Forest Grove School District

Code: **IIBGA-AR**
Revised/Reviewed: 2/22/16

# Electronic Communications System

## Definitions

1. "Technology protection measure," as defined by the Children's Internet Protection Act (CIPA), means a specific technology that blocks or filters Internet access to visual depictions that are:

   a. Obscene, as that term is defined in Section 1460 of Title 18, United States Code;
   b. Child pornography, as that term is defined in Section 2256 of Title 18, United States Code; or
   c. Harmful to minors.

2. "Harmful to minors," as defined by CIPA, means any picture, image, graphic image file or other visual depiction that:

   a. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex or excretion;
   b. 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
   c. Taken as a whole, lacks serious literary, artistic, political or scientific value to minors.

3. "Sexual act; sexual contact," as defined by CIPA, have the meanings given such terms in Section 2246 of Title 18, United States Code.

4. "Minor," as defined by CIPA, means an individual who has not attained the age of 17. For the purposes of Board policy and this administrative regulation, minor will include all students enrolled in district schools.

5. "Inappropriate matter," as defined by the district, means material that is inconsistent with general public education purposes, the district's mission and goals.[1]

6. "District proprietary information" is defined as any information created, produced or collected by district staff for the business or education purposes of the district including but not limited to student information, staff information, parent or patron information, curriculum, forms and like items used to conduct the district's business.

[1]As inappropriate matter is not defined in the CIPA or regulations, districts should define the scope of what it will regard as inappropriate matter. The language provided in #5. is intended as a guide only.

7. "District applications" is defined as any commercial or staff developed software acquired using district resources.

**General District Responsibilities**

The district will:

1. Designate staff as necessary to ensure coordination and maintenance of the district's electronic communications system which includes all district computers, e-mail and Internet access;

2. Provide staff training in the appropriate use of the district's system including copies of district policy and administrative regulations. Staff will provide similar training to authorized system users;

3. Provide access to staff to use personal electronic devices on the district network. Staff are responsible for their own personal devices and any personal student data comprised on them;

4. Provide a process to staff for the recovery of district proprietary information downloaded to staff personal electronic devices as necessary to accomplish district purposes, obligations or duties, and when the use on the personal electronic device is no longer authorized, to insure verification that information downloaded has been properly removed from the personal electronic device;

5. Cooperate fully with local, state or federal officials in any investigation relating to misuse of the district's system;

6. Use only properly licensed content and resources. The district will comply with the requirements of law regarding the use, reproduction and distribution of copyrighted works and with applicable provisions of use or license agreements;

7. Implement protection measures to maintain the integrity of data and systems;

8. Provide technology protection measures that protect Internet access by both adults and minors to visual depictions that are obscene, child pornography or harmful to minors. A supervisor or other authorized individual may disable the technology protection measures to enable access for bona fide research or other lawful purposes, as deemed appropriate;

9. Prohibit access by minors, as defined by CIPA and this regulation, to inappropriate matter on the Internet and World Wide Web;

10. Provide staff supervision to monitor the online activities of students to prevent unauthorized access, unlawful activities online, and ensure the safety and security of minors while using all forms of electronic communication;

11. Provide student education about appropriate online behavior, including cyberbullying awareness and response, and how to interact with other individuals online;

12. Notify appropriate system users that:

    a. The district retains ownership and control of its computers, hardware, applications and data at all times. All communications and stored information transmitted, received or contained in the district's information system are the district's property. Use of district equipment or software for unauthorized purposes is strictly prohibited. To maintain system integrity, monitor network etiquette and ensure that those authorized to use the district's system are in compliance with Board policy, administrative regulations and law, the school administrators may routinely review user files and communications;
    b. Files and other information, including e-mail, sent or received, generated or stored on district servers are not private. By using the district's system, individuals consent to have that use monitored. The district reserves the right to access and disclose, as appropriate, all information and data contained on district computers and district-maintained e-mail system;
    c. E-mail sent or received by a Board member or employee in connection with the transaction of public business may be a public record and subject to state archivist rules for retention and destruction;
    d. Information and data entered or stored on the district's computers and e-mail system may become discoverable evidence if a public records request is made or a lawsuit is filed against the district. Deleted data from district computers or e-mail system may be retrieved for later public records disclosure or disciplinary purposes, as deemed necessary by the district;
    e. Passwords must be secure and protected;
    f. Transmission of any materials regarding political campaigns is prohibited.

13. Staff responsible user agreements are accessible at anytime. The district may change the user agreement at any time. Annually, staff will be notified of access to responsible user documentation. Consent of staff to abide by this agreement is assumed. Questions and comments can be made to technology via the help desk ticketing system at any time;

14. Student responsible user agreements are available at anytime. The district may change the user agreement at any time. Annually, students and their families will be notified of the location of this full agreement in the student handbook. Signed acknowledgment of the handbook is considered consent of the responsible user agreement.

**System Access**

1. Access to the district's system is authorized to:

   Board members, district employees, students in grades K-12 and district volunteers, district contractors or other members of the public as authorized by the system coordinator or district administrators consistent with the district's policy governing use of district equipment and materials.

2. Students, staff, Board members, volunteers, district contractors and other members of the public may be permitted to use the district's system for personal use, in addition to official district business, consistent with Board policy, general use prohibitions/guidelines/etiquette and other applicable provisions of this administrative regulation. Additionally, Board member and employee use of district-owned computers may be permitted only when such use does not violate the provisions of

ORS 244.040 and use is under the same terms and conditions that access is provided to the general public under the district's policy governing use of district equipment and materials.

**General Use Prohibitions/Guidelines/Etiquette**

Operation of the district's system relies upon the proper conduct and appropriate use of system users. Students, staff and others granted system access are responsible for adhering to the following prohibitions and guidelines which require legal, ethical and efficient utilization of the district's system.

1. Prohibitions

   The following conduct is strictly prohibited:

   a. Attempts to use the district's system for:

      (1) Unauthorized solicitation of funds;
      (2) Distribution of potentially unwanted mail;
      (3) Unauthorized sale or purchase of merchandise and services;
      (4) Collection of signatures;
      (5) Membership drives;
      (6) Transmission of any materials regarding political campaigns;
      (7) Providing information about or lists of district employees or students to parties outside the district.

   b. Attempts to upload, download, use, reproduce or distribute materials on the district's system in violation of copyright law or applicable provisions of use or license agreements;
   c. Attempts to degrade, disrupt or vandalize the district's equipment, software, materials or data or those of any other user of the district's system or any of the agencies or other networks connected to the district's system;
   d. Attempts to send, intentionally access or download any text file or picture or engage in any communication that includes material which may be interpreted as:

      (1) Harmful to minors;
      (2) Obscene or child pornography as defined by law or indecent, vulgar, profane or lewd as determined by the district;
      (3) A product or service not permitted to minors by law;
      (4) Harassment, intimidation, menacing, threatening or constitutes insulting or fighting words, the very expression of which injures or harasses others;
      (5) A likelihood that, either because of its content or the manner of distribution, it will cause a material or substantial disruption of the proper and orderly operation of the school or school activity;
      (6) Defamatory, libelous, reckless or maliciously false, potentially giving rise to civil liability, constituting or promoting discrimination, a criminal offense or otherwise violates any law, rule, regulation, Board policy and/or administrative regulation.

e. Attempts to gain unauthorized access to any service via the district's system which has a cost involved or attempts to incur other types of costs without specific approval. The user accessing such services will be responsible for these costs;
f. Attempts to post or publish personal student contact information unless authorized by the system coordinator or teacher and consistent with applicable Board policy pertaining to student directory information and personally identifiable information. Personal contact information includes photograph, age, home, school, work or e-mail addresses or phone numbers or other unauthorized disclosure, use and dissemination of personal information regarding students;
g. Attempts to arrange student meetings with anyone on the district's system, unless authorized by the system coordinator or teacher and with prior parent approval;
h. Attempts to use the district's name in external communication forums;
i. Attempts to use another individual's account name or password or to access restricted information, resources or networks to which the user has not been given access.

2. Guidelines/Etiquette

System users will:

a. Adhere to the same standards for communicating online that are expected in the classroom and consistent with Board policy and administrative regulations;
b. Respect other people's time space;
c. Take pride in communications. Check spelling and grammar;
d. Respect the privacy of others;
e. Cite all quotes, references and sources;
f. Adhere to guidelines for managing and composing effective messages and posts:

(1) One subject per message - avoid covering various issues in a single e-mail message;
(2) Use a descriptive subject line or heading;
(3) Be concise - keep message short and to the point;
(4) Write short sentences;
(5) Use bulleted lists to break up complicated text;
(6) Conclude message with actions required and target dates;
(7) Remember, there is no expectation of privacy when usingdistrict resources;
(8) Always sign messages.

g. Protect password confidentiality;
h. Be forgiving of the mistakes of others and share your knowledge. Practice good mentoring techniques;
i. Report violations of the district's policy and administrative regulation or security problems to the supervising teacher, system coordinator or administrator, as appropriate;
j. Protect personal information at all times and in all spaces.

**Complaints**

Complaints regarding use of the district's Electronic Communications System may be made to the teacher, principal, employee's supervisor or system coordinator. The district's established complaint procedure will be used for complaints concerning violations of the district's Electronic Communications System policy and/or administrative regulation. See Board policy KL - Public Complaints and accompanying administrative regulation.

**Violations/Consequences**

1. Students

    a. Students who violate general system user prohibitions shall be subject to discipline up to and including expulsion. See Board policy JGE - Student Discipline.
    b. Violations of law will be reported to law enforcement officials and may result in criminal or civil sanctions.
    c. Disciplinary action may be appealed by parents, students and/or a representative in accordance with established district procedures.

2. Staff

    a. Staff who violate general system user prohibitions shall be subject to discipline up to and including dismissal in accordance with Board policy, collective bargaining agreements and applicable provisions of law.
    b. Violations of law will be reported to law enforcement officials and may result in criminal or civil sanctions.
    c. Violations of applicable Teacher Standards and Practices Commission (TSPC), Standards for Competent and Ethical Performance of Oregon Educators will be reported to TSPC as provided by OAR 584-020-0041.
    d. Violations of ORS 244.040 will be reported to OGEC.

3. Others

    a. Other guest users who violate general system user prohibitions shall be subject to suspension of system access up to and including permanent revocation of privileges.
    b. Violations of law will be reported to law enforcement officials or other agencies, as appropriate, and may result in criminal or civil sanctions.

**Telephone/Membership/Other Charges**

1. The district assumes no responsibility or liability for any membership or phone charges including, but not limited to, long distance charges, per minute (unit) surcharges and/or equipment or line costs incurred by any home usage of the district's system.

2. Any disputes or problems regarding phone services for home users of the district's system are strictly between the system user and their local phone company and/or long distance service provider.

**Information Content/Third Party Information**

1. Parents and system users are advised that use of the district's system may provide access to materials that may be considered objectionable. Parents should be aware of the existence of such materials and monitor their student's home usage of the district's system accordingly.

2. Opinions, advice, services and all other information expressed by system users, information providers, service providers or other third-party individuals are those of the providers and not the district.

3. System users may, with supervising teacher or system coordinator approval, order services or merchandise from other individuals and agencies that may be accessed through the district's system. These individuals and agencies are not affiliated with the district. All matters concerning merchandise and services ordered including, but not limited to, purchase terms, payment terms, warranties, guarantees and delivery are solely between the seller and the system user. The district makes no warranties or representation whatsoever with regard to any goods or services provided by the seller. District staff and administration shall not be a party to any such transaction or be liable for any costs or damages arising out of, either directly or indirectly, the actions or inactions of sellers.

4. The district does not warrant that the functions or services performed by or that the information or software contained on the system will meet the system user's requirements or that the system will be uninterrupted or error-free or that defects will be corrected. The district's system is provided on an "as is, as available" basis. The district does not make any warranties, whether express or implied including, without limitation, those of merchantability and fitness for a particular purpose with respect to any services provided by the system and any information or software contained therein.

5. Student accounts on third-party systems may be requested or created by the district. These actions are performed only after careful consideration of service terms and privacy policies. Building staff are required to follow process and protocol in regards to parent permission and account creation prior to any exchange prior to any exchange of student data. The technology department cannot support the exchange of student data or automation between systems adopted without proper process due to state and federal laws.

6. Staff members are responsible for their own personally identifiable information and its security.

The technology department will never ask for your passwords electronically or otherwise.

**Agreement for an Electronic Communications System Account**
(Staff System User)

This agreement serves as staff commitment to adhere to the provisions cited in the district's Electronic Communications System policy and administrative regulation. Violation of these provisions will result in suspension or revocation of system access and related privileges and may include discipline up to and including dismissal and/or referral to law enforcement officials.

Staff may use their personal device for education related purposes. Certain district proprietary information may be downloaded to staff personal devices as necessary to accomplish district purposes, obligations or duties, and will be properly removed from devices when use of that device is no longer authorized. Staff must insure that the personal electronic device in use is personally owned and that they are in complete control of the device at all times.

The district and its operators and any institutions with which they are affiliated are released from any and all claims and damages of any nature arising from staff use or their inability to use the system including, without limitation, the type of damages identified in district policy and administrative regulation.

Your annual consent to this agreement is assumed. If you disagree with any part of this policy or the related administrative regulation, you must state so in writing by September 15 of each year. Submit your statement to the technology department through the helpdesk ticketing system by sending a message to helpdesk@fgsd.k12.or.us.

Signature _____

Home Address _____

Date_____ Home Phone Number _____

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This space reserved for System Coordinator

Assigned Username: _____ Assigned Password: _____