

## 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,” has the meaning given such term in Section 1460 of Title 18, United States Code;
  - b. “Child pornography,” has the meaning given such term 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 and 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 and the district’s vision, mission and goals, as determined by the district.
6. “District proprietary information” is defined by the district 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 by the district as any commercial or staff developed software acquired using district resources.

## 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 electronic communications 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 or access district proprietary information that ensures the protections of said information in accordance with board policy. The district will 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 of the personal electronic device is no longer authorized, to ensure verification that information downloaded has been properly removed from the personal electronic device; (See Staff User Agreement)
4. Cooperate fully with local, state or federal officials in any investigation relating to misuse of the district's electronic communications system;
5. 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;
6. Install and use server virus detection and removal software;
7. 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 principal may disable the technology protection measures to enable access for bona fide research or other lawful purposes, as deemed appropriate;
8. Prohibit access by minors to inappropriate matter on the Internet and World Wide Web;
9. 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, applications and other forms of direct electronic communication;
10. 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 , applications and in chat rooms;
11. Determine which users and sites, accessible as part of the district's electronic communications system, are most applicable to the curricular needs of the district, and may restrict user access accordingly;

12. Determine which users will be provided access to the district’s electronic communications system;
13. Program its computers to display a message reinforcing key elements of the district’s electronic communications system policy and administrative regulation when accessed for use;
14. 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 be subject to disclosure 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 system coordinator stating the need for the increase;
  - g. Passwords used on the districts electronic communications system will be changed at 90-day intervals;
  - h. Transmission of any communications or materials related to activities prohibited by ORS 260.432 is not allowed.
15. Ensure all student, staff and nonschool system users complete and sign an agreement to abide by the district’s electronic communications system policy and administrative regulations. All such agreements will be maintained on file in the school office;{<sup>1</sup>}
16. Notify users of known copyright infringing activities and deny access to or remove the material.

### **Electronic Communications System Access**

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{<sup>1</sup> See sample user agreements at the end of this administrative regulation.}

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

Board members, district employees, and 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 district administrators consistent with the district's policy governing use of district equipment and materials.

2. Students may be permitted to use the district's electronic communications system, when consistent with board policy and administrative regulations, for school and instructional related activities. Personal use of district-owned computers or devices including Internet and e-mail access is permitted when consistent with board policy and administrative regulations and when during the school day.

District staff and Board members may use the district's electronic communications system, district-owned computers or devices, including Internet and e-mail access, for personal use 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.

Volunteers, and district contractors and other members of the public may be permitted to use the district's electronic communications system for personal use when consistent with Board policy, general use prohibitions and guidelines/etiquette and other applicable provisions of this administrative regulation.

### **General Use Prohibitions and Guidelines/Etiquette**

Operation of the district's electronic communications 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 use of the district's system.

1. General Use Prohibitions

The following conduct is strictly prohibited:

- a. Attempts to use the district's electronic communications 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 data usage quotas;
- e. Attempts to send, intentionally access or download any text file or picture or engage in any communication that includes, but not limited to, 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, bullying, menacing, threatening;
  - (5) Constitutes insulting or fighting words, the very expression of which injures or harasses others;
  - (6) 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;
  - (7) 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 district administrators and consistent with applicable Board policies pertaining to student directory information and personally identifiable information. Personal student contact information may include 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 electronic communications system, unless authorized by district administrators or when consistent with school or educational related activities;
- i. Attempts to represent self on behalf of the district through use of the district's name in external communication forums, e.g., social media, 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 granted 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 video/talk/chat/Internet relay chat only as approved by district administrators;
- 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 best practices for managing and composing effective e-mail messages;
- g. Protect password confidentiality.
- h. Communicate only with such users and/or sites as may be authorized by the district;

- i. Report violations of the district’s policy and administrative regulation or security problems to the supervising teacher, system coordinator or administrator, as appropriate.

## **Complaints**

The district’s established complaint procedure in Board policy KL - Public Complaints may be used to process complaints or concerns about violations of policy and administrative regulations.

## **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 access to the district electronic communications system access up to and including permanent loss of privileges.
- b. Violations of law may 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 may 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 Oregon Administrative Rules (OAR) 584-020-0041.
- d. Violations of ORS 244.040 may be reported to Oregon Government Ethics Commission (OGEC).

### **3. Others**

- a. Other guest users who violate general electronic communications system user prohibitions shall be subject to suspension of system access up to and including permanent revocation of privileges.
- b. Violations of law may 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, phone or internet service and/or related charges incurred by any home usage of the district’s electronic communications system.

2. Any disputes or problems resulting from phone services or internet provider services for home users of the district's electronic communications system are strictly between the system user and their internet service provider and/or phone 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 electronic communications system may provide access to materials that may be considered objectionable and inconsistent with the district's vision, mission and goals. Parents should be aware of the existence of such materials and monitor their student's home usage of the district's electronic communications 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. Users of the electronic communications system may, with district administrator approval, order services or merchandise from other vendors that may be accessed through the district's electronic communications system. These vendors 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 vendor and the electronic communications system user. The district makes no warranties or representation whatsoever with regard to any goods or services provided by the vendor. 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 vendors.
4. The district does not warrant that the functions or services performed by, or that the information or software contained on, the electronic communications system will meet the system user's requirements, or that the electronic communications system will be uninterrupted or error-free, or that defects will be corrected. The district's electronic communications 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 electronic communications system and any information or software contained therein.



## Culver School District Technology Responsible Use Agreement Form

Student Name \_\_\_\_\_

Grade \_\_\_\_\_

School \_\_\_\_\_

### Parent or Guardian Section

I have read the District's Technology Acceptable Use Policy, online at:

<http://www.culver.k12.or.us/departments/it/technologyhandbook>

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

I give permission for my child to access only those portions of the local and wide area network connections that are approved by the Culver School District, and to use personal electronic devices and services only as approved by the district.

Parent or Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

Parent or Guardian Name Printed \_\_\_\_\_ Phone \_\_\_\_\_

Home Address \_\_\_\_\_

E-Mail \_\_\_\_\_

### Student Section

I have read the district's Technology Acceptable Use Policy (site address above). I agree to follow the rules contained in this policy. I understand that if I violate the rules my account can be terminated and I may face other disciplinary measures.

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

*Please return this completed form to your child's school office.*



**Agreement for an Electronic Communications System Account**

(Non-school System User)

I have read the district’s Electronic Communications System policy and administrative regulation and agree to abide by their provisions. I understand that violation of these provisions will result in suspension or revocation of system access and related privileges and/or referral to law enforcement officials.

In consideration for the privilege of using the district’s Electronic Communications System and in consideration for having access to the public networks, I hereby release the district, its operators and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my use or inability to use the system including, without limitation, the type of damages identified in the district’s policy and administrative regulation.

Signature\_\_\_\_\_

Address (include city)\_\_\_\_\_

Date\_\_\_\_\_

Home/Cell Phone\_\_\_\_\_

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This space reserved for System Coordinator

Assigned Username:\_\_\_\_\_

Assigned Password:\_\_\_\_\_

**Agreement for an Electronic Communications System Account**  
Staff System User

I have read the district's Electronic Communications System policy and administrative regulation and agree to abide by their provisions. I understand that violation of these provisions will result in suspension or revocation of system access and related privileges, and may include discipline, up to and including dismissal and/or referral to law enforcement officials.

I understand that I may use my personal electronic device (PED) for education related purposes and that certain district proprietary information may be downloaded to my PED. I agree that any district proprietary information downloaded on my PED will only be as necessary to accomplish district purposes, obligations or duties, and will be properly removed from my PED when the use on my PED is no longer authorized. I insure that the personal electronic device in use is owned by me, and I am in complete control of the device at all times.

In consideration for the privilege of using the district's Electronic Communications System and in consideration for having access to the public networks, I hereby release the district, its operators and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my use or inability to use the system including, without limitation, the type of damages identified in the district's policy and administrative regulation.

Print Staff Name \_\_\_\_\_

Staff Signature \_\_\_\_\_

Home Address (include city) \_\_\_\_\_

Date \_\_\_\_\_

Phone Number \_\_\_\_\_

**This space reserved for System Coordinator**

Assigned User Name: \_\_\_\_\_

Assigned Password: \_\_\_\_\_