

Students

Internet Acceptable Use and Safety Policy

I. Purpose

The purpose of this policy is to set forth policies and guidelines for access to the school district computer system and acceptable and safe use of the Internet, including electronic communications and Internet social networking tools.

II. General Statement of Policy

In making decisions regarding student and employee access to the school district computer system and the Internet, including electronic communications and Web 2.0 tools, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of the school district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

III. Limited Educational Purpose

The school district is providing students and employees with access to the school district computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. The school district's computer network is considered a limited forum; therefore, the district may restrict speech for valid educational reasons. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network. For safety purposes, the district employs both Internet filters and firewalls.

IV. Use of System Is a Privilege

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension

or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies (i.e., Policy 506, Student Discipline), including suspension, expulsion, academic sanctions, exclusion or termination of employment; or civil or criminal liability under other applicable laws.

V. Unacceptable Uses

A. The following uses of the school district system and Internet resources or accounts are considered unacceptable:

1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit or distribute:
 - a. pornographic, obscene or sexually explicit material or other visual depictions;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
 - d. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination or threatens the safety of others.
2. Users will not use the school district system to knowingly or recklessly post, transmit or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
3. Users will not use the school district system to engage in any illegal act or violate any local, state or federal statute or law.
4. Users will not use the school district system to vandalize, damage or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software or system performance by spreading computer viruses, engaging in "spamming" or by any other means, will not tamper with, modify or change the school district system software, hardware or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information or files without the implied or direct permission of that person. Students or staff shall not deliberately or knowingly delete another student or employee's file.

6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message. Students using social networking tools and curriculum content management software for a teacher's assignment are required to keep personal information as stated above out of their postings.
 - a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
 - b. This does prohibit using the school district system to post personal information about the user or another individual on social networks including, but not limited to, social networks such as MySpace and Facebook.
7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person's account, or use computer accounts, access codes or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.
8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
9. Users will not use the school district system for conducting business, for selling personal items, for unauthorized commercial purposes or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.

10. Students and staff shall not use the district's computer network to engage in any other illegal act such as arranging for the sale and use of drugs and/or alcohol, facilitating criminal gang activity, facilitating gambling, or threatening the safety of others.
 11. Assignments involving the use of social networking tools on the Internet are like any other assignment in school. Students in the course of completing assignments are expected to abide by the policies and procedures in the student handbook, including the policies regarding copyright and plagiarism.
 12. Students shall not meet with someone they met online without parental approval.
- B. A student or employee engaging in any of the foregoing unacceptable uses of the Internet when off school district premises and without the use of the school district system also may be in violation of this policy as well as other school district policies. In situations when the school district receives a report of an unacceptable use originating from a nonschool computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to academic sanctions or disciplinary action for such conduct including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.
- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. In the case of a student, the immediate disclosure shall be made to the classroom teacher or building principal. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

VI. Filter

- A. With respect to any of its computers with Internet access, the school district will follow the guidelines provided by the Children's Internet Protection Act of 2001 (CIPA), and will monitor the online activities of minors and employ technology protection measures during any use of such computers by minors and adults.

The technology protection measures utilized will block or filter Internet access to any visual depictions that are:

1. obscene
 2. child pornography
 3. harmful to minors
- B. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:
1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
 2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- C. An administrator, supervisor or other person authorized by the superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.

VII. Consistency with Other School Policies

Use of the school district computer system and use of the Internet shall be consistent with school district policies and the mission of the school district.

VIII. Limited Expectation of Privacy

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents have the right at any time to investigate or review the contents of their child’s files and email files. Parents have the right to request the termination of their child’s individual account at any time.

- E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school district employees should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure or discovery under Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act).
- F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.
- G. Rights, responsibilities and duties of district employees, as they relate to email and Internet use, are governed by school board policies and the master agreements between the district and employee bargaining units. Employees may be disciplined or terminated for violating the district's policies, regulations and procedures.
- H. In the event of a claim that an employee or student has violated this policy or other school board policies in the use of the district's computer network, the employee(s) or student(s) shall be provided with a notice of the suspected violation and an opportunity to present an explanation.

IX. Internet Use Agreement

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents and employees of the school district.
- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.
- C. The Internet use agreement form (Appendix I) for students must be read and signed by the user and the parent or guardian. The agreement must be signed in order to be granted access to the Internet via the district network. A signature is required when the student begins in the district, in 3rd grade, in 6th grade and in 10th grade. The agreement form is filed in the school's media center.
- D. Students and employees shall have access to Internet resources through their classroom, library or school computer lab.

X. Limitation on School District Liability

Use of the school district system is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage or

unavailability of data stored on school district diskettes, tapes, DVDs, portable memory storage devices, hard drives or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system, nor is it responsible for damages or injuries from improper communications or damage to property used to access school computers and online resources. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.

XI. User Notification

- A. All users shall be notified of the school district policies relating to Internet use.
- B. This notification shall include the following:
 - 1. Notification that Internet use is subject to compliance with school district policies.
 - 2. Disclaimers limiting the school district's liability relative to:
 - a. Information stored on school district diskettes, hard drives or servers.
 - b. Information retrieved through school district computers, networks or online resources.
 - c. Personal property used to access school district computers, networks or online resources.
 - d. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
 - 3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
 - 4. Notification that, even though the school district may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
 - 5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.
 - 6. Notification that the collection, creation, reception, maintenance and dissemination of data via the Internet, including electronic communications,

is governed by Policy 406 – Public and Private Personnel Data and Policy 515 – Protection and Privacy of Pupil Records.

7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, academic sanctions may result, school disciplinary action may be taken, and/or appropriate legal action may be taken.
8. Notification that all provisions of the acceptable use policy are subordinate to local, state and federal laws.

XII. Parents' Responsibility; Notification of Student Internet Use

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies and other possibly offensive media. Parents are responsible for monitoring their student's use of the school district system and of the Internet if the student is accessing the school district system from home or a remote location.
- B. Parents will be notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
 1. A copy of the user notification form provided to the student user.
 2. A description of parent/guardian responsibilities.
 3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.
 4. A statement that the Student Online Acceptable Use Consent Form (Appendix I) must be signed by the user, the parent or guardian, and the supervising teacher prior to use by the student.
 5. A statement that the school district's acceptable use policy is available for parental review.

XIII. Implementation; Policy Review

- A. The school district administration may develop appropriate user notification forms, guidelines and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms and procedures shall be an addendum to this policy.

- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school district Internet policies and procedures are available for review by all parents, guardians, staff and members of the community.
- D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

Legal References:

15 U.S.C. § 6501 *et seq.* (Children’s Online Privacy Protection Act)
 17 U.S.C. § 101 *et seq.* (Copyrights)
 20 U.S.C. § 6751 *et seq.* (Enhancing Education through Technology Act of 2001)
 47 U.S.C. § 254 (Children’s Internet Protection Act of 2000 (CIPA))
 47 C.F.R. § 54.520 (FCC rules implementing CIPA)
 Minn. Stat. § 125B.15 (Internet Access for Students)
 Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
United States v. American Library Association, 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 (2003)
Layshock v. Hermitage Sch. Dist., 412 F.Supp. 2d 502 (2006)
J.S. v. Bethlehem Area Sch. Dist., 807 A.2d 847 (Pa. 2002)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
 MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
 Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
 Policy 506 (Student Discipline)
 Policy 515 (Protection and Privacy of Pupil Records)
 Policy 519 (Interviews of Students by Outside Agencies)
 Policy 521 (Student Disability Nondiscrimination)
 Policy 522 (Student Sex Nondiscrimination)
 MSBA/MASA Model Policy 603 (Curriculum Development)
 MSBA/MASA Model Policy 604 (Instructional Curriculum)
 MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)
 MSBA/MASA Model Policy 806 (Crisis Management Policy)
 MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

Policy
 adopted: 6/16/08

INDEPENDENT SCHOOL DISTRICT 273
 Edina, Minnesota

Appendix I

STUDENT ONLINE ACCEPTABLE USE CONSENT FORM

Student

By signing below, I agree to follow Edina Public Schools' Internet Acceptable Use and Safety Policy and the Online Code of Ethics. I understand that my use of the network is a privilege and requires proper online etiquette. I further understand that misuse of the network shall result in disciplinary action.

Student Name (PRINT) _____

Student's I.D. Number _____
(MIDDLE SCHOOLS AND HIGH SCHOOL ONLY)

Student's Signature _____

Address _____ Zip _____

Telephone Number _____

School Building _____

Parent or Guardian

I give permission for my child to have access to the Internet using the district's computer network. I also understand that some material accessible through the interconnected systems may be inappropriate for school-age students. I agree to defend, indemnify and hold harmless the Edina Public Schools and TIES from any and all claims arising out of or related to the use of this interconnected computer system. I further understand that I have the right to withdraw my approval at any time.

Approved

Disapproved

Parent/Guardian Name (PRINT) _____

Signature of Parent/Guardian _____

Date _____

Return this form to your school's media center.