

INTERNET ACCEPTABLE USE AND SAFETY POLICY

Herman School District No. 22

Adopted: December 13, 2001

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I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for access to the school district computer system, and safe and acceptable use of the Internet.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding student access to the school district computer system and to the Internet, the school district 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 district computer system and to the Internet enables students to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of the school district 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 district is providing students and employees with access to the school district's computer system, which includes Internet access. The purpose of the system is not merely to provide students and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, professional or career development, and limited high-quality, self-discovery activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses that 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 district 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 district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use of access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion or termination of employment; or civil or criminal liability under other applicable laws.

V. RESPONSIBILITIES

- A. To the extent possible, and in compliance with the Children’s Internet Protection Act (CIPA) and Neighborhood Children’s Internet Protection Act (NCIPA), the District filters Internet access on all devices capable of accessing the Internet. The District recognizes that no technology measure can block 100% of the undesirable content, and emphasizes the importance of staff supervision in monitoring student use.

Definitions

Key terms are as defined in the Children’s Internet Protection Act.

1. Technology Protection Measure

- a. The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are:
- i. Obscene, as that term is defined in section 1460 of title 18, United States Code;
 - ii. Child pornography, as that term is defined in section 2256 of title 18, United States Code; or
 - iii. Harmful to minors.

2. Harmful to Minors

- a. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:
- i. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
 - ii. 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
 - iii. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

3. Sexual Act; Sexual Contact

- a. The terms "sexual act" and "sexual contact" have the meanings given such terms in section 2246 of title 18, United States Code.

B. It is also the responsibility of all staff to:

1. Guide students in the selection and evaluation of educational materials.
2. Help students develop informational literacy skills including conformity to copyright laws and the concept of intellectual property.
3. Help students develop safe practices while learning in an online world, particularly when the educational experience involves chat rooms, email, and other forms of direct electronic communications.

VI. UNACCEPTABLE USES

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

1. Users will not use the school district system to access, review, upload, download, store, print, post, or distribute pornographic, obscene or sexually explicit material.
2. Users will not use the school district system to transmit or receive obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language.
3. Users will not use the school district system to access, review, upload, download, store, print, post, or distribute materials that use language or images that are inappropriate to the educational setting or disruptive to the educational process and will not post information or materials that could cause damage or danger of disruption.
4. Users will not use the school district system to access, review, upload, download, store, print, post, or distribute materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
5. Users will not use the school district system to knowingly or recklessly post 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.
6. Users will not use the school district system to engage in any illegal act or violate any local, state or federal statute or law.
7. Users will not use the school district 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 district system software, hardware or wiring or take any action to violate the school district

system's security, and will not use the school district system in such a way as to disrupt the use of the system by other users.

8. Users will not use the school district 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.
 9. Users will not use the school district system to post private information about another person or to post personal contact information about themselves or other persons including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, and will not repost a message that was sent to the user privately without permission of the person who sent the message.
 10. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district 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.
 11. Users will not use the school district 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.
 12. Users will not use the school district system for the conduct of a business, for unauthorized commercial purposes or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district 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 district official. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. A user may also in certain rare instances 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.

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

- A. Use of the school district computer system and use of the Internet shall be consistent with school district policies and the mission of the school district.

VIII. LIMITED EXPECTATION OF PRIVACY

- A. To the extent practical, technology protection measures (or “Internet filters”) shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information.

Specifically, as required by the Children’s Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors

- B. By authorizing use of the school district system, the school district 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 district system.
- C. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- D. 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 district policy.
- E. Parents have the right to request the termination of their child's individual account at any time.
- F. School district employees should be aware that data and other materials in files maintained on the school district system might be subject to review, disclosure or discovery.
- G. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities and activities not in compliance with school district policies conducted through the school district system.
- H. In order to insure the appropriate use of the network and conformity to this policy and legal guidelines, the District reserves the right to monitor, access, and disclose the messages and files contained, stored, or transmitted using District equipment. End-users of telecommunications technologies shall have no expectation of privacy.

IX. 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 district.
- 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 must be read by/read to the user prior to using the district's account.

X. LIMITATION ON SCHOOL DISTRICT LIABILITY

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

XI. USER NOTIFICATION

- A. All users shall be notified of the school district policies relating to Internet use.
- B. This notification shall include the following:
 - 1. Notification that Internet use is subject to compliance with school district policies.
 - 2. Disclaimers limiting the school district's liability relative to:
 - i. Information stored on school district diskettes, hard drives or servers.
 - ii. Information retrieved through school district computers, networks or online.
 - iii. Personal property used to access school district computers, networks or online.
 - iv. Unauthorized financial obligations resulting from use of school district 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 district 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 or the student's parents.
6. Notification that should the user violates the school district's acceptable use policy, the student's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
7. Notifications that all provisions of the acceptable use policy are subordinate to local, state and federal laws.

Legal Reference:

Sections

19.84 Wisconsin Statutes
120.13(1) Wisconsin Statutes
943.70 Wisconsin Statutes
947.125 Wisconsin Statutes
118.32 Wisconsin Statutes
118.324 Wisconsin Statutes

Section

106-554; 47 USC 254 (h)

Cross-Reference:

Exhibit 362.3 – Children's Internet Protection Act –
Public Law 106-554 and 47 USC 254(h);