Lincoln County School District

Code: **IIBGA-AR**
Revised/Reviewed: 10/09/07; 6/14/16 (Effective 7/01/16)
Orig. Code(s): IIBGA-AR

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.

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

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[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.

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 a system for authorizing staff use of personal electronic devices to download or access district proprietary information, that insures the protections of said information and insures its removal from the device when its use is no longer authorized;

4. Provide a system for obtaining prior written agreement from 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 software, audio or video media purchased by the district or approved for use by the district. 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. Install and use desktop and/or server virus detection and removal software;

8. Provide technology protection measures that protect against Internet access by both adults and minors to visual depictions that are obscene, child pornography, or with respect to the use of computers by minors, harmful to minors. A supervisor or other individual authorized by the building principal 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, including "hacking" and other unlawful activities online, and ensure the safety and security of minors when authorized to use e-mail, social media, chat rooms and other forms of direct electronic communication;

11. Provide student education about appropriate online behavior, including cyberbullying awareness and response, and how to interact with other individuals on social networking and social media websites and in chat rooms;

12. Determine which users and sites accessible as part of the district's system are most applicable to the curricular needs of the district and may restrict user access, accordingly;

13. Determine which users will be provided access to the district's e-mail system;

14. Program its computers to display a message reinforcing key elements of the district's Electronic Communications System policy and regulation when accessed for use;

15. Notify appropriate system users that:

    a. The district retains ownership and control of its computers, hardware, software 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 and are to be used for authorized purposes only. 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 and may be subject to monitoring. By using the district's system, individuals consent to have that use monitored by authorized district personnel. The district reserves the right to access and disclose, as appropriate, all information and data contained on district computers and district-owned e-mail system;
    c. The district may establish a retention schedule for the removal of e-mail;
    d. 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;
    e. 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" or "purged" 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;
    f. The district may set quotas for system disk usage. The district may allow system users to increase their quota by submitting a written request to the supervising teacher or system coordinator stating the need for the increase;
    g. Passwords used on the district's system are the property of the district and must be provided to their supervisor or designated district personnel, as appropriate. Passwords that have not been provided to the district are prohibited;
    h. Transmission of any materials regarding political campaigns is prohibited.

16. Ensure all students, staff and nonschool system users complete and sign an agreement to abide by the district's electronic communications policy and administrative regulations. All such agreements will be maintained on file in the school office.
17. Notify users of known copyright infringing activities and deny access to or remove the material.

System Access

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

   Board members, district employees, students in grades K-12, with parent approval and when under the direct supervision of staff, 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. Personal use of district-owned computers including Internet and e-mail access by employees is prohibited during the employee's work hours.

   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 chain letters;
      (3) Unauthorized sale or purchase of merchandise and services;
      (4) Collection of signatures;
      (5) Membership drives;
      (6) Transmission of any materials regarding political campaigns.

   b. Attempts to upload, download, use, reproduce or distribute information, data, software, or file share music, videos or other 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 evade, change or exceed resource quotas or disk usage quotas;

e. 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.

f. 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;
g. 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;
h. 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;
i. Attempts to use the district's name in external communication forums such as chat rooms without prior district authorization;
j. Attempts to use another individual's account name or password, failure to provide the district with individual passwords 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 and cyberspace. Use real-time conference features such as talk/chat/Internet relay chat only as approved by the supervising teacher or system coordinator.

Avoid downloading excessively large files. Remain on the system long enough to get needed information then exit the system. Act as though every byte sent costs somebody time and money, because it does;

c. Take pride in communications. Check spelling and grammar;
d. Respect the privacy of others. Do not read the mail or files of others without their permission;

e. Cite all quotes, references and sources;
f. Adhere to guidelines for managing and composing effective e-mail messages:

(1) One subject per message - avoid covering various issues in a single e-mail message;
(2) Use a descriptive 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) Remove e-mail in accordance with established guidelines;
(8) Remember, there is no expected right to privacy when using e-mail. Others may read or access mail;
(9) Always sign messages;
(10) Always acknowledge receipt of a document or file.

g. Protect password confidentiality. Passwords are the property of the district and are not to be shared with others. Using another user's account or password or allowing such access by another may be permitted with supervising teacher or system coordinator approval only. No system user may use a password on the district's computers, e-mail system or Internet access which is unknown to the district;
h. Communicate only with such users and/or sites as may be authorized by the district;
i. Be forgiving of the mistakes of others and share your knowledge. Practice good mentoring techniques;
j. Report violations of the district's policy and administrative regulation or security problems to the supervising teacher, system coordinator or administrator, as appropriate.

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 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 and/or revocation of district system access up to and including permanent loss of privileges.
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 Oregon Government Ethics Commission.

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 his/her local phone company and/or long distance service provider.

Information Content/Third Party Supplied Information

1. System users and parents of student system users are advised that use of the district's system may provide access to materials that may be considered objectionable and inconsistent with the district's mission and goals. 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.

Sample Parent Letter

Dear Parents:

Your student has requested to participate in the district's electronic communications program and needs your permission to do so. Your student will be able to communicate with other schools, colleges, organizations and individuals around the world through the Internet and other electronic information systems/networks.

The Internet is a system which links networks creating a large and diverse communications network. Internet access allows your student the opportunity to reach out to many other people to share information, learn concepts and research subjects by the sending and receiving of messages using a computer, modem and phone lines.

With this educational opportunity also comes responsibility. It is important that you and your student read the enclosed district policy, administrative regulation and agreement form and discuss these requirements together. Inappropriate system use will result in discipline up to and including expulsion from school, suspension or revocation of your student's access to the district's system and/or referral to law enforcement officials.

Although the district is committed to practices that ensure the safety and welfare of system users, including the use of technology protection measures such as Internet filtering, please be aware that there may still be material or communications on the Internet that district staff, parents and students may find objectionable. While the district neither encourages nor condones access to such material, it is not possible for us to eliminate that access completely.

Attached to this letter are the following important documents:

1. An agreement for your student to read and sign stating his/her agreement to follow the district's Electronic Communications System policy and administrative regulation. This agreement requires your signature. It must be signed and renewed each year and will be kept on file at the school;

2. The district's Electronic Communications System policy and administrative regulation.

Please review these materials carefully with your student and return the attached agreement form to the school office indicating your permission or denial of permission for your student to participate in the district's electronic communications system.

Sincerely,

System Coordinator/Administrator

INTERNET ACCOUNT AGREEMENT

Student Section

Student Name _____ Grade _____

School _____ School Year _____

Password: _____

☐ New Password (Please select and indicate password of choice: 5 character minimum; 12 character maximum; and any combination of letters and/or numbers)
☐ Current Novell Password

I have read the synopsis of rules and regulations of the district's board policy IIBGA, "Appropriate Use of the Internet", as **printed on the back of this form**. I agree to follow the rules established by the district. I understand that if I violate the rules, my account can be terminated and I may face other disciplinary measures.

I understand that if I am given an electronic mail account, it may be discontinued over the summer recess unless other arrangements are made with the System Administrator.

Student Signature _____ Date _____

Parent or Guardian Section

I have read the synopsis of the rules and regulations of the district's Internet Policy, IIBGA, "Appropriate Use of the Internet", as found on the back of this form. I hereby release the district, its personnel and any institutions with which it is affiliated, from any and all claims and damages of any nature arising from my child's use of, or inability to use, the district system, including, but not limited to claims that may arise from the unauthorized use of the system to purchase products or services. I understand that I can be held liable for damages caused by my child's intentional misuse of the system.

I will instruct my child regarding any restrictions against accessing material that are in addition to the restrictions set forth in the district Acceptable Use Policy. I will emphasize to my child the importance of following the rules for personal safety.

I understand that by signing below, I am giving permission for my child to use the Internet and be given an electronic mail account if appropriate to school activities.

Parent Signature _____ Date _____

Form maintained by the Media Assistant. **This space reserved for staff documentation.**

Building Staff Authorization: _____ Date: _____

Flags Input in SIS: _____ _____ Notes: _____
Initial Date

Lincoln County School District has developed policies and procedures for use of the Internet by students, staff and guests. Following is a synopsis of the rules which apply to all Internet users.

- Use of the district Internet should be limited to classroom activities, professional or career development and limited high-quality personal research.
- Users may not use the district Internet for commercial purposes. This means you may not purchase, offer or provide products or services through district Internet use. Exceptions for specific activities must be obtained in writing from the superintendent or his designee.
- Users will not use or access obscene, profane, lewd, vulgar, rude, inflammatory, threatening or disrespectful language or graphics.
- Users will not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person.
- Users will not engage in personal attacks or knowing or recklessly post false or defamatory information about a person or organization.
- Users have a limited privacy expectation the contents of their computer files and records of online activity.
- An individual search will be conducted ifthere is reasonable suspicion that a user has violated the law or district policy.
- Users will not attempt to gain unauthorized access to the district system, or any other system through the use of the district system, or go beyond their authorized access. This includes attempting to log in through another person's account, or access another person's files.
- Users will not make deliberate attempts to disrupt the computer system performance or destroy data by spreading computer viruses or by any other means. These actions are illegal.
- Users will notify the system administrator if they see a possible security problem.
- Users will obey all copyright laws with regard to downloading of files and reproduction of any materials found on the internet
- Email accounts are to be used for the primary purpose of communicating school business. They can be used on a limited basis for personal email, but cannot be used as a primary personal email account. Personal email should only be accessed by staff during break, lunch or off hours.

Web Pages

- Users will not post the full name or identifiable picture of any student without written parent permission.
- All web pages must be pre-approved by a school and/or district appointed webmaster, before the web page can be published.

As of July 1, 2002, in accordance with the Children's Internet Protection Act, 47 U.S.C. Sections 254 (h) and (l); 47 CFR Section 54.520 (2001), Lincoln County School District has implemented Internet filtering provided by N2H2©. For more information regarding this service provider please access their web page at: http://www.n2h2.com/products/bess_home.php

Internet Agreement – Staff

Name: _____ Position: _____

School or Department: _____

I have read the synopsis of the rules of the district's policy IIBGA, "Appropriate Use of the Internet", as printed on the back of this form. I understand that any computer files created through use of my Internet or electronic mail account may be discoverable under ORS 192.410, the State Public Records Law.

I understand that violation of the district acceptable use policy will be handled in accord with district policy, administrative regulations and other governing instruments such as collective bargaining agreements.

I hereby release the district, its personnel and any institutions with which it is affiliated, from any and all claims and damages of any nature arising from my use of, or inability to use, the district system, including, but not limited to claims that may raise from the unauthorized use of the system to purchase products or services. I understand that I can be held liable for damages caused by my intentional misuse of the system. Upon normal termination of employment, I will be given the opportunity to retrieve my computer files.

Signature: _____ Date: _____

Human Resources Signature: _____ Date: _____

This space reserved for System Administrator Notes

√ Read policy in Safe Schools Training
☐

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- An individual search will be conducted ifthere is reasonable suspicion that a user has violated the law or district policy.
- Users will not attempt to gain unauthorized access to the district system, or any other system through the use of the district system, or go beyond their authorized access. This includes attempting to log in through another person's account, or access another person's files.
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