
Policy GDC/JV

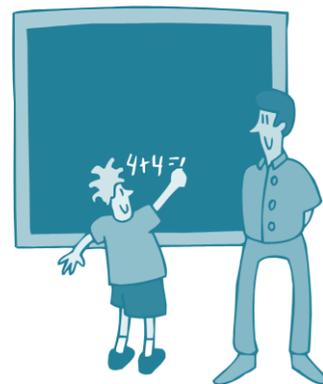
Safety and
Acceptable Use of
the Internet by

Students

Part D & F

Boone County Schools

*Annual parent
and student
reviews are
provided by
individual schools



PART D: STUDENT NETWORK AND INTERNET ACCEPTABLE USE AND
SAFETY

Advances in telecommunications and other related technologies have fundamentally altered the ways in which information is accessed, communicated, and transferred in society. Such changes are driving the need for educators to adapt their means and methods of instruction, and the way they approach student learning, to harness and utilize the vast, diverse, and unique resources available on the Internet. The Board of Education is pleased to provide Internet services to its students. The County's Internet system has a limited educational purpose. The County's Internet system has not been established as a public access service or a public forum. The Board has the right to place restrictions on its use to assure that use of the County's Internet system is in accord with its limited educational purpose. Student use of the County's computers, Network and Internet services ("Network") will be governed by this policy and the related administrative guidelines, the Student Code of Conduct, and West Virginia Board of Education (WVBE) policies 2460 and 4373. The use of the Internet as part of an educational program is a privilege, not a right, and inappropriate or unauthorized use of safety violations may result in revocation or suspension of that privilege. The due process rights of all users will be respected in the event there is a suspicion of inappropriate use of the Network. Users have no right or expectation to privacy when using the Network (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity while on the Network).

The Board encourages students to use the Internet to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work in the 21st Century.

The use of the electronic resources, technologies, and the Internet must be in support of education and consistent with the educational objectives and priorities of the West Virginia Board of Education (WVBE). Use of other Networks or computing resources must comply with the rules appropriate for that Network and copyright compliance. Users must also be in compliance with the rules and regulations of the Network provider(s) serving the County and its schools.

The Internet is a global information and communication Network that provides an incredible opportunity to bring previously unimaginable education and information resources to our students. The Internet connects computers and users in the County with computers and users worldwide. Through the Internet, students and staff can access up-to-date, highly relevant information that will enhance their learning and the education process. Further, the Internet provides students and staff with the opportunity to communicate with other people from throughout the world. Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges and responsibilities.

First, and foremost, the Board may not be able to technologically limit access to services through the Board's Internet connection to only those that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen

materials prior to student use to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, will open classrooms and students to electronic information resources which have not been screened by educators for use by students of various ages.

The West Virginia Department of Education (WVDE), approved service provider, and other State agencies operate the Statewide infrastructure to provide Internet access for all Pre-K-12 public schools. Pursuant to Federal law, the State has implemented technology protection measures, which protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act. Filtering will be installed at the State level at the two (2) points of presence (POPs) for Internet access. This will provide filtering for all public schools in a cost effective manner and with efficient management and enable County/schools to meet the Children's Internet Protection Act (CIPA) and E-Rate guideline requirements for filtering.

The Board shall add other electronic filters at the local level for an additional level of filtering.

The Board will use technical protection measures to guard against (i.e., filter or block) access to obscene visual displays/depictions, child pornography, and other materials that are harmful to minors, as defined by the Children's Internet Protection Act. At the discretion of the Board and/or the Superintendent, the Technology Protection Measures may be configured to protect against access to other material considered inappropriate for students to access. The Technology Protection Measures may not be intentionally disabled at any time when students may be using the Network, if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any student who attempts to disable the technology protection measures will be subject to discipline.

The Superintendent or Technology Director may temporarily or permanently unblock access to sites containing appropriate material, if access to such sites has been inappropriately blocked. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended educational use of the material.

Parents are advised that a determined user may be able to gain access to services and/or resources on the Internet that the Board has not authorized for educational purposes. In fact, it is impossible to guarantee students will not gain access through the Internet to information and communications that they and/or their parents may find inappropriate, offensive, objectionable, or controversial. Parents assume risks by consenting to allow their child to participate in the use of the Internet. Parents of minors are responsible for setting and conveying the standards that their children should follow when using the Internet. The Board supports and respects each family's right to decide whether to apply for independent student access to the Internet.

Pursuant to Federal Law, students shall receive education about:

- A. safety and security while using e-mail, chat rooms, social media, and other forms of direct electronic communications;
- B. the dangers inherent with the online disclosure of personally identifiable information;
- C. about the consequences of unauthorized access (e.g., "hacking")cyberbullying and other unlawful or inappropriate activities by students online; and
- D. unauthorized disclosure, use, and dissemination of personal information regarding minors.

Staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above. Furthermore, staff members will monitor the online activities of students while at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions, or use of specific monitoring tools to review browser history and Network, server, and computer logs.

Building principals are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the Internet. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. All Internet users (and their parents if they are minors) are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

Transmission of any material in violation of any U.S. or State law or regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening, abusive, or obscene materials, or material protected by trade secrets. Use for commercial activities by for-profit institutions is generally not acceptable. Use for product advertisement or political lobbying is also prohibited. Illegal activities and privacy and safety violations of the Children's Online Privacy Protection Act (COPPA) and the Children's Internet Protection Act (CIPA) are strictly prohibited.

Students and staff members are responsible for good behavior on the Board's computers/Network and the Internet just as they are in classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature. General school rules for behavior and communication apply, including the Student Code of Conduct. The Board does not sanction any use of the Internet that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines. Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or

revoked, and disciplinary action taken against them. Users granted access to the Internet through the Board's computers, and their guardians, assume personal responsibility and liability, possibly both civil and criminal, for uses of the Internet not authorized by this Board policy and its accompanying guidelines. All student use of Internet-related applications must be authorized by the educator.

The WVDE reserves the right to monitor, inspect, investigate, copy, review, and store, without prior notice, information about the content and usage of any Network and system files, user files, disk space utilization, applications, bandwidth utilization, document files, folders, electronic communications, e-mail, Internet access, and any and all information transmitted or received in connection with Networks, e-mail use, and web-based tools.

Students shall not access social media for personal use from the Board's Network, but shall be permitted to access social media for educational use in accordance with their teacher's approved plan for such use.

Based upon the acceptable use and safety guidelines outlined in WVBE policy 2460, the State Superintendent, the WVDE and the WVNET system administrators will determine what is appropriate use, and their decision is final. Also, the system administrator and/or local teachers may deny user access at any time.

Downloading, copying, duplicating, and distributing software, music, sound files, movies, images, or other copyrighted materials without the specific written permission of the copyright owner is generally prohibited. However, the duplication and distribution of materials for educational purposes are permitted if and when such duplication and distribution fall within the Fair Use Doctrine of the United States Copyright Law (Title 17, United States Code <http://copyright.gov/title17>) and content is cited appropriately.

The Board designates the Superintendent and Technology Director as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to students' use of the Network.

State Board policy 2460 – Safety and Acceptable Use of
the Internet by Students and Educators

H.R. 4577, P.L. 106-554, Children's Internet Protection Act of 2000

47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003)

20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965,
as amended

18 U.S.C. 1460

18 U.S.C. 2246

18 U.S.C. 2256

20 U.S.C. 6777, 9134 (2003)

76 F.R. 56295, 56303

PART F: ELECTRONIC MAIL

The Board of Education is committed to the effective use of electronic mail ("e-mail") by all County staff and Board members in the conduct of their official duties. This policy, as well as any guidelines developed pursuant to it, is not meant to limit or discourage the use of e-mail for conducting the official business of the County, but rather, this policy and any corresponding guidelines are intended to establish a framework for the proper use of e-mail as an official business tool.

When available, the County's e-mail system must be used by employees for any official County e-mail communications. Personal e-mail accounts on providers other than the County's e-mail system may be blocked at any time due to concerns for Network security, SPAM, or virus protection. Furthermore, County staff are expected to exercise reasonable judgment and prudence and take appropriate precautions to prevent viruses from entering the County's Network when opening or forwarding any e-mails or attachments to e-mails that originate from unknown sources.

County staff shall not send or forward mass e-mails, even if the e-mails concern County business, without prior approval of the Superintendent or Technology Director.

County staff may join list serves or other e-mail services (e.g. RSS feeds) that pertain to their responsibilities in the County, provided these list serves or other e-mail services do not exceed the staff member's e-mail storage allotment. Staff members are required to keep their inbox and folders organized by regularly reviewing e-mail messages, appropriately saving e-mails that constitute a public record or student record and e-mails that are subject to a Litigation Hold, and purging all other e-mails that have been read. If the staff member is concerned that his/her e-mail storage allotment is not sufficient, s/he should contact the County's Technology Director. Similarly, if a staff member is unsure whether s/he has adequate storage or should subscribe to a list serv or RSS feed, s/he should discuss the issue with his/her building principal or the County's Technology Director or IT staff. The Technology Director is authorized to block e-mail from list serves or e-mail services if the e-mails received by the staff member(s) regularly exceed 20 megabytes.

Public Records

The County complies with all Federal and State laws pertaining to electronic mail. Accordingly, e-mails written by or sent to County staff and Board members may be public records containing information relating to the conduct of the public's business, prepared, owned and retained by the District, or education records if their content includes personally identifiable, non-directory information about a student. E-mails that are public records are subject to retention and disclosure, upon request, in accordance with Federal, State and local Public Records Policies. E-mails that are student records should be maintained pursuant to Federal, State and local Public Records Policies – Student Records. Finally e-mails may constitute electronically stored information ("ESI") that may be subject to a Litigation Hold pursuant to Federal, State and local Public Records Policies – Information Management.

State and Federal law exempt certain documents and information within documents from disclosure, no matter what their form. Therefore, certain e-mails may be exempt from disclosure or it may be necessary to redact certain content in the e-mails before the e-mails are released pursuant to a public records request, the request of a parent or eligible student to review education records, or a duly served discovery request involving ESI.

E-mails written by or sent to County staff and Board members by means of their private e-mail account may be public records if the content of the e-mails contains information relating to the conduct of the public's business, prepared, owned and retained by the District, or education records if their content includes personally identifiable, non-directory, information about a student. Consequently, staff shall comply with a County request to produce copies of e-mail in their possession that are either public records or education records, or that constitute ESI that is subject to a Litigation Hold, even if such records reside on a computer owned by an individual staff member, or are accessed through an e-mail account not controlled by the County.

Retention

Pursuant to State and Federal law, e-mails that are public records or education records, and e-mails that are subject to a Litigation Hold shall be retained.

E-mail retention is the responsibility of the individual e-mail user. E-mails sent or received using the County's e-mail service may only be retained for thirty (30) days on the server. This retention is for disaster recovery and not to provide for future retrieval. The County does not maintain a central or distributed e-mail archive of e-mail sent and/or received.

Unauthorized E-mail

The Board does not authorize the use of its proprietary computers and computer Network ("Network") to accept, transmit, or distribute unsolicited bulk e-mail sent through the Internet to Network e-mail accounts. In addition, Internet e-mail sent, or caused to be sent, to or through the Network that makes use of or contains invalid or forged headers, invalid or non-existent domain names, or other means of deceptive addressing will be deemed to be counterfeit. Any attempt to send or cause such counterfeit e-mail to be sent to or through the Network is unauthorized. Similarly, e-mail that is relayed from any third party's e-mail servers without the permission of that third party, or which employs similar techniques to hide or obscure the source of the e-mail, is also an unauthorized use of the Network. The Board does not authorize the harvesting or collection of Network e-mail addresses for the purposes of sending unsolicited e-mail. The Board reserves the right to take all legal and technical steps available to prevent unsolicited bulk e-mail or other unauthorized e-mail from entering, utilizing, or remaining within the Network. Nothing in this policy is intended to grant any right to transmit or send e-mail to, or through, the Network. The Board's failure to enforce this policy in every instance in which it might have application does not amount to a waiver of its rights.

Unauthorized use of the Network in connection with the transmission of unsolicited bulk e-mail, including the transmission of counterfeit e-mail, may result in civil and criminal penalties against the sender and/or possible disciplinary action.

Authorized Use and Training

Pursuant to Policy, staff and Board members using the County's e-mail system shall acknowledge their review of, and intent to comply with, the County's policy on acceptable use and safety by signing and submitting Acceptable Use Form annually.

Furthermore, staff and Board members using the County's e-mail system shall satisfactorily complete training regarding the proper use and retention of e-mail annually.

SOURCE: Boone County Board of Education Policy 2460

LEGAL REFERENCE: WV State Board Policy

DATE APPROVED: February 12, 2002

DATE REVISED: June 19, 2012