

SECTION: OPERATIONS

TITLE: ACCEPTABLE USE OF
INTERNET, COMPUTERS AND
NETWORK RESOURCES

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KUTZTOWN AREA SCHOOL DISTRICT

	815. ACCEPTABLE USE OF INTERNET, COMPUTERS AND NETWORK RESOURCES 1. Purpose The Board supports use of the computers, Internet and other network resources in the district's instructional and operational programs in order to facilitate learning, teaching and daily operations through interpersonal communications and access to information, research and collaboration. The district provides students, staff and other authorized individuals with access to the district's computers, electronic communication systems and network, which includes Internet access, whether wired or wireless, or by any other means. For instructional purposes, the use of network facilities shall be consistent with the curriculum adopted by the district as well as the varied instructional needs, learning styles, abilities, and developmental levels of students. 2. Definitions 18 U.S.C. Sec. 2256 Child pornography - under federal law, is any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where: 1. The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; 2. Such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or 3. Such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.
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18 Pa. C.S.A. Sec. 6312	Child pornography - under state law, is any book, magazine, pamphlet, slide, photograph, film, videotape, computer depiction or other material depicting a child under the age of eighteen (18) years engaging in a prohibited sexual act or in the simulation of such act.
20 U.S.C. Sec. 6777 47 U.S.C. Sec. 254	The term harmful to minors is defined under both federal and state law. Harmful to minors - under federal law, is any picture, image, graphic image file or other visual depiction that: 1. Taken as a whole, with respect to minors, appeals to a prurient interest in nudity, sex or excretion; 2. 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 lewd exhibition of the genitals; and 3. Taken as a whole lacks serious literary, artistic, political or scientific value as to minors.
18 Pa. C.S.A. Sec. 5903	Harmful to minors - under state law, is any depiction or representation in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when it: 1. Predominantly appeals to the prurient, shameful, or morbid interest of minors; 2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and 3. Taken as a whole lacks serious literary, artistic, political, educational or scientific value for minors.
18 Pa. C.S.A. Sec. 5903	Obscene - any material or performance, if: 1. The average person applying contemporary community standards would find that the subject matter taken as a whole appeals to the prurient interest; 2. The subject matter depicts or describes in a patently offensive way, sexual conduct described in the law to be obscene; and 3. The subject matter, taken as a whole, lacks serious literary, artistic, political, educational or scientific value.

47 U.S.C. Sec. 254 3. Authority Pol. 218, 233, 317 47 U.S.C. Sec. 254 Pol. 103, 104, 218.2, 248, 249, 348	Technology protection measure - a specific technology that blocks or filters Internet access to visual depictions that are obscene, child pornography or harmful to minors. The availability of access to electronic information does not imply endorsement by the district of the content, nor does the district guarantee the accuracy of information received. The district shall not be responsible for any information that may be lost, damaged or unavailable when using the network or for any information that is retrieved via the Internet. The district shall not be responsible for any unauthorized charges or fees resulting from access to the Internet or other network resources. The Board declares that computer and network use is a privilege, not a right. The district's computer and network resources are the property of the district. Users shall have no expectation of privacy in anything they create, store, send, delete, receive or display on or over the district's Internet, computers or network resources, including personal files or any use of the district's Internet, computers or network resources. The district reserves the right to monitor, track, and log network access and use; monitor filespace utilization by district users; or deny access to prevent unauthorized, inappropriate or illegal activity and may revoke access privileges and/or administer appropriate disciplinary action. The district shall cooperate to the extent legally required with the Internet Service Provider (ISP), local, state and federal officials in any investigation concerning or related to the misuse of the district's Internet, computers and network resources. The Board requires all users to fully comply with this policy and to immediately report any violations or suspicious activities to the Superintendent or designee. The Board establishes the following materials, in addition to those stated in law and defined in this policy, that are inappropriate for access by minors: • Defamatory. • Lewd, vulgar, or profane. • Threatening. • Harassing or discriminatory. • Bullying. • Terroristic.
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24 P.S. Sec. 4604 20 U.S.C. Sec. 6777 47 U.S.C. Sec. 254	The district reserves the right to restrict access to any Internet sites or functions it deems inappropriate through established Board policy, or the use of software and/or online server blocking. Specifically, the district operates and enforces a technology protection measure(s) that blocks or filters access to inappropriate matter by minors on its computers used and accessible to adults and students. The technology protection measure shall be enforced during use of computers with Internet access.
24 P.S. Sec. 4604	Upon request by students or staff, the Superintendent or designee shall expedite a review and may authorize the disabling of Internet blocking/filtering software to enable access to material that is blocked through technology protection measures but is not prohibited by this policy.
24 P.S. Sec. 4610 20 U.S.C. Sec. 6777	Upon request by students or staff, building administrators may authorize the temporary disabling of Internet blocking/filtering software to enable access for bona fide research or for other lawful purposes. Written permission from the parent/guardian is required prior to disabling Internet blocking/filtering software for a student's use. If a request for temporary disabling of Internet blocking/filtering software is denied, the requesting student or staff member may appeal the denial to the Superintendent or designee for expedited review.
4. Delegation of Responsibility	The district shall make every effort to ensure that this resource is used responsibly by students and staff.
24 P.S. Sec. 4604	The district shall inform staff, students, parents/guardians and other users about this policy through employee and student handbooks, posting on the district website, and by other appropriate methods. A copy of this policy shall be provided to parents/guardians, upon written request. Administrators, teachers and staff have a professional responsibility to work together to help students develop the intellectual skills necessary to discern among information sources, to identify information appropriate to their age and developmental levels, and to evaluate and use the information to meet their educational goals. Students, staff and other authorized individuals have the responsibility to respect and protect the rights of every other user in the district and on the Internet. Building administrators shall make initial determinations of whether inappropriate use has occurred.

20 U.S.C. Sec. 6777 47 U.S.C. Sec. 254 47 CFR Sec. 54.520	The Superintendent or designee shall be responsible for recommending technology and developing procedures used to determine whether the district's computers are being used for purposes prohibited by law or for accessing sexually explicit materials. The procedures shall include but not be limited to: 1. Utilizing a technology protection measure that blocks or filters Internet access for minors and adults to certain visual depictions that are obscene, child pornography, harmful to minors with respect to use by minors, or determined inappropriate for use by minors by the Board. 2. Maintaining and securing a usage log. 3. Monitoring online activities of minors.
47 U.S.C. Sec. 254	The Superintendent or designee shall develop and implement administrative regulations that ensure students are educated on network etiquette and other appropriate online behavior, including: 1. Interaction with other individuals on social networking websites and in chat rooms. 2. Cyberbullying awareness and response.
SC 1303.1-A Pol. 249	
5. Guidelines	Network accounts shall be used only by the authorized owner of the account for its approved purpose except as described below under the "Security" heading. Network users shall respect the privacy of other users on the system. Each employee or student issued district-owned technology shall be responsible for the security and care of that technology, regardless of whether the technology is used in the district, at the employee's or student's place of residence, or in any other location such as a hotel, conference room, car, or airport. Employees and students shall be responsible for all content on their district issued technology. The district may monitor all such content on district-owned devices.

Pol. 237	7. Unauthorized or illegal installation, distribution, reproduction, or use of copyrighted materials. 8. Accessing, sending, receiving, transferring, viewing, sharing or downloading obscene, pornographic, lewd, or otherwise illegal materials, images or photographs. 9. Access by students and minors to material that is harmful to minors or is determined inappropriate for minors in accordance with Board policy. 10. Inappropriate language or profanity. 11. Transmission of material likely to be offensive or objectionable to recipients. 12. Intentional obtaining or modifying of files, passwords, and data belonging to other users. 13. Impersonation of another user, anonymity, and pseudonyms.
Pol. 814	14. Fraudulent copying, communications, or modification of materials in violation of copyright laws. 15. Loading or using of unauthorized games, programs, files, or other electronic media. 16. Disruption of the work of other users. 17. Destruction, modification, abuse or unauthorized access to network hardware, software and files. 18. Accessing the Internet, district computers or other network resources without authorization. 19. Disabling or bypassing the Internet blocking/filtering software without authorization. 20. Accessing, sending, receiving, transferring, viewing, sharing or downloading confidential information without authorization.

17 U.S.C. Sec. 101 et seq Pol. 814	<u>Security</u> System security is protected through the use of passwords. Failure to adequately protect or update passwords could result in unauthorized access to personal or district files. To protect the integrity of the system, these guidelines shall be followed: 1. Only users who have agreed to abide by the terms of this policy may utilize the District's technology resources. Unauthorized use, utilizing another user's District account, or exceeding one's authorization to use District technology resources is prohibited. Nothing in this policy, however, shall prevent a Parent or Guardian from assisting his or her child with the use of the District's technology resources, or from monitoring a student's use of the District's technology resources in the student's home. 2. Employees and students shall not reveal their passwords to another individual except as described above. 3. Users are not to use a computer that has been logged in under another student's or employee's name except as described above. 4. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the network. <u>Copyright</u> The illegal use of copyrighted materials is prohibited. Any data uploaded to or downloaded from the network shall be subject to fair use guidelines and applicable laws and regulations. <u>District Website</u> The district may establish and maintain a website and shall develop and modify its web pages to present information about the district under the direction of the Superintendent or designee. All users publishing content on the district website shall comply with this and other applicable district policies. Users shall not copy or download information from the district website and disseminate such information on unauthorized web pages without authorization from the building principal.
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24 P.S. Sec. 4604	<u>Consequences For Inappropriate Use</u> The network user shall be responsible for damages to the equipment, systems, and software resulting from deliberate or willful acts. Illegal use of the network; intentional deletion or damage to files or data belonging to others; copyright violations; and theft of services shall be reported to the appropriate legal authorities for possible prosecution. General rules for behavior and communications apply when using the Internet, in addition to the stipulations of this policy. Vandalism shall result in loss of access privileges, disciplinary action, and/or legal proceedings. Vandalism is defined as any malicious attempt to harm or destroy data of another user, Internet or other networks; this includes but is not limited to uploading or creating computer viruses.
Pol. 218, 233, 317	Failure to comply with this policy or inappropriate use of the Internet, district network or computers shall result in usage restrictions, loss of access privileges, disciplinary action, and/or legal proceedings. References: School Code – 24 P.S. Sec. 1303.1-A PA Crimes Code – 18 Pa. C.S.A. Sec. 5903, 6312 Child Internet Protection Act – 24 P.S. Sec. 4601 et seq. U.S. Copyright Law – 17 U.S.C. Sec. 101 et seq. Sexual Exploitation and Other Abuse of Children – 18 U.S.C. Sec. 2256 Enhancing Education Through Technology Act – 20 U.S.C. Sec. 6777 Internet Safety, Children’s Internet Protection Act – 47 U.S.C. Sec. 254 Children’s Internet Protection Act Certifications, Title 47, Code of Federal Regulations – 47 CFR Sec. 54.520 Board Policy – 103, 104, 218, 218.2, 220, 233, 237, 248, 249, 317, 348, 814