

**STUDENT USE OF TECHNOLOGY/ACCEPTABLE USE POLICY**

The Board of Trustees recognizes that technology is a vehicle to access the most current and extensive sources of information throughout the district's schools and classrooms. The use of technology prepares students for 21<sup>st</sup> Century careers.

The District provides technology for a limited educational purpose. This means students may use these resources for classroom activities and other school-related work. Students may not use District technology for commercial purposes; students may not offer, provide, or purchase products or services using District technology. Students may use District technology only for class assignments or for personal research on subjects similar to what they might study in a class or in the school library. Use for entertainment purposes or personal communication, such as personal blogging, instant messaging, online shopping or gaming is not allowed.

The District may place reasonable restrictions on the material that students access through the system, and may revoke students' access to District technology if they violate the law, District policies or regulations. Violations of the law or this policy may be reported to law enforcement agencies. In addition, violations of the law or this policy may result in discipline, up to and including suspension and expulsion.

Use of Personal technology may violate this Policy if the District reasonably believes the conduct or speech will cause actual, material disruption of school activities. This Policy and accompanying Administrative Regulation will provide students with guidance in order to avoid such disruption.

The Governing Board intends that technological resources provided by the District be used in a safe, responsible and proper manner in support of the instructional program and for the advancement of student learning.

*(cf. 0440 – District Technology Plan)*  
*(cf. 1113 – District and School Web Sites)*  
*(cf. 5131 – Conduct)*  
*(cf. 6163.1- Library Media Centers)*

The Superintendent or designee shall notify students and parents/guardians about authorized uses of District computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with District regulations and the District's Student Technology Use/Internet Access: Parent Permission Form and Parent/Student Agreement.

*(cf. 5125.2 – Withholding Grades, Diploma or Transcripts)*  
*(cf. 5144 – Discipline)*  
*(cf. 5144.1 – Suspension and Expulsion/Due Process)*  
*(cf. 5144.2 – Suspension and Expulsion/Due Process (students with Disabilities))*  
*(cf. 5145.12 – Search and Seizure)*

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*The Fountain Valley School District assumes no liability for the loss, theft, or damage to electronic devices brought to school. This includes devices purchased by parents to assist student instruction. Parents can be held financially responsible for any harm that results from a student's intentional misuse of District or Personal technology.*

The Superintendent or designee shall ensure that all District computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors, and that the operation of such measures is enforced. (20 USC 7001, 47 USC 254)

The Board desires to protect students from access to harmful matter on the Internet or other online services. To reinforce measures, the Superintendent or designee shall implement rules and procedures designed to restrict student access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities. He/she also shall establish regulations to address the safety and security of students when using electronic mail, chat rooms and other forms of direct electronic communication.

Staff shall supervise students while they are using online services and may ask teacher aides, student aides, and volunteers to assist in this supervision.

Age-appropriate cyber safety instruction shall be provided by staff regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

Disclosure, use and dissemination of personal identification information regarding students are prohibited. Student use of District computers to access social networking sites is prohibited. To the extent possible, the Superintendent or designee shall block access to such sites on District computers with Internet access.

Students should not expect privacy in the contents of their personal files on the District's Internet system or other District technology. All student use of District technology will be supervised and monitored. The District's monitoring of student Internet usage can reveal all activities students engage in using the District's internet system.

- Maintenance and monitoring of the District's internet system or other technology may lead to discovery that a student has violated this Policy, or the law. An individual search will be conducted if there is reasonable suspicion that a student has violated this Policy, the District's student discipline policy, or the law.
- Parents have the right to request to see the contents of student computer files at any time.

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Before a student is authorized to use the District's technological resources, the student and his/her parent/guardian shall sign and return a Student Technology Use/Internet Access: Parent Permission Form and Parent/Student Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree to not hold the District or any District staff responsible and shall agree to indemnify and hold harmless the district and all district personnel for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. They shall also agree to indemnify and hold harmless the District and District personnel for any damages or costs incurred.

*(cf. 6162.6 - Use of Copyrighted Materials)*  
*(cf. E. 6162.7 – District Software/Copyright User Agreement)*

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update this policy, the accompanying regulation, and other relevant procedures to enhance the safety and security of students using the District's technological resources and to help ensure that the District adapts to changing technologies and circumstances.

***Legal References:***

***EDUCATION CODE***

*51006 Computer education and resources*  
*51007 Programs to strengthen technological skills*  
*51870-51874 Education technology*  
*60044 Prohibited instructional materials*

***PENAL CODE***

*313 Harmful matter*  
*502 Computer crimes, remedies*  
*632 Eavesdropping on a recording confidential communications*  
*653.2 Electronic communication devices, threats to safety*

***UNITED STATES CODE, TITLE 15***

*6501-6506 Children's Online Privacy Protection Act*

***UNITED STATES CODE, TITLE 20***

*6751-6777 Enhancing Education Through Technology Act, Title II, Part D*

***UNITED STATES CODE, TITLE 47***

*254 Universal service discounts (E-rate)*

***CODE OF FEDERAL REGULATIONS, TITLE 47***

*54.520 Internet safety and technology protection measures, E-rate discounts*

***Management Resources:***

***CSBA Publications***

*Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007*

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**FEDERAL TRADE COMMISSION PUBLICATIONS**

*How to Protect Kid's Privacy Online: A Guide for Teachers, December 2000*

**WEB SITES**

**CSBA:** <http://www.csba.org>

**California Coalition for Children's Internet Safety:** <http://www.cybersafety.ca.gov>

**California Department of Education:** <http://www.cde.ca.gov>

**Center for Safe and Responsible Internet Use:** <http://csriu.org>

**Federal Communications Commission:** <http://www.fcc.gov>

**Federal Trade Commission, Children's Online Privacy Protection:**

<http://www.ftc.gov/provacy/privacyinitiatives/childrens.htm>

**US Department of Education:** <http://www.ed.gov>

**Web Wise Kids:** <http://www.webeisekids.org>

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The principal or designee shall oversee the maintenance of each school's technological resources and may establish guidelines and limits on their use. All instructional staff shall receive a copy of this administrative regulation, the accompanying Board policy, and the District's Student Technology Use/Internet Access: Parent Permission Form and Parent/Student Agreement describing expectations for appropriate use of the system and shall also be provided information about the role of staff in supervising student use of technological resources. All students using these resources receive instruction in their proper and appropriate use.

*(cf. 0440 - District Technology Plan)*  
*(cf. 4040 - Employee Use of Technology)*  
*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*  
*(cf. 6162.7 - Use of Technology in Instruction)*

At the beginning of each school year, teachers, administrators, and library media technicians, parents/guardians shall receive a copy of the District's "Student Use of Technology" Policy and Administrative Regulation. Students are informed that their parents may be held financially responsible for any harm that may result from the student's intentional misuse of District or Personal Technology. Students may use District Technology only if their parents have signed a waiver of claims for damages against the District.

*(cf. 5145.6 - Parental Notifications)*

**Online/Internet Services: User Obligations and Responsibilities**

Students are authorized to use the District's equipment and online services in accordance with user obligations and responsibilities specified below and in accordance with Governing Board policy and the District's Student Technology Use/Internet Access: Parent Permission Form and Parent/Student Agreement and the user obligations and responsibilities specified below. The following provisions refer to District Technology; however, use of Personal Technology also may violate this regulation if the District reasonably believes the conduct or speech will cause actual, material disruption of school activities.

1. The student in whose name an online services account is issued is responsible for its proper use at all times. Students shall use the system only under the account to which they have been assigned. Unless otherwise instructed by school personnel, students shall not disclose, use or disseminate personal identification information about themselves or others when using electronic mail, chat rooms, or other forms of direct electronic communication. Students are also cautioned not to disclose such

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information by other means to individuals located through the Internet without the permission of their parents/guardians.

Personal information includes the student's name, address, telephone number, Social Security number, or other individually identifiable information.

2. The student shall use the District's system safely, responsibly, and only for purposes related to education. Commercial, political and/or personal use of the District's system is strictly prohibited. The District reserves the right to monitor any online communications for improper use.
3. Students shall not use District Technology to access, post, submit, publish or display "material that is harmful to minors," or matter that is threatening, obscene, lewd, vulgar, or disruptive.

The term "harmful to minors" means 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. (47 USC 254(h)).5.
4. Students may not send, share, view or possess pictures, text messages, e-mails or other material of an obscene nature in electronic or any other form on Personal Technology at school or school-related activities, or using District Technology.
  5. Students shall not use District Technology to engage in discrimination, harassment, intimidation, threats, or bullying on the basis of actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, Education Code 233, or association with a person or group with one or more of these actual or perceived characteristics.

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“Harassment, threats or intimidation” means the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

*(cf. 5131 – Conduct)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

### 6. Students shall not engage in cyberbullying using District Technology.

“Cyberbullying” means any severe or pervasive verbal communications made by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Education Code Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

- (a) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
- (b) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- (c) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- (d) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

“Electronic act” means the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer or pager.

“Reasonable pupil” means a pupil, including but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

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While not an exhaustive list, examples of cyberbullying might include:

- threats to harm another person;
- oral or written assaults, such as teasing or name-calling;
- social isolation or manipulation;
- posting harassing messages, direct threats, social cruelty or other harmful texts, sounds or images on the Internet, including social networking sites;
- posting or sharing false or defamatory information about another person;
- posting or sharing information about another person that is private;
- pretending to be another person on a social networking site or other electronic communication in order to damage that person's reputation or friendships;
- posting or sharing photographs of other people without their permission;
- spreading hurtful or demeaning materials created by another person (e.g., forwarding offensive e-mails or text messages); and
- retaliating against someone for complaining that they have been bullied.

7. Students shall not use the system to encourage the use of drugs, alcohol or tobacco, nor shall they promote unethical practices or any activity prohibited by law or Board policy, or administrative regulations.

*(cf. 3513.3 - Tobacco-Free Schools)*

*(cf. 5121.6 – Alcohol and Other Drugs)*

8. If students mistakenly access inappropriate information, they should immediately report this access to a teacher or school administrator. This may help protect students against a claim that they have intentionally violated this policy.
9. Students should promptly disclose to a teacher or school staff any message or other materials they receive that are inappropriate or make them feel uncomfortable. Students should not delete this information unless instructed to do so by a staff member.
10. Students shall not intentionally upload, download or create computer viruses and/or maliciously attempt to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking."



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*(cf. 5131.5 - Vandalism, Theft and Graffiti)*

- 11.** Students shall not gain or attempt to gain unauthorized access to District technology, or that of another individual. This includes going beyond the student's authorized access, attempting to log in through another person's account, and accessing another person's files.
- 12.** Students shall not deliberately attempt to disrupt District technology, or that of another individual. Examples include attempt to destroy or alter data, or spread computer viruses.
- 13.** Students shall not read other users' electronic mail or files. They shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to delete, copy, modify or use another's individual identity.
- 14.** Students shall report any security problem or misuse of the services to the teacher or principal.

### **Personal Mobil Devices**

The use of personal mobile devices, such as laptops, cellular phones, tablets, pagers, or other electronic signaling devices, by students on campus is subject to all applicable District policies and regulations concerning technology use, as well as the following rules and understandings:

- Permission to have a mobile device at school is contingent on parent/guardian permission in the form of a signed copy of the District's Student Technology Use/Internet Access: Parent Permission Form and Parent/Student Agreement.
- The District accepts no financial responsibility for damage, loss or theft. Devices should not be left unattended.
- All costs for data plans and fees associated with mobile devices are the responsibility of the student. The District does not require the use of personal mobile devices and does not rely on personal devices in its instructional program or extracurricular activities.
- Use during class time must be authorized by the teacher.
- Photographs and audio or video recordings may be taken/made only with the express permission of all individuals being photographed or recorded. Recordings made in a classroom require the advance permission of the teacher and the school principal.
- Students may not take, possess or share obscene photographs or video.

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- Students may not photograph, videotape or otherwise record any instructional materials, including tests.
- The District will monitor all Internet or intranet access.
- If the District has reasonable cause the student has violated the law or District policy, the device may be searched by authorized personnel and/or law enforcement may be contacted.

### **District-owned Mobile Devices**

When a student is using a District-owned mobile device, all of the above rules pertaining to the personal mobile devices apply as well as the following:

- The device may be used only for school-related purposes.
- Users may not download applications (“apps”) to the device without permission from the teacher or other District employee.
- Users must follow all “apps” user agreements.
- The student and parent/guardian will be responsible for the replacement cost if the device is lost or is damaged because of intentional misuse.

### **Academic Dishonesty**

Electronic resources can make academic dishonesty easier and more tempting for students. Students are reminded that academic dishonesty includes the following:

#### **Cheating**

1. Copying work from others.
2. Communicating exam answers with other students during an examination.
3. Offering another person’s work as one’s own.
4. Sharing answers for a take-home examination or assignment unless specifically authorized by the instructor.
5. Tampering with an examination after it has been corrected, then returning it for more credit.
6. Using unauthorized materials, prepared answers, written notes or concealed information during an examination.
7. Allowing others to do the research and writing of an assigned paper (including use of the services of a commercial term-paper company).

#### **Dishonest Conduct**

1. Stealing or attempting to steal an examination or answer key from the instructor.
2. Changing or attempting to change academic records without proper sanctions.

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3. Allowing another student to copy off of one's own work during a test.

### Plagiarism

Plagiarism is intellectual theft. It means use of the intellectual creations of another without proper attribution. Plagiarism may take two main forms, which are clearly related:

1. To steal or pass off as one's own the ideas or words, images, or other creative works of another.
2. To use a creative production without crediting the source.

\*Credit must be given for every direct quotation, for paraphrasing or summarizing a work (in whole, or in part, in one's own words), and for information which is not common knowledge.

*(cf. 6162.6 - Use of Copyrighted Materials)*

### Collusion

Any student who knowingly or intentionally helps another student perform any of the above acts of cheating or plagiarism is subject to discipline for academic dishonesty.

### Copyrights

Students may not inappropriately reproduce or share a work that is protected by copyright. Students may not quote extensively from any source without proper attribution and permission.

Students may not make or share copies of copyrighted software, songs or albums, digital images, movies or other artistic works unless explicitly permitted by the fair use doctrine or other copyright law. Unlawful peer-to-peer network file sharing is a criminal offense.

*(cf. 6162.6 - Use of Copyrighted Materials)*

The District reserves the right to monitor use of the District's systems for improper use without advance notice or consent. Students shall be informed that computer files and electronic communications, including email, are not private and may be monitored or read by district officials to ensure proper use of the system.

*(cf. 5145.12 - Search and Seizure)*

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Users will not have access to chat rooms, or all other forms of electronic communication, during the instructional day, on or after school hours, without the supervision of Fountain Valley School District classroom employees.

The principal or designee shall make all decisions regarding whether or not a student has violated Board policy or the District's Student Technology Use/Internet Access: Parent Permission Form and Parent/Student Agreement. The decision of the principal or designee shall be final.

Whenever a student is found to have violated Board policy, administrative regulation, or the District's Student Technology Use/Internet Access: Parent Permission Form and Parent/Student Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the District's technological resources, as appropriate. Inappropriate use may also result in disciplinary action and/or legal action in accordance with law and Board policy.

*(cf. 5144 - Discipline)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*



Fountain Valley School District

# **Student Technology Use/Internet Access: Parent Permission Form and Parent/Student Agreement**

Student Acknowledgement

Student Name: \_\_\_\_\_

I have read and understand Board Policy/Administrative Regulation 6163.4 related to my use of District technology/Internet access, a copy of which is attached to this document. I understand that the consequences for violating the Policy or Administrative Regulation include, but are not limited to: suspension and/or revocation of Internet access, school suspension and/or expulsion, or possible legal action. I have read and agree to abide by these rules and regulations for acceptable use of electronic information resources.

\_\_\_\_\_

Student Name

Student Signature

Date

## Agreement and Parent Permission Form

I have read and understand Board Policy/Administrative Regulation 6163.4 related to my student's use of District technology/Internet access, a copy of which is attached to this document. As the parent or guardian of this student, I have read and understand these rules and regulations for acceptable use of electronic information resources and understand that use of the Internet is designed for educational purposes. I understand that it is impossible for the District to restrict access to all controversial materials, and I will not hold the District, its Board members, officers, employees or agents responsible for materials acquired on the network. I hold the District, its Board members, officers, employees and agents harmless from any damages, awards, or claims of liability resulting from my student's access to the Internet, the failure of any technology protection measures, violations of copyright restrictions, user mistakes or negligence, or any costs incurred by my student. My student is expected to use good judgment and follow the above-listed rules of use. Should there be breach of the rules, my student may lose all access to the District network and/or may be subjected to discipline, including suspension and expulsion. I understand I may be held liable for any damages caused by my student's intentional misuse of technology/Internet access.

I hereby give my permission for my student to use District technology and access the Internet in accordance with the above.

OR

At this time I do not accept this agreement, nor do I give permission for my student to access the Internet.

\_\_\_\_\_

Parent/Guardian Name (print)

Parent/Guardian Name Signature

Date