

## **5175 INTERNET ACCEPTABLE USE BY EMPLOYEES**

### **A. Definitions**

As used in this policy, the term “computer resources” shall include all computing and telecommunicating equipment, servers, networks, systems, and other computing and telecommunicating resources, including laptops and other mobile computing devices, Internet, intranet, on-line services, electronic mail, and web sites.

As used in this policy, the term “electronic data files” shall include all electronic mail, Internet records, and data or other stored information on the school system network or hardware or on a disk used on the school system network or hardware.

Unless specifically stated otherwise, the provisions of this policy shall apply to employee use of all computer resources owned, leased, rented or otherwise provided or controlled by the Edenton-Chowan Board of Education and Edenton-Chowan Schools.

### **B. Introduction**

The Edenton-Chowan Board of Education’s computer resources are owned by the school system. The Board may provide school system employees with access to computer resources when available and desirable. Computer resources are provided to employees to further educational goals, to use for valid work-related purposes, and to provide for efficient work-related communication between employees. The Edenton-Chowan Schools’ computer resources are not intended to create and shall not constitute a public forum.

Employees’ use of computer resources is governed by federal and state law and Board policies and procedures. Individual schools or divisions / departments within the school system may adopt additional rules and regulations governing employee use of computer resources to meet specific administrative or academic needs. Any adopted requirements must be in compliance with applicable federal and state laws and this policy.

The Edenton-Chowan Schools’ computer resources are intended to be used for business purposes only. These computer resources are not to be considered a substitute for an employee’s personal computer, mobile device and/or Internet connection. All electronic data files stored or transmitted on Edenton-Chowan Schools’ computer resources are considered Edenton-Chowan Schools’ records.

As a condition of initial and continued employment, all employees shall sign a statement indicating that they understand and will strictly comply with this Acceptable Use policy.

### **C. Regulatory Limitations**

1. The school system may monitor access to its computer resources and all electronic data files stored or transmitted on school computer resources for the following purposes:

a. To ensure the security and operating performance of its equipment, systems, and networks.

b. To review employee performance or conduct.

c. To enforce applicable laws and policies.

d. To respond to requests for records as permitted by law.

2. The school system may authorize confidential passwords or other secure entry identification. However, while the school system does not intend to review employees' electronic mail, Internet records or data files routinely, employees have no right or expectation of privacy in material stored or transmitted on school system computer resources. The school system may monitor employees' use of computer resources and electronic data files for the reasons stated in section A. above or for any other lawful purpose.

3. As with other school records, electronic data files are subject to disclosure to law enforcement or government officials or to other third parties through public records request, subpoena or other lawful process. The Edenton-Chowan Board of Education reserves the right to disclose employee electronic mail, Internet records, and data files to law enforcement, government officials, or other third parties without notification to or permission from the employees sending, receiving, or storing the material. Edenton-Chowan Schools electronic information resources, the Internet, and use of email are not inherently secure or private. Staff shall have no expectation of privacy while using school system electronic information resources. The board reserves the right to search data or email stored on all school-owned or leased computers or other electronic information resources at any time for any reason. The board reserves the right to monitor use of school system electronic information resources and to take appropriate disciplinary action based on the any user's inappropriate or illegal use or use that is in violation of this policy.

4. The school system reserves the right to limit employee access to its computer resources when federal or state laws or Board policies are violated, where school system contractual obligations or school system operations may be impeded, or where the Superintendent or designee believes it is in the best interests of the school system to so limit access.

5. There is an enormous quantity and variety of free software available on the Internet. In addition to viruses that could infect the school's systems, the cumulative effect of widespread downloading on the school's computers can significantly degrade performance and create the need for additional maintenance. Therefore, employees may not load or install software from any source without advance approval from the district technology department or system administrator.

6. Security on the school system's computer resources is a high priority. If any employee identifies a security problem, the employee must notify the district technology department immediately. The employee shall not demonstrate the problem to other users or attempt to fix the problem without permission from the district technology department.

7. In accordance with federal law, Internet filters will be placed on all computers with Internet access to prevent the access of obscene visual depictions and pornography and, in the case of minors, of material that is harmful to minors. The filters may only be disabled by the principal or designee at each school and

only for employee use for research or other lawful purposes. Intentional attempts to evade content filters will be considered a violation of this policy.

#### **D. Permissible Use**

Computer resources are provided solely to support the educational mission of the school system and are to be used for school purposes. Any incidental personal use of school computer resources must be kept to an absolute minimum, must not interfere with the employee's job performance, must not violate any of the rules contained in this or any other Board policy, and must not damage the school system's computer resources. All employees are expected to act responsibly and in conformity with generally accepted rules of network etiquette. All uses of the school system's computer resources must comply with the following guidelines.

1. Any use which would involve accessing, producing, posting, sending, or displaying pornographic, obscene, discriminatory, profane, lewd, vulgar, threatening, or sexually suggestive material, language or images, including images of exposed private body parts, is prohibited. Anything an employee views, sends, receives, generates, or accesses must be appropriate for viewing, sending, receiving, generating, or accessing by school children.
2. Any use that violates state or federal laws or Board policies against race or gender discrimination, including sexual harassment, is prohibited. All Board policies against sexual harassment and other forms of discriminatory harassment apply equally to communication on school computer resources.
3. Any use in violation of federal or state law or Board policy is prohibited.
4. Any use that may damage the school system's computer resources is prohibited.
5. Any use that involves plagiarizing or infringing the copyrights or trademarks of any work, including works found on the Internet, is prohibited.
6. Any use that involves the transmission or storage of confidential information concerning students or others on computer resources not designated for that use is prohibited. All employees should use care to protect against negligent disclosure of confidential information.
7. Use of another's ID or password without that person's written permission is prohibited, except by a person in the district technology department authorized to use IDs or passwords. Employees are responsible for safeguarding their own passwords, and they will be held accountable for the consequences of intentional or negligent disclosure of this information. Unauthorized attempts to log onto the computing system as a network system administrator will result in cancellation of user privileges and other potential discipline. Any user identified as a security risk may be denied access.
8. Any illegal or unauthorized use of data in folders or work files is prohibited.
9. Any use that intentionally wastes limited resources (including distribution of mass electronic mail messages on non-work-related subjects, participation in chain letters, creation of and participation in unauthorized news groups, and storage of electronic data files without proper authorization) is prohibited.
10. Any use for personal commercial purposes is prohibited. Employees may not advertise or solicit for any commercial service or product or solicit money for or participation in any fundraising

event using school system computer resources without prior approval from the Superintendent or designee.

11. Any use that includes posting personal, private or identifying information about any person, including the author of the posting, on the Internet is prohibited except as authorized in advance by the Superintendent or designee. This provision does not prohibit an employee from including his/her name, address, and phone number on an email communication. This provision does prohibit posting to the Internet from a home or personal computer any personal, private or identifying information about another person that is obtained as a result of the employee's employment with Edenton-Chowan Schools.
12. Any use that involves engaging in, arranging to engage in, or advocating illegal acts or violence (including accessing material about pornography and hate literature) is prohibited.
13. Any use that could be disruptive, cause damages, or endanger students or staff is prohibited.
14. Any use that publishes in any way false or defamatory information about a person or organization is prohibited.
15. Any use that involves accessing chat-rooms unless for official school business is prohibited.
16. Any electronic mail sent from the school computer is likely to contain a return address identifying the school district. Sending an electronic mail from the school is analogous to an employee using school letterhead. Accordingly, employees shall exercise caution to ensure that they do not have their own statements mistakenly attributed to the school district. Any use through which an employee's views may be attributed mistakenly (via express statement or implication) to the school district is prohibited. Additionally, employees should always ensure that the business information contained in electronic mail/Internet messages is accurate, appropriate, and lawful.

#### **E. Consequences of Violation of Policy**

In the event that an employee violates this policy, the following consequences may result. Any of these consequences may be enforced alone or in conjunction with one another by the school system against the violating employee.

1. Revocation or limitation of access privileges
2. Disciplinary action up to and including termination of employment
3. Personal liability for damage to school system computer resources caused by intentional misuse.
4. Any other sanctions or remedies provided by law.

Employees who violate this policy will not be defended at the Board expense pursuant to [N.C. Gen. Stat. § 115C-43](#).

Any employee who publishes or duplicates copyrighted material shall be held personally liable for any of his or her actions that violate copyright laws.

#### **F. Application of Public Records Law**

All information created or received for work purposes and stored on or contained in the school system's computer resources or electronic data files is subject to public disclosure unless an exception to the Public Records Law applies. This information may be purged or destroyed only in accordance with the

applicable records retention schedule and the State Division of Archives regulations.

### **G. Waiver of Responsibility**

The Edenton-Chowan Schools makes no warranties of any kind, whether express or implied, for the computer resources it may provide. The Edenton-Chowan Schools will not be responsible for any damages suffered, including damages caused by loss of service, interruptions or any other cause.

Use of information obtained via the Internet is at the user's risk. The Edenton-Chowan Schools specifically denies any responsibility for the accuracy or quality of information obtained via its Internet service. The Edenton-Chowan Schools also specifically clarifies that electronic mail / Internet messages authored by employees may not necessarily reflect the views of the Edenton-Chowan Board of Education.

LEGAL REF: [47 U.S.C. § 254](#); [G.S. 115C-43](#); [U.S. Const. amend. I](#); [Children's Internet Protection Act](#); [Electronic Communications Privacy Act, 18 U.S.C. 2510-2522](#); [Family Educational Rights and Privacy Act, 20 U.S.C. 1232g](#); [17 U.S.C. 101 et seq.](#); [20 U.S.C. 7131](#); [G.S. 115C-325\(e\) \(applicable to career status teachers\)](#), [-325.4 \(applicable to non-career status teachers\)](#)

CROSS-REF: Policy [3340](#) Acceptable Internet Use, Policy [5180](#), Employee Use of Social Media

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