

INDEPENDENT SCHOOL DISTRICT 719
PRIOR LAKE - SAVAGE AREA SCHOOLS

ELECTRONIC TECHNOLOGIES ACCEPTABLE USE POLICY

I. PURPOSE

The purpose of this policy is to set forth guidelines for access to acceptable and safe use of the district's electronic technologies. Electronic technologies include but are not limited to computers and peripherals, printers, telephones, and the applications they support and/or access. The policy complements the district's Website and Intranet Policy.

II. DEFINITIONS

The term "users" refers to any person using the district's electronic technologies.

The term "Internet" refers to an electronic communications network that connects computer networks and organizational computer facilities around the world.

The term "Intranet" refers to the district's network, which restricts access to authorized users, which may include students, staff, parents/legal guardians, contractors, vendors and volunteers.

The term "electronic technologies" refers to, but is not limited to, computers and peripherals, printers, telephones, and the applications they support and/or access.

The term "Learning Management System (LMS)" refers to a software application for the administration, documentation, tracking, reporting and delivery of e-learning education courses or training programs.

III. GENERAL STATEMENT OF POLICY

The school district provides technology resources to its students, staff, parents/legal guardians, School Board members, and community for educational, administrative, and informational purposes. The goal in providing these resources is to promote educational excellence in Prior Lake-Savage Area Schools by facilitating resource sharing, innovation and communication with the support and supervision of parents/legal guardians, teachers and support staff.

EDUCATIONAL PURPOSE

Access to the technology in the school district has been established for educational purposes. The use of the district's electronic technologies is a valued resource to our community. All electronic technologies must be used in support of the educational program of the district. This access may be revoked at any time for abusive or inappropriate conduct related to the use of electronic technologies.

School computers, telecom, memory devices, networks, and related hardware and software

are the property of the school district. At no time does the district relinquish its exclusive control of electronic technologies. Inappropriate use of district electronic technologies, including interfering with network functions and the standardization of technologies, may result in the limitation or revocation of access.

Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of electronic technologies may result in one or more of the following consequences: Suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate district policies, including suspension, expulsion, exclusion or termination of employment; or civil or criminal liability under other applicable laws.

Use of electronic technologies during the employee duty day should be restricted exclusively to educational purposes.

UNACCEPTABLE USES

Users are responsible for anything set on the network with their name or other individual identified, e.g., IP address, on it. Users shall not engage in any activity that disrupts or hinders the performance of the district's electronic technologies. Specifically, the following uses of the district's electronic technologies are considered unacceptable:

- A. Users will not use the district's electronic technologies to access, review, upload, download, store, print, post, receive, transmit or distribute:
 - 1. Pornographic, obscene or sexually explicit material or other visual depictions that is harmful to minors;
 - 2. Obscene, abusive, profane, lewd, vulgar, rude, inflammatory, libelous, threatening, disrespectful, or sexually explicit language;
 - 3. Materials that use language or images that are inappropriate in the educational setting or disruptive to the educational process;
 - 4. Information or materials that could cause damage or danger of disruption to the educational process;
 - 5. Materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination, or any other material that would violate any law.
 - 6. Orders made by shopping online during time designated as off-limits by the district.
 - 7. Personal photos, files or music not related to educational purposes for any extended length of time.
- B. Users will not use the district's electronic technologies 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.
- C. Users will not use the district's electronic technologies to engage in any illegal act or violate any local, state or federal statute or law.

- D. Users will not use the district's electronic technologies for political campaigning.
- E. Users will not physically or electronically vandalize district technologies nor use the district's electronic technologies to vandalize, damage or disable the property of another person or organization.
 - 1. Users will not make deliberate attempts to degrade or disrupt equipment, software or system performance by spreading computer viruses or by any other means.
 - 2. Users will not tamper with, modify or change the district's electronic technologies software, hardware or wiring or take any action to violate the district's security system.
 - 3. Users will not use the district's electronic technologies in such a way as to disrupt the use of the system by other users.
 - 4. Users may not add or remove any software nor modify the equipment, software configuration, or environment. All electronic technology requests must go through the district's technology department processes.
- F. Users will not use the district's electronic technologies 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.
- G. Users will not use the district's electronic technologies to post information in public access areas regarding private information about another person. Private information includes personal contact information about themselves or other persons, or other personally identifiable information including, but not limited to, addresses, telephone numbers, identification 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.
- H. Users will not attempt to gain unauthorized access to the district's electronic technologies or any other system through the district's electronic technologies. Users will not attempt to logon through another person's account, or use computer accounts, access codes or network identification other than those assigned to the user. Access through any means other than an individual's user logon and password is not permitted.
- I. Messages, files and records on the district's electronic technologies may not be encrypted without the permission of appropriate administrative school authorities. Users must keep all account information and passwords private.
- J. Users will not use the district's electronic technologies in any way that may violate trademark copyright laws or usage licensing agreements:
 - 1. Users will not use another person's property without the person's prior approval or proper citation,
 - 2. Users will not load, download or exchange pirated software or copy software to or from any school computer including freeware and shareware;
 - 3. Users will not plagiarize works they find on the Internet or other information resources.

- K. Users will not use the district's electronic technologies for unauthorized commercial purposes or for financial gain unrelated to the mission of the district. Users will not use the district's electronic technologies to offer or provide goods or services or for product advertisement, except as authorized by the District administration.
- L. The district does not support personal equipment. Users will not install any personal equipment or software on any district-owned systems.

FILTER

- A. With respect to any district-issued devices with Internet access, the school district will monitor the online activities of minors and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will use best efforts and industry standard approaches to block or filter Internet access to any visual depictions that are obscene, violent, child pornography, or 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, violence, 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. Access to chat rooms, discussion boards, school-issued email and other forms of direct electronic communications are limited to applications approved by the district and/or hosted within the district domain for the safety and security of minors.
- D. The Director of Technology or designee 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 is obligated to monitor and/or review filtering activities.
- F. The School District will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response.

PRIVACY

By authorizing use of Electronic Technology, the district does not relinquish control over materials on the system or contained in files on the system. Users have no reasonable expectation of privacy in the content of any data, including personal files that are accessed, reviewed, uploaded, downloaded, stored, maintained, printed, posted, transmitted, or distributed using Electronic Technology.

- A. Routine maintenance and monitoring of the district's electronic technologies may lead to a

discovery that a user has violated this policy, another school district policy, or the law.

- B. 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.
- C. Parents/legal guardians have the right at any time to investigate or review the contents of their child's files and email files. Parents/legal guardians have the right to request the termination of their child's individual account at any time.
- D. District staff are advised that the school district retains the right at any time to investigate or review the contents of their files and email files based upon legal complaints or specific allegations regarded as misuse of technologies. In addition, district staff are advised that data and other materials in files maintained on or transmitted through the District's electronic technologies may be subject to review, disclosure or discovery under the Minnesota Government Data Practices Act.
- E. The district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the district's electronic technologies.

ELECTRONIC TECHNOLOGIES ACCEPTABLE 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/legal guardians and staff of the 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. Students will review and accept the district's Electronic Technology Acceptable Use Agreement when they complete the device enrollment process. Annually, staff will review and accept the district's Electronic Technologies Acceptable Use Agreement.
- D. All users shall be responsible for the protection and security of their passwords. Users shall have the ability to change passwords to maintain the confidentiality of logon codes.

LIMITATION ON SCHOOL DISTRICT LIABILITY

Use of the district's educational technologies is at the user's own risk and is provided on an "as is, as available" basis. 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 systems or for delays or changes in or interruptions of service or mis-deliveries or non-deliveries of information or materials, regardless of the cause. The district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the district's electronic technologies. The district will not be responsible for financial obligations arising through unauthorized use of the district's educational technologies or the Internet.

CONSISTENCY WITH OTHER SCHOOL POLICIES

Use of the District's electronic technologies must not violate other policies and regulations of the District

USER NOTIFICATION

- A. All users shall be notified of the district policies relating to Electronic Technology Acceptable Use.
- B. This notification shall include the following:
 - 1. Notification of unacceptable use of district electronic technologies;
 - 2. Notification that Internet use is subject to compliance with district policies.
 - 3. Disclaimers limiting the district's liability relative to:
 - a. Information stored on district systems including electronic stored devices, or similar devices, or any other storage device;
 - b. Information retrieved through the district's online resources;
 - c. Personal property used to access the district's computers, networks or online resources;
 - d. Unauthorized financial obligations resulting from use of district resources/ accounts to access the Internet.
 - 4. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
 - 5. Notification of password ownership and password protection procedures.
 - 6. Notification that, even though the district may use technical means to limit student Internet access, these limits are not impenetrable and are not the sole means of enforcing the provisions of this policy.
 - 7. 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/legal guardians.
 - 8. Notification that student email addresses may be provided to district-approved third-party providers for access to educational tools and content.
 - 9. Notification that the collection, creation, reception, maintenance and dissemination of data via the Internet, including electronic communications, is governed by applicable school board policies.
 - 10. 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.
 - 11. Notification that all provisions of the [Electronic Technologies Acceptable Use Policy](#) are subordinate to local, state and federal laws.

PARENTS/LEGAL GUARDIANS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

- A. Outside-of-school, parents/legal guardians bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies and other possibly offensive media. Parents/legal guardians are responsible for monitoring their student's use of the district's educational technologies, including school-issued email accounts and of the Internet if the student is accessing the district's electronic technologies from home or through other remote location(s).
- B. Parents/legal guardians will be notified that their students will be using district resources/accounts/school-issued email to access the Internet and that the district will provide parents/legal guardians the option to request alternative activities not requiring Internet access. This notification should include:
 - 1. A copy of the Electronic Technologies Acceptable Use Agreement provided to the student user;
 - 2. A description of parent/legal guardian responsibilities;
 - 3. A notification that the parents/legal guardians 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 Technologies Acceptable Use Agreement must be signed by the user, parent or legal guardian prior to use by the student; and
 - 5. A statement that the District's Electronic Technologies Acceptable Use Policy is available for parental review.

CELL PHONE USE

The school board directs the superintendent and school district administration to establish rules and procedures regarding student possession and use of cell phones in schools. These rules and procedures should seek to minimize the impact of cell phones on student behavior, mental health, and academic attainment. These rules and procedures may be designed for specific school buildings, grade levels, or similar criteria.

IMPLEMENTATION AND POLICY REVIEW

- A. The superintendent, or designee, is directed to develop the necessary guidelines for the implementation of this policy. The Superintendent, or designee, may develop appropriate user notification forms, guidelines and procedures necessary to implement this policy for submission to the school board for approval.
- B. The superintendent, or designee, shall revise the user notifications, including student and parent/legal guardian notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The district's Internet policies and procedures are available for review by all parents, legal guardians, staff and members of the community.

Legal References:

MN Stat. Ch. 13 (Minnesota Government Data Practices Act)
MN Stat. § 13.32 (Educational Data)
MN Stat. § 121A.031 (School Student Bullying Policy)
MN Stat. § 124D.166 (Limit on Screen Time for Children in Preschool and Kindergarten)
MN Stat. § 125B.15 (Internet Access for Students)
MN Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
15 U.S.C. § 6501 et seq. (Children's Online Privacy Protection Act)
17 U.S.C. § 101 et seq. (Copyrights)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))
47 C.F.R. § 54.520 (FCC rules implementing CIPA)
Mahanoy Area Sch. Dist. v. B.L., 594 U.S. ___, 141 S. Ct. 2038 (2021)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969)
United States v. Amer. Library Assoc., 539 U.S. 194 (2003)
Sagehorn v. Indep. Sch. Dist. No. 728, 122 F.Supp.2d 842 (D. Minn. 2015)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, 894 F.Supp.2d 1128 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), aff'd on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee's Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

Cross References:

[Policy 403 \(Discipline, Suspension, and Dismissal of School District Employees\)](#)
[Policy 406 \(Public and Private Personnel Data\)](#)
[Policy 506 \(Student Discipline\)](#)
[Policy 506.1 \(Bullying Prohibition\)](#)
[Policy 515 \(Protection and Privacy of Student Records\)](#)
[Policy 521 \(Student Disability Nondiscrimination\)](#)
[Policy 522 \(Title IX Sex Nondiscrimination Grievance Procedures and Process\)](#)
[Policy 603 \(Curriculum Development\)](#)
[Policy 806 \(Crisis Management Policy\)](#)
[Policy 904 \(Distribution of Materials on School District Property by Non-school Persons and Employees\)](#)

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An Equal Opportunity School District