them to liability in other forums.

**Legal Authority** – School Board Policy § 5-6.3