NVUSD
NAPA VALLEY UNIFIED SCHOOL DISTRICT

ACCEPTABLE USE POLICY (AUP)

Student Responsible Use Agreement
For Using Technology in School

At Napa Valley Unified School District, we believe technology is a bridge to information, creativity, and collaboration that prepares our students for a digital future. Our Acceptable Use Policy (AUP) is designed to ensure all students have equitable, safe, and productive digital learning experiences that empower them to become confident, compassionate, and adaptable leaders.

By reviewing these guidelines, families partner with us to foster responsible digital citizenship and ensure that district technology remains a secure resource for every learner.

This document is organized into five key sections that outline our digital environment:

- **Keeping Students Safe:** An overview of the student safety software we use to monitor district accounts for concerns like bullying or self-harm, as well as prohibited actions to keep our community secure.
- **District-Provided Devices:** Details on our device programs, including why we provide technology, how to care for district property, and the responsibilities students have when taking devices home.
- **AI Policy & Guidelines:** Standards for the ethical use of Artificial Intelligence to enhance learning while maintaining academic integrity and personal privacy.
- **Cell Phone & Mobile Device Use:** Updated policies on the use and storage of personal mobile devices during the school day to maintain focused, engaged classrooms.
- **Google Workspace for Education:** Information regarding the productivity tools students use daily and our commitment to protecting student data and privacy.

Family Responsibility: We hope to equip students with the necessary skills to thrive in today's digital world, both in school and out. We encourage families to discuss these expectations together and set clear boundaries for technology use at home.

Please complete the data confirmation form below to acknowledge your partnership in maintaining a safe and effective learning environment for all NVUSD students.

Section #1: Keeping Students Safe

Monitoring Software

In our attempt to keep all students safe online, Napa Valley Unified School District (NVUSD) utilizes software that monitors students' online activity on district accounts and district-owned devices.
In the event of an emergency, the District may disclose your student's information to appropriate parties, including law enforcement, if necessary to protect the health or safety of your student or other individuals. The student safety software is not guaranteed to identify all threats to the health and safety of your student or other individuals and is not intended to replace appropriate supervision of your student.
The District does not assume any additional obligations or liability by using the student safety software.

Your Responsibility

- ☐ **By selecting "Allow" in your data confirmation form, you acknowledge the use of the student safety software.**

Digital Information

Digital identifications, including student usernames and passwords, are for students' use only and must remain confidential. Do not share your information with anyone. Do not use another person's username and password.
NVUSD students are issued a Google account for all school-related work (example: first.last##@nvusd.org). Students are prohibited from using any other account on a district device. Only district-approved software can be used on district devices.

NVUSD reserves the right to inspect a student's device at any time. Students are required to unlock and allow access to their devices upon the request of district staff. NVUSD web filters that block inappropriate content will be applied to every device. Students who make unauthorized modifications to their Chromebook, including disabling or otherwise attempting to override or bypass the filters, will face disciplinary consequences in accordance with school and district policy.

Your Responsibility

- ☐ Parents and guardians are responsible for monitoring their child's use of the Internet and access to technology, including Chromebooks, email accounts, collaboration tools, and educational resources.
- ☐ Parents/guardians need to set clear expectations for the appropriate use of electronic devices and limit access to the device (as necessary) during non-school hours. If your student is not following your rules, you have the right to limit access to the device while at home.

Section #2- Responsible Use of District Technology

At NVUSD, we believe that technology is a bridge to a world of information, creativity, and collaboration. We provide our students with digital devices not merely as a replacement for paper and pen, but as a powerful tool to enhance their learning experience, prepare them for a digital future, and ensure every child has equal access to the resources they need to succeed. Responsible use of these tools is essential to maintaining a safe, productive, and respectful digital environment for all students.

How Students Access Technology at NVUSD

NVUSD will issue a device to all students for classroom use to complete assigned coursework. Grades TK through 1st have access to a district-purchased iPad that will remain in the classroom and be used for in-class activities only. Grades 2-5 will have access to a district-purchased Chromebook that will remain in the classroom and be used for in-class activities only. All devices used in grades TK-5 will be issued to the classroom teacher and will not be checked out to individual students for take-home use. Beginning in 6th grade, students will be individually issued a Chromebook for use both in the classroom and at home. Students will only be allowed to use a district-purchased device in the classroom. NVUSD students are not permitted to use personally owned devices during class time (BP 5131.8).

NVUSD understands that parents/families of younger students may want to limit their students' screen time. Families of students in grades TK through 1 may opt their student out of using an iPad while at school. If your student is in grades TK, K, or 1 and you would like to opt your student out, please click on and complete this form. Please note that some of our learning tools can only be used on a device. Opting your student out will exclude them from related activities, and they will be provided with an alternative activity. Occasionally throughout the year, students will need to complete assessments, which can **only** be given on an electronic device. All students, including those whose families opt them out of an iPad, will still be given these important assessments digitally.

Your Responsibility

☐ **By selecting "Allow" in your data confirmation form, you are acknowledging that you and your student understand that the following actions are prohibited per BP 6163.4: Student Use of Technology:**

- No Inappropriate Content or Cyberbullying:
- Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs
- No Hacking or Attempts to Harm or Destroy District Equipment or Data:
- Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials, or manipulate the data of any other user, including so-called "hacking."
- No Privacy Violations, Intimidation, or Harassment:

- Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person.

Your Responsibility

☐ **By selecting "Allow" in your data confirmation form, you and your student have read and accept the Chromebook Ground Rules listed below.**

Chromebook Ground Rules

● Keep the Chromebook safe: it is a piece of District property for which you are responsible.
- ● Do not leave the Chromebook unattended at school.
- ● Do not lend the Chromebook to another person.
- ● Keep all food/liquids away from the Chromebook.
- ● While transporting the Chromebook in a backpack, place it inside your bag carefully.
- ● Do not throw or slide the Chromebook.
- ● Do not put pressure on the screen or use writing tools on the screen.
- You may not write upon or place stickers or other adhesive items on the surface of the Chromebook or charger
- Never attempt to gain access to internal electronics or repair your Chromebook
- Please be careful when plugging the charging cable into the Chromebook. Use only the provided charger.
- Each Chromebook comes tagged with a unique identification number and district property asset tag. Do not remove the tags or modify the numbers.
- Bring the Chromebook to school daily with a fully charged battery. Students without a charged Chromebook may limit their own ability to fully participate in learning activities.

Chromebook Troubleshooting

If the Chromebook fails to work or is damaged, bring the Chromebook to the library or a designated employee for the next steps. Repair/replacement options, as well as whether or not a loaner may be issued, will be determined by NVUSD staff. NVUSD may have a limited number of loaner Chromebooks in the library for students who are experiencing issues with their Chromebooks. Any student issued a loaner will be expected to care for the loaner in an appropriate manner and accept responsibility for the device while it is being repaired.

Damaged/Lost/Stolen Chromebooks

Per Board Policy AR 3260, the district may issue fines to students for lost or damaged Chromebooks. Damaged/lost/stolen Chromebooks (including cords and power adapters) must be reported to NVUSD staff in the library as soon as possible.

Damage: Take care not to damage the Chromebook you are assigned. You are responsible for accidental damage as well as any harm caused by reckless, abusive, willful, or intentional misconduct. Examples of such conduct include, but are not limited to, throwing or dropping the device, swinging a bag or backpack with a device inside, stepping on the device, spilling liquid on the device, hitting another person or object with the device, tampering with the internal components, or making unauthorized modifications to the operating system (aka hacking). Once a Chromebook has been assessed for damage, a student may be issued a replacement Chromebook. To date, the most common damage has been broken screens.

Lost/Stolen Chromebooks: In cases of theft (off-campus), a copy of a police report must be presented. The police report must directly mention the theft of the device and the circumstances surrounding the theft. Devices stolen from UNLOCKED VEHICLES are NOT covered. In the case of any theft/disappearance - either on-campus or off-campus - the student must report their Chromebook missing immediately.

Assessing Fees

In the event of a damaged or lost device or charger, the student will need to report the issue to the library media tech or designated staff member. Chromebook damage fees depend on the outcome of the repair assessment, and the appropriate fee will be sent to the student via the district fee and payment system. Fees are as follows:

- Cleaning/processing fee for sticker or adhesive removal: $15
- Lost or damaged charger: $25
- Examples of types of damages that will be assessed a fee of $55
    - Broken screen
    - Damaged keyboard
    - Damaged port
    - Single broken hinge
    - Other breaks or cracks to Chromebook body
- Examples of types of damages that will be assessed a full replacement fee of $250
    - Screen completely detached from the body
    - Destruction or damage to the device beyond repair(subject to NVUSD staff discretion)
    - Lost device

Purchasing a Protective Sleeve or Case

To help avoid damage to district devices, we strongly recommend that families purchase a case or protective sleeve to help safeguard the Chromebook. If you choose to purchase online, please ensure you select a case or sleeve that will hold an 11-12-inch Chromebook. Depending on the type of case you purchase, you may need to know the make/model of your student's Chromebook.
NVUSD has 3 current makes/models:

- Acer Chromebook 311
- HP Chromebook G9
- ASUS Chromebook CZ11

Section #3- AI Policy & Guidelines

Artificial Intelligence (“AI”) has become increasingly prevalent in many areas, including the education sector. The use of AI can, when used appropriately, enhance student learning by improving the efficiency of education, providing new and creative ways to support learning, and encouraging independent research, curiosity, critical thinking, and problem-solving. AI has the potential to serve as a supplemental tool to support and expand on classroom instruction, facilitate personalized learning opportunities, and increase educational and learning opportunities.

Your Responsibility

- ☐ **By selecting “Allow” in your data confirmation form, you are acknowledging that you and your student understand and agree to the following NVUSD AI Guidelines, in accordance with NVUSD Board Policy 0441: Artificial Intelligence**

- AI use must align with classroom expectations and assignment directions. Students may only use AI tools when explicitly approved by their teacher and for the purposes outlined in the assignment.
- Students must critically evaluate AI-generated content for accuracy, relevance, and bias. Information must be verified using reliable sources, and students are expected to read original sources to confirm facts.
- Students must clearly disclose and cite when AI tools are used, including how and why AI was utilized. Transparency prevents academic dishonesty and supports a culture of integrity.
- All AI-supported work must follow proper citation practices using MLA guidelines and cannot replace original thinking. AI is a tool, not an author, and students remain responsible for the final work submitted.
- AI may not be used to create, access, or share harmful, deceptive, obscene, disruptive, or harassing content. This includes content that targets individuals or groups based on race, ethnicity, nationality, gender, sexual orientation, age, disability, religion, or political beliefs.
- AI tools must not be used for bullying, intimidation, impersonation, or harassment. Students must comply with all NVUSD policies and uphold values of respect, inclusivity, and academic honesty.
- Students should use AI to support thinking, not replace it. Students must review AI outputs before use to ensure thoughtful engagement and learning.
- Students may not share personal or sensitive information with AI tools, including names, addresses, phone numbers, student records, or any other personally identifiable information (PII).
- Students may not upload or share photos, videos, or likenesses of students or staff in AI tools to protect privacy and safety.
- Misuse of AI that violates Education Code or district policy will be addressed in alignment with the NVUSD Discipline Toolkit, just as with any other behavioral or academic violation.

Students are not permitted to access AI for assistance with assignments or research unless done under the guidance and approval of a District staff member. Unpermitted use of AI may lead to penalties for academic misconduct. Inappropriate use may also result in disciplinary action and/or legal action in accordance with the law and Board Policies.

For a detailed description of NVUSD AI Policy and Guidance, please refer to the NVUSD AI Guidelines Website.

Section #4 Cell Phone & Mobile Device Use

This comprehensive policy has been developed to cultivate an environment of focused learning, interpersonal connection, and safety. By limiting distractions and promoting engaged classrooms, we enhance our students' social-emotional well-being and encourage appropriate technology use, aligning with our vision for every NVUSD graduate.

Your Responsibility

- ☐ **By selecting "Allow" in your data confirmation form, you are acknowledging that you and your student understand and agree to the following NVUSD Mobile Communication Device Policy (Policy 5131.8 and Regulation 5131.8).**

While mobile communication devices (cell phones) can be beneficial in some circumstances, they can also be disruptive to learning. This updated policy reflects our commitment to balancing these aspects.

For Grades 9-12 Schools:

- Cell phones, smartphones, and other mobile communication devices will be collected at the beginning of every class period and stored in a common phone caddy at the front of the classroom. Devices will be returned to students at the end of each class period.
- Earbuds/headphones are not permitted during class periods.
- Mobile communication devices and one earbud are permitted during lunchtimes and passing times, with the strict exception that use is prohibited in all locker rooms and bathrooms.

Important Exceptions - Students will be permitted to use a mobile communication device in the following specific circumstances:

- In the case of an emergency or in response to a perceived threat of danger.
- When a teacher, administrator, or other district employee grants permission, subject to any reasonable limitations.
- When a licensed physician or surgeon determines that possession or use is necessary for the student's health and well-being.
- When possession or use is required by the student's Individualized Education Program (IEP) and/or 504 plan.

Safety and Privacy Expectations:

- Prohibited Content: Students are not allowed to access or share any inappropriate content, including anything threatening, obscene, disruptive, sexually explicit, or that could be construed as harassment or disparagement of others.
- Privacy and Respect: Using devices in any manner that infringes on the privacy rights of others is strictly prohibited. Taking photos or videos of classmates, peers, and staff without permission is not allowed on school property or during school-related activities.
- Videotaping misconduct is strictly prohibited and may result in disciplinary action, including unlawful use in restrooms, locker rooms, or on school buses.
- Using, producing, distributing, or receiving profanity, obscenity, or material that bullies, harasses, offends, threatens, or degrades others is strictly prohibited, including the use of artificial intelligence to impersonate others.

Parent and Student Expectations:

- Parents/guardians should not contact their student on their personal device during the school day. For urgent messages, please contact the school office, and staff will facilitate communication.
- Students must comply with staff directives regarding device use. Violations may result in disciplinary action.
- Students and families/guardians must read these regulations and return a signed acknowledgement form to the school office/classroom at the beginning of each school year during the data confirmation period.
- Students are responsible for adhering to these regulations and securing their belongings. The district will not be responsible or liable for lost, stolen, or damaged devices brought to school.
- Progressive disciplinary actions will be taken consistently across the district for violations, as outlined in the Napa Valley Unified School District’s Parent Guide to Student Discipline.

This updated policy will foster a more focused and engaging learning environment for all our students, while also promoting responsible digital citizenship. We appreciate your partnership in implementing these new guidelines for the benefit of our entire school community.

Header #5 - Google Workspace for Education

Overview:

At Napa Valley Unified School District, we use Google Workspace for Education, and we are seeking your permission to provide and manage a Google Workspace for Education account for your child. Google Workspace for Education is a set of education productivity tools from Google, including Gmail, Calendar, Docs, Classroom, and more, used by tens of millions of students and teachers around the world. At Napa Valley Unified School District, students will use their Google Workspace for Education accounts to complete assignments, communicate with their teachers, sign into their Chromebooks, and learn 21st-century digital citizenship skills.

The notice below provides answers to common questions about what Google can and can't do with your child's personal information, including:

What personal information does Google collect?
How does Google use this information?
Will Google disclose my child's personal information?
Does Google use students' personal information for users in K-12 schools to target advertising?
Can my child share information with others using the Google Workspace for Education account?

Your Responsibility

- ☐ **By selecting "Allow" in your data confirmation form, you are acknowledging that Napa Valley Unified School District will create/maintain a Google Workspace for Education account for your child, and Google may collect, use, and disclose information about your child only for the purposes described in the notice below.**

Google Workspace for Education Notice to Parents and Guardians

This notice describes the personal information we provide to Google for these accounts and how Google collects, uses, and discloses personal information from students in connection with these accounts.

Using their Google Workspace for Education accounts, students may access and use the following "Core Services" offered by Google (described at https://workspace.google.com/terms/user_features.html):

In addition, we also allow students to access certain other Google services with their Google Workspace for Education accounts. Specifically, your child may have access to the following "Additional Services":

Academic Tools	*Analytical Tools*	*AI-centered tools*
Google Arts and Culture *Google Bookmarks* *Google Books* *Google Colab* *Google Earth* *Google Maps* *Google Takeout* *Google Translate*	*Applied Digital Skills* *Google Arts and Culture* *Data Studio* *Material Gallery*	*Google Gemini 13+ (only applicable for Students 13 and older)* *Notebook LM* *Search & Assistant*

Further, we allow students to access additional third-party services with their Google Workspace for Education accounts. Our school administrator enables access to these third-party services with your student's Google Workspace for Education account and authorizes the disclosure of data, as requested by the third-party services.

Google provides information about the information it collects, as well as how it uses and discloses the information it collects from Google Workspace for Education accounts in its Google Workspace for Education Privacy Notice. You can read that notice online at https://workspace.google.com/terms/education_privacy.html You should review this information in its entirety, but below are answers to some common questions:

What personal information does Google collect?

When creating a student account, [insert name of school/district] may provide Google with certain personal information about the student, including, for example, a name, email address, and password. Google may also collect personal information directly from students, such as telephone number for account recovery or a profile photo added to the Google Workspace for Education account.

When a student uses Google core services, Google also collects information based on the use of those services. This includes:

- account information, which includes things like name and email address.
- activity while using the core services, which includes things like viewing and interacting with content, people with whom your student communicates or shares content, and other details about their usage of the services.
- settings, apps, browsers & devices. Google collects information about your student's settings and the apps, browsers, and devices they use to access Google services. This information includes browser and device type, settings configuration, unique identifiers, operating system, mobile network information, and application version number. Google also collects information about the interaction of your student's apps, browsers, and devices with Google services, including IP address, crash reports, system activity, and the date and time of a request.
- location information. Google collects information about your student's location as determined by various technologies such as IP address and GPS.
- direct communications. Google keeps records of communications when your student provides feedback, asks questions, or seeks technical support

The Additional Services we allow students to access with their Google Workspace for Education accounts may also collect the following information, as described in the Google Privacy Policy:

- activity while using additional services, which includes things like terms your student searches for, videos they watch, content and ads they view and interact with, voice and audio information when they use audio features, purchase activity, and activity on third-party sites and apps that use Google services.
- apps, browsers, and devices. Google collects the information about your student's apps, browser, and devices described above in the core services section.
- location information. Google collects info about your student's location as determined by various technologies including GPS, IP address, sensor data from their device, and information about things near their device, such as Wi-Fi access points, cell towers, and Bluetooth-enabled devices. The types of location data we collect depend in part on your student's device and account settings.

How does Google use this information?

In Google Workspace for Education Core Services, Google uses student personal information primarily to provide the core services that schools and students use, but it's also used to maintain and improve the services; make recommendations to optimize the use of the services; provide and improve other services your student requests; provide support; protect Google's users, customers, the public, and Google; and comply with legal obligations. See the Google Cloud Privacy Notice for more information.

In Google Additional Services, Google may use the information collected from all Additional Services to deliver, maintain, and improve our services; develop new services; provide personalized services; measure performance; communicate with schools or users; and protect Google, Google's users, and the public. See the Google Privacy Policy for more details.

Does Google use student personal information for users in K-12 schools to target advertising?

No. There are no ads shown in Google Workspace for Education core services. Also, none of the personal information collected in the core services is used for advertising purposes.

Some additional services show ads; however, for users in primary and secondary (K12) schools, the ads will not be personalized ads, which means Google does not use information from your student's account or past activity to target ads. However, Google may show ads based on general factors like the student's search queries, the time of day, or the content of a page they're reading.

Can my child share information with others using the Google Workspace for Education account?

We may allow students to access Google services such as Google Docs and Sites, which include features where users can share information with others or publicly. For example, if your student shares a photo with a friend who then makes a copy of it, or shares it again, then that photo may continue to appear in the friend's Google Account, even if your student removes it from their Google Account. When users share information publicly, it may become accessible through search engines, including Google Search.

Will Google disclose my child's personal information?

Google will not share personal information with companies, organizations and individuals outside of Google except in the following cases:

With our district: Our district administrators (and resellers who manage your or your organization's Workspace account) will have access to your student's information. For example, they may be able to:

View account information, activity and statistics;
Change your student's account password;
Suspend or terminate your student's account access;
Access your student's account information in order to satisfy applicable law, regulation, legal process, or enforceable governmental request;
Restrict your student's ability to delete or edit their information or privacy settings.

With your consent: Google will share personal information outside of Google with parental consent.

For external processing: Google will share personal information with Google's affiliates and other trusted third party providers to process it for us as Google instructs them and in compliance with our Google Privacy Policy, the Google Cloud Privacy Notice, and any other appropriate confidentiality and security measures.

For legal reasons: Google will share personal information outside of Google if they have a good-faith belief that access, use, preservation or disclosure of the information is reasonably necessary for legal reasons, including complying with enforceable governmental requests and protecting you and Google.

What choices do I have as a parent or guardian?

First, you can consent to the collection and use of your child's information by Google. If you don't provide your consent, we will not create a Google Workspace for Education account for your child, and Google will not collect or use your child's information as described in this notice.

If you consent to your child's use of Google Workspace for Education, you can access or request deletion of your child's Google Workspace for Education account by contacting [insert contact information for school administrator]. If you wish to stop any further collection or use of your child's information, you can request that we use the service controls available to access personal information, limit your child's access to features or services, or delete personal information in the services or your child's account entirely. You and your child can also visit https://myaccount.google.com while signed in to the Google Workspace for Education account to view and manage the personal information and settings of the account.

What if I have more questions or would like to read further?

If you have questions about our use of Google's Google Workspace for Education accounts or the choices available to you, please contact [insert contact information for the school administrator]. If you want to learn more about how Google collects, uses, and discloses personal information to provide services to us, please review the Google Workspace for Education Privacy Center (at https://www.google.com/edu/trust/), the Google Workspace for Education Privacy Notice (at https://workspace.google.com/terms/education_privacy.html), and the Google Privacy Policy (at https://www.google.com/intl/en/policies/privacy/), and the Google Cloud Privacy Notice (at https://cloud.google.com/terms/cloud-privacy-notice).

The Core Google Workspace for Education services are provided to us under Google Workspace for Education Agreement (at https://www.google.com/apps/intl/en/terms/education_terms.html) and the Cloud Data Processing Addendum (as https://cloud.google.com/terms/data-processing-addendum).

Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA):

PPRA affords parents/guardians of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education ("DoE"):

1.Political affiliations or beliefs of the student or student's parent;
2.Mental or psychological problems of the student or student's family;
3.Sex behavior or attitudes;
4.Illegal, anti-social, self-incriminating, or demeaning behavior;
5.Critical appraisals of others with whom respondents have close family relationships;
6.Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7.Religious practices, affiliations, or beliefs of the student or student's parent; or
8.Income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of:
1.Any other protected information survey, regardless of funding;
2.Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3.Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)

Inspect, upon request and before administration or use:
1.Protected information surveys of students and surveys created by a third party;
2.Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3.Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law. Board policies regarding these rights may be obtained from the school district or county office.

Parents/guardians who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W. Washington, D.C. 20202-5920
20 U.S.C. § 1232h.