

SPRAGUE SCHOOL DISTRICT
Baltic, Connecticut

**POLICY REGARDING STUDENT USE OF
THE DISTRICT'S COMPUTER SYSTEMS AND INTERNET SAFETY**

Temporary amendments to this policy related to the COVID-19 pandemic have been made to the body of the policy and sections 1, 2, 4 and 5 and the legal references of the Administrative Regulations. All temporary revisions appear in highlighted bold italics or strikethrough text.

Computers, computer networks, electronic devices, Internet access, and e-mail are effective and important technological resources. The Board of Education ~~provides~~ ***has installed*** computers, ***and*** a computer network, including Internet access and an e-mail system, ***on Board premises and may provide*** ~~as well as~~ other electronic devices that ***can*** access the network such as wireless and/or portable electronic hand-held equipment that can be used for word processing, wireless Internet access, image capture and recording, sound recording, information transmitting and/or receiving, storing etc. (including, but not limited to, laptops, Kindles, radios, I-Pads or other tablet computers). ***The Board's computers, computer network, electronic devices, Internet access, and e-mail are*** referred to collectively as "the computer systems"; ***and are provided*** in order to enhance both the educational opportunities for our students and the business operations of the district.

These computer systems are business and educational tools. As such, they are made available to students in the district for education related uses. The Administration shall develop regulations setting forth procedures to be used by the Administration in an effort to ensure that such computer systems are used by students solely for education related purposes. The Board will educate minor students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. Additionally, the Board will implement a technology protection measure to block or filter Internet access to visual depictions that contain ~~obscene~~ material ***that is obscene or obscene as to minors or contains*** ~~contain~~ child pornography, ~~or are harmful to minors~~ and ensure that such filtering technology is operative during computer use by minor students ***to the extent practicable when such students are using Board-owned computers or devices and Board-provided Internet access.***

As the owner of the computer systems, the Board reserves the right to monitor the use of the district's computers and computer systems.

Legal References:

Conn. Gen. Stat. § 10-221

Conn. Gen. Stat. §§ 53a-182b; 53a-183; 53a-250

Electronic Communication Privacy Act of 1986, Public Law 99-508, codified at 18 U.S.C. §§ 2510 through 2520

Children's Internet Protection Act, Pub. L. 106-554, codified at 47 U.S.C. § 254(h)

No Child Left Behind Act of 2001, Pub. L. 107-110, codified at 20 U.S.C. § 6777

Protecting Children in the 21st Century Act, Pub. Law 110-385, codified at 47 U.S.C. § 254(h)(5)(B)(iii)

ADOPTED: January 11, 2021

ADMINISTRATIVE REGULATIONS REGARDING STUDENT USE OF THE DISTRICT'S COMPUTER SYSTEMS AND INTERNET SAFETY

1. Introduction

a. Access to District Computer Systems When Students are Physically Present on School Property

When students are physically present on school property, the Board is We are pleased to offer students access to the district's computers and computer networks, including access to electronic mail (e-mail) and the Internet, as well as electronic devices, (all of which will be referred to collectively as "computer systems".) Access to the school's computer systems will enable students to explore libraries, databases, ***websites,*** and bulletin boards while exchanging ~~messages~~ ***information*** with others. Such access is provided solely for education-related purposes. Use of the district's computer systems will be allowed only for students who act in a considerate and responsible manner in using such systems.

The Board of Education and the Administration believe in the educational value of such computer systems and recognize their potential to support our curriculum by expanding resources available for staff and student use. Our goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation and communication.

These computer systems are expensive to purchase, install and maintain. As the property of the district, these computer systems must be carefully handled and their integrity preserved for the benefit of all. Therefore, ~~*access to the computer systems is a privilege, and not a right. Students*~~ ***students*** will ~~*bear*~~ required to adhere to a set of policies and procedures, as set forth in detail below. Violations may lead to withdrawal of the access privilege and/or disciplinary measures in accordance with the Board's student discipline policy.

b. Access to District Computer Systems When Students are Engaged in Remote Learning

During the COVID-19 pandemic, the Board and the Administration recognize that technology is integral to the delivery of instruction if the district implements any form of digital or remote learning. The district may therefore provide students with remote access to some or all of the district's computer systems so that students may access the district's virtual learning environment. Such access, if granted, is provided solely for education-related purposes. Use of the district's computer systems will be allowed only for students who comply with district policies and procedures concerning computer system use, and demonstrate the ability to use the computer systems in a considerate and responsible manner.

These computer systems are expensive to purchase, install and maintain. As the property of the district, these computer systems must be carefully handled and their integrity preserved for the benefit of all. Therefore, students will be required to adhere to a set of policies and procedures, as set forth in detail below. Violations may lead to withdrawal of the access privilege and/or disciplinary measures in accordance with the Board's student discipline policy.

2. Definitions

Obscene – means any material or performance if, a) taken as a whole, it predominantly appeals to the prurient interest, b) it depicts or describes in a patently offensive way a prohibited ~~sex~~**sexual** act and c) taken as a whole, ~~does not have~~**it lacks** serious literary, artistic, **educational**, political or scientific value. For the purposes of this section, "prohibited sex act" means erotic fondling, nude performance, sexual excitement, sado-masochistic abuse, masturbation or sexual intercourse.

Obscene as to minors - means any material or performance if it depicts a prohibited sexual act and, taken as a whole, it is harmful to minors.

For purposes of this section, "harmful to minors" means that quality of any description or representation, in whatever form, of a prohibited sexual act, when a) it predominantly appeals to the prurient, shameful or morbid interest of minors, b) it is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors, and c) taken as a whole, it lacks serious literary, artistic, educational, political or scientific value for minors.

For the purposes of this section, "prohibited sexual act" means erotic fondling, nude performance, sexual excitement, sado-masochistic abuse, masturbation or sexual intercourse.

Child pornography – means any visual depiction, including any photograph, film, video, picture, ~~cartoon~~, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where -

- (a) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
- (b) such visual depiction is, ~~or appears to be, of a minor engaging in sexually explicit conduct;~~ **a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or**
- (c) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

Harmful to minors—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 as to minors.

3. Monitoring

Students are responsible for good behavior on school computer systems just as they are in a classroom or a school hallway. Communications on the computer systems are often public in nature and general school rules for behavior and communications apply. It is expected that users will comply with district standards and will act in a responsible and legal manner, at all times in accordance with district standards, as well as with state and federal laws.

It is important that students and parents understand that the district, *as the owner of the computer systems, reserves the right to monitor and review* the use of these computer systems. The district intends to monitor and review in a limited fashion, but will do so as needed to ensure that the systems are being used for district-related educational purposes.

As part of the monitoring and reviewing process, the district will retain the capacity to bypass any individual password of a student or other user. *The system's security aspects, such as personal passwords and the message delete function for e-mail, can be bypassed for these purposes.* The district's ability to monitor and review is not restricted or neutralized by these devices. The monitoring and reviewing process also includes, but is not limited to; oversight of Internet site access, the right to review emails sent and received, the right to track students' access to blogs, electronic bulletin boards and chat rooms, and the right to review a student's document downloading and printing.

Therefore, all users must be aware that *they should not have any expectation of personal privacy in the use of these computer systems.*

4. Student Conduct

Students are permitted to use the district's computer systems for legitimate educational purposes. Personal use of district computer systems is expressly prohibited. Conduct which constitutes inappropriate use includes, but is not limited to the following:

- ♦ Sending any form of **a** harassing, threatening, or intimidating message, at any time, to any person (such communications may also be a crime);
- ♦ Gaining or seeking to gain unauthorized access to computer systems;
- ♦ Damaging computers, computer files, computer systems or computer networks;
- ♦ Downloading or modifying computer software of the district in violation of the district's licensure agreement(s) and/or without authorization from a teacher or administrator;
- ♦ Using another person's password under any circumstances;
- ♦ Trespassing in or tampering with any other person's folders, work or files;
- ♦ Sending any message that breaches the district's confidentiality requirements, or the confidentiality of students;
- ♦ Sending any copyrighted material over the system;
- ♦ Using computer systems for any personal purpose, or in a manner that interferes with the district's educational programs;
- ♦ Accessing or attempting to access any material that is obscene, **obscene as to minors, or** contains child pornography, **or is harmful to minors,** as defined above;
- ♦ Transmitting or receiving e-mail communications or accessing information on the Internet for non-educational purposes;
- ♦ Cyberbullying;
- ♦ Accessing or attempting to access social networking sites (e.g., Facebook, Twitter, MySpace, etc.) without a legitimate educational purpose.

In addition, as noted above, if a particular behavior or activity is generally prohibited by law, by Board policy or by school rules or regulations, use of these computer systems for the purpose of carrying out such behavior or activity is also prohibited.

Misuse of the computer systems, or violations of these policies and regulations, may result in loss of access to such computer systems as well as other disciplinary action, including suspension and/or expulsion, depending on the specific conduct.

Anyone who is aware of problems with, or misuse of these computer systems, or has a question regarding the proper use of these computer systems, should report this to his or her teacher or principal immediately. Most importantly, the Board and the Administration urge *any* student who receives *any* harassing, threatening, intimidating or other improper message through the computer system to report this immediately. It is the Board's policy that no student should be required to tolerate such treatment, regardless of the identity of the sender of the message. *Please report these events!*

5. Internet Safety

The Administration will take measures: to assure the **digital** safety and security of students when using e-mail, chat rooms, **distance learning platforms**, and other forms of direct electronic communications; to prohibit unauthorized access, including “hacking” and other unlawful activities by minors online; to prohibit unauthorized disclosure, use, and dissemination of personally identifiable information regarding students; to educate minor students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber-bullying awareness and response; and to restrict students’ access to online materials **harmful to minors, including obscene materials that are obscene or obscene as to minors and or contain child pornography, to the extent practicable when students are using Board-owned computers or devices and Board-provided Internet access.**

6. Student Use Agreement

Before being allowed to use the district’s computer systems, students and/or their parents/guardians must sign a computer system use agreement, stating that they have read and understood the district’s policies and regulations regarding the use of its computer systems.

Legal References:

Conn. Gen. Stat. § 10-221

Conn. Gen. Stat. §§ 53a-182b; 53a-183; 53a-250 *et. seq.* (computer-related offenses)

Conn. Gen. Stat. § 53a-193 (definition of obscene **and obscene as to minors**)

18 U.S.C. § 2256 (definition of child pornography)

Electronic Communication Privacy Act of 1986, Public Law 99-508, codified at 18 U.S.C. §§ 2510 through 2520

Children's Internet Protection Act, Pub. Law 106-554, codified at 47 U.S.C. § 254(h)

No Child Left Behind Act of 2001, Pub. L. 107-110, codified at 20 U.S.C. § 6777

Protecting Children in the 21st Century Act, Pub. Law 110-385, codified at 47 U.S.C. § 254(h)(5)(B)(iii)

Miller v. California, 413 U.S. 15 (1973) (definition of obscene)

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