Nevada County Office of Education Policy SP4040

Acceptable Use of Technology

The County Superintendent of Schools recognizes that technological resources enhance employee performance by offering effective tools to assist in providing a quality instructional program; facilitating communications with parents/guardians, students, and the community; supporting county office of education (COE) and school operations; improving access to and exchange of information; enriching curriculum; and enhancing student learning. COE technology includes, but is not limited to, computer hardware, software, or software as a service provided or paid for by the COE, whether accessed on or off site or through COE-owned or personally owned equipment or devices, including tablets and laptops; computer servers, wireless access points (routers), and wireless computer networking technology (wi-fi); the Internet; email; applications (apps), including artificial intelligence (AI) apps; telephones, cellular or mobile telephones, smartphones, smart devices, and wearable technology; or any wireless communication device, including radios. Employees shall review the prohibited and permitted uses of technology regarding academic honesty, be responsible for the appropriate use of technology, and use COE technology primarily for purposes related to their employment consistent with local policies and administrative regulations. Artificial Intelligence ("AI") is a system of machine learning that is capable of performing complex and original tasks such as problem solving, learning, reasoning, understanding natural language, and recognizing patterns in data. AI is becoming more prevalent in our daily lives and is being integrated in a variety of technical applications. The COE recognizes that the use of AI can enhance student learning experiences and be a resource for staff and teachers. The COE authorizes the ethical and legal use of AI as a tool to support and expand on classroom instruction, increase learning opportunities, and as a general tool for staff and teachers subject to limitations listed within this policy and any other applicable Board Policies.

The COE may consider whether the adoption of a particular open AI tool may have a significant impact on the terms and conditions of employment for its staff, such that the COE may be obligated to negotiate the effects with a collective bargaining unit.

The COE has developed the following guidelines and protocols for employee use of AI:

1. Before allowing students to use a specific AI platform in the classroom and before using an AI tool as a resource, employees should ensure that the AI system has been vetted and approved by the COE or otherwise meets the COE's safety standards.

2. When applicable, the COE should attain parental consent before offering certain open AI services to students.

3. Evaluation of an AI tool may include whether it:

a. is an open or closed environment for purposes of data collection;

b. has a privacy setting where data resharing can be limited or blocked;

c. meets current student data privacy standards;

d. can be offered in an equitable manner;

e. any inherit bias can be minimized or eliminated; and

f. has safeguards in place to confirm that accurate and factually correct information can be provided.

4. Staff should clarify whether the use of AI is permitted on a particular assignment. To the extent possible, teachers or staff shall guide and monitor student use of AI, ensuring that it aligns with the COE's Student Acceptable Use guidelines and policies.

5. Employees should be cognizant of the information they are sharing with any open AI system and shall not share any confidential information or personally identifiable information of another student, employee, or other person. Personally identifiable information includes, but is not limited to, a person's name, address, email address, telephone number, Social Security number, or other personally identifiable information. Confidential information includes, but is not limited to, information in a student's education record such as their grades and information pertaining to an Individualized Education Plan.

An Acceptable Use Agreement which outlines employee obligations and responsibilities related to the use of COE technology, including the use of AI apps, shall be established. Upon employment and whenever significant changes are made to the COE's Acceptable Use Agreement, employees shall be required to acknowledge in writing that they have read and agreed to the Acceptable Use Agreement. Employees shall not use COE technology to access post, submit, publish, display, or otherwise engage with harmful or inappropriate matter that is threatening, obscene, disruptive, sexuallyexplicit, or unethical or that promotes any activity prohibited by law, local policy, or administrative regulations. 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) All COE computers with Internet access shall have a technology

protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. The technology protection measure may be disabled during use by an adult to enable access for bona fide research or other lawful purpose. (20 USC 7131; 47 USC 254) The COE shall regularly review current guidance regarding cybersecurity, data privacy, and digital media awareness and incorporate recommended practices into the COE's processes and procedures related to the protection of the COE's network infrastructure, the monitoring and response to cyberattacks, ensuring data privacy, and managing suspicious and/or threatening digital media content. Annually, employees shall be notified in writing that they have no reasonable expectation of privacy in the use of any COE technology, as defined above, even when using their personal devices. To ensure proper use, employee usage of COE technology may be monitored at any time without advance notice or consent and for any reason allowed by law. In addition, employees shall be notified that records, including communications, maintained on any personal accounts or devices used to conduct COE business are subject to disclosure at the COE's request, and pursuant to a subpoena or other lawful request. Employees shall report any security problem or misuse of COE technology. Inappropriate use of COE technology may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, local policy, and administrative regulation. Employees may access their mobile or other communications device 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. (Labor Code 1139)

Approved: Adopted by the Superintendent as SP4040- Wireless Communication Devices 10/9/08, updated 5/10/18, updated 9/16/18, updated 11/10/19. Title change and content updated to SP4040 – Acceptable Use of Technology October 16, 2024