



MARIN COUNTY OFFICE OF EDUCATION

EDUCATIONAL INTERNET ACCOUNT Acceptable Use Policy and Agreement

TERMS AND CONDITIONS

Please read the following carefully before initialing each page and signing this document.

INTERNET access is coordinated through a complex association of government agencies, and regional and state networks. In addition, the smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guidelines. These guidelines are provided here so that you are aware of the responsibilities you are about to receive.

In general this requires efficient, ethical and legal utilization of the network resources. If a user violates any of these provisions, his or her account will be terminated and future access could possibly be denied. The signature(s) at the end of this document is (are) legally binding and indicates the party (parties) who signed has (have) read the terms and conditions carefully and understand(s) their significance.

It is the responsibility of all Marin County Office of Education (Marin COE) employees, students, and others who use or access Marin COE technological resources to understand and follow this Acceptable Use Policy (AUP) All school districts or other agencies connecting to the Marin COE network must develop their own Acceptable Use Policy that meets or exceeds the principles contained in this document.

Marin COE technology includes, but is not limited to, computers, network, switches, servers, wireless network, the Internet, email, USB drives, access points, routers, tablets, smart phones, cellular phones smart devices, wearable technology, any wireless communication device including emergency radios and/or future technology innovations, whether accessed on or off site or through county-owned or personally owned equipment or devices. All devices that use the county office internet are monitored through the filter, including personal devices on campus. Marin COE issued devices may be monitored through the filter at all times including weekends and non-work days.

It is the express responsibility of all adult users of the county office network to ensure that personal information related to students and staff is protected from unauthorized disclosure. Essentially, this means that personal student and staff data must NEVER be transmitted via unencrypted e-mail, file transfer or other means. It also means that protected student and staff data must ONLY be maintained on the Marin COE network storage systems and NEVER on personal media (e.g. computer hard drives, CDs, USB flash drives, removable hard drives, or personal cloud storage services like Dropbox, Apple iCloud, etc.).

Definitions

1. System shall mean the technology services and equipment owned and/or provided by Marin COE for the use of Marin COE employees and students, Marin County schools and other authorized users, including but not limited to: computers, Internet, telephones, fax machines, voice mail, email, electronic pagers, cell phones and radios.
2. Access to the Internet – A computer shall be considered to have access to the Internet if such computer is equipped with a modem or is connected to a computer network, which has access to the Internet.
3. Minor shall mean an individual who has not attained the age of 18.
4. Obscene shall have the meaning given such term in section 1460 of title 18, United States Code.
5. Child pornography shall have the meaning given such term in Section 2256 of title 18, United States Code.
6. Harmful to minors shall mean any picture, image, graphic image file, or other visual depiction that:
 - i. taken as a whole and with respect to minors, appeal to a prurient interest in nudity, sex, or excretion;

- ii. depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - iii. taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
7. Hacking shall mean attempting to gain unauthorized access to computer and network system connected to the Internet.
 8. Gaming shall mean the practice of gambling including the playing of games that simulate gambling whether or not the gaming involves a monetary transaction.
 9. Technology protection measure shall refer to a content filter and stateful packet firewall managed by Marin COE that blocks and/or filters Internet access.
 10. Authorized employee as used herein shall refer to an adult staff member appointed by the Marin COE Technology Committee.

INTERNET - Terms and Conditions

1) **Acceptable Use** - The use of your account must be in support of education and research and consistent with the educational objectives of your district. Use of other organization's network or computing resources must comply with the rules appropriate for that network.

2) **Unacceptable Use** - Transmission of any material in violation of any U.S. or state statute or regulation is prohibited. This includes, but is not limited to: copyright infringement, threatening or obscene material, or inappropriate use of material protected by trade secret or illegal gaming. Use for commercial activities is not acceptable. Use for product advertisement or political lobbying is also prohibited. Any transmission or reception of pornographic material is expressly prohibited.

3) **Privileges** - The use of INTERNET is a privilege, and unacceptable use will result in a cancellation of those privileges. The system administrator may close an account at any time as required. The administration, faculty, and staff of any school district may request the system administrator to deny, revoke, or suspend specific user accounts.

4) **Network etiquette** - *You are expected to abide by the generally accepted rules of network etiquette. These include (but are not limited to) the following:*

- a) *Be polite.*
- b) *Use appropriate language.*
- c) *Do not reveal your personal address or phone numbers of students or colleagues.*
- d) *Note that electronic mail (e-mail) is not guaranteed to be private. **Messages relating to or in support of illegal activities must be reported to school administration and Marin COE.***
- e) *All communications and information accessible via the network should be assumed to be private property.*

5) The Marin County Office of Education makes no guarantees of any kind, whether expressed or implied, for the service it is providing. The Marin County Office of Education will not be responsible for any damages you suffer. This includes loss of data resulting from delays, nondeliveries, misdeliveries, or service interruptions caused by its own negligence or your errors or omissions. Use of any information obtained via the INTERNET is at your own risk.

6) **Security** - Security on any computer system is a high priority, especially when the system involves many users. If you can identify a security problem on the INTERNET, notify [Information Systems Support](#) at 415-491-6640 or support@marinschools.org. Do not use another individual's account without written permission from that individual. Attempts to login to INTERNET as a system administrator will result in cancellation of user privileges.

7) **Vandalism** - Vandalism will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy data of another user, INTERNET, or any of the above listed agencies or other networks that are connected to the INTERNET. This includes, but is not limited to, the uploading or creation of computer viruses.

8) **Access to Internet and Other Technologies by Adults** - Adults accessing the System when working as an employee or volunteer of Marin COE; when attending trainings, meetings, conferences, or other events sponsored at a facility owned or leased by Marin COE or at a facility of which Marin COE has otherwise been granted primary custody; or when accessing the System with remote access connections shall be subject to the rules and regulations specified in the Acceptable Use Policy and the Child Internet Protection Act.

8.1. The employee in whose name County Office technology is issued is responsible for its proper use at all times. Employees shall not share their assigned online services account information, passwords, or other information used for identification and authorization purposes, and shall use the system only under the account to which they have been assigned. Employees shall not gain unauthorized access to the files or equipment of others, access electronic resources by using another person's name or electronic identification, or send anonymous electronic communications. Furthermore, employees shall not attempt to access any data, documents, emails, or programs in the County Office's system for which they do not have authorization..

8.2. Employees shall use the System primarily for purposes related to their employment within the County. Commercial use of the System is strictly prohibited.

8.3. Any illegal use of Marin COE or K12 HSN systems, or use in support of illegal activities is prohibited. Illegal use includes use that violates local, state and/or federal law. This includes, but is not limited to, the following: stalking others, transmitting or originating any unlawful, fraudulent or defamatory communications, transmitting copyrighted material beyond the scope of fair use without permission of the copyright owner, or any communications where the message or its transmission of distribution, would constitute or would encourage conduct that is a criminal offense. Users shall not use any technology or system to promote unethical practices or any activity prohibited by law or district policy.

8.4. Activities that interfere with or disrupt network users, services, or equipment are prohibited. Such interference or disruption includes, but is not limited to, distribution of unsolicited advertising or mass mailings, "spamming," propagation of computer worms or viruses; and using county systems or the K12 HSN to make or attempt to make unauthorized entry to other computational, informational or communications devices or resources. For the purpose of this AUP, "unsolicited advertising" includes any transmission that describes goods, products, or services for sale, except as permitted in the electronic Bulletin Board service as set forth herein.

8.5. Users shall not transmit material that is threatening, obscene, disruptive or sexually explicit, or that could be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religion or political beliefs, or otherwise inappropriate for training or work-related uses.

8.6. Users shall not engage in any type of gaming activities on the System. Playing of computer games (e.g..solitaire, free cell, etc.), except for instructional purposes when approved by the user's manager, is prohibited.

8.7. Users shall not use the System to engage in unauthorized hacking or attempts to otherwise compromise any computer or network system's security. Unauthorized review, duplication, dissemination, removal, damage or alteration of files, passwords, computer systems or programs, voicemail messages or

other property of the Marin COE or improper use of information obtained by unauthorized means, may be grounds for disciplinary action, up to and including termination.

8.8. Users shall not connect any equipment to the System without prior approval from Information Systems management. Computers are assigned to positions, not individuals. An individual will not move equipment unless the supervisor, in consultation with the Information Systems Department, has given permission.

8.9. Copyrighted material may not be placed on the System without the author's permission. Users may download copyrighted material for their own use only and only in accordance with copyright laws.

8.10. Users shall not read other users' electronic mail or files; they shall not attempt to interfere with other users' ability to send or receive electronic mail nor shall they attempt to read, delete, copy, or modify other users' mail without authorization. Users shall not forge other users' mail.

8.11. Users are encouraged to keep messages brief. Personal use of the e-mail system is permitted so long as that use is appropriate, does not violate any other county policies, and is acceptable to the individual employee's supervisor.

8.12. The following practices are prohibited:

- a. Sending or relaying chain letters.
- b. Sending unsolicited jokes or similar material.
- c. Use in support of partisan political activities.
- d. Use for private or personal activities that exceed Marin COE or K12 HSN related research, instruction, or administrative applications.
- e. Visiting pornographic, racist or otherwise objectionable Web sites.
- f. Giving out anyone's home address, phone number or other personal information.
- g. Violating laws (including copyright laws, plagiarism, FERPA, HIPPA).
- h. Intentionally tampering (hacking) with or damaging computers, computer systems, or computer networks.
- i. Trespassing in another's folders, work, or files.
- j. Allowing remote access to county office equipment by anyone other than Marin COE technology support staff.
- k. Any other use that is unacceptable or not in keeping with the role, mission or goals of this organization as determined by the leadership of the Marin COE.

8.13. Users shall report any security problem or misuse of the System to the Superintendent or designee.

8.14. Users shall not load or download from the Internet any software on County Office Equipment without prior authorization of Information Systems management. This includes media players, screen savers, and wallpaper.

9) **Staff E-Mail** - The MCOE manages an e-mail system for staff business/communications purposes. Staff members are provided with MCOE e-mail accounts to improve the efficiency and effectiveness of communication, both within the organization and with the broader community. Staff using e-mail to correspond regarding MCOE business must adhere to the following:

- Staff must use a Marin COE provided e-mail account for all business related communications. Use of a staff personal e-mail account for business related communication is not authorized.
- E-mail is not an effective medium for contentious, emotional, or highly confidential issues. These issues are more effectively dealt with through a phone call or personal meeting.

- E-mail messages should be consistent with professional practices used for other correspondence. This includes grammar, format, and salutation.
- Most e-mails that reside on the Marin COE servers are not confidential. E-mail messages may be requested by the public and may, unless they are exempt under the law, be open to public inspection.

Staff are required to:

- Check e-mail at least once every (2) business days
- Respond to e-mail messages in a timely fashion, usually considered to be within 2-3 working days.
- Delete messages after reading them. If you need to keep messages for any reason, file them in personal folders rather than the Exchange server folders.
- Avoid sending enclosures larger than 1 MB. For large file transfers, used shared folders on building servers.
- Subscribe only to list services that are critical to your job responsibilities.
- Do not forward or otherwise respond to “chainmail” type communications.
- Do not respond to spam or phishing attempts by clicking on any links or providing any account information. Know that district network/communications staff will NEVER ask for account information via email.
- Do not send email messages to all staff. Messages you would like to send to all staff should be sent to the Communications and Public Relations Department for inclusion in staff e-newsletter if appropriate.

10) Access to Internet by Minors - Minors accessing the System, including Internet services, provided by Marin COE when working as an employee or volunteer of Marin COE; when attending trainings, meetings, conferences, or other events sponsored at a facility owned or leased by Marin COE or at a facility of which Marin COE has otherwise been granted primary custody; or when accessing Marin COE Internet services with remote access connections shall be subject to the same rules and regulations as adult users. In accordance with the **Child Internet Protection Act**, minors shall be subject to the following rules:

- 10.1. Minors shall not access material that is obscene, child pornography, harmful to minors, or otherwise inappropriate for educational or work-related uses
- 10.2. Minors shall only use electronic mail, chat rooms and other forms of direct electronic communications for purpose related to education within the context of a school-related assignment activity or for purposes related to work, including volunteer, at Marin COE.
- 10.3. Minors shall not disclose personal identification information on the Internet.

11) Privacy – Marin COE technology is intended for use in conducting county office business, no employee should have any expectation of privacy in any use of county office technology. The district reserves the right to monitor and record all use of district technology, including, but not limited to, electronic mail, voicemail, access to the Internet or social media, communications sent or received from county office technology, or other uses within the jurisdiction of the county office. Such monitoring/recording may occur at any time without prior notice for any legal purposes including, but not limited to, record retention and distribution and/or investigation of improper, illegal, or prohibited activity. Employees should be aware that, in most instances, their use of county office technology (such as web searches or emails) cannot be erased or deleted.

All passwords created for or used on any county office technology are the sole property of Marin COE. The creation or use of a password by an employee on county office technology does not create a reasonable

expectation of privacy. The reliability of passwords for maintaining confidentiality cannot be guaranteed.

12) Personally Owned Devices - If an employee uses a personally owned device to access County Office technology or conduct County Office business, he/she shall abide by all applicable Board policies, administrative regulations, and this Acceptable Use Policy Agreement. Any such use of a personally owned device may subject the contents of the device and any communications sent or received on the device to disclosure pursuant to a lawful subpoena or public records request.

12) Policy Violation - Any violation of this policy and regulation may result in the loss of access to the System, or any component part by Marin COE, and may be referred to applicable law enforcement agencies when necessary. Any violation of this policy by a Marin COE employee may also be grounds for disciplinary action, up to and including termination.

13) Public Records and Retention:

- 13.1. Information stored on the System or Marin COE equipment, including e-mail, e-mail attachments, Web postings, and voice mail messages may become records of Marin COE. Marin COE records pertaining to Marin COE's business, whether paper or computerized, are considered public records and, therefore, may be subject to disclosure under the Public Records Act ("PRA") and Title 5, section 16020, et seq., of the California Code of Regulations, pertaining to the retention and destruction of school records.
- 13.2. A Marin COE e-mail account is not intended for permanent storage of e-mail. Marin COE may retain or dispose of an employee's e-mail, whether an employee is currently or formerly employed by the Marin COE. E-mail account in-boxes and out-boxes may be purged as often as every 90 days by Marin COE's Information Systems department.
- 13.3. Employees shall remove or delete e-mail and other electronic files from Marin COE e-mail accounts regularly. E-mail and other electronic files that are classified as Marin COE records shall first be preserved in either of the three manners described in paragraph (2) above. If, for any reason, an employee believes an e-mail, voice mail, text message or other electronically-stored record should be preserved in electronic form, the employee shall notify the Information Systems department that the record should be preserved in electronic form.

