

## BDOLE LEARNING CENTER

Effective Date: 6/25/2014	<b>524 INTERNET ACCEPTABLE USE &amp; SAFETY POLICY</b>
Date: 6/10/14 Revisions: 6 /12/14	Approved by: Bdote Board of Directors 6.25.14

### **I. Purpose of Policy:**

The purpose of this policy is to set forth policies and guidelines for access to the **Bdote Learning Center (BLC)** computer system and acceptable and safe use of the Internet, including electronic communications.

### **II. General Statement:**

In making decisions regarding student and employee access to the **BLC** computer system and the Internet, including electronic communications, **BLC** considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school's computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. **BLC** expects that faculty will blend thoughtful use of the school's computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

### **III. Limited Educational Purpose:**

The school is providing students and employees with access to the school's computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The school system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the school system to further educational and personal goals consistent with the mission of the school and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

### **IV. Use of System is a Privilege:**

The use of the school's system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school's system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school's policies, including suspension, expulsion, exclusion or termination of employment; or civil or criminal liability under other applicable laws.

#### **I. Unacceptable Uses:**

A. The following uses of the school's system and Internet resources or accounts are considered unacceptable:

1. Users will not use the school's system to access, review, upload, download, store, print, post, receive, transmit or distribute:

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- a. pornographic, obscene or sexually explicit material or other visual depictions that are harmful to minors;
  - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
  - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
  - d. information or materials that could cause damage or danger of disruption to the educational process;
  - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the school's system to knowingly or recklessly post, transmit or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
  3. Users will not use the school's system to engage in any illegal act or violate any local, state or federal statute or law.
  4. Users will not use the school's system to vandalize, damage or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software or system performance by spreading computer viruses or by any other means, will not tamper with, modify or change the school's system software, hardware or wiring or take any action to violate the school's security system, and will not use the school's system in such a way as to disrupt the use of the system by other users.
  5. Users will not use the school's system to gain unauthorized access to information resources or to access another person's materials, information or files without the implied or direct permission of that person.
  6. Users will not use the school's system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.
  7. Users must keep all account information and passwords on file with the designated school's official. Users will not attempt to gain unauthorized access to the school's system or any other system through the school's system, attempt to log in through another person's account, or use computer accounts, access codes or network identification other than those assigned to the user. Messages and records on the

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school's system may not be encrypted without the permission of appropriate school authorities.

8. Users will not use the school's system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
  9. Users will not use the school's system for conducting business, for unauthorized commercial purposes or for financial gain unrelated to the mission of the school's. Users will not use the school's system to offer or provide goods or services or for product advertisement. Users will not use the school's system to purchase goods or services for personal use without authorization from the appropriate school's official.
- B. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school's official. In the case of a school's employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school's employee, the building administrator.

### **II. Filter:**

- A. With respect to any of its computers with Internet access, the School will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:
1. Obscene;
  2. Child pornography; or
  3. Harmful to minors.
- B. The term "harmful to minors" means 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; 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 or sexual contact, actual or 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.

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- C. An administrator, supervisor or other person authorized by the Director may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.
- D. The **BLC** will educate students about appropriate online behavior, including interacting with other individuals on social networking website and cyber bullying.

### **III. Consistency with Other School Policies:**

Use of the school's computer system and use of the Internet shall be consistent with school's policies and the mission of the school.

### **IV. Limited Expectation of Privacy:**

- A. By authorizing use of the school's system, the school does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school's system.
- B. Routine maintenance and monitoring of the school's system may lead to a discovery that a user has violated this policy, another school policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school policy.
- D. Parents have the right at any time to investigate or review the contents of their child's files and e-mail files. Parents have the right to request the termination of their child's individual account at any time.
- E. School employees should be aware that the school retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school employees should be aware that data and other materials in files maintained on the school's system may be subject to review, disclosure or discovery under Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act).
- F. The school will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school policies conducted through the school's system.

### **V. Internet Use Agreement:**

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents and employees of the school.
- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.
- C. The Internet Use Agreement form for students must be read and signed by the user and/or

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the parent/guardian. The Internet Use Agreement form for employees must be signed by the employee. The form must then be filed at the school office.

### **VI. Limitation on School's Liability:**

Use of the school's system is at the user's own risk. The system is provided on an "as is, as available" basis. The school will not be responsible for any damage users may suffer, including, but not limited to, loss, damage or unavailability of data stored on school diskettes, tapes, hard drives or servers, or for delays or changes in or interruptions of service or mis-deliveries or non-deliveries of information or materials, regardless of the cause. The school is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school's system. The school will not be responsible for financial obligations arising through unauthorized use of the school's system or the Internet.

### **VII. User Notification:**

- A. All users shall be notified of the school's policies relating to Internet use.
- B. This notification shall include the following:
  1. Notification that Internet use is subject to compliance with school policies.
  2. Disclaimers limiting the school's liability relative to:
    - a. Information stored on school's diskettes, hard drives or servers.
    - b. Information retrieved through school computers, networks or online resources.
    - c. Personal property used to access school computers, networks or online resources.
    - d. Unauthorized financial obligations resulting from use of school resources/accounts to access the Internet.
  3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
  4. Notification that, even though the school may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
  5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.
  6. Notification that the collection, creation, reception, maintenance and dissemination of data via the Internet, including electronic communications, is governed by Policy 406, Public and Private Personnel Data, and Policy 515, Pupil Records.
  7. Notification that, should the user violate the school's acceptable use policy, the user's

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access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.

8. Notification that all provisions of the acceptable use policy are subordinate to local, state and federal laws.

### **VIII. Parent's Responsibility; Notification of Student Internet Use:**

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies and other possibly offensive media. Parents are responsible for monitoring their student's use of the school's system and of the Internet if the student is accessing the school's system from home or a remote location.
- B. Parents will be notified that their students will be using school resources/accounts to access the Internet and that the school will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
  1. A copy of the user notification form provided to the student user.
  2. A description of parent/guardian responsibilities.
  3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.
  4. A statement that the Internet Use Agreement must be signed by the user, the parent or guardian, and the supervising teacher prior to use by the student.
  5. A statement that the school's acceptable use policy is available for parental review.

### **IX. Implementation; Policy Review:**

- A. The school's administration may develop appropriate user notification forms, guidelines and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms and procedures shall be an addendum to this policy.
- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school's Internet policies and procedures are available for review by all parents, guardians, staff and members of the community.
- D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

**Legal References** (the following are included for reference purposes only, may not reflect the most current relevant statutory citation, and should not be read to contravene or limit the school's obligations under any federal, state, or local law):

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17 U.S.C. § 101 et seq. (Copyrights) 15 U.S.C. § 6501 et seq.  
Children's Internet Protection Act of 2000 (CIPA) 47 U.S.C. § 254  
47 C.F.R. § 54.520 (FCC rules implementing CIPA)  
Title III of the Elementary and Secondary Education Act of 1965, 20  
U.S.C. §1601, et seq., as amended  
Minn. Stat. §§ 125B.15 and 125B.25

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School's Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)  
MSBA/MASA Model Policy 603 (Curriculum Development)  
MSBA/MASA Model Policy 604 (Instructional Curriculum)  
MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)  
MSBA/MASA Model Policy 804 (Bomb Threats)  
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Non-school Persons)