

SECTION: OPERATIONS

TITLE: ACCEPTABLE USE OF INTERNET, COMPUTERS AND NETWORKED TECHNOLOGY RESOURCES

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CARLISLE AREA SCHOOL DISTRICT

815. ACCEPTABLE USE OF INTERNET, COMPUTERS AND NETWORKED TECHNOLOGY RESOURCES

1. Purpose

The Board supports use of the Internet and other networked technology resources in the district's instructional and operational programs in order to facilitate learning, teaching and daily operations through interpersonal communications and access to information, research and collaboration.

The district provides students, staff and other authorized individuals with access to the district's computers, electronic communication systems and network, which includes Internet access, whether wired or wireless, or by any other means.

For instructional purposes, the use of network facilities shall be consistent with the curriculum adopted by the school district as well as the varied instructional needs, learning styles, abilities, and developmental levels of students.

2. Definitions

The term child pornography is defined under both federal and state law.

18 U.S.C
Sec. 2256

Child Pornography- under federal law, is any visual depiction, including any photograph, film, video, picture, or computer or computer generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where:

1. The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
2. Such visual depiction is a digital image, computer image, or a computer generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct or;
3. Such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

18 Pa. C.S.A.
Sec. 6312

Child Pornography – under state law, is any book, magazine, pamphlet, slide, photograph, film, videotape, computer depiction or other material depicting a child under the age of eighteen (18) years engaging in a prohibited sexual act or in the simulation of such act.

<p>20 U.S.C Sec. 6777 47 U.S.C. Sec. 254</p>	<p>The term harmful to minors is defined under both federal and state law.</p> <p>Harmful to minors- under federal law, is any picture, image, graphic image file or other visual depiction that:</p> <ol style="list-style-type: none"> 1. Taken as a whole, with respect to minors, appeals to a prurient interest in nudity, sex or excretion; 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 lewd exhibition of the genitals; and 3. Taken as a whole lacks serious literary, artistic, political or scientific value as to minors.
<p>18 Pa. C. S. A. Sec. 5903</p>	<p>Harmful to minors- under state law, is any depiction or representation in whatever form, of nudity, sexual conduct, sexual excitement or sadomasochistic abuse, when it:</p> <ol style="list-style-type: none"> 1. Predominantly appeals to the prurient, shameful, or morbid interest of minors; 2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and 3. Taken as a whole lacks serious literary, artistic, political, educational or scientific value for minors.
<p>18 Pa. C.S.A Sec. 5903</p>	<p>Obscene- any material or performance, if:</p> <ol style="list-style-type: none"> 1. The average person applying contemporary community standards would find that the subject matter taken as a whole appeals to the prurient interest; 2. The subject matter depicts or describes in a patently offensive way, sexual conduct described in the law to be obscene; and 3. The subject matter, taken as a whole, lacks serious literary, artistic, political, educational or scientific value. <p>This policy shall incorporate any amendments in the state or federal definitions of child pornography or related definitions set forth above.</p>

<p>47 U.S.A Sec. 254</p>	<p>Technology protection measure- a specific technology that blocks or filters Internet access to visual depictions that are obscene, child pornography or harmful to minors.</p>
<p>3. Authority</p>	<p>The availability of access to electronic information does not imply endorsement by the district of the content, nor does the district guarantee the accuracy of information received. The district shall not be responsible for any information that may be lost, damaged or unavailable when using the network or for any information that is retrieved via the Internet.</p> <p>The district shall not be responsible for any unauthorized charges or fees resulting from access to the Internet or other network resources.</p>
<p>Pol. 218, 233, 317, 417, 517</p>	<p>The Board declares that computer and network use is a privilege, not a right. The district’s computer and network resources are the property of the district. Users shall have no expectation of privacy in anything they create, store, send, receive or display on or over the district’s Internet, computers or network resources, including personal files or any use of the district’s Internet, computers or network resources. The district reserves the right to monitor, track and log network access and use; monitor fileserver space utilization by district users; or deny access to prevent unauthorized, inappropriate or illegal activity and may revoke access privileges and/or administer appropriate disciplinary action. The district shall cooperate to the extent legally required with the ISP, local, state, and federal officials in any investigation concerning or related to the misuse of the district’s Internet, computers and network resources.</p> <p>The Board requires all users to fully comply with this policy and to immediately report any violations or suspicious activities to the Superintendent or designee.</p>
<p>47 U.S.C Sec. 254</p>	<p>The Board establishes that the following materials, in addition to those stated in law and defined in this policy, are inappropriate for access by minors:</p> <ol style="list-style-type: none"> 1. Defamatory materials. 2. Lewd, vulgar or profane materials. 3. Threatening materials. 4. Harassing or discriminatory materials.
<p>Pol. 103, 103.1, 104, 248, 348, 448, 548</p>	<ol style="list-style-type: none"> 5. Bullying materials.
<p>Pol. 249</p>	<ol style="list-style-type: none"> 6. Terroristic materials.
<p>Pol. 218.2</p>	

<p>24 P.S. Sec. 4604 20 U.S.C. Sec. 6777 47 U.S.C. Sec. 254</p>	<p>7. Other materials identified by administration deemed to be inappropriate for students to include but not limited to prohibitive activity listed in this policy.</p> <p>The district reserves the right to restrict access to any Internet sites or functions it deems inappropriate through established Board policy, or the use of software and/or online server blocking. Specifically, the district operates and enforces a technology protection measure(s) that blocks or filters access to inappropriate matter by minors on its computers used and accessible to adults and students. The technology protection measure shall be enforced during the use of its computers with Internet access.</p>
<p>24 P.S. Sec. 4604</p> <p>4. Delegation of Responsibility</p>	<p>The Superintendent or designee may authorize the disabling of Internet blocking/filtering software to enable access to material that is blocked through technology protection measures but is not prohibited by this policy.</p> <p>The district shall make every effort to ensure that this resource is used responsibly by students and staff.</p>
<p>24 P.S. Sec. 4604</p>	<p>The district shall inform staff, students, parents/guardians and other users about this policy through employee and student handbooks, posting on the district website, and by other appropriate methods. A copy of this policy shall be provided to parents/guardians upon written request.</p> <p>Tracking systems may be used to track and recover lost and stolen equipment.</p> <p>Building administrators shall make initial determinations of whether in appropriate use has occurred.</p> <p>The Superintendent or designee shall be responsible for recommending technology and developing procedures used to determine whether the district's computers are being used for purposes prohibited by law or for accessing sexually explicit materials. The procedures shall include but not limited to:</p>
<p>20 U.S.C. Sec. 6777 47 U.S.C. Sec. 254 47 CFR Sec. 54.520</p>	<ol style="list-style-type: none"> 1. Utilizing a technology protection measure that blocks or filters Internet access for minors and adults to certain visual depictions that are obscene, child pornography, harmful to minors with respect to use by minors, or determined inappropriate for use by minors by the Board. 2. Maintaining and securing a usage log. 3. Monitoring online activities or minors.

<p>24 P.S. Sec. 4604</p> <p>Pol. 218, 233, 317, 417, 517</p>	<p><u>District Web Site</u></p> <p>The district shall establish and maintain a web site and shall develop and modify its web pages to present information about the district under the direction of the Superintendent or designee. All users publishing content on the district web site shall comply with this and other applicable policies.</p> <p>Users shall not copy or download information from the district web site and disseminate such information on unauthorized web pages without authorization from the building principal.</p> <p>The Superintendent/designee shall develop and disseminate administrative guidelines that detail users' responsibilities while utilizing district technologies.</p> <p><u>Consequences For Inappropriate Use</u></p> <p>The network user shall be responsible for damages to the equipment, systems, and software resulting from deliberate or willful acts.</p> <p>Illegal use of the network; intentional deletion or damage to files or data belonging to others; copyright violations; and theft of services shall be reported to the appropriate legal authorities for possible prosecution.</p> <p>General rules for behavior and communication apply when using the Internet, in addition to the stipulations of this policy.</p> <p>Vandalism shall result in loss of access privileges, disciplinary action, and/or legal proceedings. Vandalism is defined as any malicious attempt to harm or destroy data of another user, Internet or other networks; this includes but is not limited to uploading or creating computer viruses.</p> <p>Failure to comply with this policy, the administrative acceptable use of technology policy, or inappropriate use of the Internet, district network or computers shall result in usage restrictions, loss of access privileges, disciplinary action, and/or legal proceedings.</p> <p>References:</p> <p>School Code- 26 P.S. Sec. 1303.1-A</p> <p>PA Crimes Code- 18 Pa. C.S.A. Sec. 5903, 6312</p> <p>Child Internet Protection Act- 24 P.S. Sec. 4601 et seq.</p>
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U.S. Copyright Law- 17 U.S.C. Sec. 101 et seq.

Sexual Exploitation and Other Abuse of Children- 18 U.S.C. Sec. 2256

Enhancing Education Through Technology Act- 20 U.S.C. Sec. 6777

Internet Safety, Children's Internet Protection Act- 47 U.S.C. Sec. 254

Children's Internet Protection Act Certifications, Title 47 Code of Federal
Regulations- 47 CFR Sec. 54.520

Board Policy- 103, 103.1, 104, 218, 218.2, 220, 233, 237, 248, 249, 317, 348, 814