

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**REGULAR MEETING**

Albany Community Center  
1249 Marin Avenue  
Albany, CA 94706

**TUESDAY**

January 6, 2009

**A G E N D A**

- I. OPENING BUSINESS** **7:00 p.m.**
- A. Call to Order
  - B. Roll Call
  - C. Identify Closed Session Topics for Discussion Pursuant to Agenda Section III Below
- II. PUBLIC COMMENT PERIOD FOR CLOSED SESSION ITEMS**
- General public comment on any Closed Session item will be heard. The Board may limit comments to no more than three (3) minutes.*
- III. CLOSED SESSION** **7:05 p.m.**
- A. With respect to every item of business to be discussed in Closed Session pursuant to Education Code Section 35146, Student Personnel Matters.
  - B. With respect to every item of business to be discussed in Closed Session pursuant to Education Code Section 54956.9: Litigation, 1 Case
  - C. With respect to every item of business to be discussed in Closed Session pursuant to Education Code Section 54957: Personnel Assignment Order: Assistant Pool Director
  - D. With respect to every item of business to be discussed in Closed Session pursuant to Government Code sec. 54957.6: CONFERENCE WITH LABOR NEGOTIATOR (Superintendent Marla Stephenson, District Representative), Regarding Negotiations as Pertains to:
    - California School Employees Association (CSEA)
    - Albany Teachers Association (ATA)
    - SEIU Local 1021
- IV. OPEN SESSION** **7:30 p.m.**
- Depending upon completion of Closed Session items, the Board of Education intends to convene to Open Session at 7:30 p.m. to conduct the remainder of its meeting, reserving the right to return to Closed Session at any time.*
- A. Reconvene to Open Session
  - B. Roll Call
  - C. Pledge of Allegiance
  - D. Report of Action Taken in Closed Session
  - E. Approval of Agenda
- Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_ Vote: \_\_\_\_\_
- V. STUDENT BOARD MEMBER REPORTS**
- VI. STAFF REPORT**
- A. Albany High School Swim Center Update Oral Report
- Pg 1

## **VI. PERSONS TO ADDRESS THE BOARD ON MATTERS NOT ON THE AGENDA**

*Board practice limits each speaker to no more than three (3) minutes. The Brown Act limits Board ability to discuss or act on items which are not on the agenda; therefore, such items may be referred to staff for comment or for consideration on a future agenda.*

## **VII. REVIEW AND ACTION ITEMS**

*(Members of the public will have the opportunity to speak on all issues)*

- |                                                                                                                                                                         |       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| A. Review and Approve Auditor's Report                                                                                                                                  | Pg 2  |
| Moved: _____ Seconded: _____ Vote: _____                                                                                                                                |       |
| B. Review and Approve Resolution 2008-09-15 Classified Layoff-Assistant Pool Director                                                                                   | Pg 3  |
| Moved: _____ Seconded: _____ Vote: _____                                                                                                                                |       |
| C. Review and Approve Contract for State Facilities Consulting Services with Hancock Gonos & Park Inc. for the Albany High School Pool Project not to exceed \$9,600.00 | Pg 5  |
| Moved: _____ Seconded: _____ Vote: _____                                                                                                                                |       |
| D. Review and Approve 2 <sup>nd</sup> Reading of BP 4040- Employee Use of Technology                                                                                    | Pg 8  |
| Moved: _____ Seconded: _____ Vote: _____                                                                                                                                |       |
| E. Review and Approve 2 <sup>nd</sup> Reading of BP 6163 - Student Use of Technology                                                                                    | Pg 11 |
| Moved: _____ Seconded: _____ Vote: _____                                                                                                                                |       |

## **REVIEW AND DISCUSSION ITEM**

- |                                                                 |       |
|-----------------------------------------------------------------|-------|
| A. 2 <sup>nd</sup> Reading AR 4040 - Employee Use of Technology | Pg 15 |
| B. 2 <sup>nd</sup> Reading AR 6163 - Student Use of Technology  | Pg 18 |

## **IX. BOARD AND SUPERINTENDENT COMMENTS**

- A. Board Members
- B. Superintendent

## **X. FUTURE AGENDA ITEMS**

*(dates are tentative and subject to change)*

- |                                                                  |          |
|------------------------------------------------------------------|----------|
| Student Performance                                              | January  |
| Consolidated Application Part II                                 | January  |
| Traffic & Safety Committee                                       | January  |
| Redistribution of Parcel Taxes                                   | February |
| School Accountability Report Cards 2007-08                       | February |
| Enrichment Task Force                                            | February |
| 2 <sup>nd</sup> Interim Report                                   | March    |
| Albany Children's Center Report                                  | April    |
| Increase of 1987, 1999, and 2005 Parcel Tax Rate Increase        | June     |
| Consolidated Application Part I for Funding Categorical Programs | June     |
| Review 1987, 1999 and 2005 Parcel Tax Reports                    | June     |

## **XI. FUTURE BOARD MEETINGS**

- A. Tuesday, January 20, 2009 7:30 p.m., Regular Meeting, Albany Community Center, 1249 Marin Avenue, Albany
- B. Tuesday, February 3, 2009 7:30 p.m., Regular Meeting, Albany Community Center, 1249 Marin Avenue, Albany
- C. Tuesday, February 24, 2009 7:30 p.m., Regular Meeting, Cornell Elementary School, 901 Cornell Elementary School,
- D. Tuesday, March 3, 2009 7:30 p.m., Regular Meeting, , Albany Community Center, 1249 Marin Avenue, Albany

E. Tuesday, March 17, 2009 7:30 p.m., Regular Meeting, , Albany Community Center,  
1249 Marin Avenue, Albany

## **XII. ADJOURNMENT**

*The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Regular Board Meetings shall be adjourned at 10:00 p.m. unless extended to a specific time determined by a majority of the Board.*

- The Board of Education meeting packet is available for public inspection at the Albany Public Library, 1247 Marin Avenue, all school sites, and the lobby of the Albany Unified School District office, 904 Talbot Avenue, Albany. The agenda is available on the Albany Unified School District web site: [www.albany.k12.ca.us](http://www.albany.k12.ca.us)
- If you provide your name and/or address when speaking before the Board of Education, it may become a part of the official public record and the official minutes will be published on the Internet.
- In compliance with the Americans with Disability Act (ADA), if you need special assistance to participate in this meeting, please contact the Superintendent's Office at 510-558-3766. Notification must be give forty-eight (48) hours prior to the meeting to make reasonable arrangements for accessibility (28 CFR 35.102.104 ADA Title II).



**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP****Regular Meeting of January 6, 2009****ITEM: ALBANY HIGH SCHOOL SWIM CENTER UPDATE****PREPARED BY:** Marla Stephenson, Superintendent**TYPE OF ITEM:** Staff report

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**BACKGROUND INFORMATION:**

On August 19 2008, the Board charged the Pool Committee to proceed with the design of the Albany High School Swim Center. The design includes two pools, one covered instructional pool and one outdoor competitive pool; 2 standard size classrooms and 1 expanded classroom for vocational use, and a facility including pool reception; changing facilities and pool administration. The Pool Committee finalized a proposed design in November, 2008. The design was presented and evaluated by two independent cost estimators and found to be within budget.

The Pool Committee, LPA Architects and project manager, David Burke, will present the design, review the cost estimates as related to the budget; and present a timeline that describes the next steps up to and including construction.

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**FINANCIAL INFORMATION:**

No fiscal impact.


**RECOMMENDATION:**

Discuss Staff Report

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of January 6, 2009**

**ITEM:** 2007-08 Financial Audit Report  
Wilkinson Hadley King & Co. LLP

**PREPARED BY:** Laurie Harden, Assistant Superintendent, Business Services 

**TYPE OF ITEM:** Action

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**BACKGROUND INFORMATION:** In accordance with Ed Code 41020.03, the Board is required to review and approve the District's annual audited financial statements. The audit firm of Wilkinson Hadley King & Co. performed the 2007-08 audit and required report.

The Findings and Recommendations section, found at the end of the report, represent areas that are non-compliant and require corrective action. All 2007-08 findings have been reviewed and a corrective action plan has been put into practice.

Bob Wilkinson, a principal of the firm, will be present at the Board meeting to present the 2007-08 district audit report and answer related questions.

Copies of the audit are available for public review at the District Office.

**RECOMMENDATION:**

Review and accept the 2007-08 Audit Report and Financial Statements as presented.

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP****Regular Meeting of January 6, 2009**

**ITEM: REVIEW AND APPROVE RESOLUTION 2008-09-15 CLASSIFIED  
LAYOFF- ASSISTANT POOL DIRECTOR**

**PREPARED BY:** Marla Stephenson, Superintendent

**TYPE OF ITEM: ACTION ITEM**

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**BACKGROUND INFORMATION:**

On December 21, 2008, The Albany Pool was closed in for preparation demolition. The pool will be emptied, all equipment will be packed and stored and the facility secured. The Assistant Pool Director will complete these activities, at which time there will be no further duties for the Assistant Pool Director until the construction of the new pool is completed. Education Code sections 45101, 45114, 45117, 45298 and 45308 authorize the District to layoff classified employees for lack of work and/or lack of funds upon forty-five day prior notice.

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**FINANCIAL INFORMATION:**

Due to the closure of the pool and the loss of revenue, the net result of cost savings to the district by the elimination of the assistant pool director position is undetermined at this time.

**RECOMMENDATION:**

Approve the Resolution 2008-09-15 Classified layoff – Assistant Pool Director

BEFORE THE BOARD OF EDUCATION  
OF THE ALBANY UNIFIED SCHOOL DISTRICT  
ALAMEDA COUNTY, CALIFORNIA

In the Matter of:

Reduction of Classified School Services

RESOLUTION 2008-09-15

**WHEREAS**, Education Code sections 45101, 45114, 45117, 45298 and 45308 authorize the District to layoff classified employees for lack of work and/or lack of funds upon forty-five (45) days prior notice; and

**WHEREAS**, due to a lack of work and/or a lack of funds, certain services now being provided by the District must be reduced;

**NOW, THEREFORE, BE IT RESOLVED** that as of the 20th day of February, 2009, the following positions shall be eliminated:

**Assistant Pool Director**

**BE IT FURTHER RESOLVED** that the District Superintendent or designee be authorized and directed to give notice of termination of employment to the affected employee pursuant to District rules and regulations and applicable provisions of the Education Code not later than forty-five (45) days prior to the effective date of such discontinuance as set forth above.

**BE IT FURTHER RESOLVED** that the District Superintendent or designee be authorized and directed to take any other actions necessary to effectuate the intent of this resolution.

The foregoing Resolution was adopted at a meeting of the Governing Board of the Albany Unified School District on the 6<sup>th</sup> of January, 2009 by the following vote:

AYES:

NOES:

ABSTAIN:


ABSENT:

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Marla Stephenson  
Clerk, Board of Education

Board Meeting  
January 6, 2009

TO: Board of Education

FROM: Marla Stephenson, Superintendent 

SUBJECT: **STATE FACILITIES FUNDING CONSULTING SERVICES FOR THE  
ALBANY HIGH SCHOOL POOL PROJECT**

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**SUPPORT INFORMATION:**

The District desires to retain State School Facilities Funding consulting services to identify and maximize the District's ability to receive funding from the State School Facilities Program (SFP). It is anticipated the District is eligible to participate in the SFP and that State funds received would be used to augment the Albany High School Pool Project budget.

A Request for Qualifications (RFQ) was distributed in November 2008 to nine California firms with the expertise to provide the requested SFP consulting services. Four firms submitted Statements of Qualifications and were subsequently invited to interview with the Superintendent, the Assistant Superintendent of Business, the Supervisor of Facilities, and the District's Construction Manager. As a result of the interviews and subsequent reference checks, Hancock, Gonos, & Park, Inc. was identified as the most qualified firm.

At the request of the Superintendent, Hancock, Gonos, & Park, Inc. provided a proposal based on a three month duration in the amount of \$9,600 (attached). Funding for these services will be provided by Albany High School Pool bond funds.

**RECOMMENDED ACTION:**

Approve the award of a Professional Services Agreement contract with Hancock, Gonos, & Park in the amount of \$9,600.00 for State School Facilities Funding consulting services for the Albany High School Pool Project.

**SCHOOL FACILITIES CONSULTANT AGREEMENT  
BETWEEN  
ALBANY UNIFIED SCHOOL DISTRICT  
AND  
HANCOCK GONOS & PARK, INC.**

This agreement is made by and between ALBANY UNIFIED SCHOOL DISTRICT, herein referred to as the Client, and HANCOCK GONOS & PARK, INC., herein referred to as the Consultant, for services pertaining to projects, past, present and future, under the School Facility Program (SFP). For the remuneration stipulated, the Consultant shall:

1. Provide continuing technical assistance to the Client on the state school facilities programs, laws and regulations including ad hoc questions related to the above.
2. Assist Client in identifying immediate facility needs, developing strategies for meeting the needs, and securing state funding where available. See attached work plan for details.
3. Provide review of project budgets in concert with project design professionals to maximize state funding opportunities.
4. Provide liaison activities with the Office of Public School Construction, the California Department of Education, the Division of the State Architect and other agencies involved in the school facilities process as needed.
5. Apprise the Client of the relevant activity in the state school facilities programs by monitoring and reporting the actions of the State Allocation Board, the SAB Implementation Committee, the Division of the State Architect Advisory Board, and proposed facilities related legislation.
6. Provide documentation to the Client of services provided.

A fee of \$3,200 per month shall be charged the Client for the aforementioned services under Items 1 through 6 above during the period of this Agreement, which shall begin January 1, 2009 and end March 31, 2009 unless extended by amendment. With the exception of travel mileage costs for routine one-day travel to and from the District Offices and school sites, the Client shall pay and reimburse any direct costs, travel, meals, and lodging when such expenses are incurred at the request of the Client. All such claims shall be authorized by the Client prior to the Consultant incurring the expense. The Consultant shall submit monthly invoices for services under this Agreement.

The Client shall furnish to the Consultant all information in its possession as necessary to complete the designated tasks. It is understood that the Consultant shall function as an independent contractor without authority to obligate the Client for any indebtedness or other commitments without the Client's approval.

The undersigned understands that the Consultant cannot control the processes of the applicable Local, State, or Federal agencies in reviewing and approving any Client application or appeal request. The Consultant will use its best efforts to assist the Client with all agencies but cannot guarantee favorable results.

The terms of this Agreement may be amended with the agreement of both parties. This agreement may be terminated by either party upon 30 days written notice.

HANCOCK GONOS & PARK, INC.

ALBANY UNIFIED SCHOOL DISTRICT

428 J Street, Suite 360  
Sacramento, CA 95814  
Federal EIN 20-4101370

Date

Date

Board Meeting  
January 6, 2009

TO: Board of Education

FROM: Steven Piercy, Technology Administrator

SUBJECT: **CONDUCT 2<sup>ND</sup> READING AND APPROVE BOARD POLICY  
4040 EMPLOYEE USE OF TECHNOLOGY**

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**BACKGROUND:**

With new laws, legal ramifications, and concerns with cyber-bullying, district staff have found it necessary to revamp our existing technology acceptable use policy to align it with current regulations and practices. Upon review of current policy, we have found it is essential to administration to establish two separate policies with regards to technology use by employees and students.

The proposed board policy and administrative regulation drafts are meant to provide sufficient clarification for these technology policy concerns.

**RECOMMENDATION:**

Conduct 2<sup>nd</sup> reading and approve BP 4040.

ALBANY UNIFIED SCHOOL DISTRICT  
BOARD POLICY

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PERSONNEL

BP 4040 Draft

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EMPLOYEE USE OF TECHNOLOGY

The Governing Board recognizes that technological resources can enhance employee performance by improving access to and exchange of information, offering effective tools to assist in providing a quality instructional program, and facilitating district and school operations. The Board expects all employees to learn to use the available technological resources that will assist them in the performance of their jobs responsibilities. As needed, employees shall receive training in the appropriate use of these resources.

District employees shall be responsible for the appropriate use of technology and shall use the district's technological resources primarily for purposes related to their employment. Technological resource acquisitions, including software downloaded through the system, shall be approved by the Superintendent or designee. Employees should be aware that computer files and electronic communications, including e-mail and voice mail, are not private. Technological resources shall not be used to transmit confidential information about students, employees, or district operations without proper security measures, encryption techniques, or prior authorization from the Superintendent or designee.

The Superintendent or designee shall ensure that district computing resources with Internet access have a technology protection measure that prevents access to visual depictions that are considered obscene or child pornography and that the operation of such measures is enforced. The Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose. (20 USC 6777; 47 USC 254)

To ensure proper use, the Superintendent or designee may monitor employee use of district technology resources including electronic communications, email and voice mail systems, and stored documents or files. Monitoring may occur at any time without advance notice or consent. The Superintendent or designee shall have the right to obtain or change any passwords that are used in order to gain system access.

The Superintendent or designee shall establish administrative regulations which outline employee obligations and responsibilities related to the use of district technology. The Superintendent or designee may establish guidelines and limits on the use of technological resources. Inappropriate use may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee shall provide copies of related policies, regulations,

ALBANY UNIFIED SCHOOL DISTRICT  
BOARD POLICY

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**PERSONNEL****BP 4040 Draft**

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**EMPLOYEE USE OF TECHNOLOGY**

and guidelines to all employees who use the district's technological resources. Employees shall be required to acknowledge in writing that they have read and understood these policies, regulations and guidelines.

(cf. 0440 - District Technology Plan)  
(cf. 4032 - Reasonable Accommodation)  
(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development)  
(cf. 4331 - Staff Development)  
(cf. 6162.7 - Use of Technology in Instruction)  
(cf. 6163.4 - Student Use of Technology)  
(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)  
(cf. 4118 - Suspension/Disciplinary Action)  
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)  
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

**ADOPTED:**

Board Meeting  
January 6, 2009

TO: Board of Education

FROM: Steven Piercy, Technology Administrator

SUBJECT: **CONDUCT 2<sup>ND</sup> READING AND APPROVE BOARD POLICY  
6163 STUDENT USE OF TECHNOLOGY**

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**BACKGROUND:**

With new laws, legal ramifications, and concerns with cyber-bullying, district staff have found it necessary to revamp our existing technology acceptable use policy to align it with current regulations and practices. Upon review of current policy, we have found it is essential administration to establish two separate policies with regards to technology use by employees and students.

The proposed board policy and administrative regulation drafts are meant to provide sufficient clarification for these technology policy concerns.

**RECOMMENDATION:**

Conduct 2<sup>nd</sup> reading and approve BP 6163.

**ALBANY UNIFIED SCHOOL DISTRICT**  
**BOARD POLICY**

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**INSTRUCTION****BP 6163 Draft**

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**STUDENT USE OF TECHNOLOGY**

The Governing Board of the Albany Unified School District believes all students should be provided with the opportunity to access technological resources for legitimate educational purposes consistent with district approved curriculum. The Board further intends that technological resources provided by the district be used in a safe, responsible, and proper manner in support of the instructional programs and the advancement of student learning.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with district regulations.

The Superintendent or designee shall provide age-appropriate instruction regarding the district's acceptable use agreement, including instruction on the safe use of social networking sites and other Internet services including, but not limited to, the dangers of posting personal information online, misrepresentation by online predators, and how to report inappropriate or offensive content or threats.

The Superintendent or designee, with input from students and appropriate staff, shall regularly review this policy, the accompanying administrative regulation, and other relevant procedures to help ensure that the district adapts to changing technologies and circumstances.

**Use of Computing Systems for Online Services/Internet Access**

The Board of Education acknowledges that inappropriate use or activities related to computing systems and the Internet poses a potential threat to the individual. The District shall provide reasonable supervision of students using district technology to access the Internet.

The Superintendent or designee shall ensure that all district computing resources 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 6777, 47 USC 254)

The Board desires to protect students from access to inappropriate matter on the Internet. The Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet.

ALBANY UNIFIED SCHOOL DISTRICT  
BOARD POLICY

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INSTRUCTION

BP 6163 Draft

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**STUDENT USE OF TECHNOLOGY**

He/she also shall establish regulations to address the safety and security of students and student information when using email, chat rooms, and other forms of direct electronic communication.

Student use of district computing systems to access unrelated social networking sites is prohibited. To the extent possible, the Superintendent or designee shall block access to such sites on district computers with Internet access.

Before using the district's technological resources, each student and his/her parent/guardian shall sign and return a Student User Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree to not hold the district or any district staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or users' mistakes or negligence. They shall also agree to indemnify and hold harmless the district and district personnel for any damages or costs incurred.

*(cf. 0440 - District Technology Plan)*

*(cf. 1113 - District and School Web Sites)*

*(cf. 4040 - Employee Use of Technology)*

*(cf. 5131 - Conduct)*

*(cf. 6163.1 - Library Media Centers)*

*(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)*

*(cf. 5144 - Discipline)*

*(cf. 5144.1 - Suspension and Expulsion/ Due Process)*

*(cf. 5144.2 - Suspension and Expulsion/ Due Process: Students with Disabilities)*

*(cf. 5145.12 - Search and Seizure)*

*(cf. 6143 - Courses of Study)*

*(cf. 6162.6 - Use of Copyrighted Materials)*

ALBANY UNIFIED SCHOOL DISTRICT  
BOARD POLICY

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INSTRUCTION

BP 6163 Draft

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STUDENT USE OF TECHNOLOGY

Legal Reference:

EDUCATION CODE

51006 Computer education and resources  
51007 Programs to strengthen technological skills  
51870-51874 Education technology  
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

6751-6777 Enhancing Education Through Technology Act, Title II, Part D, especially:  
6777 Internet safety

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

ADOPTED:

Board Meeting  
January 6, 2009

TO: Board of Education

FROM: Steven Piercy, Technology Administrator

SUBJECT: **CONDUCT 2<sup>ND</sup> READING ADMINISTRATIVE REGULATION  
4040 EMPLOYEE USE OF TECHNOLOGY**

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**BACKGROUND:**

With new laws, legal ramifications, and concerns with cyber-bullying, the Administration has found it necessary to revamp our existing technology acceptable use policy and align it with current regulations and practices. Upon review of current policy, we have found it is essential to administration to establish two separate policies with regards to technology use by employees and students.

The proposed board policy and administrative regulation drafts are meant to provide sufficient clarification for these technology policy concerns.

**RECOMMENDATION:**

Conduct 2<sup>nd</sup> reading of AR 4040.

ALBANY UNIFIED SCHOOL DISTRICT  
ADMINISTRATIVE REGULATION

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PERSONNEL

AR 4040 Draft

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**EMPLOYEE USE OF TECHNOLOGY**

Online/Internet Services: User Obligations and Responsibilities

Employees are authorized to use district equipment to access the Internet or other online services in accordance with Board policy, and the user obligations and responsibilities specified below.

1. The employee in whose name an online services account is issued is responsible for its proper use at all times. Employees shall keep account information, home addresses, and telephone numbers private. They shall use the system only under the account to which they have been assigned.
2. Employees shall use the system safely, responsibly, and primarily for work-related purposes.
3. Employees 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, sex, gender, sexual orientation, age, disability, religion, or political beliefs.
4. Employees shall not use the system to promote unethical practices or any activity prohibited by law, Board policy, or administrative regulations.
5. Employees shall not use the system to engage in commercial or other for-profit activities without permission of the Superintendent or designee.
6. Copyrighted material shall be posted online only in accordance with applicable copyright laws. Employees may download copyrighted material only in accordance with applicable copyright laws.
7. Employees shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, modify, or forge other users' email.
8. Employees shall not intentionally upload, download or create computer viruses and/or maliciously attempt to harm or destroy district equipment or materials of the data of any other user, including so-called "hacking".
9. Employees shall not develop any classroom or work-related web sites, web logs, forums, or similar online communications representing the district or using

## ADMINISTRATIVE REGULATION

PERSONNEL

AR 4040 Draft

EMPLOYEE USE OF TECHNOLOGY

district equipment or resources without permission of the Superintendent or designee. Such sites shall be subject to rules and guidelines established for district online publishing activities including, but not limited to, copyright laws, privacy rights, and prohibitions against obscene, libelous, and slanderous content. Because of the unfiltered nature of web logs (or "blogs"), any such site shall include a disclaimer that the district is not responsible for the content of the messages. The district retains the right to delete material on any such online communications.

10. Users shall report any security problem or misuse of the services to the Superintendent or designee.

(cf. 4030 - Nondiscrimination in Employment)  
(cf. 4031 - Complaints Concerning Discrimination in Employment)  
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)  
(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)  
(cf. 6162.6 - Use of Copyrighted Materials)  
(cf. 1113 - District and School Web Sites)

ADOPTED:

Board Meeting  
January 6, 2009

TO: Board of Education

FROM: Steven Piercy, Technology Administrator

SUBJECT: **CONDUCT 2<sup>ND</sup> READING ADMINISTRATIVE REGULATION  
6163 STUDENT USE OF TECHNOLOGY**

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**BACKGROUND:**

With new laws, legal ramifications, and concerns with cyber-bullying, the Administration has found it necessary to revamp our existing technology acceptable use policy and align it with current regulations and practices. Upon review of current policy, we have found it is essential to administration to establish two separate policies with regards to technology use by employees and students.

The proposed board policy and administrative regulation drafts are meant to provide sufficient clarification for these technology policy concerns.

**RECOMMENDATION:**

Conduct 2<sup>nd</sup> reading of AR 6163.

## ADMINISTRATIVE REGULATION

## INSTRUCTION

AR 6163 Draft

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.

Online/Internet Services: User Obligations and Responsibilities

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

1. The student in whose name an online services account is issued is responsible for its proper use at all times. Students shall keep personal account numbers, home addresses, and all telephone numbers private. They shall only use the account to which they have been assigned.
2. Students shall use the district's system safely, 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, sex, 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. Unless otherwise instructed by school personnel, students shall not disclose, use, or disseminate personal identification information about themselves or others when using email, chat rooms, or other forms of direct electronic communication. Students are also cautioned not to disclose such information by other means to individuals contacted through the Internet without the permission of their parents/guardians.

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

ALBANY UNIFIED SCHOOL DISTRICT  
ADMINISTRATIVE REGULATION

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INSTRUCTION

AR 6163 Draft

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STUDENT USE OF TECHNOLOGY

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, Board policy, or administrative regulations.
6. Students shall not use the system to engage in commercial or other for-profit activities.
7. Students shall not use the system to threaten, intimidate, harass, or ridicule other students or staff.
8. Copyrighted material shall be posted online only in accordance with applicable copyright laws. Any materials utilized for research projects should be given proper credit as with any other printed source of information.
9. Students shall not intentionally upload, download, or create computer viruses and/or maliciously attempt to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking."
10. Students shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, modify, or use another individual's identity.
11. Students shall report any security problem or misuse of the services to the teacher or principal.

The district reserves the right to monitor the system for improper use.

The principal or designee may cancel a student's user privileges whenever the student is found to have violated Board policy, administrative regulation, or the district's Acceptable Use Agreement. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

(cf. 0440 - District Technology Plan)  
(cf. 4040 - Employee Use of Technology)  
(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development)  
(cf. 4331 - Staff Development)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.7 - Sexual Harassment)  
(cf. 5145.9 - Hate-Motivated Behavior)  
(cf. 3513.3 - Tobacco-Free Schools)

ALBANY UNIFIED SCHOOL DISTRICT  
ADMINISTRATIVE REGULATION

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INSTRUCTION

AR 6163 Draft

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STUDENT USE OF TECHNOLOGY

(cf. 5131 - Conduct)  
(cf. 5131.9 - Academic Honesty)  
(cf. 6162.6 - Use of Copyrighted Materials)  
(cf. 5131.5 - Vandalism, Theft and Graffiti)  
(cf. 5145.12 - Search and Seizure)  
(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process: Students with Disabilities)

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