

MODESTO CITY SCHOOLS

Administrative Regulation

AR 0440

PHILOSOPHY-GOALS-OBJECTIVES & COMPREHENSIVE PLAN

Use of Technology, Network and Electronic Information

The intent of this administrative regulation is to ensure that all uses of the District Network and computer equipment are consistent with the District's

Educational Purpose

The District's Internet system is to be used for district business and limited educational purposes only:

1. The term "educational purpose" includes use of the system for classroom activities, continuing education, professional or career development, and high-quality, educationally enriching personal research.
2. Schools may designate limited periods of time as "open access," providing students and staff the opportunity to use the Internet for non-educational or non-business purposes. Such use must not interfere with the educational purpose of the system and must be in accord with the provisions of the district policy and regulations.
3. Students may not use the system for personal commercial purposes, including offering or purchasing products or services. Staff may use the system for personal commercial use if such use is not excessive and not conducted during work hours.
4. Users may not use the system for lobbying activities, as defined under statute prohibiting use of public funds for lobbying. This provision shall not limit the use of the system by students or staff for the purposes of communicating with elected representatives or expressing views on political issues.
5. Staff may use the district Internet system for communications related to collective bargaining and union organizational activities.

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Discipline for Violation of Policy

1. The District will cooperate fully with local, state, or federal officials in any investigation concerning to or relating to any illegal activities conducted through the District Internet system.
2. User access to the District Internet system will require the use of an account name and password to enable individual users to be identified. Elementary students may use the Internet through a classroom user account and password.
3. In the event there is an allegation that a student has violated this policy, the student discipline will be conducted in the manner set forth in the student disciplinary policies and regulations.
4. Employee violations of this policy will be handled in accord with District policy and the collective bargaining agreement.
5. Any files, email and other information on the District's network or equipment is subject to search at any time.

Promoting the Effective Educational Use of the Internet

1. The District will provide professional development opportunities for staff in the effective use of the Internet for research and instructional purposes.
2. All sites linked to through the District web sites should be prescreened to ensure such sites are appropriate in light of the age of the student and relevant to the course objectives.
3. The District and staff will seek to limit student exposure to commercial advertising and product promotion, especially advertising or promotion of youth-oriented products and services, in the development of the district or classroom web sites or other assignments utilizing the Internet.

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4. For students at the elementary school level, access to information on the web will be generally limited to access available through the District web site or through classroom web sites. Any classroom access to material outside of such prescreened sites must be closely supervised by the teacher. Sites need to be prescreened before being included in a lesson plan.
5. For students at the secondary school level, access to information on the web should generally be through the district web site or through classroom web sites. Students may access sites outside of the district or classroom web site in a manner prescribed by their school.

Protections Against Access to Inappropriate Material

Inappropriate Material

The District has identified the following types of material as Prohibited, Restricted, and Limited Access Material.

1. **Prohibited Material.** Prohibited Material may not be accessed by the students or staff at any time, for any purpose. This material includes material that is obscene, child pornography, material that is considered harmful to minors, as defined by the Children's Internet Protection Act. The district designated the following types of materials as Prohibited: Obscene materials, child pornography, material that appeals to a prurient or unhealthy interest in, or depicts or describes in a patently offensive way, violence, nudity, sex, death, or bodily functions, material that has been designated as for "adults" only, and material that promotes or advocates illegal activities.
2. **Restricted Material.** Material that is Restricted may not be accessed by elementary or middle school students at any time for any purpose. Restricted Material may be accessed by high school students in the context of specific learning activities that have been approved by a teacher or by staff for research or professional development purposes. Materials that may arguably fall within the description provided for Prohibited Material that have clear educational relevance, such as material with literary, artistic, political, or

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scientific value, will be considered to be Restricted. In addition, Restricted Material includes materials that promote or advocate the use of alcohol and tobacco, hate and discrimination, satanic and cult group membership, school cheating, and weapons. Sites that contain personal advertisements or facilitate making online connections with other people are Restricted unless such sites have been specifically approved by the school.

3. **Limited Access Material.** Limited Access Material is material that is generally considered to be non-educational or entertainment. Limited Access Material may be accessed in the context of specific learning activities that are directed by a teacher or during periods of time that a school may designate as "open access" time. Limited Access Material includes such material as electronic commerce, games, jokes, recreation, entertainment, sports, and investments.
4. The determination of whether material is Prohibited, Restricted, or Non-educational shall be based on the content of the material and the intended use of the material, not on the protective actions of the Technology Protection Measure. The fact that the Technology Protection Measure has not protected against access to certain material shall not create the presumption that such material is appropriate for users to access. The fact that the Technology Protection Measure has protected access to certain material shall not create the presumption that the material is inappropriate for users to access.

Technology Protection Measure

1. The District has selected a Technology Protection Measure for use with the District Internet system and has specified the manner in which the Technology Protection measure will be configured. The Technology Protection Measure will always be configured to protect against access to material that is obscene, child pornography, and material that is harmful to minors, as defined by the Children's Internet Protection Act. The District may, from time to time, reconfigure the Technology Protection Measure to best meet the educational needs of the district or schools and address the safety needs of the students.

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2. The Technology Protection Measure may not be disabled at any time that students may be using the District Internet system, if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. The Technology Protection Measure may be disabled during non-student-use time for system administrative purposes.
3. Technology Protection Measures have been found on occasion to block access to appropriate material. To ensure that the implementation of the Technology Protection Measure is accomplished in a manner that retains District control over decision-making regarding the appropriateness of material for students, does not unduly restrict the educational use of the District Internet system by teachers or students, and ensures the protection of students' constitutional rights of access to information and ideas, authority will be granted to selected educators to temporarily or permanently unblock access to sites blocked by the Technology Protection Measure.
 - a. Authority to temporarily bypass the Technology Protection Measure will be granted to administrators and/or his/her designee(s), and with the principal's approval any staff who regularly uses the Internet for instructional purposes who requests permission to have such authority.
 - b. To temporarily bypass the Technology Protection Measure, the authorized individual must review the contents of the site, outside of the presence of any students, prior to allowing access to the site by a student.
 - c. All instances of temporarily bypassing the Technology Protection Measure will automatically be logged in the district reporting database, as is all access to the Internet from within the District network.
 - d. If an authorized individual believes that the blocked site should be permanently unblocked, a recommendation will be forwarded to the District Help Desk. Information and Technology Services will make a decision to permanently unblock access to the site, or may delegate the decision to the District Technology Council.

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Supervision, Monitoring, Search and Seizure, and Retention of Records

1. Student use of the District Internet system will be supervised by staff in a manner that is appropriate to the age of the students and circumstances of use. The site principal or department administrator, or his/her designee, will disseminate staff supervision requirements for their respective sites. Computers used by students in classrooms and labs will be positioned to facilitate effective staff supervision or employ monitoring software to allow staff to monitor student use.
2. The District will monitor use of the Internet through a regular analysis of Internet usage.
3. Users should have no privacy expectations in regards to the contents of their personal files, email and records of their online activity while on the District system.
4. Routine maintenance and monitoring of the system may lead to discovery that the user has or is violating District policy, regulations, or the law. An individual search may be conducted at District discretion. Individual search of user's e-mail will first be approved by a District administrator responsible for supervision of the student or staff or by the superintendent or his/her designee. Students and staff have no expectation of privacy from review of any information contained in District-owned equipment at any time.

Safety and Security of Students When Using Direct Electronic Communication

1. The District will provide e-mail access for students and staff when requested.
 - a. Elementary students may use CIPA compliant e-mail through a third party which creates classroom email accounts or accounts where the teacher has full access to all communication. Secondary students may have e-mail accounts assigned to serve an educational purpose. All student e-mail accounts will be filtered for CIPA compliance.

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- b. Staff will be provided with individual e-mail accounts on the District e-mail system. Staff will use a signature block that identifies who they are, their position with the District and contact information.
 - c. Students may not establish or access web-based e-mail accounts on commercial services through the District Internet system unless such accounts have been approved for use by the District Technology Council.
2. Students may use real-time electronic communication, such as chat or instant messaging in moderated environments that have been established to support educational activities and have been approved by the District Technology Council.

Illegal, Unauthorized, and Inappropriate Activities

1. Illegal Activities

- a. Users will not attempt to gain unauthorized access to the District Internet system or to any other computer system through the District network, or go beyond their authorized access. This includes attempting to log in through another person's account or access another person's files.
- b. Users will not make deliberate attempts to disrupt the computer system performance or destroy data by spreading computer viruses or by any other means.
- c. Users will not use the District Internet system to engage in any other illegal act, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal gang activity, threatening the safety of person, etc.

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2. Inappropriate Language

- a. Restrictions against Inappropriate Language apply to all speech communicated through the district Internet system, including but not limited to public messages, private messages, and material posted on web pages.
- b. Users will not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language.
- c. Users will not post information that, if acted upon, could cause damage or a danger of disruption to the district network system, Internet or individual computers.
- d. Users will not engage in personal attacks, including prejudicial or discriminatory attacks.
- e. Users will not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If a user is told by another person to stop sending messages to them, they must stop.
- f. Users will not knowingly or recklessly post false or defamatory information about a person or organization.

3. Plagiarism and Copyright Infringement

- a. Users will not plagiarize works that they find on the Internet.
- b. Users will respect the rights of copyright owners in their use of materials found on, disseminated through, or posted to the Internet.

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System Security and Resource Limits

1. System Security

- a. Users are responsible for the use of their individual account and should take all reasonable precautions to prevent others from being able to use their account, including protecting the privacy of their password.
- b. Users will notify the system Help Desk if they have identified a possible security problem. Users will not go looking for security problems, because this may be construed as an illegal attempt to gain access.
- c. Users will avoid the inadvertent spread of computer viruses by following the District virus protection procedures.

2. Resource Limits

- a. Users will not download excessively large files unless directed to do so in conjunction with a classroom activity or job duty. If necessary, users will download the file at a time when the system is not being heavily used and immediately remove the file from a network server or storage device to their personal computer or removable media.
- b. Users will not misuse district, school, or personal distribution lists or discussion groups for sending irrelevant messages.
- c. Users will check their e-mail, delete unwanted messages, and manage their inbox to stay within their e-mail storage allotment.
- d. Users will subscribe only to quality discussion groups that pertain to their education or professional/career development.

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Protection of Student Confidentiality and Privacy

1. All contracts with third party providers of data management services for the district will be reviewed to ensure compliance with federal and state student privacy and records retention laws.
2. Staff transmission of student confidential information via e-mail must be in compliance with all federal and state student privacy laws.
 - a. E-mail transmission will be utilized only when the circumstances justify the need for immediacy in the transmission of information.
 - b. The "subject line" of the e-mail should provide an indication that the e-mail contains confidential student information.
 - c. A hard copy of any e-mail containing student confidential information will be retained in accord with District student records retention requirements.

3. **Privacy and Communication Safety Standards**

Students and staff will abide by the following privacy and communication safety standards when using the District Internet system, including use of electronic communications and the web.

- a. Personal contact information includes the student's name together with other information that would allow an individual to locate the student, including, but not limited to, parent's name, home address or location, work address or location, or phone number.
- b. It is impermissible to disclose the full name or any other personal contact information of elementary and middle school students, except with principal approval to education institutions for educational purposes, or except with superintendent approval.

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- c. It is impermissible to disclose personal contact information for high school students, except to education institutions for educational purposes, companies or other entities for career or college development purposes, or with specific superintendent approval.
 - d. Documents and web pages may not include any information that indicates the physical locations of a student at a given time other than attendance at a particular school or participation in school activities.
4. The following provisions address the disclosure of student information, posting student-created material, and posting pictures of students on the District web site. Parents must approve such disclosure and posting.
- a. For students in elementary and middle school, the following standards apply: Students will use limited student identification (first name and last initial or other school-developed identifier). Group pictures without identification of individual students are permitted. Student work may be posted with the limited student identification. All student posted work will contain the student's copyright notice using the limited student identification.
 - b. For students in high school, parents may approve either the elementary/middle school standards or the following standards: Students may be identified by their full name. Group or individual pictures of students with student identification are permitted. Student work may be posted with student name.

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Copyright Management

1. The District will Respect the Copyright Rights of Students and Staff
 - a. Students own the copyright to their creative works, including works created using district resources. The Internet agreement signed by parents will include a request for permission from parents to post student work on the Internet. All student work posted on the Internet will contain a copyright notice indicating the ownership of that work by the student(s).
 - b. District staff own the copyright to works created outside of the scope of their employment responsibilities and without the use of district resources or with compensation being rendered. District staff may post such work on the district web site to facilitate access by students and/or staff. Notice of such posting and claim of ownership must be provided. By posting such work to the District's web site, the staff member will grant a non-exclusive license or permission for any staff or student within the district to freely use such work.
 - c. The District shall own the copyright on any works created by District staff within the scope of their employment responsibilities.
2. The District will Promote Respect for the Copyright Rights of Others
 - a. The District will provide instruction to staff and students on their rights and responsibilities with respect to the copyright ownership rights of others.
 - b. No material may be disseminated through the District Internet system or posted on the District Internet site unless that material is original, in the public domain, used in accord with the fair use provisions of the copyright law, or is disseminated or posted with permission of the copyright owner.

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District Web Site Regulations

1. District Web Site

- a. The District will establish a district web site. Material appropriate for placement on the district web site includes: District information, school information, teacher or class information, student projects, and student extracurricular organization information. Personal, non-educationally-related information will not be allowed on the district web site.
- b. The Superintendent will designate a District Internet Services Manager, responsible for maintaining the official district web site and monitoring all district web activity. In conjunction with the District Technology Council, the Internet Services Manager will develop style and content guidelines for official district and school web materials and develop procedure for the placement and removal of such material. All official district material originating from the district posted on the district web site must be approved through a process established by the District Internet Services Manager and/or the District Technology Council.

2. School Web Pages

The site principal will designate a school web publisher, responsible for managing the school web site and monitoring class, teacher, student, and extracurricular web pages. All official material originating from the school will be consistent with the district style and content guidelines and approved through a process established by the school web publisher. The school web publisher will work in conjunction with the District Internet Services Manager to develop additional guidelines and placement processes for the school web site. Web pages must comply with guidelines established by the District Internet Services Manager.

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3. Teacher or Classroom Web Pages

Teachers may establish web pages for use with class activities or that provide a resource for other teachers. Teachers will be responsible for maintaining their class or educational resource sites. Teacher web pages will not be considered official material, but will be developed in such a manner as to reflect well upon the district and school.

4. Non-instructional Staff and Student Web Pages

Non-instructional staff or students may develop web pages that provide a resource for others or information concerning any school activity, club or organization. Staff will be responsible for maintaining their resource sites. Staff web pages will not be considered official material, but will be developed in a manner as to reflect well upon the District.

5. Student Web Pages

- a. Students may create a web site as part of a class activity. Material presented on a student class activity web page must meet the educational objectives of the class activity. Such pages shall be strictly limited to the educational objectives and subject to the individual limitations of the school for that activity.
- b. It will not be considered a violation of a student's right to free speech to require removal of material that fails to meet established educational objectives or that is in violation of a provision of the Student Internet Use Policy or student discipline policies and regulations. Student web pages must include the following notice: "This is a student web page. Opinions expressed on this page shall not be attributed to the district." The District reserves the right to remove any student web sites from the network at any time.

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6. Web Page Requirements

Web page development must comply with any policies and requirements established by the District.

- a. All Internet Use Policy provisions, including those addressing inappropriate language, privacy, and copyright, will govern material placed on the District web site.
- b. Web pages shall not contain the identification information or pictures of the student or student work unless such provision has been approved by the student's parents/guardians.
- c. Material placed on the web site is expected to meet academic standards of proper spelling, grammar, and accuracy of information.
- d. All web pages will carry a stamp indicating when it was last updated and the e-mail address of the person responsible for the page.
- e. All web pages should have a link at the bottom of the page that will help users find their way to the appropriate home page.
- f. Users should retain a back-up copy of their web pages.

7. Web Site Concerns

- a. The District web site and each School web page will have a "Web Site Concerns" link. This link will take the reader to a page that must provide the following information:

Modesto City Schools seeks to ensure that all materials placed on the district or school web sites are placed in accord with copyright law and do not infringe on the rights of or harm others in any way.

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To accomplish this we are taking three steps:

- We have provisions in our Internet Use Policy that address copyright, defamation, harassment, invasion of privacy, and other harmful speech.
- We have established web site management procedures to review materials prior to their placement on the web site.
- We will promptly respond to any issues of concern. A link will allow the concerned person to contact the District Internet Services Manager.

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