

Acceptable Use of Electronic Communication Devices-DMB To Conduct District Business

Purpose

District electronic communication devices shall be used to support the educational and business requirements of the District. District electronic communication devices shall be used in compliance with all applicable federal, state, and local laws and regulations and in a cost-effective and ethical manner. This policy also applies to usage of private electronic communication devices by District employees to the extent utilized for District business. Failure to comply with this policy may result in suspension of the privilege of using a District electronic communication device, disciplinary action, or both.

Definitions

1. An "electronic ~~communication~~ device" includes any type of computer or computer-like device (such as a tablet) as well as any "electronic communication device" ~~cellular and PCS telephones, camera telephones, Personal Digital Assistants (PDAs), two-way radios or video broadcasting devices, pagers, and any other device that allows a person to record and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other information.~~
2. An "electronic communication device" is an electronic device that can be used to record and/or transmit (on either a real time or delayed basis) text, video or still images, sound, or other information. Examples of electronic communication devices include mobile telephones, "smart" telephones, Personal Digital Assistants (PDAs), two-way radios, video broadcasting devices and pagers.
3. A "District electronic communication device" is an electronic communication device which is owned by the District or the fees for which are paid by the District.

Eligible Users

District electronic communication devices are to be used only by District employees. All employees requiring the use of a District electronic communication device shall read this policy and sign the declaration of having done so which is Exhibit 1 to this policy ~~this policy statement.~~

Acceptable Use

District ~~Electronic communication devices owned by the District,~~ or any electronic communication device used to conduct District business, must be used in accordance with the following standards in addition to those set out in Policy DMA:

1. District electronic communication devices are to be used only for District business. Personal use of these devices is prohibited except in emergency situations or with pre-approval from the Superintendent or school principal or designee. In the event personal calls are made or received on a District electronic communication device, including personal emergency calls, the employee must reimburse the District for all costs incurred.
2. District electronic communication devices are valuable and should be handled with care. Loss, theft, or damage to a District electronic communication device must be reported immediately to the user's supervisor. If loss, theft, or damage occurs as a result of employee negligence, the employee to whom the device is assigned will be responsible for reimbursing the District for repair or replacement costs.

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- ~~3.3~~ District electronic communication devices are to be used in an ethical and responsible manner. No employee is to use a District electronic communication device for the purpose of illegal transactions, harassment, obscene or offensive behavior, to access or create pornographic or inappropriate material, for unauthorized access to an electronic network or files (“hacking” or similar unlawful behavior-~~or~~) or other violations of District _____ policies or federal, state, or local laws-regardless of whether the device is located on _____ District property when the misuse occurs or is located elsewhere. Utah Admin. Rules R277-495-4.A(3), (5) (April 7, 2013)
- ~~4.4~~ If the employee assigned to use the District electronic communication device does not return the device and/or related equipment when requested, the employee will be required to reimburse the District for the purchase price of the device and/or related equipment.
- ~~5.5~~ Employees have no expectation of privacy in using District electronic communication devices. Such devices and all information contained on them may be inspected or searched at any time, either directly or remotely. Employees are prohibited from operating District devices in such a way as to conceal the use, which has been made of the device, nor may employees install or permit installation of software or other means to accomplish the same purpose. Employees should be aware that a person electronic communication device, which is used to conduct District business, may become subject to public records requests or other legally required disclosure to the extent of such use.
- ~~6.6~~ District electronic communication devices should be used judiciously during instructional time or at school-sponsored programs, meetings, in-services, conferences with parent(s)/parents or guardians(s) —conferences, or any other time where there would be a reasonable expectation of quiet —attentiveness.
- ~~7~~ District electronic communication devices are to be used in a safe manner. Employees should not use these devices while operating a non-District motor vehicle except to the extent permitted by governing motor vehicle or other laws. (Restrictions on use of electronic communication devices while operating District vehicles are set out in Policy DMA).
- ~~7.~~ Employees operating a school bus, or any other District-owned or leased vehicle, are prohibited from operating the vehicle while using an electronic communication device, whether personally owned —or District issued, except:
- ~~a.~~ During an emergency situation;
 - ~~b.~~ To call for assistance, after stopping the vehicle, if there is a mechanical —breakdown or other mechanical problem;
 - ~~c.~~ When the vehicle is stopped and where the electronic communication device is —owned by the District and used as a digital two-way radio;
 - ~~d.~~ When the school bus or other vehicle is parked.

Misuse of District Owned Electronic Communication Device

~~If a~~ An employee who is issued or provided a ~~misuses a~~ District electronic communication device or leaves by the District remains at all times responsible for that device. ~~employment;~~ †The employee may will be responsible for use or misuse of the device by the employee or by anyone else, except for uses occurring after the employee has given the District notice that the device has been lost or stolen. Consequences of misusing a District electronic communication device may include adverse employment action up to and including termination from employment. ~~for fees or charges associated with cancellation of the service contract.~~ Utah Admin. Rules R277-495-4.C(2) (April 7, 2013)

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Responsibility for Device Cancellation Charges

If an employee misuses a District electronic communication device or leaves District employment, the employee may be responsible for fees or charges associated with cancellation of the service contract.

If the Superintendent or designee determines that the employee no longer needs a District electronic communication device to perform the employee's job responsibilities, any fees or charges associated with cancellation of the service contract shall be the responsibility of the District.

Utah Code Ann. § 53A-3-402