

Internet Use and Safety

The Board adopts this policy of internet use and safety that prohibits access, insofar as possible, to visual, audible or written information and material that is defined herein as Obscene, Child pornography, Harmful to minors or Inappropriate material. The district will comply with the requirements of Board policy, the Children's Internet Protection Act (CIPA) and the Protecting Children in the 21st Century Act.

The district provides its students and employees with access to the district's computer network system, including internet access, in an effort to expand the informational and communication resources in furtherance of the District's goal of promoting educational excellence. The Board recognizes that the use of the internet can be a valuable tool for student learning. It is hoped that the expanded use of these resources will enhance student research capabilities, increase faculty and employee productivity and result in better communication between the District and its patrons. At the same time, the Board recognizes that there is a vast amount of material available on the internet which students should not be permitted to access.

Definitions

The term "technology protection measure" means a specific technology that blocks or filters internet access to visual descriptions that are:

"Obscene" as that term is defined in Section 1460 of Title 18, United States Code; or

"Child pornography" as that term is defined in Section 2256 of Title 18, United States Code; or

"Harmful to minors," as that term is defined herein:

1. Any picture, image, graphic image file or other visual depiction that, 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 of sexual conduct, actual of 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.

"Inappropriate Material," as defined by the Board, is material that is inconsistent with general public education purposes, the districts' mission or goals, and is:

1. Obscene to minors, meaning material which, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors and, when an average person, applying contemporary community standards, would find that the visual, written or audible material, taken as a whole, appeals to an obsessive interest in sex by minors.

2. Vulgar, lewd, or indecent, meaning material which, taken as a whole, an average person would deem improper for access by or distribution to minors because of sexual connotations or profane language.
3. Displaying or promoting unlawful products or services, meaning material which advertises or advocates the use of products or services prohibited by law from being sold or provided to minors.
4. Disruptive to school operations, meaning material, e.g., games, which, on the basis of past experience or based upon specific instances of actual or threatened disruptions relating to the information or material in question, is likely to cause a material and substantial disruption of the proper and orderly operation of school activities or school discipline.
5. Libelous, meaning a false and unprivileged statement about a specific individual which tends to harm the individual's reputation.
6. Group defamation or hate literature, meaning material which disparages a group or a member of a group on the basis of race, color, sex, gender expression, gender identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information or advocates illegal conduct or violence or, slurs, insults, and abuse.

The superintendent will establish administrative regulations for the use of the district's computer network system that include the provisions mandated by Board policy, the Protecting Children in the 21st Century Act and the Children's Internet Protection Act.

Regulations will include these provisions:

1. Technology protection measures, installed and in continuous operation, that protect, insofar as possible, against Internet access by both adults and minors to audible, written and visual depictions that are obscene, child pornography, harmful to minors, or inappropriate material;
2. Educating minors about appropriate online behavior, including cyberbullying awareness and response, and how to interact with other individuals on social networking sites and in chat rooms;
3. Monitoring the online activities of minors;
4. Denying access by minors to inappropriate material on the Internet;
5. Ensuring the safety and security of minors when using e-mail, social media, chat rooms and other forms of direct electronic communications;
6. Prohibiting unauthorized access, including so-called "hacking" and other unlawful activities by minors online;
7. Prohibiting unauthorized disclosure, use and dissemination of personal information regarding minors.

The superintendent will establish administrative regulations for use of the district's computer network system by staff using their own personal electronic devices to download and store district proprietary information including personally recognizable information about the district students or staff. Regulations shall insure compliance with privacy rights under applicable federal and state laws and regulations,

including but not limited to the Age Discrimination in Employment Act of 1967 (ADEA), the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act of 2008 (GINA) and the Health Insurance Portability and Accountability Act of 1996 (HIPPA).

The administrative regulations will be consistent with sound guidelines as may be provided by the education service district, the Oregon Department of Education and/or the Oregon Government Ethics Commission and will include a complaint procedure for reporting violations.

The superintendent will also establish administrative regulations for use of the district's computer network system to comply with copyright law.

Failure to abide by district policy and administrative regulations governing use of the district's computer network system may result in the suspension and/or revocation of system access. Additionally, student violations will result in discipline up to and including expulsion. Staff violations will also result in discipline up to and including dismissal. Violations of law will be reported to law enforcement officials and may result in criminal or civil sanctions. Fees, fines or other charges may also be imposed.

END OF POLICY

Legal Reference(s):

[ORS 30.765](#)
[ORS 133.739](#)
[ORS 163.435](#)
[ORS 164.345](#)
[ORS 164.365](#)
[ORS 167.060](#)
[ORS 167.065](#)
[ORS 167.070](#)

[ORS 167.080](#)
[ORS 167.087](#)
[ORS 167.090](#)
[ORS 167.095](#)
[ORS Chapter 192](#)
[ORS 332.107](#)
[ORS 336.222](#)

[ORS 339.250](#)
[ORS 339.270](#)
[OAR 581-021-0050](#)
[OAR 581-021-0055](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

Children's Internet Protection Act, 47 U.S.C. Sections 254 (h) and (l) (2008); 47 CFR Section 54.520 (2001).
Copyrights, Title 17, as amended, United States Code; 19 CFR Part 133 (2000).
Oregon Attorney General's Public Records and Meetings Manual, pp. 24-26, Appendix H, Department of Justice (2001).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. Sections 7101-7117.
Drug-Free Workplace Act of 1988, 41 U.S.C. Sections 701-707; 34 CFR Part 85, Subpart F.
Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V, 21 CFR 1308.11-1308.15 (2000).
Drug-Free Schools and Communities Act Amendments of 1989, P.L. 101-226, 103 Stat. 1928.
Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).
Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 (2000).
Oregon Government Standards and Practices Commission, Advisory Opinion No. 98A-1003 (July 9, 1998).
No Child Left Behind Act of 2001, P.L. 107-110, Title II, Section 2441.
Americans with Disabilities Act Amendments Act of 2008.