

**Hesperia Unified School District
Hesperia, California**

ARTICLE 4

PERSONNEL

SERIES 4000

	<u>Code</u>	
0. Concepts and Roles	4000	SEE NEW
A. Goals and Objectives.....	4010	
B. Drug and Alcohol-Free Workplace.....	4020	SEE NEW
C. Tobacco-Free Workplace.....	4020.1	SEE NEW
D. Nondiscrimination in Employment	4030	SEE NEW
1. Complaints Concerning Discrimination.	4031	SEE NEW
2. Reasonable Accommodation	4032	
1. Certificated Personnel	4100	SEE NEW
A. Permanent/Probationary	4110	
1. Recruitment and Selection	4111	SEE NEW
a. Affirmative Action	4111.1	DELETED
b. Legal Status Requirement	4111.2	SEE NEW
2. Appointment and Conditions of Employment.....	4112	SEE NEW
a. Contracts.....	4112.1	SEE NEW
b. Certification	4112.2	SEE NEW
(1) District Interns.....	4112.3	SEE NEW
(2) Staff Teaching Student of Limited-English Proficiency	4112.22	
(3) Special Education Staff.....	4112.23	
c. Oath or Affirmation.....	4112.3	
d. Health Examinations	4112.4	SEE NEW
e. Drug & Alcohol Testing	4112.42	SEE NEW
f. Serious Diseases/Illness.....	4112.5	SEE NEW
g. Personnel Records	4112.6	SEE NEW
h. Employment References.....	4112.61	SEE NEW
i. Maintenance of Criminal Offender Records	4112.62	SEE NEW
j. Orientation.....	4112.7	SEE NEW
k. Employment of Relatives	4112.8	SEE NEW
l. Signed Statements (changed to Employee Notifications)	4112.9	SEE NEW
3. Assignment	4113	SEE NEW
a. Load/Scheduling/Hours of Employment	4113.1	
b. Promotion/Demotion	4113.2	
c. Work Year	4113.3	
d. Temporary Modified/Light Duty Assignment.....	4113.4	SEE NEW
4. Transfer/Reassignment	4114	DELETED
5. Evaluations/Supervision	4115	
6. Probationary/Permanent Status	4116	SEE NEW
a. Seniority	4116.1	
7. Separation	4117	
a. Retirement.....	4117.1	
(1) Preretirement Part-time Employment	4117.11	
(2) Early Retirement Consultancy Contract	4117.12	
(3) Early Retirement Option	4117.13	
b. Resignation	4117.2	SEE NEW
c. Personnel Reduction.....	4117.3	
d. Dismissal.....	4117.4	SEE NEW
e. Termination Agreements.....	4117.5	SEE NEW
f. Decision Not to Rehire	4117.6	SEE NEW
g. Employment Status Report.....	4117.7	SEE NEW
8. Suspension/Disciplinary Action	4118	

ARTICLE 4

PERSONNEL

SERIES 4000

	<u>Code</u>	
9. Rights, Responsibilities and Duties.....	4119	
a. Civil and Legal Rights	4119.1	SEE NEW
(1) Sexual Harassment.....	4119.11	SEE NEW
b. Professional Responsibilities	4119.2	
(1) Codes of Ethics (changed to Professional Standards).....	4119.21	SEE NEW
(2) Dress and Grooming.....	4119.22	SEE NEW
(3) Unauthorized Release of Confidential/ Privileged Information	4119.23	SEE NEW
(4) Academic Freedom.....	4119.24	DELETED
(5) Political Activities of Employees	4119.25	SEE NEW
c. Duties of Personnel.....	4119.3	SEE NEW
d. Infectious Disease.....	4119.4	
(1) Employees with Infectious Disease	4119.41	
(2) Infectious Control Plan For Bloodborne Pathogens	4119.42	SEE NEW
(3) Universal Precautions (new).....	4119.43	SEE NEW
B. Temporary and Part-time Personnel.....	4120	DELETED
1. Substitute Teachers.....	4121	SEE NEW
2. Student Teachers/University Interns	4122	
3. Home Teachers	4123	
4. Summer School Teachers	4124	
5. Adult Education Teachers	4125	
6. Consultants (Renumbered to 3600)	4126	
7. Temporary Athletic Coaches	4127	
8. Shared Teaching Assignments	4128	
C. Activities	4130	
1. Staff Development	4131	SEE NEW
a. Exchange Teaching (changed to Beg. Teacher Support/Induc)	4131.1	SEE NEW
b. Contributions to Fields of Knowledge	4131.2	
c. Inservice Education/Visitations: Conferences....	4131.3	
d. Independent Study.....	4131.4	
e. Professional Growth.....	4131.5	
f. Professional Development Program.....	4131.6	
2. Publication or Creation of Materials (includes copyrights and patents	4132	
3. Travel; Reimbursement (See 3350)	4133	
4. Meetings	4134	
5. Soliciting and Selling	4135	SEE NEW
6. Nonschool Employment.....	4136	SEE NEW
a. Consulting	4136.1	
7. Tutoring.....	4137	SEE NEW
8. Mentor Teachers	4138	DELETED
D. Organizations/Units (changed to Bargaining Units).....	4140	SEE NEW
1. Agreement (changed to Collective Bargaining Agreement).....	4141	SEE NEW
a. Recognition	4141.1	
b. Personnel Covered	4141.2	
c. Governing Boards/District Rights.....	4141.3	
d. Association Rights	4141.4	
e. Savings Clause	4141.5	
f. Concerted Actions/Work Stoppage.....	4141.6	SEE NEW
g. Organizational Security.....	4141.7	
2. Communications Security.....	4142	
3. Negotiations/Consultation (changed to Negotiations).....	4143	SEE NEW
a. Public Notice-Personnel Negotiations	4143.1	SEE NEW
4. Grievances/Complaints (Changed to Complaints by Employees).....	4144	SEE NEW

ARTICLE 4

PERSONNEL

SERIES 4000

	<u>Code</u>	
E. Technology		
1. Student Use of Technology	4148	BP/AR/E
F. Compensation and Related Benefits	4150	
1. Salary Guides (Changed to Employee Compensation)	4151	SEE NEW
2. Salary Checks and Deductions	4152	
3. Extra Pay for Extra Work	4153	
4. Health and Welfare Benefits.....	4154	SEE NEW
5. Retirement Compensation.....	4155	
a. Tax -sheltered Annuities	4155.1	
6. Employment Amenities.....	4156	
a. Credit Union	4156.1	
b. Awards and Recognition	4156.2	SEE NEW
c. Reimbursement, Uniforms & Allowances (Changed to Employee Property Reimbursement).....	4156.3	SEE NEW
7. Employee Safety	4157	SEE NEW
8. Work Related Injuries (new)	4157.1	SEE NEW
9. Ergonomics (new)	4157.2	SEE NEW
10. Employee Security.....	4158	SEE NEW
11. Industrial Injury/Illness Temporary Light Duty/ Alternative Assignment (Changed to Employee Assistance Prog).....	4159	SEE NEW
G. Leaves and Vacations.....	4160	DELETED
1. Leaves (Changed to Leaves (Certif & Classif Bargaining Units)	4161	SEE NEW
a. Personal Illness and Injury Leave.....	4161.1	
(1) Industrial Accident/Illness Leave	4161.11	
b. Personal Leaves (includes personal necessity, bereavement, legal and civic and religious leaves).....	4161.2	
c. Professional Leaves (includes sabbatical.....	4161.3	
d. Association.....	4161.4	
e. Military or Federal Leave/Compensation/H&W Benefits	4161.5	SEE NEW
f. Maternity/Adoptive/Child Care	4161.6	
g. Political (includes elected office).....	4161.7	
h. Family Care Leave (added & Medical Leave)	4161.8	SEE NEW
i. Catastrophic Leave Program	4161.9	
2. Vacations/Holidays	4162	
2. Classified Personnel.....	4200	SEE NEW
A. Permanent/Probationary	4210	
a. Personnel Commission	4210.1	
1. Recruitment and Selection (See 4111)	4211	SEE NEW
a. Affirmative Action (See 4111.1)	4211.1	
b. Legal Status Requirement (see 4111.2).....	4211.2	SEE NEW
2. Appointments and Conditions of Employment	4212	SEE NEW
a. Contracts.....	4212.1	
b. Certification or Licensing.....	4212.2	
(1) Staff Teaching Students of Limited English Proficiency.....	4212.22	
c. Oaths (Changed to Oaths or Affirmation as Disaster Service Worker (see 4112.3))	4212.3	SEE NEW
d. Health Examinations (see 4112.4).....	4212.4	SEE NEW
e. Drug & Alcohol Testing for Employees Who Possess a Commercial Driver's License (see 4112.42) (New).....	4212.42	SEE NEW
e. Security/Credit Check (Changed to Criminal Records Check).....	4212.5	SEE NEW
f. Personnel Records (see 4112.6).....	4212.6	SEE NEW
(1) Employment References (See 4112.61)	4212.61	SEE NEW
(2) Maintenance of Criminal Offender Records (new) (See 4112.62)	4212.62	SEE NEW
g. Orientation.....	4212.7	

ARTICLE 4

PERSONNEL

SERIES 4000

	<u>Code</u>	
h. Nepotism: Employment of Relatives (see 4112.8)	4212.8	SEE NEW
i. Signed Statements (Changed to Employee Notifications) (see 4112.9)	4212.9	SEE NEW
3. Assignment/Classification	4213	DELETED
a. Load/Scheduling/Hours of Employment	4213.1	
b. Promotion/Demotion/Reclassification	4213.2	
c. Work Year	4213.3	
d. Temporary Modified/Light-Duty Assignment (new) (see 4113.4)...	4213.4	SEE NEW
4. Transfer/Reassignment	4214	
5. Evaluation/Supervision	4215	SEE NEW
6. Probationary/Permanent Status	4216	SEE NEW
a. Seniority	4216.1	
7. Separation	4217	
a. Retirement (Changed to Retirement Age)	4217.1	SEE NEW
(1) Preretirement Part-Time Employment	4217.11	SEE NEW
(2) Early Retirement Consultancy Contract	4217.12	
b. Resignation (See 4117.2)	4217.2	SEE NEW
c. Layoff/Rehire	4217.3	DELETED
d. Termination Agreements (see 4117.5)	4217.5	SEE NEW
8. Dismissal/Suspension/Disciplinary Action	4218	
9. Rights, Responsibilities and Duties	4219	
a. Civil and Legal Rights (see 4119.1)	4219.1	SEE NEW
(1) Sexual Harassment (see 4119.11)	4219.11	SEE NEW
b. Employment Responsibilities	4219.2	SEE NEW
(1) Codes of Ethics (Changed to Prof. Standards) (see 4119.21)	4219.21	SEE NEW
(2) Conduct and Dress (Changed to Dress & Grooming) (see 4119.22)	4219.22	SEE NEW
(3) Unauthorized Release of Confidential/Privileged Information (see 4119.23)	4219.23	SEE NEW
(4) Political Activities of Employees (See 4119.25)	4219.25	SEE NEW
c. Duties of Personnel (see 4119.3)	4219.3	SEE NEW
d. Infectious Diseases	4219.4	
(1) Employees with Infectious Disease	4219.41	
(2) Infectious Disease Education (Changed to Exposure Control for Bloodborne Pathogens) (see 4119.42)	4219.42	SEE NEW
(3) Universal Precautions (New) (see 4119.43)	4219.43	SEE NEW
B. Part-Time Personnel	4220	
1. Substitutes	4221	
2. Teacher Aides/Paraprofessionals	4222	SEE NEW
3. Non-Certificated Coaches	4223	DELETED
4. Temporary Athletic Team Coaches	4227	DELETED
C. Activities	4230	
1. Staff Development	4231	SEE NEW
a. Visitation: Conferences	4231.1	
b. Professional Development Program	4231.6	
2. Publication or Creation of Materials	4232	
3. Travel Reimbursement (see 4133)	4233	
4. Meetings	4234	
5. Soliciting and Selling (See 4135)	4235	SEE NEW
6. Nonschool Employment (See 4136)	4236	SEE NEW
D. Organizations/Units (Changed to Bargaining Units) (see 4140)	4240	SEE NEW
1. Agreements (Changed to Collective Barg. Agrmts) (see 4141)	4241	SEE NEW
a. Recognition	4241.1	

ARTICLE 4

PERSONNEL

SERIES 4000

	<u>Code</u>	
b. Personnel Covered.....	4241.2	
c. Governing Boards/District Rights.....	4241.3	
d. Association Rights.....	4241.4	
e. Savings Clause.....	4241.5	
f. Concerted Activities/Work Stoppage (see 4141.6).....	4241.6	SEE NEW
g. Organizational Security.....	4241.7	
2. Communications/Contracts.....	4242	
3. Negotiations/Consultation (Changed to Negotiations) (see 4143).....	4243	SEE NEW
a. Public Notice - Personnel Negotiations (see 4143.1).....	4243.1	SEE NEW
4. Complaints (see 4144).....	4244	SEE NEW
E. Compensation and Related Benefits.....	4250	
1. Salary Guides (Changed to Employee Compensation)(see 4151).....	4251	SEE NEW
2. Salary Checks and Deductions.....	4252	
3. Overtime Pay/Compensatory Time Off.....	4253	DELETED
4. Health and Welfare Benefits (see 4154).....	4254	SEE NEW
5. Retirement Compensation.....	4255	
a. Tax-Sheltered Annuities.....	4255.1	
6. Employment Amenities.....	4256	
a. Credit Union.....	4256.1	
b. Recognition by and Awards from the Governing Board (Changed to Awards & Recognition) (see 4156.2).....	4256.2	SEE NEW
c. Reimbursement, Uniforms and Allowances (Changed to Empl. Property Reimbursement) (See 4156.3).....	4256.3	SEE NEW
7. Employee Safety (see 4157).....	4257	SEE NEW
8. Work Related Injuries (New) (see 4157.1).....	4257.1	SEE NEW
9. Ergonomics (New) (see 4157.2).....	4257.2	SEE NEW
8. Employee Security (see 4158).....	4258	SEE NEW
9. Employee Assistance Programs (see 4159).....	4259	SEE NEW
F. Leaves and Vacations.....	4260	DELETED
1. Leaves (Added Certif. & Classif. Barg. Units) (see 4161).....	4261	SEE NEW
a. Personal Illness and Injury Leave.....	4261.1	
(1) Industrial Accident/Illness Leave.....	4261.11	
b. Personal.....	4261.2	
c. Occupational Purposes.....	4261.3	
d. Association.....	4261.4	
e. Military or Federal Military or Federal Leave/ Compensation/H&W Benefits (See 4161.5).....	4261.5	SEE NEW
f. Maternity/Adoptive/Child Care.....	4261.6	
g. Political (includes elected office).....	4261.7	
h. Family Care (Added & Medical) Leave (See 4161.8).....	4261.8	SEE NEW
i. Catastrophic Leave Program.....	4261.9	
2. Vacations/Holidays.....	4262	
3. Management, Supervisory & Confidential Personnel (Added And Non-Represented, Non-Management/Supervisory Classified Employees (School Police).....	4300	SEE NEW
A. Permanent/Probationary.....	4310	
1. Recruitment and Selection.....	4311	SEE NEW
a. Affirmative Action (see 4111.1).....	4311.1	
b. Legal Status Requirement (See 4111.2).....	4311.2	SEE NEW
2. Appointment and Conditions of Employment.....	4312	
a. Contracts.....	4312.1	SEE NEW
(1) Grievances/Complaints.....	4312.11	
b. Certification.....	4312.2	

ARTICLE 4

PERSONNEL

SERIES 4000

Code

c. Oaths or Affirmation (Added as Disaster Service Worker) (see 4112.3).....	4312.3	SEE NEW
d. Health Examinations (see 4112.4).....	4312.4	SEE NEW
e. Drug and Alcohol Testing for Employees Who Possess a Commercial Driver's License (New) (see 4112.42).....	4312.42	SEE NEW
e. Security/Credit Check (Changed to Criminal Record Check (Certificated) Including Charter Schools) (see 4112.5).....	4312.5	SEE NEW
f. Personnel Files (Changed to Personnel Records) (see 4112.6)....	4312.6	SEE NEW
(1) Employment References (see 4112.61).....	4312.61	SEE NEW
(2) Maintenance of Criminal Offender Records (New) (see 4112.62).....	4312.62	SEE NEW
g. Orientation.....	4312.7	
h. Nepotism: Employment of Relatives (Removed Nepotism) (see 4112.8)	4312.8	SEE NEW
i. Signed Statements (Changed to Employee Notifications) (see 4112.9).....	4312.9	SEE NEW
3. Assignment/Classification	4313	
a. Load/Scheduling/Hours of Employment	4313.1	SEE NEW
b. Promotion/Demotion/Reclassification.....	4313.2	SEE NEW
c. Demotion Due to Declining Enrollment/Program Reduction/Reorganization	4313.21	SEE NEW
c. Work Year	4313.3	
d. Temporary Modified/Light-Duty Assignment) (see 4113.4).....	4313.4	SEE NEW
4. Transfer/Reassignment (Changed to Transfers)	4314	SEE NEW
5. Evaluation/Supervision (Added of Management/Supervisory Confidential and Non-Represented, Non-Management/Supervisory Classified Employees (School Police)	4315	SEE NEW
a. Competence in Evaluation of Teachers (Changed to Staff Evaluating Teachers).....	4315.1	SEE NEW
6. Probationary/Permanent Status.....	4316	
a. Seniority	4316.1	
7. Separation	4317	
a. Retirement.....	4317.1	
(1) Preretirement Part-time Employment	4317.11	
(2) Early Retirement Consultancy Contract (Changed to Retirement Consultancy Contract (Certif Mgmt & Classified Mgmt)	4317.12	SEE NEW
(3) Early Retirement Option	4317.13	
b. Resignation (see 4117.2).....	4317.2	SEE NEW
c. Personnel Reduction	4317.3	BP
d. Dismissal (Added of Certificated Mgmt Personnel for Cause).....	4317.4	DELETED
e. Termination Agreements (see 4117.5).....	4317.5	SEE NEW
8. Suspension/Disciplinary Action (Changed to Disciplinary Action Of Classified Management/Supervisory/Confidential/All Sworn School Police Employees).....	4318	SEE NEW
9. Rights, Responsibilities and Duties.....	4319	
a. Civil and Legal Rights (see 4119.1).....	4319.1	SEE NEW
(1) Sexual Harassment (see 4119.11).....	4319.11	SEE NEW
b. Professional Responsibilities	4319.2	
(1) Codes of Ethics (Changed to Prof. Standards) (see 4119.21).....	4319.21	SEE NEW
(2) Conduct and Dress (Changed to Dress & Grooming).....	4319.22	SEE NEW
(3) Unauthorized Release of Confidential/Privileged Information (see 4119.23).....	4319.23	SEE NEW
(4) Unauthorized Release of Confidential/Privileged Information (see 4119.23)....	4319.24	

ARTICLE 4

PERSONNEL

SERIES 4000

	<u>Code</u>	
(5) Political Activities of Employees (see 4119.25).....	4319.25	SEE NEW
c. Duties of Personnel (see 4119.3)	4319.3	SEE NEW
d. Infectious Disease.....	4319.4	
(1) Employees with Infectious Disease.....	4319.41	
(2) Infectious Disease Education (Changed to Exposure Control Plan for Bloodborne Pathogens) (see 4119.42).....	4319.42	SEE NEW
(3) Universal Precautions (New) (see 4119.43).....	4319.43	SEE NEW
B. Temporary and Part-time Personnel.....	4320	
1. Temporary Athletic Team Coaches	4327	
C. Activities	4330	
1. Staff Development.....	4331	
a. Administrator Training & Evaluation	4331.1	
b. Contributions to Fields of Knowledge	4331.2	
c. Inservice Training/Visitations; Conferences.....	4331.3	
d. Independent Study.....	4331.4	
e. Professional Development Program.....	4331.6	
2. Publication or Creation of Materials (includes copyrights and patents)	4332	
3. Travel; Reimbursement (see 4133).....	4333	
4. Meetings	4334	
5. Soliciting and Selling (see 4135).....	4335	SEE NEW
6. Nonschool Employment (see 4136).....	4336	SEE NEW
a. Consulting	4336.1	
D. Professional Organizations	4340	
E. Complaints (Added by Employees) (see 4144).....	4344	SEE NEW
F. Compensation and Related Benefits	4350	
1. Salary Guides (Changed to Employee Compensation) (see 4151).....	4351	SEE NEW
2. Salary Checks and Deductions	4352	
3. Extra Pay for Extra Work.....	4353	
4. Health and Welfare Benefits (see 4154)	4354	
5. Retirement Compensation.....	4355	
a. Tax-sheltered Annuities	4355.1	
6. Employment Amenities.....	4356	
a. Credit Union	4356.1	
b. Recognition by and Awards from the Governing Board (Changed to Awards & Recognition) (see 4156.2).....	4356.2	SEE NEW
c. Reimbursements, Uniforms and Allowances.. (Changed to Employee Property Reimbursement).(see 4156.3)...	4356.3	SEE NEW
7. Employee Safety (see 4157).....	4357	SEE NEW
8. Work-Related Injuries (New) (see 4157.1).....	4357.1	SEE NEW
9. Ergonomics (New) (see 4157.2).....	4357.2	SEE NEW
8. Employee Security (see 4158)	4358	SEE NEW
9. Employee Assistance Programs (see 4159).....	4359	SEE NEW
G. Leaves and Vacations (see 4160)	4360	
1. Leaves (Added Certificated & Classified Management, Supervisory, Confidential & Sworn School Police Employees)	4361	SEE NEW
a. Personal Illness & Injury Leave	4361.1	
(1) Industrial Accident/Illness (Added Certificated Mgmt)	4361.11	SEE NEW
b. Personal (changed to include bereavement, legal & civic duties, crime victims, victims of domestic violence or sexual assault personal leave, emergency duty)	4361.2	SEE NEW
c. Professional (includes sabbatical)	4361.3	
d. Association.....	4361.4	

ARTICLE 4

PERSONNEL

SERIES 4000

Code

e. Military or Federal (Added Leave/Compensation H&W Benefits) (See 4161.5)	4361.5	SEE NEW
f. Maternity/Adoptive/Child Care	4361.6	
g. Political (includes elected office).....	4361.7	
h. Family Care Leave (Changed to Family Care & Medical Leave – Management/Supervisory/Confidential/ All Sworn School Police Employees) (see 4161.8)	4361.8	SEE NEW
i. Catastrophic Leave Program	4361.9	
2. Vacation/Holidays.....	4362	

Instruction

Student Use of Technology

The Governing Board intends that technological resources provided by the district be used in a responsible and proper manner in support of the instructional program and for the advancement of student learning.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district computers and consequences for unauthorized use and/or unlawful activities.

On-Line Services/Internet Access

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors, and that the operation of such measures is enforced. (20 USC 7001, 47 USC 254)

The Board desires to protect students from access to harmful matter on the Internet or other on-line services. The Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet. He/she also shall establish regulations to address the safety and security of students when using electronic mail, chat rooms and other forms of direct electronic communication.

Disclosure, use and dissemination of personal identification information regarding students is prohibited.

Staff shall supervise students while they are using on-line services and may ask teacher aides and student aides to assist in this supervision.

Before using the district's on-line resources, each student and his/her parent/guardian shall sign and return an Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree to not hold the district responsible and shall agree to indemnify and hold harmless the district and all district personnel for the failure of any technology protection measures, violations of copyright restrictions, users' mistakes or negligence, or any costs incurred by users.

In order to help ensure that the district adapts to changing technologies and circumstances, the Superintendent or designee shall regularly review this policy, the accompanying administrative

Instruction

Student Use of Technology

regulation and other procedures. He/she shall also monitor the district's filtering software to help ensure its effectiveness.

Legal Reference:

EDUCATION CODE

- 48980 Required notification at beginning of term
- 51006 Computer education and resources
- 51007 Programs to strengthen technological skills
- 51870-51874 Education Technology
- 51870.5 Student Internet access
- 60044 Prohibited instructional materials

PENAL CODE

313 Harmful matter

- 502 Computer crimes, remedies
- 632 Eavesdropping on or recording confidential communications

UNITED STATES CODE, TITLE 20

- 6801-6979 Technology for Education Act of 1994
- 7001 Internet safety policy and technology protection measures, Title III funds

UNITED STATES CODE, TITLE 47

- 254 Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 16

- 312.1-312.12 Children's online privacy protection

CODE OF FEDERAL REGULATIONS, TITLE 47

- 54.520 Internet safety policy and technology protection measures, E-rate discounts

Management Resources:

CDE PUBLICATIONS

- K-12 Network Technology Planning Guide: Building the Future, 1994

CDE PROGRAM ADVISORIES

- 1223.94 Acceptable Use of Electronic Information Resources

WEB SITES

- Federal Communications Commission: <http://www.fcc.gov>
- U.S. Department of Education: <http://www.ed.gov>
- Commission on Online Child Protection: <http://www.copacommission.org>
- CDE: <http://www.cde.ca.gov>

Hesperia Unified School District

BP 4148 (c)
~~BP 6163.4 (c)~~

Instruction

Student Use of Technology

American Library Association: <http://www.ala.org>

CSBA: <http://www.csba.org>

(6/95 2/98) 7/01

POLICY REVISED: April 7, 2003

Instruction

Student Use of Technology

The principal or designee shall oversee the maintenance of each school's technological resources and may establish guidelines and limits on their use. He/she shall ensure that all students using these resources receive training in their proper and appropriate use.

At the beginning of each school year, parents/guardians shall receive a copy of the district's policy and administrative regulation regarding access by students to the Internet and on-line sites. (Education Code 48980)

On-Line/Internet Services: User Obligations and Responsibilities

Students are authorized to use district equipment to access the Internet or on-line services in accordance with user obligations and responsibilities specified below and in accordance with Governing Board policy and the district's Acceptable Use Agreement.

1. The student, in whose name an on-line services account is issued, is responsible for its proper use at all times. Students shall keep personal account numbers, home addresses and telephone numbers private. They shall use the system only under their own account number.
2. Students shall use the district's system responsibly and primarily for educational purposes.
3. Students shall not access, post, submit, publish or display harmful or inappropriate matter that is threatening, obscene, disruptive or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, gender, sexual orientation, age, disability, religion or political beliefs.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes in a patently offensive way sexual conduct and which lacks serious literary, artistic, political or scientific value for minors. (Penal Code 313)

4. Students shall not disclose, use or disseminate personal identification information about themselves or others when using electronic mail, chat rooms, or other forms of direct electronic communication. Students are also cautioned not to disclose such information by other means to individuals located through the Internet without the permission of their parents/guardians.

Instruction

Student Use of Technology

Personal information includes the student's name, address, telephone number, Social Security number, or other individually identifiable information.

5. Students shall not use the system to encourage the use of drugs, alcohol or tobacco, nor shall they promote unethical practices or any activity prohibited by law or Board policy.
6. Copyrighted material shall not be placed on the system without the author's permission. Students may download copyrighted material for their own use only.
7. Students shall not intentionally upload, download, create, distribute or broadcast computer viruses, trojans, or worms and/or maliciously attempt to harm, destroy or hinder district equipment and materials, obtain passwords or manipulate the data of any other user, including so-called "hacking."
8. Students shall not read, distribute, or otherwise broadcast 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 delete, copy, modify or forge other users' mail, network accounts, or files.
9. Students shall report any security problem or misuse of the services to the teacher or principal.

The district reserves the right to monitor any on-line communications for improper use. Electronic communications and downloaded material, including files deleted from a user's account, may be monitored or read by district officials to ensure proper use of the system.

The principal or designee shall make all decisions regarding whether or not a student has violated Board policy or the district's Acceptable Use Agreement. The decision of the principal or designee shall be final.

Inappropriate use shall result in a cancellation of the student's user privileges, disciplinary action and/or legal action in accordance with law and Board policy.

HESPERIA UNIFIED SCHOOL DISTRICT
Hesperia, California

Electronic Information Resources Staff/User Agreement

We are pleased to announce that the Hesperia Unified School District's electronic information services are now available to students and teachers who qualify as a result of participation in an orientation or training course. We believe in the educational value of such electronic services and recognize the potential of such to support curriculum and student learning. Our goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation, and communication. We will make every effort to protect students and teachers from any misuses or abuses as a result of their experiences with an information service. All users must be continuously on guard to avoid inappropriate and illegal interaction with the information service.

Listed below are the provisions of this contract. If any user violates these provisions, access to the information service may be denied and you may be subject to disciplinary action.

Terms and Conditions of This Agreement

1. **Personal Responsibility:** As a representative of this school, I will accept personal responsibility for reporting any misuse of the network to the system administrator. Misuse can come in many forms, but it is commonly viewed as any message(s) sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, described in the School Handbook apply when you are on the network.

I have read and understand this provision.

Initial _____
 User

2. **Acceptable Use:** The use of my assigned account must be in support of education and research. I am personally responsible for this provision at all times when using the electronic information service.
 - a. Use of other organization's networks or computing resources must comply with rules appropriate to that network.
 - b. Transmission of any material in violation of any United States or other state organization is prohibited. This includes, but is not limited to. copyrighted material, threatening or obscene material, or material protected by trade secret.

- c. **Use of commercial activities by for-profit institutions is generally not acceptable.**
- d. **Use of product advertisement or political lobbying is also prohibited.**

I am aware that the inappropriate use of electronic information resources can be a violation of local, state and federal laws and that I can be prosecuted for violating those laws.

I have read and understand this provision.

Initial _____
User

3. **Privileges:** The use of the information system is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. Each person who receives an account will participate in an orientation or training course with a Hesperia Unified School District faculty member as to proper behavior and use of the network. The Hesperia Unified School District system administrator(s) will decide what is appropriate use and their decision is final. The system administrator(s) may close an account at any time deemed necessary. The administration, staff, or faculty of Hesperia Unified School District may request that the system administrator deny, revoke, or suspend specific use accounts.

I have read and understand this provision.

Initial _____
User

4. **Network Etiquette and Privacy:** You are expected to abide by the generally accepted rules of network etiquette. These rules include, but are not limited to, the following:
- a. **BE POLITE.** Never send, or encourage others to send, abusive message.
 - b. **USE APPROPRIATE LANGUAGE.** Remember that you are a representative of your school and the district on a non-private system. You may be alone with your computer, but what you say and do can be viewed globally! Never swear, use vulgarities, or any other inappropriate language. Illegal activities of any kind are strictly forbidden.
 - c. **PRIVACY.** Do not reveal your home address or personal phone number or the address and phone numbers of students or colleagues.
 - d. **ELECTRONIC MAIL.** Electronic mail (e-mail) is not guaranteed to be private. Messages relating to or in support of illegal activities must be reported to the authorities.

e. **DISRUPTIONS.** Do not use the network in any way that would disrupt use of the network by others.

f. **OTHER CONSIDERATIONS:**

- Do be brief. Fewer people will bother to read a long message.
- Do minimize spelling errors and make sure your message is easy to read and understand.
- Do use accurate and descriptive titles for your articles. Tell people what your article is about before they read it.
- Do get the most appropriate audience for your message, not the widest.
- Do remember that humor and satire is very often misinterpreted. Do remember that if you post to multiple groups, specify all groups in a single message.
- Do cite references for any facts you present.
- Do forgive the spelling and grammar errors of others.
- Do keep signatures brief.
- Do remember that all network users are human beings.
- Don't "attack" correspondents-persuade them with facts.
- Do post only to groups you know.

I have read and understand this provision.

Initial _____
User

5. **Services:** The Hesperia Unified School District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The Hesperia Unified School District will not be responsible for any damages suffered while on this system. These damages include loss of data as a result of delays, non deliveries, mis-deliveries, or service interruptions caused by t the system or your errors or omissions. Use of any information obtained via the information system is at your own risk. The Hesperia Unified School District specifically disclaims any responsibility for the accuracy of information obtained through its services.

I have read and understand this provision.

Initial _____
User

6. **Security:** Security on any computer system is a high priority because there are so many users. If you identify a security problem, notify the system administrator at once. Never demonstrate the problem to other users. Never use another individual's account without written permission from that person. All use of the system must be under your own account. Any user identified as a security risk will be denied access to the information system.

I have read and understand this provision

Initial _____
User

7. **Vandalism:** Vandalism is defined as any malicious attempt to harm or destroy data of another user or any other agencies or networks that are connected to the system. This includes, but is not limited to, the uploading or creation of computer viruses. Any vandalism will result in the loss of computer services, disciplinary action, and legal referral.

I have read and understand this provision.

Initial _____
User

8. **Updating:** The information service may occasionally require new registration and account information from you to continue the service. You must notify the information system of any changes in your account information.

I have read and understand this provision.

Initial _____
User

Required Signature

I understand and will abide by the provisions and conditions of this contract. I understand that any violations of the above provisions may result in disciplinary action, the revoking of my user account, and appropriate legal action. I also agree to report any misuse of the information system to the Hesperia Unified School District administrator. Misuse can come in many forms, but can be viewed as any messages sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, and other issues described above.

User Signature _____ Date _____

Management, Supervisory and Confidential PersonnelPersonnel Reduction (Lay-off/Rehire)Certificated Management

The Governing Board recognizes that a variety of reasons may indicate that there is a need to reduce the kind and/or number of management staff members. Layoff proceedings shall be undertaken upon the recommendation of the Superintendent and prior consultation with legal counsel.

If there is a need to reduce the number and/or kind of management staff coupled with a need to reduce the overall number of certificated employees of the district, the district shall proceed pursuant to the requirements of Education Code 44955.

If there is a need to reduce the number and/or kind of management staff with intention that those management personnel who would be displaced will be placed in other certificated positions (i.e., there will not be a reduction in the overall number of certificated employees of the district), the district shall proceed pursuant to Education Code 44951.

If a management certificated employee who was assigned to an administrative position prior to July 1, 1983, is reassigned to a classroom teaching position, he/she shall have his/her seniority determined as though he/she had been a teacher during the time spent as a management employee.

For a certificated employee initially employed in an administrative position on or after July 1, 1983, who transfers to a teaching position, the period of employment in the administrative position shall not be included in determining seniority for purposes of employee layoff and employee reemployment after layoff, except for school site administrators who shall earn up to a maximum of three (3) years seniority while serving as site administrators.

Classified Management

Classified managers shall be entitled to the same procedure and have the same layoff rights as all other classified employees. Layoff proceedings shall be carried out in consultation with legal counsel.

Legal Reference:EDUCATION CODE

- 44955 Certificated employee layoff
- 44956 Reemployment rights of laid-off certificated employees
- 44956.5 Seniority of certificated administrators
- 45100.5; 45104.5 45108.5 Senior management of the classified service
- 45114, 45117, 45298, 45308 Classified employee layoff

Policy
adopted:

July 10, 1989