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815. ACCEPTABLE USE OF ELECTRONIC RESOURCES

Purpose

The Brandywine Heights Area School District provides its employees, students, and guests ("users") access to technology resources including, but not limited to, electronic communications systems, computers, computer networks, networked devices, hardware, software, internet access, mobile devices, peripherals, copiers, and cameras.

The Board supports the use of the District's technology resources to facilitate teaching and learning, to provide access to information, to aid in research and collaboration, to foster the educational mission of the District, and to carry out the legitimate business and operation of the District.

The use of the District's technology resources is for appropriate school-related educational and operational purposes and for the performance of job duties consistent with the educational mission of the District. Use for educational purposes is defined as use that is consistent with the curriculum adopted by the District as well as the varied instructional needs, learning styles, abilities and developmental levels of students. All use for any purpose must comply with this policy and all other applicable codes of conduct, policies, procedures, and rules and must not cause damage to the District's technology resources.

All employees and students are responsible for the appropriate and lawful use of the District's technology resources. This policy is intended to ensure that all users continue to enjoy access to the District's technology resources and that such resources are utilized in an appropriate manner and for legitimate purposes.

Authority

The Board establishes that access to and use of its technology resources is a privilege, not a right, which may be revoked at any time. The District's technology resources are the property of the District. The District provides these resources for educational and operational purposes as stated herein and are not provided as a public access service or to provide a public forum.

The Superintendent or his/her designee is ultimately responsible for overseeing the District's technology resources. The Superintendent will designate a network administrator who will serve as the coordinator and supervisor of the District's technology resources and networks, and who will work with other regional and state organizations as necessary to educate users, approve activities, provide leadership for proper training for all users in the use of the District's technology resources and the requirements of this policy, and who will establish a system to ensure that users who access District technology resources have agreed to abide by the terms of this policy.

The Superintendent or his/her designee is directed to implement Internet safety measures to effectively address the following, both through general policy and through the use of filtering technology:

1. Access by minors to inappropriate or harmful content.
2. Safety and security of minors when using electronic mail, chat rooms, and social networking.
3. Prevention of unauthorized access of District technology resources.
4. Prevention of unauthorized disclosure and dissemination of minors' personal information.

Definitions

District Technology Resources

District technology resources means all technology owned and/or operated by the District, including but not limited to computers, projectors, televisions, video and sound systems, mobile devices, calculators, scanners, printers, cameras, portable hard drives, hardware, software, routers, and networks, including the Internet.

User

User means anyone who utilizes or attempts to utilize District technology resources while on or off District property. The term includes, but is not limited to, students, staff, parents and/or guardians, and any visitors to the District that may use District technology.

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:[21]

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 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.

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.[22]
The term harmful to minors is defined under both federal and state law.

Harmful to Minors

Under federal law, is any picture, image, graphic image file or other visual depiction that:[2][3]

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.

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:[23]

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.

Obscene - any material or performance, if:[23]

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.

Technology Protection Measure - a specific technology that blocks or filters Internet access to visual depictions that are obscene, child pornography or harmful to minors.[3]

Guidelines

Un-authorized Use Prohibited

Only users who have agreed to abide by the terms of this policy may utilize the District's technology resources. Unauthorized use, utilizing another user's District account, or exceeding one's authorization to use District technology resources is prohibited.

Use of Personal Electronic Devices

The use of personal electronic devices on the District network is permitted only on designated networks. When a user connects a personal electronic device to a District network or District technology resources, this policy and its guidelines apply. Users are subject to the same levels of monitoring and access as if a District-owned device were being utilized. Users who connect a personal electronic device to a District network explicitly waive any expectation of privacy in the content exchanged over the District technology resources.

Privacy

The District reserves the right to monitor any user's utilization of District technology resources. Users have no expectation of privacy while using District technology resources whether on or off District property. The District may monitor, inspect, copy, and review any and all usage of District technology resources including information transmitted and received via the Internet to ensure compliance with this and other District policies, and state and federal law. All e-mails and messages, as well as any files stored on District technology resources may be inspected at any time for any reason.[1][2]

Internet Filtering and CIPA Compliance

The District utilizes content and message filters to prevent users from accessing material through District technology resources that has been determined to be obscene, offensive, pornographic, harmful to minors, or otherwise inconsistent with the District's educational mission. The Superintendent or his/her designee shall establish a procedure for users to request that a legitimate website or educational resource not be blocked by the District's filters for a bona fide educational purpose. Such requests must be either granted or rejected within three school days pursuant to the established procedure.[3]

The Board directs that the Superintendent or his/her designee ensure that students at the elementary, intermediate, middle, and high school levels are educated about appropriate online behavior including interacting via social networks and in chat rooms, cyber-bullying, and disclosure of personal information.

Monitoring

District technology resources shall be periodically monitored to ensure compliance with this and other District policies including monitoring of users' online activities. The network administrator designated by the Superintendent shall ensure that regular monitoring is completed pursuant to this section. However, the Superintendent, or his/her designee, shall also implement procedures to ensure that District technology resources are not utilized to track the whereabouts or movements of individuals, and that remotely activated cameras and/or audio are not utilized except where necessary to recover lost or stolen District technology.

District Provided Resources

District technology resources may be assigned or allocated to an individual user for his or her use (e.g. individual e-mail accounts, laptop computers, etc.) Despite being allocated to a particular user, the technology resources remain the property of the District and may be revoked, suspended, or inspected at any time to ensure compliance with this and other District policies. Users do not have an expectation of privacy in any District provided technology resource or any of its contents.

General Prohibitions

The following uses of District technology resources are prohibited:

1. Use of technology resources to violate the law, facilitate illegal activity, or to encourage others to do so.
2. Use of technology resources to violate any other District policy.
3. Use of technology resources to engage in any intentional act which might threaten the health, safety, or welfare of any person or persons.
4. Use of technology resources to cause, or threaten to cause harm to others or damage to their property.
5. Use of technology resources to bully, or to communicate terroristic threats, discriminatory remarks, or hate.
6. Use of technology resources to communicate words, photos, videos, or other depictions that are obscene, indecent, vulgar, rude, profane, or that advocate illegal drug use.
7. Use of technology resources to create, access, or to distribute obscene, profane, lewd, vulgar, pornographic, harassing, or terroristic materials, firearms, or drug paraphernalia.
8. Use of technology resources to attempt to interfere with or disrupt District technology systems, networks, services, or equipment including, but not limited to, the propagation of computer "viruses" and "worms", Trojan Horse and trapdoor program codes.
9. Altering or attempting to alter other users' or system files, system security software, system or component settings, or the systems themselves, without authorization.
10. The attempted physical harm or attempted destruction of District technology resources.
11. Use of technology resources in a manner that jeopardizes the security of the District's technology resources, or in a manner that attempts to circumvent any system security measures.
12. Use of technology resources to intentionally obtain or modify files, passwords, and/or data belonging to other users or to the District.
13. Use that conceals or attempts to conceal a user's identity, including the use of anonymizers, or the impersonation of another user.
14. Unauthorized access, interference, possession, or distribution of confidential or private information.
15. Using technology resources to send any District information to another party, except in the ordinary course of business as necessary or appropriate for the advancement of the District's business or educational interests.
16. Use of technology resources to commit plagiarism.
17. Installing, loading, or running software programs, applications, or utilities not explicitly authorized by the District technology staff.
18. Installing unauthorized computer hardware, peripheral devices, network hardware, or system hardware onto technology resources.
19. Copying District software without express authorization from a member of the District's technology staff.
20. Use of technology resources for commercial purposes.
21. Use of technology resources for political lobbying or campaigning, not including student elections (e.g. student government, club officers, homecoming queen, etc.)
22. Use of District technology resources to tether or otherwise connect to a non-District owned device to access an unfiltered and/or unmonitored internet connection.
23. The use of proxies or other means to bypass internet content filters and monitoring.
24. The use of technology resources to gamble.
25. Unauthorized access into a restricted system or changing settings or access rights to a restricted system or account.
26. The use of encryption software that has not been previously approved by the District.
27. Sending unsolicited mass-email messages, also known as spam.
28. Scanning the District's technology resources for security vulnerabilities.

Consequences for Inappropriate Use of District Technology

Violations of this policy may result in the temporary or permanent revocation of a user's right to access District technology resources. Additionally, students may be subject to other forms of disciplinary actions for violations of this policy and/or local, state, and/or federal law.

Delegation of Responsibility

The Superintendent shall develop procedures, in cooperation with the District technology staff, for the acceptable use of all District technology resources including, but not limited to: software, hardware, electronic devices, servers, and networks.

Limitation of Liability

The District makes no warranties of any kind, whether express or implied, for the service it is providing through its various technology resources. The District is not responsible, and will not be responsible, for any damages, including loss of data resulting from delays, non-deliveries, missed deliveries, or services interruption. Use of any information obtained through the District's technology resources is at the user's own risk.

- Legal
1. Children's Internet Protection Act 47 U.S.C. § 254
 2. 34 C.F.R. 54.520
 3. Child Internet Protection Act 24 P.S. § 4601 et seq.