

Staff/Community Members Cell Phones and Other Electronic Equipment

The Administration of NWBOCES shall be charged with the duty and shall have the authority to regulate the utilization of cell phones and other electronic devices by all staff, parents, and/or community members while on NWBOCES property, at school activities, or while in NWBOCES vehicles. Utilization of cell phones which in any way disrupts or interferes with educational or treatment programs or student activities shall be prohibited.

In general, NWBOCES discourages the use of cell phones (including text messaging) during staff work days, as staff are expected to be providing the services and supervision they are employed to provide. While employees are on shift, cell phones should generally be maintained in their vibrate only position.

Staff may utilize cellular phones, pagers and other electronic signaling devices while on shift to communicate with co-workers regarding critical incidents and other needs of assistance.

Policy 4021

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EFCD's (Electronic File(s), Communication(s), and/or Device(s) Policy)

Electronic file(s), communication(s), and/or device(s) (EFCD's) are critical 21st century tools. The intent of the use of these tools is for the education and safety of our students. Any utilization of these tools shall be considered a privilege. Therefore, all EFCD's must be used responsibly with respect and in accordance with the goals of NWBOCES. All terms, conditions, and restrictions governing use of EFCD's will follow the guidelines set forth in this policy.

1. Scope

This policy applies to all forms of electronic file(s), communication(s), and/or device(s).

It is understood that reference to any electronic devices within the policy shall be an all-inclusive reference to any and all devices, systems, and services. Furthermore, it is important to understand that this policy governs not only employee, student, contractor and/or visitor use of electronic devices at NWBOCES but also the following:

- accessing of, use of, or operation of devices owned by NWBOCES at any location
- use of devices owned by the employee, student, contractor and/or visitor if accessing NWBOCES systems or subsystems from any location
- use in any way which may discredit NWBOCES or the public's confidence in NWBOCES
- use in any way for which NWBOCES may be held liable, directly or indirectly, by any party
- use of personal devices either on or off campus in such a manner which causes or threatens to cause a substantial and material disruption of school/program or interferes with the rights of student(s) to be secure or in a manner determined to be harassment or bullying
- any personal use which results in additional charges/fees will be the responsibility of the employee

2. General Expectations of End Users

Employees, students, contractors and visitor(s) are expected to act knowledgeably in a responsible, ethical, professional, and legal manner. Every person shall be individually responsible for his or her own knowledge, behavior, action(s), and/or inaction(s) regardless of intent. Each individual shall be wholly and totally responsible for his/her usage and possession of any and all EFCD's.

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Therefore, all individuals agree to all rules and regulations established by NWBOCES and agree to enable, rather than distract from, the educational/program goals of NWBOCES. This policy applies to virtual as well as physical visitors.

Important critical EFCD's are often communicated via e-mail, pager, phone calls, text messaging, social media, video/audio surveillance, etc. It shall be expected that all employees regularly check devices for NWBOCES communications. In addition to fulfilling educational/program and role-oriented tasks, every employee, student, contractor and/or visitor shall be required and expected to help maintain the overall security and integrity of NWBOCES systems by reporting any misuse, malfunction, and/or security-related issues to NWBOCES Administration. This includes, but is not limited to, agreeing to be video/audio recorded by any and all NWBOCES video/audio surveillance systems.

3. Defense Against Threats

In an overall defense strategy, each individual student, teacher, staff member, contractor and visitor shall be responsible for his/her actions, personal devices, and all associated EFCD's (i.e. transmitted, received, stored, in possession, etc.).

In an effort to protect employees, students, contractors and visitors against the possible threat of internal violation(s) by another employee, student, contractor and/or visitor with an intentional or unintentional goal of obtaining, manipulating or destroying critical information, destroying NWBOCES critical learning environment, or illegally sharing copyrighted materials, all employees, students, contractors and visitors shall agree to comply with all NWBOCES policies with expected standards of professional and personal courtesy and conduct.

4. Authorized-only Access

Employees, students, contractors and visitors agree to access NWBOCES systems and services by permission. Permission may be controlled through a series of authorizations including, but not limited to, network authentication, device to domain authentication, group policy, an employee's or student's domain login account, and account passwords, and through compliance with expected standards of professional and personal courtesy and conduct. Any uncertainty regarding permission shall be clarified prior to use.

All employees, students, contractors, and software and/or hardware support agencies shall be required to sign an EFCD's Usage Agreement (available at NWBOCES office) prior to bringing or using any EFCD's, either personal, NWBOCES-owned, or otherwise. The responsibility of each employee, student, contractor and/or visitor shall include the protection of the confidentiality of his/her authorizations (i.e., keys, badges, accounts, passwords). On a case-by-case basis, temporary access may be requested of and granted by NWBOCES administration.

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5. Right to Monitor

With regard to any and all EFCD's, NWBOCES grants no offer of, nor rights to, privacy. Employees, students, contractors and visitors agree not to assert or expect any rights of privacy.

All electronic transmission systems and services provided by NWBOCES are therefore its property. This entitles NWBOCES to reserve the right to monitor any and all information passing through or stored in its systems. Internet traffic may be analyzed or e-mail messages may be read while ascertaining whether this EFCD's policy or any other NWBOCES policy or law is being violated.

In addition, backup copies of e-mail messages may exist, despite end-user deletion, either in compliance with the NWBOCES records retention policy or not. A goal of any backup and archiving procedure is to ensure system reliability and prevent business data loss.

Continuing consent to the NWBOCES monitoring of all electronic files and/or communications is a condition of employment, attendance, contract and/or visitation. This includes but is not limited to, an individual's agreement to being under video/audio surveillance and monitoring.

6. Internet Safety, Information Disclosure, Confidentiality, and Harassment

Each individual employee, student, contractor and/or visitor shall be considered bound to comply with all NWBOCES, county, state and federal laws including, but not limited to, the Family Educational Rights and Privacy Act (FERPA), Health Information Portability and Accountability Act (HIPAA), Title IX (Sexual Harassment), Title XVII Children's Internet Protection Act (CIPA), Wyoming Statutes (6-2-506 Cyber Bullying), and NWBOCES policies.

Each individual employee, student, contractor and/or visitor shall comply with the following:

- All communications of confidential or sensitive information, whether via electronic files and/or typed, verbal or visual forms, shall be sent in such a manner as to assure continuing confidentiality. The person transmitting the information should be certain that the recipient is permitted to have access to the information and will keep the information confidential. Communications should not be created or transmitted that are inappropriate, rude, disrespectful, unlawful or harassing. Communications should only be made with the understanding that they may become public or viewed in a court proceeding and, if so, would not be embarrassing, uncomfortable or problematic to the sender or NWBOCES.
- Transmittal or communication of any personal usernames and/or passwords is prohibited.

7. Policy of Internet Safety

NWBOCES' primary duty, and thus the duty of each individual employee, student, contractor and visitor, shall be to provide for and maintain a safe and secure learning environment for the entirety of all employees, students, contractors and visitors, both physically and virtually. Within this duty:

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1. All employees, students, contractors and/or visitors agree not to access, create, bring onsite, or transport pornographic or other inappropriate, non-educational materials, specifically including, but not limited to, any such materials as may be prohibited by local, county, state and federal laws.

All students must obtain parents/guardian permission, in writing, for EFCD's access and/or use. The signed parental permission EFCD's form must be returned to NWBOCES and placed on file prior to any student use relative to EFCD's. Parents and/or legal guardians may be held co-responsible for their minor's access to and/or use of EFCD's. Parents and/or legal guardians may revoke their signed EFCD's form at any time, in which case the student's access to EFCD's may be limited or terminated.

The EFCD's of minors shall be supervised for the purpose of educational 21st century skill development and may be monitored at any time by any employee. Because employees who are assigned responsibility for direct supervision of students may also share in the responsibility for the action(s) of those minors, employees reserve the right to deny any and all EFCD's use during their time of instruction, transportation, and/or supervision of any individual or group of students.

All NWBOCES employees and Board members will sign and provide the EFCD's form to the Administrator/designee. All signed forms will remain on file at the NWBOCES office. All NWBOCES contractors, as part of their contract, shall be held to this policy. Employees, students, and/or contractors hereby agree to release, and/or provide access to, any electronic device for inspection upon request by the Administrator/designee.

All EFCD's, including those stored or in transit, may be manually or automatically scanned, monitored, reviewed, and/or otherwise supervised during any or all times for the purposes of ensuring system availability, data integrity and privacy, user authentication, transaction non-repudiation, policy compliance, and/or ensuring an appropriate educational/program environment. No right to privacy is herein expressed, granted, or otherwise implied with regard to any EFCD's.

8. Appropriate Use

Employees, students, contractors and visitors are to use electronic files, communications, and devices (i.e., computer, e-mail, text messages, and the Internet) for educational/program purposes only, to further the educational and program goals and objectives of NWBOCES. The intent of the use of NWBOCES EFCD's tools is for the general education of students and day-to-day operations of NWBOCES, not for personal or private use or for personal business unrelated to employment or education. The intent of allowing personal EFCD's usage is to enhance personal one-to-one research and educational goals or objectives.

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9. Inappropriate Use

EFCD's shall not be used for purposes that could be reasonably expected to cause excessive strain on systems. Individual use of EFCD's will not interfere with other's use and enjoyment of the same educational/program environment. Any use will not violate applicable NWBOCES policies, local, state and federal laws, and contracts. All employees, students, and/or visitors agree not to access, create, bring onsite, or transport pornographic or other inappropriate, non-educational materials, specifically including, but not limited to, any such materials as may be prohibited by local, county, state and federal laws. Neither employee, student, contractor nor visitor owned devices will be used in conjunction with the broadcast, delivery, and/or presentation of classroom curriculum where student(s) are, or could reasonably be assumed to be, in attendance.

Note: Any uncertainty about appropriate vs. inappropriate use should be resolved prior to use.

If NWBOCES determines that an employee or student has violated this EFCD's policy, he/she could be subjected to discipline, including reduced or eliminated Internet or EFCD's privileges and/or discipline up to and including an employee's dismissal even for a first offense.

NWBOCES reserves the right to determine in each instance the penalty which will fit the offense and/or re-establish overall safety and security. The exhaustion of one step of discipline is not a prerequisite to another.

Authorized access will be terminated when the employee, student, contractor or visitor terminates his/her association with NWBOCES, unless other arrangements are made. All EFCD's associated with NWBOCES shall be returned to and remain the property of NWBOCES. NWBOCES shall be under no obligation to store or forward the content of an individual's EFCD's, including e-mail inbox/outbox/contacts, after the terms of his/her association has ceased.

Disclaimer

NWBOCES assumes no liability for direct and/or indirect damages arising from any use of NWBOCES systems or subsystems. Individual employees, students, contractors and/or visitors are solely responsible for the EFCD's. Contractors and/or visitors are also responsible for the use by any other persons of EFCD's provided to them by the contractor and/or visitor or which are used by persons under their direct supervision and control. NWBOCES is not responsible for any third-party claim, demand, or damage arising out of the use of NWBOCES systems or services.

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