

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: March 19, 2013

TO: **BOARD OF EDUCATION**

FROM: S. Dallas Dance, Superintendent

SUBJECT: **REPORT ON THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 4104, TELECOMMUNICATIONS ACCEPTABLE USE POLICY (AUP) FOR EMPLOYEES AND APPROVED NON-EMPLOYEES**

ORIGINATOR: Michael Sines, Chief Operations Officer

RESOURCE PERSON(S): Camille Jones, Chief Information Technology Officer

RECOMMENDATION

That the Board of Education reviews the proposed changes to Policy 4104. This is the first reading.

Attachment I – Policy Analysis
Attachment II – Policy 4104

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 4104
TELECOMMUNICATIONS ACCESS TO
ELECTRONIC INFORMATION, SERVICES, AND NETWORKS
RENAMED AS “TELECOMMUNICATIONS ACCEPTABLE USE POLICY (AUP)
FOR EMPLOYEES AND APPROVED NON-EMPLOYEES”**

Statement of Issues or Questions Addressed

In accordance with Board of Education Policy and Superintendent’s Rule 8130, Board of Education Policy 4104 is scheduled for review in school year 2012-2013. Policy 4104 establishes standards for the acceptable use of electronic information, services, and networks by employees and authorized users. Staff is recommending that the policy be revised to: (1) rename the policy to distinguish this policy for the acceptable use policy for students; (2) include a policy statement; (3) include an implementation section; and (4) conform with the Policy Review Committee’s editing conventions.

Cost Analysis and Fiscal Impact on School System

No fiscal impact is anticipated by the revision of this policy.

Relationship to Other Board of Education Policies

1. Board of Education Policy 1100, *Communication with the Public*
2. Board of Education Policy 1110, *Media, Public Relations and Publications, Events, Television and Web site*
3. Board of Education Policy 4002, *Obligations of Employees of the Board of Education of Baltimore County*
4. Board of Education Policy 4008, *Data Governance*
5. Board of Education Policy 4100, *Employee Conduct and Responsibilities*
6. Board of Education Policy 6202, *Telecommunications Acceptable Use Policy for Students*
7. Board of Education Policy 8363, *Conflict of Interest – Prohibited Conduct*

Legal Requirements

1. 18 U.S.C. §§2510-2522, *Electronic Communications Privacy Act*
2. 20 U.S.C. §794d, *Section 508 of the Rehabilitation Act of 1973*
3. 20 U.S.C. §1232g, *Family Educational Rights and Privacy Act*
4. 47 U.S.C. §254(h), *Children’s Internet Protection Act*
5. *Annotated Code of Maryland*, Labor and Employment Article §3-713, *Employers prohibited from requiring disclosure of employee user names or passwords to personal accounts or services*
6. COMAR 13A.05.04.01, *Public School Library Programs*

Similar Policies Adopted by Other Local School Systems

1. Carroll County Board of Education, Policy IJND, *Telecommunications Policy*
2. Harford County Board of Education, Policy Number 20-0034-000, *Acceptable Use of*

- Telecommunications Equipment by Employees/Volunteers*
3. Howard County Board of Education, Policy 8080, *Acceptable Use of Technology*
 4. Talbot County Board of Education, Policy Number 10.16, *Student Conduct: Bullying, Harassment or Intimidation*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternatives were considered.

Timeline

First reading – March 19, 2013

Public comment – April 23, 2013

Third reading/vote – May 7, 2013

PERSONNEL: Conduct

Telecommunications ACCEPTABLE USE POLICY (AUP) FOR EMPLOYEES AND APPROVED NON-EMPLOYEES [Access to Electronic Information, Services, and Networks]

I. POLICY STATEMENT

- A. The Board of Education of Baltimore County (Board) BELIEVES [recognizes] that, as telecommunications and other new technologies change the ways that information may be accessed, communicated, and transferred, [by members of society, those] THESE changes ALSO provide [new] opportunities TO ENHANCE TEACHING AND LEARNING, COMMUNICATION AND RESOURCE SHARING, AND WORKPLACE EFFICIENCY. [and responsibilities for employees.] The Board IS COMMITTED TO PROVIDING [supports] access [by employees] to information resources IN ORDER TO FURTHER THE GOALS AND OBJECTIVES OF THE SCHOOL SYSTEM. [along with the development of appropriate skills to access, evaluate, and use these resources for assignments, projects, or job responsibilities].
- B. THE BOARD EXPECTS THAT EMPLOYEES AND OTHER APPROVED NON-EMPLOYEES SHALL USE SCHOOL SYSTEM TELECOMMUNICATIONS IN AN ETHICAL, PROFESSIONAL, AND RESPONSIBLE MANNER. THE BOARD PROHIBITS THE ILLEGAL USE OF ITS TELECOMMUNICATIONS SYSTEMS.

II. IMPLEMENTATION

THE BOARD DIRECTS THE SUPERINTENDENT TO IMPLEMENT THIS POLICY.

[For the purposes of this policy, employees shall be defined as any and all individuals employed by the Board in any position, including part-time and temporary assignments.

As employees learn to use telecommunications technologies, it is expected that they will apply them in appropriate ways to the performance of tasks associated with their responsibilities and positions.

The Board expects that employees will act in a considerate and responsible manner as specified in the Telecommunications Acceptable Use Policy for Employees form (Rule 4104, Form A) prior to using telecommunications in Baltimore County Public Schools.

The Board authorizes the Superintendent to develop appropriate procedures for implementing this policy, to review and evaluate its effect on student achievement and employee productivity, and to develop appropriate discipline procedures.]

Legal References: 18 U.S.C. §§2510-2522 [2701-2711], *Electronic Communications Privacy Act*
20 U.S.C. §794d, *Section 508 of the Rehabilitation Act of 1973*
20 U.S.C. §1232g, *FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT*
47 U.S.C. §254(h), *Children’s Internet Protection Act*
ANNOTATED CODE OF MARYLAND, LABOR AND EMPLOYMENT ARTICLE §3-713, EMPLOYERS PROHIBITED FROM REQUIRING DISCLOSURE OF EMPLOYEE USER NAMES OR PASSWORDS TO PERSONAL ACCOUNTS OR SERVICES
[COMAR 13A.05.02.13H, *Local Public Agency Administration*]
COMAR 13A.05.04.01, *Public School Library Programs*
[COMAR 13A.08.01.11, *Disciplinary Action*
COMAR 13A.08.01.14, *Searches*]

Related Policies: Board of Education Policy 1100, *Communications with the Public*
Board of Education Policy 1110, *Media, Public Relations and Publications, Events, Television and Web site*
Board of Education Policy 4002, *Obligations of Employees of the Board of Education of Baltimore County*
BOARD OF EDUCATION POLICY 4008, *DATA GOVERNANCE*
Board of Education Policy 4100, *Employee Conduct and Responsibilities*
BOARD OF EDUCATION POLICY 6202, *TELECOMMUNICATIONS ACCEPTABLE USE POLICY FOR STUDENTS*
Board of Education Policy 8363, *Conflict of Interest – PROHIBITED CONDUCT*

Policy
Adopted: 06/09/97
Revised: 03/11/03
Revised: 04/22/08
Edited: 07/01/11
REVISED: _____

Board of Education of Baltimore County