

COMPUTER/ONLINE SERVICES (Acceptable Use and Internet Safety)

Technology can greatly enhance the instructional program, as well as the efficiency of the District. The Board recognizes that careful planning is essential to ensure the successful, equitable and cost-effective implementation of technology-based materials, equipment, systems and networks.

Computers and use of the District network or online services support learning and enhance instruction, as well as assist in administration. For purposes of this policy, computers include District-owned desktop computers, laptops, tablets and other mobile computing devices.

All computers are to be used in a responsible, efficient, ethical and legal manner. Failure to adhere to this policy and the guidelines below will result in the revocation of the user's access privilege. Unacceptable uses of the computer/network include but are not limited to:

1. violating the conditions of State and Federal law dealing with students' and employees' rights to privacy, including unauthorized disclosure, use and dissemination of personal information;
2. using profanity, obscenity or other language that may be offensive to another user or intended to harass, intimidate or bully other users;
3. accessing personal social networking websites for noneducational purposes;
4. reposting (forwarding) personal communication without the author's prior consent;
5. copying commercial software and/or other material in violation of copyright law;
6. using the network for financial gain, for commercial activity or for any illegal activity;
7. "hacking" or gaining unauthorized access to other computers or computer systems, or attempting to gain such unauthorized access;
8. accessing and/or viewing inappropriate material and
9. downloading of freeware or shareware programs.

The Superintendent/designee shall develop a plan to address the short- and long-term technology needs and provide for compatibility of resources among school sites, offices and other operations. As a basis for this plan, he/she shall examine and compare the costs and benefits of various resources and shall identify the blend of technologies and level of service necessary to support the instructional program.

Because access to online services provides connections to other computer systems located all over the world, users (and parents of users who are under 18 years old) must understand that neither the school nor the District can control the content of the information available on these

systems. Some of the information available is controversial and sometimes offensive. The Board does not condone the use of such materials.

Employees, students and parents of students must be aware that the privileges to access online services are withdrawn from users who do not respect the rights of others or who do not follow the rules and regulations established. A user's agreement is signed to indicate the user's acknowledgment of the risks and regulations for computer/online services use. The District has implemented technology-blocking measures that protect against 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. The District may also use monitoring devices that, to the extent permitted by law, maintain a running log of internet activity and record which sites a particular user has visited.

"Harmful to minors" is defined as any picture, image, graphic image file or other visual depiction that:

1. taken as a whole and 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 a lewd exhibition of genitals and
3. taken as a whole, lacks serious literary, artistic, political or scientific value as to minors.

The District will educate minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. The Superintendent/designee will develop a program to educate students on these issues.

Annually, a student who wishes to have computer network and internet access during the school year must read the acceptable use and internet safety policy and submit a properly signed agreement form. Students and staff are asked to sign a new agreement each year after reviewing the policies and regulations of the District. The District reserves the right to amend policies and regulations as necessary throughout the school year. Users are notified of the updated policies and regulations and must comply with the updated requirements. These policies and regulations also apply to use of District-owned devices, or accessing of District intranet and software programs off District property. All users using platforms established for e-learning regardless of whether the student or employee is using a personal or District-provided device must be used in accordance with the standards for conduct outlined in this policy and the accompanying regulation. Users in violation of this policy or the accompanying regulation may be subject to discipline.

Monitoring of School-Issued Devices

For the following provisions, "school-issued device" means hardware, software, devices and accounts that a school district, acting independently or with a technology provider, provides to an individual student for dedicated student use. "Technology provider" means a person who

contracts with a school district to provide a school-issued device for student use and creates, receives or maintains education records pursuant or incidental to its contract with the District. "Technology provider" does not include a county board of developmental disabilities, educational service center, information technology center, assessment provider, curriculum provider, or city, local, exempted village or joint vocational school district that enters into a service contract with a school district that includes issuing school-issued devices to students.

In compliance with State law, the District and technology providers in contract with the District are prohibited from electronically accessing or monitoring the following except when otherwise authorized by law:

1. location-tracking features of a school-issued device;
2. audio or visual receiving, transmitting or recording features of a school-issued device;
3. student interactions with a school-issued device, including, but not limited to, keystrokes and web-browsing activity.

These prohibitions on electronic access and monitoring of school-issued devices do not apply in the following circumstances:

1. where limited to a noncommercial educational purpose for instruction, technical support or exam-proctoring by District employees, student teachers, staff, a vendor or the Ohio Department of Education and Workforce (ODEW);
2. the activity is permitted under a judicial warrant or subpoena unless otherwise prohibited by State or Federal law;
3. the District or provider is notified or becomes aware that the device is missing or stolen;
4. the activity is necessary to prevent or respond to a threat to life or safety and access is limited to that purpose;
5. the activity is necessary to comply with Federal or State law;
6. the activity is necessary to participate in federal or state funding programs.

In any year the District or a technology provider elects to generally monitor a school-issued device under any of these circumstances, the District must provide notice to all parents of enrolled students. If access or monitoring of a student's school-issued device occurs due to a judicial warrant or subpoena, a missing or stolen device, or in response to a threat to life or safety and the school district initiates responsive action, the District must notify the parent of the student within 72 hours of access and provide a written description of the triggering circumstance, including which features of the device were accessed and a description of the threat, if any. This notice is not required when the notice itself would pose a threat to life or safety.

A contract entered into between a school district and a county board of developmental disabilities, educational service center, joint vocational school district, another school district or

an information technology center for services, including the general monitoring or access of school-issued devices, must indicate which entity is responsible for providing notice.

Maintenance of Education Records by Technology Providers

Technology providers in contract with the District must comply with State law provisions related to the collection, use and protection of data as if it were a school district. Education records created, received, maintained or disseminated by technology providers are solely the property of the District. Technology providers in contract with the District must comply with the following:

1. if education records maintained by the technology provider are subject to a breach, the technology provider will disclose to the District all information necessary to comply with State law following discovery of the breach;
2. unless renewal of a contract with the District is reasonably anticipated, the technology provider will destroy or return all education records created, received or maintained to the District within 90 days of the expiration of the contract;
3. the technology provider cannot sell, share or disseminate education records, except as part of a valid delegation or assignment under the contract with the District, unless otherwise allowed by State law;
4. the technology provider cannot use education records for any commercial purpose other than the services contracted for by the District.

A contract between technology providers and the District must ensure appropriate security safeguards for education records, including, but not limited to:

1. a restriction on unauthorized access by the technology provider's employees or contractors;
2. a requirement that the technology provider's employees or contractors may be authorized to access education records only as necessary to fulfill the official duties of the employee or contractor.

Notice and Inspection of Technology Provider Contracts

The District must provide parents and students annual notice by August 1 of any curriculum, testing or assessment technology provider contract affecting a student's education records. The notice can be by mail, electronic mail or other direct form of communication and must do all of the following:

1. identify each curriculum, testing or assessment technology provider with access to education records;
2. identify the education records affected by the curriculum, testing or assessment technology provider contract;

3. include information about the contract inspection;
4. provide contact information for a school department that can answer parent and student questions or concerns regarding programs or activities that allow a technology provider access to education records.

The District must also provide parents and students an opportunity to inspect a complete copy of any technology provider contract.

[Adoption Date: **October 18, 1995**]
 Revised: April 16, 1997
 June 20, 2001
 August 18, 2010
 March 21, 2012
 September 17, 2014
 November 18, 2020
 March 19, 2025

Legal References

U.S. Constitution Art. I, Section 8
 Family Educational Rights and Privacy Act; 20 USC 1232g et seq.
 Children’s Internet Protection Act; 47 USC 254 (h)(5)(b)(iii); (P.L. 106-554, HR 4577, 2000, 114 Stat 2763)
 ORC 3313.20, 3319.321, 3319.325 through 3319.327

Cross References

AC - Nondiscrimination
 ACA - Nondiscrimination on the Basis of Sex
 ACAA - Sexual Harassment
 EDEB - Bring Your Own Technology (BYOT) Program
 GBCB - Staff Conduct
 GBH - Staff-Student Relations (Also JM)
 IB - Academic Freedom
 IIA - Instructional Materials
 IIBH - District Websites
 JFC - Student Conduct (Zero Tolerance)
 JFCF - Hazing and Bullying (Harassment, Intimidation and Dating Violence)
 Staff Handbooks
 Student Handbooks

