

**Exhibit 4040-E(1): Employee Use Of Technology**

Status: DRAFT

Original Adopted Date: Pending

**Exhibit  
Employee Use Of Technology**

Descriptor Code: 4040

Note: The following Exhibit presents a sample Acceptable Use Agreement outlining obligations and responsibilities of employees using the district's technological resources. The district is encouraged to consult legal counsel in the development of such an agreement.

Districts using an Acceptable Use Agreement should require all employees who use district technology to sign the agreement as an acknowledgment that they have read and understood its contents; see the accompanying Board policy. As appropriate, the district may also require contractors and affiliated third parties to sign the Acceptable Use Agreement.

For a sample Acceptable Use Agreement for students, see E-6163.4 – Student Use of Technology.

**ACCEPTABLE USE AGREEMENT  
AND RELEASE OF DISTRICT FROM LIABILITY (EMPLOYEES)**

The Azusa Unified School District authorizes district employees to use district technology owned or otherwise provided by the district, as necessary to fulfill the requirements defined in Board Policy 4040 - Employee Use of their position Technology. The use of district technology is a privilege permitted at the district's discretion and is subject to the conditions and restrictions set forth in applicable Board policies, administrative regulations, and this Acceptable Use Agreement. The district reserves the right to suspend access at any time, without notice, for any reason.

**The district expects all employees to use technology responsibly in order to avoid potential problems and liability. The district may place reasonable restrictions on the sites, material, and/or information that employees may access through the system. However, the district shall not prevent or restrict access to an employee's mobile or other communications device(s) if there is a need to seek emergency assistance, assess the safety of a situation, or communicate with a person to confirm the person's safety.**

The district makes no guarantee that the functions or services provided by or through the district will be without defect. In addition, the district is not responsible for financial obligations arising from unauthorized use, or misuse, of the system.

Each employee who is authorized to use district technology shall sign this Acceptable Use Agreement as an indication, which indicates that he/she the employee has read and understands the agreement. **this Agreement and Board Policy 4040 - Employee Use of Technology.**

**Employee Obligations and Responsibilities**

Employees are expected to use district technology safely, responsibly, and primarily for work-related purposes and in accordance with the accompanying board policy and applicable copyright laws. Any incidental personal use of district technology shall not interfere with district business and operations, the work and productivity of any district employee, or the safety and security of district technology. The district is not responsible for any loss or damage incurred by an employee as a result of his/her the employee's personal use of district technology.

The employee in whose name district 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 district's system for which they do not have authorization.

Employees are prohibited from using district technology for improper purposes, including, but not limited to, use of

district technology to:

1. Access, post, display, **create**, or otherwise use material that is discriminatory, defamatory, obscene, sexually explicit, harassing, intimidating, threatening, or disruptive
2. Disclose or in any way cause to be disclosed confidential or sensitive district, employee, or student information without prior authorization from a supervisor, **including sharing confidential information or personally identifiable information with an open artificial intelligence system**
3. Engage in personal commercial or other for-profit activities without permission of the Superintendent or designee
4. Engage in unlawful use of district technology for political lobbying
5. Infringe on copyright, license, trademark, patent, or other intellectual property rights
6. Intentionally disrupt or harm district technology or other district operations (such as destroying district equipment, placing a virus on district computers, adding or removing a computer program without permission, changing settings on shared computers)
7. Install unauthorized software
8. Engage in or promote unethical practices or violate any law or **Boardboard** policy, administrative regulation, or district practice

## Privacy

Since the use of district technology is intended for use in conducting district business, no employee should have any expectation of privacy in any use of district technology.

The district reserves the right to monitor and record all use of district technology, including, but not limited to, access to the Internet or social media, **Internet searches, browsing history, use of artificial intelligence**, communications sent or received from district technology, or other uses within the jurisdiction of the district. 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 district technology (such as web searches or emails) cannot be erased or deleted.

All passwords created for or used on any district technology are the sole property of the district. The creation or use of a password by an employee on district technology does not create a reasonable expectation of privacy.

## Personally Owned Devices

If an employee uses a personally owned device to access district technology or conduct district business, ~~he/she~~ **the employee** shall abide by all applicable **Boardboard** policies, administrative regulations, and this ~~Acceptable Use 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.

## Records

Any electronically stored information generated or received by an employee which constitutes a district or student record shall be classified, retained, and destroyed in accordance with **BP/ARBoard Policy/Administrative Regulation 3580 - District Records, BP/ARBoard Policy/Administrative Regulation 5125 - Student Records**, or other applicable policies and regulations addressing the retention of district or student records.

## Reporting

If an employee becomes aware of any security problem (such as ~~including, but not limited to, a cyberattack, phishing,~~ or any compromise of the confidentiality of any login or account information)), or misuse of district technology, he/~~she~~the employee shall immediately report such information to the Superintendent or designee.

**Consequences for Violation**

Violations of the law, ~~Board~~board policy, or this ~~Acceptable Use Agreement~~ may result in ~~revocation~~in revocation of an employee's access to district technology and/or discipline, up to ~~and including~~and including termination. In addition, violations of the law, ~~Board~~board policy, or this agreement may be reported to law enforcement agencies as appropriate.

**Employee Acknowledgment**

I have received, read, understand, and agree to abide by this ~~Acceptable Use Agreement, BP4040~~Board Policy 4040 - Employee Use of Technology, and other applicable laws and district policies and regulations governing the use of district technology. I understand that there is no expectation of privacy when using district technology or when my personal electronic devices use district technology. I further understand that any violation may result in revocation of user privileges, disciplinary action, and/or appropriate legal action.

I hereby release the district ~~and, its personnel,~~ and the Governing Board from any and all claims and damages arising from my use of district technology or from the failure of any technology protection ~~measure~~measures employed by the district.

Name: \_\_\_\_\_ Position \_\_\_\_\_  
(Please print)

School/Work Site: \_\_\_\_\_

Signatures: \_\_\_\_\_ Date: \_\_\_\_\_

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

- Gov. Code 11549.3
- Gov. Code 3543.1
- Gov. Code 7920.000-7930.170
- Labor Code 1139
- Pen. Code 502
- Pen. Code 632
- Veh. Code 23123
- Veh. Code 23123.5
- Veh. Code 23125

**Description**

- Cybersecurity
- [Rights of employee organizations](#)
- [California Public Records Act](#)
- Emergency assistance
- [Computer crimes; remedies](#)
- [Eavesdropping on or recording confidential communications](#)
- [Wireless telephones in vehicles](#)
- [Mobile communication devices; text messaging while driving](#)
- [Wireless telephones in school buses](#)

**Federal References**

- 20 USC 7101-7122
- 20 USC 7131
- 47 CFR 54.520

**Description**

- Student Support and Academic Enrichment Grants
- Internet Safety
- Internet safety policy and technology protection measures; E-rate discounts

**Management Resources References**

- California Department of Education Publication
- Court Decision

**Description**

- [Artificial Intelligence: Learning With AI Learning About AI](#)
- City of San Jose v. Superior Court (2017) 2 Cal.5th 608

**Management Resources References**

Court Decision	City of Ontario v. Quon et al. (2010) 000 U.S. 08-1332
Publication	<a href="#">Guidelines for AI integration throughout education in the commonwealth of Virginia</a>
U.S. Department of Education Publication	<a href="#">2024 National Education Technology Plan</a>
USDOE Office of Educational Technology Publication	<a href="#">Artificial Intelligence and the Future of Teaching and Learning: Insights and Recommendations, May 2023</a>
Website	<a href="#">California Governor's Office of Emergency Services</a>
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">Federal Communications Commission</a>
Website	<a href="#">American Library Association</a>
Website	<a href="#">California Department of Education</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">U.S. Department of Education</a>

**Cross References**

	<b>Description</b>
0410	<a href="#">Nondiscrimination In District Programs And Activities</a>
0440	<a href="#">District Technology Plan</a>
0440	<a href="#">District Technology Plan</a>
1100	<a href="#">Communication With The Public</a>
1113	<a href="#">District And School Websites</a>
1113	<a href="#">District And School Websites</a>
1113-E(1)	<a href="#">District And School Websites</a>
1114	<a href="#">District-Sponsored Social Media</a>
1114	<a href="#">District-Sponsored Social Media</a>
1340	<a href="#">Access To District Records</a>
1340	<a href="#">Access To District Records</a>
2121	<a href="#">Superintendent's Contract</a>
3512	<a href="#">Equipment</a>
3512-E PDF(1)	<a href="#">Equipment</a>
3516.2	<a href="#">Bomb Threats</a>
3580	<a href="#">District Records</a>
3580	<a href="#">District Records</a>
4032	<a href="#">Reasonable Accommodation</a>
4118	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4118	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4119.1	<a href="#">Civil And Legal Rights</a>
4119.11	<a href="#">Sex Discrimination and Sex-Based Harassment</a>
4119.11	<a href="#">Sex Discrimination and Sex-Based Harassment</a>
4119.21	<a href="#">Professional Standards</a>
4119.21-E(1)	<a href="#">Professional Standards</a>
4119.23	<a href="#">Unauthorized Release Of Confidential/Privileged Information</a>

**Cross References****Description**

4119.25	<a href="#">Political Activities Of Employees</a>
4119.25	<a href="#">Political Activities Of Employees</a>
4131	<a href="#">Staff Development</a>
4132	<a href="#">Publication Or Creation Of Materials</a>
4136	<a href="#">Nonschool Employment</a>
4218	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4218	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4219.1	<a href="#">Civil And Legal Rights</a>
4219.11	<a href="#">Sex Discrimination and Sex-Based Harassment</a>
4219.11	<a href="#">Sex Discrimination and Sex-Based Harassment</a>
4219.21	<a href="#">Professional Standards</a>
4219.21-E PDF(1)	<a href="#">Professional Standards - Code Of Ethics Classified Employees</a>
4219.23	<a href="#">Unauthorized Release Of Confidential/Privileged Information</a>
4219.25	<a href="#">Political Activities Of Employees</a>
4219.25	<a href="#">Political Activities Of Employees</a>
4232	<a href="#">Publication Or Creation Of Materials</a>
4236	<a href="#">Nonschool Employment</a>
4319.1	<a href="#">Civil And Legal Rights</a>
4319.11	<a href="#">Sex Discrimination and Sex-Based Harassment</a>
4319.11	<a href="#">Sex Discrimination and Sex-Based Harassment</a>
4319.21	<a href="#">Professional Standards</a>
4319.21-E PDF(1)	<a href="#">Professional Standards</a>
4319.23	<a href="#">Unauthorized Release Of Confidential/Privileged Information</a>
4319.25	<a href="#">Political Activities Of Employees</a>
4319.25	<a href="#">Political Activities Of Employees</a>
4331	<a href="#">Staff Development</a>
4332	<a href="#">Publication Or Creation Of Materials</a>
4336	<a href="#">Nonschool Employment</a>
5125	<a href="#">Student Records</a>
5125	<a href="#">Student Records</a>
5125.1	<a href="#">Release Of Directory Information</a>
5125.1	<a href="#">Release Of Directory Information</a>
5125.1-E PDF(1)	<a href="#">Release Of Directory Information</a>
5131.9	<a href="#">Academic Honesty</a>
6116	<a href="#">Classroom Interruptions</a>
6162.6	<a href="#">Use Of Copyrighted Materials</a>
6162.6	<a href="#">Use Of Copyrighted Materials</a>
6163.4	<a href="#">Student Use Of Technology</a>
6163.4-E PDF(1)	<a href="#">Student Use Of Technology</a>