

PersonnelAcceptable Use of the Computer, Network, Internet,  
Electronic Communications, and Information Systems PolicyPurpose

The Board supports use of the computers, Internet and other network resources in the Boyertown Area School 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.

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

BASD realizes that with providing access to computers, the Internet, and all other forms of technology available, it cannot regulate or monitor all information received or sent by persons who use the Internet and e-mail; and BASD cannot ensure that users who engage in these technologies will be prevented from accessing inappropriate or offensive material. BASD firmly believes that the information and interaction available using these technologies reduces the possibility that users may procure material that is not consistent with the educational and business goals of the BASD.

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

Definitions

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

**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 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.

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:

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:

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:

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.

**Users** - shall mean staff, students, guests, contractors and/or contracted service workers who use any technology-related devices and/or the Internet, whether or not explicitly owned by the Boyertown Area School District.

#### Authority

The availability of access to electronic information does not imply endorsement by the Boyertown Area School District of the content, nor does the Boyertown Area School District guarantee the accuracy of information received. The Boyertown Area School 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.

The Boyertown Area School District shall not be responsible for any unauthorized charges or fees resulting from access to the Internet or other network resources.

The Board declares that computer and network use is a privilege, not a right. The Boyertown Area School District's computer and network resources are the property of the Boyertown Area School District. Users shall have no expectation of privacy in anything they create, store, send, delete, receive or display on or over the Boyertown Area School District's Internet, computers or network resources, and/or technology-related devices, including personal files or any use of the Boyertown Area School District's Internet, computers or network resources. The Boyertown Area School District reserves the right to monitor, track, and log network access and use; monitor fileserver space utilization by users; or deny access to prevent unauthorized, inappropriate or illegal activity and may revoke access privileges and/or administer appropriate disciplinary action. The Boyertown Area School District shall cooperate to the extent legally required with the Internet Service Provider (ISP), local, state and federal officials in any investigation concerning or related to the misuse of the Boyertown Area School District's Internet, computers, and network resources.

The Board requires all users to fully comply with this policy and to immediately report any violations or suspicious activities to their immediate supervisor or designee.

The Board establishes the following materials, in addition to those stated in law and defined in this policy, that are inappropriate for access by users: defamatory, lewd, vulgar, or profane, threatening, harassing or discriminatory, bullying/cyber-bullying, and/or terroristic. The above terms shall have the meaning given to them within this or any other district policy, state or federal law, or decisions thereunder.

The Boyertown Area School 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 Boyertown Area School District operates and enforces a technology protection measure(s) that blocks or filters access to inappropriate matter by users on its computers used and accessible to users. The technology protection measure shall be enforced during use of computers with Internet access.

Upon request by Boyertown Area School District staff, program supervisors may authorize the temporary disabling of Internet blocking/filtering software to enable access for bona fide research or for other lawful purposes. If a request for temporary disabling of Internet blocking/filtering software is denied, the requesting user may appeal the denial to the superintendent or his/her designee for expedited review.

Upon request by Boyertown Area School District staff, the superintendent or his/her designee shall expedite a review and 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.

The Boyertown Area School District shall make every effort to ensure that this resource is used responsibly by users.

The Boyertown Area School District shall inform users about this policy through employee and student handbooks, posting on the Boyertown Area School District web site, and by other appropriate methods.

All students, employees, and other approved persons will need to review the policy, sign a form indicating they have read, and will abide to this policy.

Student user agreements shall also be signed by a parent/guardian.

Administrators, teachers and staff have a professional responsibility to work together to help students develop the intellectual skills necessary to discern among information sources, to identify information appropriate to their age and developmental levels, and to evaluate and use the information to meet their educational goals.

Students, staff and other authorized individuals have the responsibility to respect and protect the rights of every other user in the Boyertown Area School District and on the Internet.

Principals/supervisors with assistance from the Director of Technology shall make initial determinations of whether inappropriate use has occurred.

The superintendent or his/her designee shall be responsible for recommending technology and developing procedures used to determine whether the Boyertown Area School District's computers are being used for purposes prohibited by law or for accessing sexually explicit materials. The procedures shall include but not be limited to:

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 of minors.

The superintendent or his/her designee shall develop and implement administrative regulations that ensure students are educated on network etiquette and other appropriate online behavior, including:

1. Interaction with other individuals on social networking web sites and in chat rooms.
2. Cyber-bullying awareness and response.

#### Guidelines

Network accounts shall be used only by the authorized owner of the account for its approved purpose. Network users shall respect the privacy of other users on the system.

#### Safety

It is the Boyertown Area School District's goal to protect users of the network from harassment and unwanted or unsolicited electronic communications. Any

network user who receives threatening or unwelcome electronic communications or inadvertently visits or accesses an inappropriate site shall report such behavior immediately to a teacher (for students) or administrator/supervisor (for BASD employees). Network users shall not reveal personal information to other users on the network, including chat rooms, e-mail, social networking web sites, etc.

Internet safety measures shall effectively address the following:

1. Control of access by users to inappropriate matter on the Internet and World Wide Web.
2. Safety and security of users when using electronic mail, chat rooms, and other forms of direct electronic communications.
3. Prevention of unauthorized online access by users, including "hacking" and other unlawful activities.
4. Unauthorized disclosure, use, and dissemination of personal information regarding users.
5. Restriction of users' access to materials harmful to them.

#### Non-Public Forum

Use of the District's computer resources, including its connection to the internet, is solely for the support of the District's instructional mission and all sanctioned activities using those resources are in furtherance of the same. At no time are these resources offered to anyone as a means of public expression.

#### Prohibitions

Users are expected to act in a responsible, ethical and legal manner in accordance with Board policy, accepted rules of network etiquette, and federal and state law. Specifically, the following uses are prohibited:

1. Facilitating illegal activity.
2. Commercial or for-profit purposes.
3. Non-work or non-school related work.
4. Product advertisement or political lobbying.
5. Bullying/Cyber-bullying.
6. Language, actions, and/or statements that are in violation of law and/or Boyertown Area School District policies.
7. Unauthorized or illegal installation, distribution, reproduction, or use of copyrighted materials.

8. Accessing, sending, receiving, transferring, viewing, sharing or downloading obscene, pornographic, lewd, or otherwise illegal materials, images or photographs.
9. Access by users to material that is harmful to minors or is determined inappropriate for users in accordance with Board policy.
10. Transmission of material likely to be offensive or objectionable to recipients.
11. Intentional obtaining or modifying of files, passwords, and data belonging to other users.
12. Impersonation of another user, anonymity, and pseudonyms.
13. Fraudulent copying, communications, or modification of materials in violation of copyright laws.
14. Loading or using of unauthorized games, programs, files, or other electronic media.
15. Disruption of the work of other users.
16. Destruction, modification, abuse or unauthorized access to network hardware, software and files.
17. Accessing the Internet, Boyertown Area School District computers or other network resources without authorization
18. Disabling or bypassing the Internet blocking/filtering software without authorization.
19. Accessing, sending, receiving, transferring, viewing, sharing or downloading confidential information without authorization.

Such prohibited actions will result in disciplinary action up to and including termination.

#### Personal Devices

Students, employees, and other registered as guests choosing to bring their own electronic devices into the District buildings may do so under the following conditions:

1. Use of such devices during scheduled class time is at the sole discretion of the teacher with responsibility over the classroom. That teacher will also have sole discretion over what may be accessed using the device. All other restrictions below will also apply.
2. Access to the internet may only use District provided network resources and may not utilize cellular or other data networks to which the user may otherwise have access. Any later discovered online activity during any period when a student is known to be in attendance shall be presumed to be accomplished through the District's network.

3. Any use of a personally owned device that accesses the internet through the District's network or utilizes the District's software or data must comply with District policies including Acceptable Use.
4. Personal devices which any person subject to this policy chooses to utilize with the District's network or with District's software or data will be subject to search where reasonable suspicion exists that the individual has committed a crime or violated District policy using the device. District may also search to confirm deletion of non-public District data or software, as necessary. When troubleshooting network issues, technical support personnel may also ask for access to personal devices utilizing the network.
5. District may choose to restrict services available to a user or class of user, either based upon network availability or pedagogical appropriateness.
6. Each networked device has a unique Media Access Control (MAC) address. The District will require that each individual register any device's MAC address prior to use on the network. Use of that device thereafter will be presumed to be by the registrant.
7. Student shall not be permitted to use cameras on their personal devices to take photographs of other individuals surreptitiously while under the jurisdiction of the District.
8. Anyone discovered utilizing a personal device in a way barred by this policy shall have the device confiscated. Return of the device will be as dictated in administrative procedures developed by the individual schools. This confiscation shall be in addition to any punishment otherwise levied for such a violation.
9. In being permitted to bring personal devices to school, users and owners of personal devices understand that neither the District nor any employee of the District shall be liable for any lost, damaged or destroyed items, including damage or loss taking place following or as a result of surrender to District personnel.
10. The District does not warrant and the user may not hold the District liable for any lost, damaged or corrupted data resulting from use of the District's network.

### Security

System security is protected through the use of passwords. Failure to adequately protect or update passwords could result in unauthorized access to personal or Boyertown Area School District files. To protect the integrity of the system, these guidelines shall be followed:

1. Users shall not reveal their passwords to another individual.
2. Users are not to use a computer that has been logged in under another users' name.
3. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the network.

Copyright

The illegal use of copyrighted materials is prohibited. Any data uploaded to or downloaded from the network shall be subject to fair use guidelines and applicable laws and regulations.

Boyertown Area School District Web Site

The Boyertown Area School District shall establish and maintain a web site and shall develop and modify its web pages to present information about the Boyertown Area School District under the direction of the superintendent or his/her designee. All users publishing content on the Boyertown Area School District web site shall comply with this and other applicable Board policies.

Users shall not copy or download information from the Boyertown Area School District web site and disseminate such information on unauthorized web pages without authorization from the building administrator or program supervisor.

Consequences for Inappropriate Use

The network user shall be responsible for damages to the equipment, systems, and software resulting from deliberate or willful acts.

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.

General rules for behavior and communications apply when using the Internet, in addition to the stipulations of this policy.

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.

Failure to comply with this policy or inappropriate use of the Internet, Boyertown Area School District network or computers shall result in usage restrictions, loss of access privileges, disciplinary action up to and including termination, and/or legal proceedings.

Board of School Directors  
Boyertown Area School District  
Boyertown, Pennsylvania

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