

Mounds View Public Schools Ends and Goals Regulation

EG-3115

Electronic Technology Acceptable Use & Safety

PURPOSE

The purpose of this regulation is to support Policy EG-3115 – Electronic Technology Acceptable Use & Safety.

DEFINITIONS

For purposes of this policy, the term “Electronic Technology” means all electronic systems, equipment, and devices that are owned, leased, or supplied by the District, or are otherwise under the control of the District. Electronic Technology includes, but is not limited to, computers and communications equipment; computer systems; networks; hardware; software; electronic devices; electronic programs; electronic storage media; data bases; systems used to supply or facilitate Internet access (wired and wireless connections); Internet access (wired and wireless connections) provided by or gained through any school service, system, device, or equipment; student server systems; web-based applications; Google accounts; and cable television systems. Accessing or using any Electronic Technology on personal electronic devices is considered part of “Electronic Technology.”

LIMITED EDUCATIONAL PURPOSE

The District is providing students and employees with access to Electronic Technology for educational purposes, which includes use of Electronic Technology for school administration, classroom instruction and activities, homework, educational research, curriculum development, professional or career development, and limited high-quality, self-discovery activities. Users are expected to use Electronic Technology to further educational and personal goals consistent with the mission of the District and school policies and regulations. Uses which might be acceptable on a user’s private personal account on another system may not be acceptable on Electronic Technology owned, operated, and provided by the District for educational purposes.

GENERAL PARAMETERS

- A. All teachers and staff must follow this acceptable use regulation. Individual teachers will define their classroom rules as it pertains to the use of personal or school provided electronic devices within the boundaries of their classrooms as long as they do not exceed those expressed in this policy. The teacher’s acceptable use policy will be posted in the room, in the course syllabus and on the teacher’s web page.
- B. The District may establish a process and criteria for the creation and posting of material on the District’s website and/or other District-managed web-based systems. All student, staff, school or classroom web pages or District-managed web-based systems will adhere to these criteria.
- C. With the approval of the school building principal or his/her designee, school-sponsored extracurricular organizations may be permitted to create and publish web pages on the District’s website or place links to external websites on Electronic Technology, provided that the material is consistent with the limited educational purposes in paragraph IV, the District’s policies and regulations, applicable law, and available resources. Such web pages must relate to the activities of the organization and include only material created by student members of the organization.

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- D. With the approval of the school building principal or his/her designee, staff members may create and publish material on the District's website, provided that the material is consistent with the limited educational purposes in paragraph IV, the District's policies and regulations, applicable law, and available resources.
- E. School board members may be provided access to Electronic Technology. Use of Electronic Technology will be for a District purpose and will not violate the Open Meeting Law, District policies or regulations, or other applicable state and federal law.
- F. All electronic mail communications from District employees must be drafted in the same manner and with the same care as any communication in printed form on District letterhead. All communications from District employees, whether electronic, voice, or printed, must be in accordance with the District's policies, procedures, and regulations, as well as applicable laws.
- G. The District will endeavor to educate students and employees regarding how to responsibly use Electronic Technology.

USE OF SYSTEM IS A PRIVILEGE

Access to and use of Electronic Technology is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of Electronic Technology or other violation of this policy may result in one or more of the following consequences: suspension or cancellation of use or access privileges; accounts being disabled; payments for damages and repairs; discipline under this policy or other District policies and regulations (e.g., Policy EG-3109 – Student Rights and Responsibilities), including suspension, expulsion, exclusion or termination of employment; referral to law enforcement; or civil or criminal liability under other applicable laws.

UNACCEPTABLE USES

- A. The following uses of Electronic Technology are considered unacceptable:
 - 1. Users will not use Electronic Technology to access, review, upload, download, store, print, post, receive, transmit, or distribute:
 - 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;

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- e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination;
 - f. materials that are fraudulent, illegal, indecent, threatening, or which are intended to promote or incite violence against property.
2. Users will not use Electronic Technology 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 Electronic Technology to engage in any illegal act or violate any local, state, or federal statute or law, or District policy or regulation.
 4. Users will not use Electronic Technology to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or Electronic Technology performance by spreading computer viruses or by any other means, will not tamper with, modify, or change Electronic Technology, including software, hardware, or wiring or change the District's security system, and will not use Electronic Technology in such a way as to disrupt the use of Electronic Technology by other users.
 - a. Users are prohibited from using software that is designed to destroy data, provide unauthorized access to computer or communication equipment, or which would disrupt Electronic Technology in any way. This includes, by way of example only, using any software viruses, Trojan horses, worms, or other invasive software.
 - b. User are prohibited from doing anything which would degrade the performance of Electronic Technology including, but not limited to, deliberately disrupting a computer or the computer network.
 - c. Users are prohibited from installing, without authorization, software on Electronic Technology.
 5. Users will not use Electronic Technology 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 Electronic Technology to post private information about themselves or another person, personal contact information, including, but not limited to, student last names, addresses, telephone 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.

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- a. This paragraph does not prohibit the posting of employee contact information on District web pages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
 - b. Employees creating or posting District-related web pages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
 - (1) such information is classified by the District as directory information and verification is made that the District has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information; or
 - (2) such information is not classified by the District as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student.

In addition, prior to posting any personal contact or personally identifiable information on a District-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.
 - c. These prohibitions specifically prohibit a user from utilizing Electronic Technology to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as "MySpace" and "Facebook."
7. Users must keep all account information and passwords on file with the designated District official. Users are responsible for complying with the District's password security procedures. Users will not attempt to gain unauthorized access to Electronic Technology or any other system through Electronic Technology, 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 Electronic Technology may not be encrypted without the permission of the appropriate District authorities.
 - a. Users are prohibited from forging, altering, or otherwise concealing the identity of the person sending messages or other forms of communication with Electronic Technology.
 8. Users will not use Electronic Technology 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 District computer, and will not plagiarize works they find on the Internet.

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- a. Users of Electronic Technology will respect the rights of others in their intellectual property, including copyrights, trademarks, End User License Agreements and Terms of Use, and will abide by the principles of “fair use” as that term is defined in the federal Copyright Act.
 - b. Improper use of copyrighted or other licensed information is not permitted.
 - c. If a user repeatedly infringes upon copyrighted or licensed works, the District will terminate the user’s account.
 - d. The District will accommodate and not interfere with the standard technical measures used by copyright owners to identify or protect copyrighted works.
 - e. Works created by students are the property of the student. Works created by staff members in the course of their duties and using Electronic Technology are the property of the District.
9. Users will not use Electronic Technology for conducting business, for unauthorized commercial purposes or for financial gain unrelated to the mission of the District. Users will not use Electronic Technology to offer or provide goods or services or for product advertisement. Users will not use Electronic Technology to purchase, sell, or solicit goods or services for personal use without authorization from the appropriate District official.
10. Users will not use Electronic Technology to engage in bullying or cyberbullying in violation of District Policy and Regulation EG-3107 Minnesota Safe Schools Initiative - Bullying. This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.
11. Users will not use Electronic Technology for political lobbying, including the endorsement of political candidates (with the exception that students and staff may use Electronic Technology to communicate with their elected representatives).
12. Unless permitted by a student’s individualized education plan, Section 504 plan, or administration’s direction, users will not use Electronic Technology to record (audio or visual) staff or students without the express written permission of those being recorded.
- B. This regulation applies to the use of Electronic Technology regardless of whether or not the user is physically present on school property and regardless of whether or not the user is attending a school sponsored event or activity.
- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school official. In the case of a school 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 intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable material if necessary to complete an assignment

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and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school employee, the building administrator.

- D. Any student who witnesses unacceptable use of Electronic Technology is encouraged to report this unauthorized use to the appropriate District official. Any District employee who witnesses unacceptable use of Electronic Technology shall report this unauthorized use to the appropriate District official.

FILTER

School districts which receive certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. This law requires school districts to adopt an Internet safety policy which contains the provisions set forth below. Also, the Act requires such school districts to provide reasonable notice and hold at least one public hearing or meeting to address the proposed Internet safety policy prior to its implementation. School districts that do not seek such federal financial assistance need not adopt the alternative language set forth below nor meet the requirements with respect to a public meeting to review the policy. The following alternative language for school districts that seek such federal financial assistance satisfies both state and federal law requirements.

- A. The District will monitor the online activities of both minors and adults and employ technology protection measures during any use of Electronic Technology 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.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

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- D. An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.
- E. The District will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

CONSISTENCY WITH OTHER DISTRICT POLICIES

- A. Use of Electronic Technology shall be consistent with District policies, regulations, and the mission of the District, and with all applicable local, state, and federal statutes and laws.

PRIVACY

- A. By authorizing use of Electronic Technology, the District does not relinquish control over materials on Electronic Technology or contained in files on Electronic Technology. Users have no reasonable expectation of privacy in the contents of any data, including personal files, that are accessed, reviewed, uploaded, downloaded, stored, maintained, created, received, printed, posted, transmitted, or distributed using Electronic Technology.
- B. Routine inspection, maintenance, and monitoring of Electronic Technology may lead to a discovery that a user has violated this policy, another District policy or regulation, or the law.
- C. An investigation or search related to employee use will be conducted when authorized by an administrator, supervisor or other person authorized by the Superintendent. An investigation or search related to student use will be conducted when authorized by the building principal or assistant principal, an administrator, supervisor or other person authorized by the Superintendent.
- 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 access to and use of Electronic Technology at any time.
- E. District employees should be aware that data and other materials in files maintained on or throughout the use of Electronic Technology may be subject to review, disclosure or discovery under Minnesota Statutes Chapter 13 (the Minnesota Government Data Practices Act).
- F. The 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 District policies or regulations conducted through Electronic Technology.
- G. The District retains full ownership, authority, and control over its Electronic Technology. To the full extent permitted by law, the District may monitor and inspect the use of Electronic Technology, including, but not limited to, any data that are accessed, reviewed, uploaded, downloaded, stored, maintained, created, received, printed, posted, transmitted, or distributed using Electronic Technology. Such monitoring and inspection may occur as authorized by an administrator, supervisor or other person authorized by the Superintendent, without any notice to the user.

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ELECTRONIC TECHNOLOGY USE AGREEMENT

- A. The proper use of Electronic Technology, and the educational value to be gained from proper Electronic Technology use, is the joint responsibility of students, parents, and employees of the District.
- B. This policy requires the permission of and supervision by the District's designated professional staff before a student may use a school account or resource to access Electronic Technology.
- C. The Electronic Technology Use Agreement form for students must be read and signed by the user and the parent or guardian, and the supervising teacher. The Electronic Technology Use Agreement form for employees must be signed by the employee. The form must then be filed at the main school office. As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement.

LIMITATION ON DISTRICT LIABILITY

Use of Electronic Technology is at the user's own risk. Users who choose to use personal electronic devices and connect to Electronic Technology do so at their own risk. Electronic Technology is provided on an "as is, as available" basis. The District does not guarantee that the function of the services provided by or through Electronic Technology will be error-free or without defect, or that users will not encounter offensive or otherwise inappropriate material. The District will not be responsible for any damage users may suffer, including, but not limited to, loss, damage or unavailability of data stored on the District's 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 or for damage to personal electronic devices, regardless of the cause. The District is not responsible for the accuracy or quality of any advice or information obtained through or stored on Electronic Technology. The District will not be responsible for financial obligations arising through unauthorized use of Electronic Technology and users will be held responsible for such obligations.

XIII. USER NOTIFICATION

- A. All users shall be notified of District policies relating to Electronic Technology use.
- B. This notification shall include the following:
 - 1. Notification that Electronic Technology use is subject to compliance with District policies and regulations.
 - 2. Disclaimers limiting the District's liability relative to:
 - a. Information stored on Electronic Technology, including District diskettes, tapes, hard drives, or servers.
 - b. Information retrieved through Electronic Technology, including the District's computers, networks, or online resources.

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- c. Personal property used to access Electronic Technology, including the District's computers, networks, or online resources.
 - d. Unauthorized financial obligation resulting from use of Electronic Technology, including the District's resources/accounts to access the Internet.
3. A description of the privacy rights and limitations of District sponsored/managed Internet accounts.
 4. Notification that, even though the District may use technical means to limit student Electronic Technology 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 Electronic Technology, including electronic communications, is governed by Policy and Regulation EG-3112 – Records Retention and Policy and Regulation EG-3110 - Protection and Privacy of Student Records.
 7. Notification that, should the user violate the District's acceptable use policy, the user's 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.

PARENT RESPONSIBILITY; NOTIFICATION OF STUDENT ELECTRONIC TECHNOLOGY USE

- A. Outside of school, parents bear responsibility for the same guidance of Electronic Technology 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 Electronic Technology if the student is accessing Electronic Technology from home or a remote location.
- B. Parents will be notified that their students will be using Electronic Technology and that the District will provide parents the option to request alternative activities not requiring Electronic Technology. This notification should include:
 1. A copy of the user notification form provided to the student user.
 2. A description of parent/guardian responsibilities.

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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 Electronic Technology Use Agreement must be signed by the user, the parent or guardian, and a supervising teacher prior to use by the student.
5. A statement that the District's acceptable use policy is available for parental review.

STUDENT SERVER USAGE GUIDELINES

- A. The District Student Server System is a resource provided to support the computing needs of District students. This resource is the property of the District. Users must comply with policies, regulations, and laws enforced by the District, local, state, and federal governments.
- B. Student Server System Access is a privilege granted by the District. In addition to agreeing to follow the other provisions of this policy, users of this system must agree with the following:
 1. This system is intended to be used for educational purposes only.
 2. Students are to use only the account created for them. At no time should a student ever log in using another user's account.
 3. Students will be provided 150 MB of District data storage from grade levels K-5, 200 MB from grades 6-8, and 250 MB of data storage from grades 9-12. Specific needs or requests for more storage space will be reviewed and may be approved by the District Technology Department.
 4. District Technology Department administrators have full access to any information stored on this system for the purposes of usage monitoring, system maintenance and backups.
 5. No games, applications or utilities are to be downloaded and stored within server folders.
 6. Any use of software or utilities that could affect the integrity or operation of this system is strictly prohibited.
 7. All student created data will be erased from the Student Server System at the end of each school year. Data will not be retained from year to year.
 8. Students will be notified at the end of the school year to back-up any data intended to be kept by the student. All end-of-year backups will be performed by the student (with direction from staff if needed) and all hardware and software used for the purpose of backing-up data, will be provided by the student/parent/guardian.
- C. Data backups will be performed on a daily, weekly and monthly frequency. Daily backups will be retained for 2 weeks. Weekly backups will be retained for 1 month. Monthly backups will be retained for one semester.
- D. Backups will only be retained for a period of one semester with the exception of year-long classes.

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- E. The District will honor all copyrighted materials. Any MP3, AAC, WMA files will be automatically removed from the server on a scheduled basis.

WEB-BASED APPLICATIONS USAGE GUIDELINES

- A. Students may be provided access to web-based applications which may include, but are not limited to, online course management programs, email, calendar, productivity and collaborative applications and other curriculum-specific applications.
- B. Web-based Applications Access is a privilege granted by the District. In addition to agreeing to follow the other provisions of this policy, users of these systems must agree with the following:
 - 1. This system is intended to be used for educational purposes only.
 - 2. Students are to use only the account created for them. At no time should a student ever log in using another users account.
 - 3. Access to specific applications may be differentiated by grade level and/or curricular areas.
 - 4. District Technology Department administrators have full access to any information stored on this system for the purposes of usage monitoring, system maintenance and backups.

WEB-BASED DATA AND STORAGE

- A. The District, via a partnership with Google, allocates individual student accounts to students enrolled in the District. In addition to the other provisions of this policy, data storage and all other terms and conditions set forth by the District and Google will apply to each student's account during times of enrollment.
- B. During a student's enrollment in the District, their District Google account will remain active. When a student is no longer enrolled in the District, via matriculation, transfer, or any other reason, their individual Google account will become inactive and data will no longer be accessible. Students may transfer data stored on their District Google account to a private account prior to the account becoming inactive.
- C. District Technology Department administrators have full access to any information stored on this system for the purposes of usage monitoring, system maintenance and backups.

XVIII. IMPLEMENTATION; POLICY REVIEW

- A. District administration may develop appropriate user notification forms, guidelines and procedures necessary to implement this policy for submission to the District 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.

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- C. The District's Electronic Technology 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 Electronic Technology, the school board shall conduct an annual review of this policy.

August 2019