

## ELECTRONIC COMMUNICATIONS SYSTEM

### Definitions

- A. “Technology protection measure,” as defined by the Children’s Internet Protection Act (CIPA) means a specific technology that blocks or filters Internet access to visual depictions that are:
1. Obscene, as that term is defined in Section 1460 of Title 18, United States Code;
  2. Child pornography, as that term is defined in Section 2256 of Title 18, United States Code;  
or
  3. Harmful to minors.
- B. “Harmful to minors” as defined by CIPA 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;
  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, an actual or simulated normal or perverted sexual acts, or a lewd exhibit of the genitals; and
  3. Taken as a whole, lacks serious literary, artistic, political, or scientific value to minors.
- C. “Sexual act; sexual contact” as defined by CIPA have the meanings given such terms in Section 2246 of Title 18, United States Code.
- D. “Minor” as defined by CIPA means an individual who has not attained the age of 17. For the purpose of Board policy and this administrative regulation, minor will include all students enrolled in district schools.
- E. “Inappropriate matter” as defined by the district means material that is inconsistent with general public education purpose, the district’s mission, and goals.

### General District Responsibilities

The district will:

- A. Designate staff as necessary to ensure coordination and maintenance of the district's electronic communications system that includes all district computers, E-mail, and Internet access.

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- B. Provide staff training in the appropriate use of the district's system including copies of district policy and administrative regulations. Staff will provide similar training to authorized system users.
- C. Cooperate fully with local, state or federal officials in any investigation relating to misuse of the district's system;
- D. Use only properly licensed software, audio, or video media purchased by the district or approved for use by the district. The district will comply with the requirements of law regarding the use, reproduction, and distribution of copyrighted works and with applicable provisions of use or license agreements.
- E. Install and use desktop and/or server virus detection and removal software;
- F. Provide technology protection measures that protect against Internet access by both adults and minors to visual depictions that are obscene, child pornography; or with respect to the use of computers by minors, harmful to minors. An administrator, supervisor, or other individual authorized by the superintendent may disable the technology protection measures to enable access for bona fide research or other lawful purposes, as deemed appropriate.
- G. Prohibit access by minors, as defined by CIPA and this regulation, to inappropriate matter on the Internet and World Wide Web.
- H. Provide staff supervision to monitor the online activities of students to prevent unauthorized access, including “hacking” and other unlawful activities online, and ensure the safety and security of minors when authorized to use E-mail, chat rooms, and other forms of direct electronic communication.
- I. Determine which users and sites accessible as part of the district's system are most applicable to the curricular needs of the district and may restrict user access, accordingly.
- J. Determine which users will be provided access to the district's E-mail system.
- K. Notify appropriate system users that:
  - 1. The district retains ownership and control of its computers, hardware, software, and data at all times. All communications and stored information transmitted, received, or contained in the district's information system are the district's property and are to be used for authorized purposes only. Use of district equipment or software for unauthorized purposes is strictly prohibited. To maintain system integrity, monitor network etiquette and ensure that those authorized to use the district's system are in compliance with Board policy, administrative regulations and law, school administrators may routinely review user files and communications. The district will inform system users that files and other information, including E-mail, generated or stored on district servers are not private and may be subject to such monitoring.

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2. Files and other information, including E-mail, sent or received, generated, or stored on district servers are not private and may be subject to monitoring. By using the district's system, individuals consent to have that use monitored by authorized district personnel. The district reserves the right to access and disclose, as appropriate, all information and data contained on district computers and district-owned E-mail system.
  3. The district may establish a retention schedule for the removal of E-mail.
  4. E-mail sent or received by a Board member or employee in connection with the transaction of public business may be a public record and subject to state archivist rules for retention and destruction.
  5. Information and data entered or stored on the district's computers and E-mail system may become discoverable evidence if a public records request is made or a lawsuit is filed against the district. "Deleted" or "purged" data from district computers or E-mail system may be retrieved for later public records disclosure or disciplinary purposes, as deemed necessary by the district.
  6. The district may set quotas for system disk usage. The district may allow system users to increase their quota by submitting a written request to the supervising teacher or system coordinator stating the need for the increase.
  7. Transmission of any materials regarding political campaigns is prohibited.
- L. Ensure all staff and nonschool system users complete and sign an agreement to abide by the district's electronic communications policy and administrative regulations. All such agreements will be maintained on file in the information services office. Internet and E-mail accounts are authorized and issued by virtue of a student's status as a currently enrolled student in the district. It is only by exception signed by parent or guardian that the student will be denied an Internet or E-mail account. All such agreements will be maintained on file in the school office.

System Access

- A. Access to the district's system is authorized to Board members, district employees, students with parent approval and when under the direct supervision of staff; district volunteers, district contractors, or others members of the public as authorized by the system coordinator or district administrators consistent with the district's policy governing use of district equipment and materials.
- B. Students, staff, Board members, volunteers, district contractors, and other members of the public may be permitted to use the district's system for personal use, in addition to official district business, consistent with Board policy, general use prohibitions/guidelines/etiquette, and other applicable provisions of this administration regulation. Personal use of district-owned computers,

including Internet and E-mail access by employees, is prohibited during the employee's work hours. Additionally, Board member and employee use of district-owned computers may be permitted only when such use does not violate the provisions of ORS 224.040 and use is under the conditions

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that access is provided to the general public under the district's policy governing use of district equipment and materials.

General Use Prohibitions/Guidelines/Etiquette

Operation of the district's system relies upon the proper conduct and appropriate use of system users. Students, staff, and others granted system access are responsible for adhering to the following prohibitions and guidelines which require legal, ethical, and efficient utilization of the district's system.

A. Prohibitions

The following conduct is strictly prohibited:

1. Attempts to use the district's system for:
  - a. Unauthorized solicitation of funds;
  - b. Distribution of chain letters;
  - c. Unauthorized sale or purchase of merchandise and services;
  - d. Collection of signatures;
  - e. Membership drives;
  - f. Transmission of any materials regarding political campaigns.
2. Attempts to upload, download, use, reproduce, or distribute information, data, or software on the district's system in violation of copyright law or applicable provisions of use or license agreements.
3. Attempts to degrade, disrupt, or vandalize the district's equipment, software, materials, or data or those of any other user of the district's system or any of the agencies or other networks connected to the district's system.
4. Attempts to evade, change, or exceed resource quotas or disk usage quotas.
5. Attempts to send, intentionally access, or download any text file or picture or engage in any communication that includes material that may be interpreted as:
  - a. Harmful to minors;
  - b. Obscene or child pornography as defined by law or indecent, vulgar, profane, or lewd as determined by the district;
  - c. A product or service not permitted to minors by law;
  - d. Harassment, intimidation, menacing, threatening, or constitutes insulting or fighting words, the very expression of which injures or harasses others;
  - e. A likelihood that, either because of its content or the manner of distribution, it will cause a material or substantial disruption of the proper and orderly operation of the

school or school activity;

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- f. Defamatory, libelous, reckless, or maliciously false, potentially giving rise to civil liability, constituting or promoting discrimination, a criminal offense, or otherwise violates any law, rule, regulation, Board policy, and/or administrative regulation.
6. Attempts to gain unauthorized access to any service via the district's system which has a cost involved or attempts to incur other types of costs without specific approval. The user accessing such services will be responsible for these costs.
7. Attempts to post or publish personal student contact information unless authorized by the system coordinator or teacher and consistent with applicable Board policy pertaining to student directory and personally identifiable information. Personal contact information includes photograph; age; home, school, or work, or E-mail addresses; phone numbers; or other unauthorized disclosure, use, and dissemination of personal information regarding students.
8. Attempts to arrange student meetings with anyone on the district's system, unless authorized by the system coordinator or teacher and with prior parent approval.
9. Attempts to use the district's name in external communication forums such as chat rooms without prior district authorization.
10. Attempts to use another individual's account name or password, or access restricted information, resources, or networks to which the user has not been given permission.

### **B. Guidelines/Etiquette**

Appropriate system use etiquette is expected of all users and is explained in district training sessions and as described in the Student Network Use Handbook.

### **Complaints**

Complaints regarding use of the district's Electronic Communications System may be made to the teacher, principal, employee's supervisor, or system coordinator. The district's established complaint procedure will be used for complaints concerning violations of the district's Electronic Communications System policy and/or administrative regulation. See Board policy KL and accompanying administrative regulation.

### **Violations/Consequences**

#### **A. Students**

1. Students who violate general system user prohibitions shall be subject to discipline up to and including expulsion and/or revocation of district system access up to and including permanent loss of privileges.
2. Violations of law will be reported to law enforcement officials.

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3. Disciplinary action may be appealed by parents, students, and/or a representative in accordance with established district procedures.

**B. Staff**

1. Staff who violate general system user prohibitions shall be subject to discipline up to and including dismissal in accordance with Board policy, collective bargaining agreements, and applicable provisions of law.
2. Violations of law will be reported to law enforcement officials.
3. Violations of applicable Teacher Standards and Practices Commission (TSPC), Standards for competent and ethical performance of Oregon Educators will be reported to TSPC as provided by OAR 584-020-0041.
4. Violations of ORS 244-040 will be reported to Government Standards and Practices Commission.

**C. Others**

1. Other guest users who violate general system user prohibitions shall be subject to suspension of system access up to and including permanent revocation of privileges.
2. Violations of law will be reported to law enforcement officials or other agencies, as appropriate.

**Telephone/Membership/Other Charges**

- A. The district assumes no responsibility or liability for any membership or phone charges including, but not limited to, long distance charges, per minute (unit) surcharges and/or equipment or line costs incurred by any home usage of the district's system.
- B. Any disputes or problems regarding phone services for home users of the district's system are strictly between the system user and his/her local phone company and/or long distance service provider.

**Information Content/Third Party Supplied Information**

- A. System users and parents of student system users are advised that use of the district's system may provide access to materials that may be considered objectionable and inconsistent with the district's

mission and goals. Parents should be aware of the existence of such materials and monitor their student's home usage of the district's system accordingly.

- B. Opinions, advice, services and all other information expressed by system users, information providers, service providers or other third party individuals are those of the providers and not the district.

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- C. System users may, with supervising teacher or system coordinator approval, order services or merchandise from other individuals and agencies that may be accessed through the district's system. These individuals and agencies are not affiliated with the district. All matters concerning merchandise and services ordered including, but not limited to, purchase terms, payment terms, warranties, guarantees and delivery are solely between the seller and the system user. The district makes no warranties or representation whatsoever with regard to any goods or services provided by the seller. District staff and administration shall not be a party to any such transaction or be liable for any costs or damages arising out of, either directly or indirectly, the actions or inactions of sellers.
- D. The district does not warrant that the functions or services performed by or that the information or software contained on the system will meet the system user's requirements or that the system will be uninterrupted or error-free or that defects will be corrected. The district's system is provided on an "as is, as available" basis. The district does not make any warranties, whether express or implied including, without limitation, those of merchantability and fitness for a particular purpose with respect to any services provided by the system and any information or software contained therein.

**STUDENT INTERNET ACCOUNT AGREEMENT  
AND EXCEPTIONS DENIAL FORM**

Parent or Guardian,

Please read this information carefully. Do not return this form unless you wish to deny your child access to the Internet and E-mail at school. You are strongly encouraged to read the district's Student Network Use Handbook. (You must supervise your child's use of the system if your child is accessing the system from home.)

Internet and E-mail accounts are authorized and issued by virtue of your child's status as a currently enrolled student in the district. It is only by exception that we will deny your child an Internet or E-mail account. This means that your child will automatically receive an Internet and E-mail account, and be held to the rules of use as stated in the district's Student Network Use Handbook.

By virtue of your child's enrollment, you hereby release the district, its personnel, and any institutions with which it is affiliated, from any and all claims and damages of any nature arising from your child's use of, or inability to use, the district's system, including, but not limited to claims that may arise from the unauthorized use of the system to purchase products or services. Please be advised you can be held liable for damages caused by your child's intentional misuse of the system.

Please instruct your child regarding any restrictions against accessing material that are in addition to the restrictions set forth in the district Acceptable Use Policy. Please emphasize to your child the importance of following the rules for personal safety.

**DO NOT SIGN AND RETURN THIS FORM UNLESS** you do not wish your child to have access to the Internet or E-mail, or you do not agree with the agreements as outlined above and in the Student Network Use Handbook.

It is recommended that you mail this form to your child's school office.

I DENY permission to issue my child the following accounts to provide access outside of the district:

- An Internet account (allows information searching and file transfer)
- A personal Internet E-mail account (allows the sending and receiving of electronic mail)
- A personal Internet web page account (allows the posting of information to a web page)

Student Name (last, first) \_\_\_\_\_ Grade \_\_\_\_\_

School \_\_\_\_\_

Parent Signature \_\_\_\_\_ Date \_\_\_\_\_

Parent Name \_\_\_\_\_ Phone \_\_\_\_\_

Home Address \_\_\_\_\_ E-Mail \_\_\_\_\_

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**STAFF AGREEMENT FOR AN ELECTRONIC COMMUNICATIONS SYSTEM ACCOUNT**

I have read the district's Electronic Communications System policy and administrative regulation and agree to abide by their provisions. I understand that violation of these provisions will result in suspension or revocation of system access and related privileges and/or referral to law enforcement officials.

In consideration for the privilege of using the district's Electronic Communications System and in consideration for having access to the public networks, I hereby release the district, its operators, and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my use or inability to use the system including, without limitation, the type of damages identified in the district's policy and administrative regulation.

I understand that my district electronic communications are subject to public records law.

Signature: \_\_\_\_\_

Home Address: \_\_\_\_\_

Date: \_\_\_\_\_ Home Phone Number: \_\_\_\_\_

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Assigned Username: first name last name

Initial Password: password (to be changed by user)

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AGREEMENT FOR AN ELECTRONIC COMMUNICATIONS SYSTEM ACCOUNT  
(Nonschool System User)

I have read the district's Electronic Communications System policy and administrative regulation and agree to abide by their provisions. I understand that violation of these provisions result in suspension or revocation of system access and related privileges and/or referral to law enforcement officials.

In consideration for the privilege of using the district's Electronic Communications System and in consideration for having access to the public networks, I hereby release the district, its operators, and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my use or inability to use the system including, without limitation, the type of damages identified in the district's policy and administrative regulation.

I understand that my district electronic communications are subject to public records law.

Signature: \_\_\_\_\_

Home Address: \_\_\_\_\_

Date: \_\_\_\_\_ Home Phone Number: \_\_\_\_\_

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Assigned Username: first name last name

Initial Password: password (to be changed by user)