

CHAPTER 8.00 – AUXILIARY SERVICES

Staff Electronic Mail

This policy establishes the use of the District's electronic email (e-mail) system designated for use by staff and other District-authorized users and applies to any and all electronic messages composed, sent or received by any authorized District user. Authorized users of e-mail are employees, temporary or contract employees, and any other individuals or groups issued District staff e-mail accounts.

District E-Mail

E-mail is an official means of communication within the District. The use of e-mail is encouraged as a convenient, timely, and cost-effective communications medium. The purpose of providing an e-mail system to District employees is to advance the School District's business needs, mission, and goals. Employees who use the District e-mail services are expected to do so responsibly and to comply with Florida and Federal laws, District policies and procedures, and established standards of professional conduct and personal courtesy.

Acceptable Use

Use of District e-mail by employees must support and be consistent with District objectives. All users must be aware of and understand the standards by which the District expects and requires users to conduct themselves. These standards are found in, among other things, the Code of Ethics for the Education Profession in the State of Florida, the Principles of Professional Conduct for the Education Profession in Florida, and the District's Network Security Standards. All users must familiarize themselves with all applicable standards. An employee's failure to become familiar with these guidelines will not constitute a viable defense to or be a mitigating factor to a charge that an employee has violated this policy.

Unacceptable Use

Authorized users of the e-mail system may not use the District's e-mail system to perform any action or transmit any communication that would otherwise be prohibited in any other medium of communication.

Unacceptable and prohibited uses of District e-mail services include, but are not limited to:

1. Using profanity, obscenity, or other language which may be offensive to another user or any matter deemed to be obscene. Obscene material is material which:
2. The average person, applying contemporary community standards, would find, taken as a whole appeals to prurient interests;
3. Depicts or describes in a patently offensive way, sexual conduct as defined by state law;
4. Or taken as a whole lacks serious literary, artistic, political, or scientific value.

Transmitting any material that is in violation of Federal, State, and local laws, or of Board policies, regulations, or guidelines. This includes, but is not limited to, material that contains statements that would violate an individual's civil or constitutional rights or constitute harassment or trade secrets or copyrighted material without the consent of the owner or copyright holder.

CHAPTER 8.00 – AUXILIARY SERVICES

"Spoofing" where spoofing is defined as the act of disguising the sender of an e-mail by replacing the name in the "from" or header fields, sending e-mails while signed on as a different user, or otherwise intentionally misleading the recipient as to the identity of the actual sender.

1. Sending anonymous e-mail.
2. Engaging in any activity designed to view the e-mails of other individuals without authority or permission.
3. Using the District's global distribution lists for purposes that are not work related.
4. Initiating or forwarding "chain-letters" or petitions.
5. Using the e-mail system for political activities. In addition to the prohibition against using the District's e-mail system to provide publicity for any candidate for public office, users are forbidden from using the District's private network for lobbying, campaigning, or soliciting on behalf of any candidate for public office or using e-mail to support or oppose a political or union position or to engage in political or union activity. This includes sending messages regarding these topics into the District's e-mail system from an external e-mail account.
6. "Spamming," or the sending of unwanted, unsolicited and/or unnecessary messages to large numbers of people, usually with the purpose of advertising a product, event, service, or lobbying for a specific political position or promoting an individual's opinion. In many cases, the sender is unknown to the recipients. The District has the right to block and/or remove any e-mail that it determines is spam.
7. Violating Board policies, including, but not limited to, Florida's Code of Ethics of the Education Profession, The Principles of Professional Conduct for the Education Profession in Florida, and Board Policy Board members and employees are expected to prevent any entity from sending political e-mail into the District e-mail system in the Board or employee's name.

Consequences of Inappropriate Use

The e-mail system is the property of the District. The District has the right to monitor the e-mail system for unacceptable use according to Federal, State, local and District laws, policies and rules. Any employee who violates this rule is subject to appropriate disciplinary action, up to and including dismissal.

1. Work-site supervisors and District administrators are authorized to determine whether an employee is in compliance with this rule and is using the District's e-mail system in an appropriate and acceptable manner. This includes randomly accessing the employee's e-mail for the purpose of determining compliance with this rule.
2. The District also has the right to:
 - a. Review e-mails stored in the network for the purpose of maintaining adequate and necessary file server space, and
 - b. Modify or delete e-mails or attachments that may contain computer viruses or any other computer code that could damage or destroy any portion of the network.

CHAPTER 8.00 – AUXILIARY SERVICES

3. Users of the District e-mail system shall not expect that e-mail generated or received via the District's e-mail system will remain private. Users should be aware that:
 - a. Sensitive and confidential data, including data considered exempt from public disclosure, may be viewed by persons other than the intended recipient. Information that is exempt or confidential under state and federal law may need to be encrypted, blocked out, or not transmitted by e-mail.
 - b. E-mail is legally discoverable and may be used in court proceedings. Employees are notified that there is no individual right to privacy in the use of the District's e-mail system. Administration has an absolute right to monitor employees' use of the e-mail system at its discretion. Users are warned that although e-mail often has the feel of a private conversation, it is in fact, not private. Further, e-mail generated during the regular course of School Board business is subject to public disclosure, in accordance with Florida's Public Records Act, F.S. Chapter 119.

Personal Use

The intended use of the District e-mail system is for District-related purposes, not for personal use or other purposes. In limited instances, some personal use of the District e-mail system may be permitted. This use is a privilege, not a right. Limited, incidental personal use of the District e-mail system such as sending short, brief e-mails to a friend or relative is permissible so long as the user complies with the Utilization Policy and with State and Federal laws and Board policies governing the use of e-mail. Any abuse of this privilege will be handled in the same manner as described above.

Limited incidental personal use must not tie-up or otherwise obstruct system resources in any way, interfere with an individual's job performance and/or duties, advertise or promote a product or service, publicize unsanctioned, non-District activities without approval, promote political candidates or positions as outlined above, include attachments that use excessive storage (multiple pictures, video clips, etc.), and/or be used in any way that is detrimental to the District. In addition, employees are prohibited from storing e-mail that is personal in nature in the District's e-mail system.

The above list is for illustrative purposes only and is not exhaustive. Employees must exercise good judgment in using the e-mail system and not abuse the privilege.

Retention

The definition of a public record does not depend on the format of the record, regardless of the medium. All Federal, State, and local rules and regulations regarding retention of records, memos, and documents apply to documents and materials created by e-mail.

Users of District e-mail are responsible for retaining e-mail that, by law, must be retained, including e-mail that is subject to a litigation hold. E-mail that should be retained may be stored electronically or printed and saved as a hard-copy. In either case, such records must be available for public access, regardless of the medium in which it is maintained. The State and the courts do acknowledge, however, that much of what is put in e-mail does not qualify as a public record and may be deleted without permission once it no longer has value.

F.S. 119.011, 257.